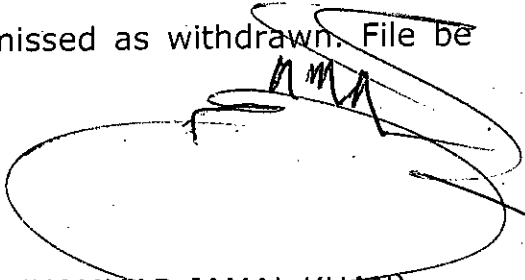


26.01.2021

Mr. Noor Muhammad Khattak, Advocate, for appellant is present.

He submitted application for withdrawal of the appeal on the ground that the grievance of the appellant has been redressed. The contents of application were reiterated to the learned counsel for appellant which he accepted as correct. Accordingly, the appeal stands dismissed as withdrawn. File be consigned to the record room.

ANNOUNCED
26.01.2021




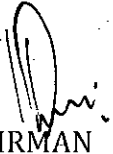
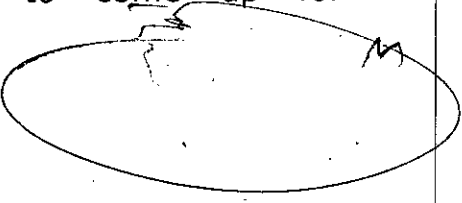
(MUHAMMAD JAMAL KHAN)
MEMBER (JUDICIAL)

Form- A

FORM OF ORDER SHEET

Court of _____

Case No.- 10532 /2020

S.No.	Date of order proceedings	Order or other proceedings with signature of judge
1	2	3
1-	11/09/2020	<p>The appeal of Mst. Nasira presented today by Mr. Noor Muhammad Khattak 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>2-</p> <p>This case is entrusted to S. Bench for preliminary hearing to be put up there on <u>09/11/20</u>.</p> <p style="text-align: right;"> CHAIRMAN</p>
09.11.2020		<p>Nemo for the appellant.</p> <p>Since the Members of the High Court as well as of the District Bar Associations, Peshawar, are observing strike today, therefore, learned counsel for appellant is not available today. Adjourned to 26.01.2021 on which date to come up for preliminary hearing before S.B.</p> <p style="text-align: right;"> (Muhammad Jamal Khan) Member (Judicial)</p>

Before The KP Service Tribunal, Peshawar.

Mst. Nasira v/s Education.

Application for withdrawal of The
above mentioned Service Appeal.

Respectfully Sheweth;

- 1) That the above titled appeal is pending adjudication before this Honourable Tribunal which is fixed for hearing today on 26/01/2021
- 2) That, grievance of the appellant has been redressed. Therefore, intends to withdraw the instant Appeal.

It is, therefore, most humbly prayed that the above titled may very kindly be withdrawn

26th Jan 2021

Appellant
Through ³lf.
Noor Muhammad Khattak
AHC, Pesh

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

SERVICE APPEAL NO. _____/2020

MST. NASIRA

V/S

EDUCATION DEPTT:

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5.	Domicile	D	9 - 10
6.	Marriage Registration Certificate	E	11
7.	CNIC	F	12
8.	Service Card	G	13
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10.	CoC	I	16 - 17
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12.	Transfer/Posting Policy	K	19 - 21
13.	Judgment dated 14-11-2019	L	22 - 24
14.	Wakalat Nama	25

Dated: 05-09-2020

APPELLANT

Through:


NOOR MOHAMMAD KHATTAK
ADVOCATE
FLATE NO. 04, 2ND FLOOR,
JUMA KHAN PLAZA, NEAR FATA
SECRETARIAT,
WARSAK ROAD, PESHAWAR
0345-9383141

BEFORE THE KHYBER PAKHTUNKHWA SERVICE TRIBUNAL,
PESHAWAR

APPEAL NO. 10532/2020

Khyber Pakhtunkhwa
Service Tribunal

Mst. Nasira, PST (BPS-12),
GGPS Kung Farmanullah, Tehsil Bazai, District Mohmad.
r/o Kodehri, Lund Khwar, Tehsil Takht Bhai, District Mardan.

Diary No. 10086

Dated 11/9/2020

.....**APPELLANT**

VERSUS

- 1- The Government of Khyber Pakhtunkhwa through Secretary, Elementary & Secondary Education, Civil Secretariat, Peshawar.
- 2- The Director (E&SE) Department, Khyber Pakhtunkhwa Peshawar.
- 3- The Director (Education), Merged Area, Warsak Road, Peshawar.
- 4- The District Education Officer, District Mohmand.
- 5- The District Education Officer, District Mardan.

.....**RESPONDENTS**

APPEAL UNDER SECTION-4 OF THE KHYBER PAKHTUNKHWA SERVICE TRIBUNAL ACT, 1974 AGAINST THE IMPUGNED APPELLATE ORDER DATED 24-08-2020 WHEREBY DEPARTMENTAL APPEAL OF THE APPELLANT HAS BEEN REJECTED ON NO GOOD GROUNDS.

PRAYER:

That on acceptance of this appeal the impugned Notification dated 24.08.2020 may very kindly be set aside and the appellant be transfer to her home District i.e. District Mardan against any vacant post of PST (BPS-12) in light of Section 3 of the Khyber Pakhtunkhwa (Appointment, Deputation, Posting & Transfer of Teachers, Lecturers, Instructors and Doctors) Regulatory Act 2011 and spouse policy. Any other remedy which this august Tribunal deems fit that may also be awarded in favor of the appellant.

R/SHEWETH:

ON FACTS:

- 1- That the appellant was initially appointed as PST (BPS-12) at Female Community School Aragi on the proper recommendation of the Departmental Selection Committee on contract basis vide order dated 13-04-2007 and was later on regularized on the basis of this Honourable Court dated 06-08-2013 vide regularization order dated 30-08-2013 and accordingly was posted in GGPS

Filed to-day

Registrar
11/9/2020

Kung Farmanullah of District Mohmand at Serial No. 49 of the regularization order. Copy of appointment order & regularization order dated 30-08-2013 is attached as **Annexure A & B.**

2- That husband of the appellant is a permanent resident & Domicile holder of District Mardan and presently serving as Constable in Police Department at District Mardan and in this respect a proper service certificate has also been issued from Police Department of District Mardan. Copy of Service Certificate, Domicile, Marriage Registration Certificate, CNIC & Service Card is attached as Annexure **C, D, E, F & G.**

3- That appellant moved an application for her Inter-District transfer from District Mohmand to District Mardan as a post of PST (BPS-12) was lying vacant in GGPS Gul Pur Kallay Shergarh District Mardan which was not responded hence the appellant filed Writ Petition No. 6806-P/2019 which was allowed vide judgment dated 17-06-2020 with the direction issued to Respondent No. 2 to treat this petition as an appeal/representation and decide it through explicit order as per Law within the period of 15 (fifteen) days positively. Copy of the judgment dated 17-06-2020 is attached as annexure.....**H.**

4- That the appellant waited for the decision and implementation of the judgment dated 17-06-2020 but when the same was not responded the appellant filed CoC No. 426-P/2020 and on the date of hearing on 02-09-2020 the responded presented the appellate order dated 24-08-2020 whereby the representation/appeal of the appellant was rejected on no good grounds. Copy of CoC & appellate order dated 24-08-2020 is attached as Annexure **I & J.**

5- That appellant feeling aggrieved from the impugned Notification dated 24.08.2020 and having no other remedy but to file the instant service appeal on the following grounds amongst the others.

GROUND:

A- That the impugned Notification dated 24.08.2020 issued by the respondent No. 2 is against the law, facts, norms of natural justice and materials on the record, hence not tenable and is liable to be set aside.

- B-** That appellant has not been in accordance with law and rules on the subject noted above and as such the respondents violated Article-4 and 25 of the Constitution of Islamic Republic of Pakistan, 1973.
- C-** That the respondents acted in arbitrary and malafide manner while not transferring the appellant and issuing of the impugned appellate Notification dated 24.08.2020.
- D-** That the appellant has been discriminated by the respondents while issuing the appellate notification dated 24-08-2020 and not transferring the appellant to her home District, hence the same is also against the Principle of Natural Justice.
- E-** That act of the respondents while issuing the appellate order dated 24-08-2020 and by not transferring the appellant to the said vacant post at her home District is against Clause-IX of the Transfer/Posting Policy 2009 of the Provincial Government of Khyber Pakhtunkhwa. Copy of the Transfer/Posting Policy is attached as Annexure **K.**
- F-** That act of the respondents while issuing the impugned appellate notification dated 24.08.2020 is against the judgment of the Honourable Peshawar High Court Peshawar passed in Writ Petition No. 112/2019 vide dated 14-11-2019. Copy of the Judgment dated 14-11-2019 is attached as Annexure **L.**
- G-** That the appellant has served in the Merged area for quite considerable time and is entitled to be transferred to her home District i.e. District Mardan and this act of the respondents is against Section-3 of the KP (Appointment, Deputation, Posting & Transfer of Teachers, Lecturers, Instructors and Doctors) Regulatory Act 2011.
- H-** That in Article-35 of the Constitution of Islamic Republic of Pakistan, 1973 it has clearly been mentioned that

"The State Shall protect the marriage, the family, the mother and the child"

I- That appellant seeks permission to advance other grounds and proofs at the time of hearing.

It is therefore, most humbly prayed that the appeal of appellant may very kindly be accepted as prayed for.

Dated: 04-09-2020

APPELLANT



NASIRA

THROUGH:



NOOR MOHAMMAD KHATTAK



**MUHAMMAD MAAZ MADNI
ADVOCATES**

OFFICE OF THE AGENCY EDUCATION OFFICER MOHMAND AGENCY AT GHALLANAI.**APPOINTMENT ORDER**

Consequent upon on the approval of Departmental Selection Committee, the following Female candidates are hereby appointed as PTC post for the Project period at Female Community Schools in BPS07 plus usual allowances as admissible under the rules in the interest of public services with effect from the date of their taking over charge in the schools noted against each.

S. No.	Name and Father's Name	School	Remarks
2589/01	Nigat Bano D/O Jehanzeb	FCS Samghakhi	Against Vacant Post
2491/02	Saima Bibi D/O Muhammad Sher	FCS Koda Khel A. Samad	Against Vacant Post
2458/03	Toseen Bano D/O Mohd Shafiullah	FCS Ucha Joura Rawesh	Against Vacant Post
2508/04	Mehnaz D/O Fazle Rabi	FCS Kuzo Kas	Against Vacant Post
2571/05	Wasakt Bibi D/O Hayat Zada	FCS Shamsai	Against Vacant Post
2459/06	Nasira D/O Akhtar Gul	FCS Anargi	Against Vacant Post
2593/07	Neelam Bibi D/O Ghulam Muhammad	FCS Aba Kore	Against Vacant Post

TERMS/CONDITIONS

1. The appointment of the candidates are made purely on temporary basis and liable to termination at any time without showing any reason.
2. They will be considered Govt. Servants and will be entitled to all benefits except pension and gratuity.
3. They will be entitled to C.P. Fund.
4. In case if they wish to resign the post they shall have to give one month prior notice or forfeit one month pay in lieu thereof.
5. Health & Age certificate should be produced from the Agency Surgeon Mohmand Agency.
6. They will not be handed over charge of the post if they are below 18 years and above 33 years
7. If they failed to report their arrival within 15 days, their appointment will be deemed as cancelled.
8. Their original education qualification/Professional certificates, Domicile Certificate and N.I.C will be checked before the handing over charge of the posts.
9. They will not be paid their salaries before the verification of their documents from the quarter concerned.
10. Charge should be submitted to all concerned.

(Haji Hasham Khan)
Agency education officer
Mohmand Agency at Ghallanai

Endst No. 4152-55/Dated 13/04/2007.

Copy of the above is forwarded to the:-

1. Director of Education (FATA) NWFP, Peshawar
2. Political Agent Mohmand Agency at Ghallani
3. Agency Accounts Officer Mohmand Agency at Ghallanai.
4. Agency Surgeon Mohmand Agency at Ghallanai.
5. AAEOs/HM concerned.
6. Accountant/Pay Clerk local office.
- 7-14. Candidates concerned.

ATTESTED

[Handwritten Signature]

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②
③

OFFICE OF THE AGENCY EDUCATION OFFICER MOHMAND AGENCY AT GHALLANAI.
APPOINTMENT ORDER.

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2508/04	Mehnaz D/O Fazle Rabi	FCS Kuzo Kas	Against Vacant Post
2571/05	Wasakat Bibi D/O Hayat Zada	FCS Shamsai	Against Vacant Post
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9. They will not be paid their salaries before the verification of their documents from the quarter concerned.
10. Charge should be submitted to all concerned.

(HAJI-HASHAM KHAN)
Agency Education Officer,
Mohmand Agency at Ghallanai.

Enst: No. 52-55 / Dated 13/4/2007.

Copy of the above is forwarded to the :-

1. Director of Education (FATA) NWFP, Peshawar.
2. Political Agent Mohmand Agency at Ghallanai.
3. Agency Accounts Officer Mohmand Agency at Ghallanai.
4. Agency Surgeon Mohmand Agency at Ghallanai.
5. AAOs/HM concerned.
6. Accountant/Pay Clerk local office.
- 7-14. Candidates concerned

Agency Education Officer,
Mohmand Agency at Ghallanai

ATTESTED

OFFICE OF THE AGENCY EDUCATION OFFICER MOHMAND AGENCY AT GHALLANAI
REGULARIZATION OF COMMUNITY TEACHERS

Consequent upon the notification No. SO/I/SSD/CSCR/99-108 dated 11.5.2012 and on the basis of honourable High Court decision dated 06.8.2013, re-appointment order of 52 community teachers issued vide this office No. 1636-12 dated 17.8.2012 and No. 1643-49 dated 17.8.2012 is hereby implemented with effect from 01.09.2013 in the interest of public service, with partial modification at S. No. 19 and 42 in order No. 1636-42 and at S. No. 3 in order No. 16343-49, with the remarks that:-

1. The said appointment was made from Agency wise merit on the verbal directions of Director of Education (FATA) at that time, if Directorate of Education (FATA) declared this order against the present recruitment policy of the Govt. in response to this office letter No. 1306 dated 20.8.2013, then regularization of community teacher will be made on tehsil wise merit basis.
2. If any post against which community teacher was regularized was not vacant, then the incumbent will vacate the post for the community teacher on his regularization.
3. Any community school for which regular posts have not been sanctioned and teachers of this Community Schools got regular posts then this community school will be considered as closed and class IVs of this school will be considered as terminated w.e.f 1.9.2013 and students of this schools will be advised by the teachers to get admission in nearby regular school.
4. Documents, both Professional and academic will be verified by the committee constituted for the purpose. A single person will not carryout the verification process.

Note: Cases regarding the scales of newly adjusted teachers will be decided individually on the basis of their qualification.

S. No.	Name with Father's Name	Name of Community School	Station of posting as regular PST	Tehsil	Remarks
1	Fazle Subhan S/O Abdul Latif	CS Atam Killi	GPS Zoor Killi Aflatoon	Baizai	Against newly created post
2	Muhammad Irshad S/O Abdur Rahman	CS Manzari Cheena	MPS Abdul Jabbar	Halimzai	Against vacant post
3	Abdul Samad S/O Muhammad Rafiq	CS Gul Wali	GPS Lakhan Killi Faiz Ali	Baizai	Against newly created post
4	Salim Sardar S/o Hakim Said	CS Shamir Khan Abad	GPS Habi Khel Kamali	Halimzai	Against vacant post
5	Sameer Ahmad S/O Ahmad Gul	CS Kuzi Kas	GPS Manzari Cheena	Khwazai	Against newly created post
6	Adil Shah S/O Gu Shah	CS Atam Killi	GPS Said Rahman Gudbaz	Halimzai	Against vacant post
7	Aslam Khan S/O Hazrat Muhammad	CS Naik Muhammad	GPS Balu Dag	Khwazai	Against newly created post
8	Azizullah S/O Itbar Khan	CS Yad Muhammad	GPS Grang No. 1	Halimzai	Against vacant post
9	Khanadan S/O Malik Wazir Khan	CS Ijazat	GPS Karrer Habibzai	Halimzai	Against vacant post
10	Muhammad Sadiq S/O Muhammad Yar	CS Mateena Malik	GPS Zoor Killi Aflatoon	Baizai	Against newly created post
11	Ali Akbar S/O Hazrat Muhammad	CS Naik Muhammad	GPS Ashraf Abad	Khwazai	Against vacant post
12	Muhammad Riaz Khan S/O Zarghun Shah	CS Toora Khwa	GPS Din Muhammad	Halimzai	Against vacant post
13	Muhammad Idrees S/O Taj Muhammad	CS Mateena Malik	GPS Charmarkand No. 1	Safi	Against vacant post

ATTESTED



40	Gulzar S/O Khan Said	CS Soor Dagi	GPS Bahi Dag	Khwezai	Against newly created post
41	Jamat Gul S/o Zulfan Khan	CS Ghair Dand	GPS Bakhmal Shah	Halimzai	Against vacant post
42	Anwar Shamim S/O Ahmad Gul	CS Kuzo Kas	GPS Lakhtkar Killi Faiz Ali	Khwezai	Against vacant post
43	Faridullah S/O Zazif Khan	CS Kankar Killi	GPS Olai Ambar	Baizai	Against vacant post
44	Muhammad Shafiq S/O Karim Khan	CS Manzari Cheena Malang	GPS Shati Miana	Baizai	Against vacant post
45	Azmat Gu S/o Rahat Gul	CS Nazar Kore Aslam	GPS Shamsher Sra Khwa	Halimzai	Against vacant post
46	Niqab Khan S/o Khan Sharif	CS Kung Sabzali	GPS Had Kore Ambar	Khwezai	Against vacant post
47	Shahid Nasim S/O Muhammad Halim	CS Zoor Killi Aflatoon	GPS Yaqoob Khanzadgan	Halimzai	Against vacant post
48	Amir Khan S/O Hamid Khan	CS Dag Qilla	GPS Gunbati Ambar	Halimzai	Against vacant post
49	Nasira D/O Akhtar Gul	FCS Ucha Joura Rawesh	GGPS Kang Farmanullah	Baizai	Against newly created post
50	Nighat Bano D/O Jehan Zeb	FCS Samghakhi	GGPS Baghi Shah	Safi	Against newly created post
51	Falooda D/o Gul Zada	FCS Kuzo Kas	GGPS Kuzo Kas	Baizai	Against newly created post
52	Aisha Bibi D/o Ahmad Jan	FCS Umar Khel Suliman	GGPS Baghi Shah	Safi	Against newly created post

(SAID MUHAMMAD)

Agency Education Officer
Mohmand Agency of Ghallanai

Endst No. 14047-52/Project/Appointment Dated 30/8/2013

(Copy of the above is forwarded to the:

1. PS to the Secretary k to Governor KPK, Peshawar
2. Director of Education FATA, KPK Peshawar
3. Political Agent Mohmand Agency.
4. Agency Accounts Officer Mohmand Agency of Ghallanai
5. AAEOs concerned.
6. Accountant Local office
7. Teachers concerned.

-sd-

Agency Education Officer
Mohmand Agency of Ghallanai

ATTESTED


REGULARIZATION OF COMMUNITY TEACHERS.

Consequent upon the notification No.SOI.1 SSD/CSCR 99-108, dated 11.5.2012 and on the basis of honourable High Court decision dated 06.8.2013, re-appointment order of 52 community teachers issued vide this office No.1636-42 dated 17.8.2012 and No.1643-49 dated 17.8.2012 is hereby implemented with effect from 01.9.2013 in the interest of public service, with partial modification at S.No.19 and 42 in order No.1636-42 and at S.No.3 in order No.16343-49, with the remarks that:-

1. The said appointment was made from Agency wise merit on the verbal directions of Director of Education (FATA) at that time, if Directorate of Education (FATA) declared this order against the present recruitment policy of the Govt. in response to this office letter No.1306 dated 20.8.2013, then regularization of community teacher will be made on tehsil wise merit basis.
2. If any post against which community teacher was regularized was not vacant, then the incumbent will vacate the post for the community teacher on his regularization.
3. Any Community school for which regular posts have not been sanctioned and teachers of this Community Schools got regular posts then this community school will be considered as closed, and class.rolls of this school will be considered as terminated w.e.f 1.9.2013 and students of this schools will be advised by the teachers to get admission in near by regular school.
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3	Abdul Samad S/O Muhammad Latif	CS Gul Wali	GPS Lakkaku K. J. Faiz Ali	Baizai	Against newly created post
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12	Muhammad Raz Khan S/O Zargham Shah	CS Toora Khwa	GPS Dim Muhammad	Halimzai	Against Vacant Post
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ATTESTED

4

40	Gulzar S/O Khan Said	CS Soor Dagi	GPS Bahi Dag	Khwezai	Against newly created post
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42	Anwar Shamim S/O Ahmad Gul	CS Kuzo Kas	GPS Lakhkar Killi Faiz Ali	Khwezai	Against Vacant Post
43	Faridullah S/O Zazif Khan	CS Kankar Killi	GPS Olari	Baizai	Against Vacant Post
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45	Azmar Gul S/O Rahat Gul	CS Nazar Kore Aslam	GPS Shamsheer Sra Khwa	Halimzai	Against Vacant Post
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49	Nasira D/O Akhtar Gul	FCS Ucha Joura Rawesh	GPS Kung Farmanullah	Baizai	Against newly created post
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(SAID MUHAMMAD)
 Agency Education Officer
 Mohmand Agency at Ghallanai
 Dated 30/5/2013

File No. 116/17-52 /Project/ Appointment

Copy of the above is forwarded to the:

1. P.A. to Secretary to Governor KPK, Peshawar.
2. Director of Education FATA, K.P.K, Peshawar.
3. Political Agent Mohmand Agency.
4. Agency Accounts Officer Mohmand Agency at Ghallanai.
5. AAEs concerned.
6. Accountant local office.
7. Teachers concerned.

Agency Education Officer
 Mohmand Agency at Ghallanai

ATTESTED

C-8

(S) (S) (S)

2019



**OFFICE OF THE
DISTRICT POLICE OFFICER,
MARDAN**

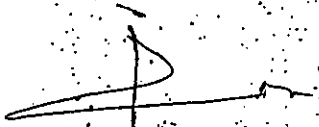
Tel No. 0937-9230109 & Fax No. 0937-9230111
Email dpo_mardan@yahoo.com

No. 15710/EC

Dated 22/11/2019

CERTIFICATE

It is certified that Constable Ayaz Muhammad No. 2220 S/o Gul Muhammad R/o Sanga Lundkhar Mardan was worked at police department he is a permanent Govt servant of this district police since 23.10.2004 his service is regular and pensionable.


Establishment Clerk
DPO/Office, Mardan

ATTESTED



DOMICILE CERTIFICATE

V. 9
D. 10



I Ayaz Mohammad Son/Daughter of Gul Mohammed
hereby declare that I was born of parents who are permanently domiciled in North-West Frontier
Province having been born / settled this Province.

I was born at Village / Mohallah Sanga Banda (Lund Khan)
Tehsil Takht Bhai Division Mardan.

[Signature]
Signature of the Applicant

Date: - 23/6/2001

Pursuance to the declaration dated 23/6/2001 filed by

Mr / Miss Ayaz Mohammad Son/Daughter of Gul Mohammad
domiciled in North - West Frontier Province, it is hereby certified that the

Said Ayaz Mohammad born of parents who are permanent residents of
North - West Frontier Province having been born / settled within it.

I have satisfied myself from personal knowledge / verification that the above declaration is true
and certify accordingly.

This 23/6 day of June 2001

Name :- Ali Akbar Khan
Designation:- MAGISTRATE 1st Class
TEHSIL TAKHT - I - BHAI
(Seal)

COUNTERSIGNED

ATTESTED

[Signature]

[Signature]

DISTRICT MAGISTRATE
MARDAN
(Seal)



No. 16888 / G. Dated

Strike out which over is not applicable 3-6-01

NIAZ ALI,
TEHSIL TAKHT BHAI
S. No. 3

(13) A

(15)

ص ۱۰۶

تعمیرات و بازسازی

در شهر تهران

مستقر در شهر تهران

مستقر در شهر تهران

تقریباً ۱۰۰ واحد مسکونی

فصلی که در آن زمان بود و در حال حاضر

مستقر در شهر تهران

مستقر در شهر تهران

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مستقر در شهر تهران

حکومت خیبر پختونخواہ پاکستان

THE GOVT OF KHYBER PAKHTUN KHWA PAKISTAN

نکاح رجسٹریشن سرٹیفکیٹ

MARRIAGE REGISTRATION CERTIFICATE

CRMS No. M181064-15-0340

FORM No. P04636264

دہن کے کوائف

دولہا کے کوائف

نام۔ ناصرہ

نام: آیاز محمد

شناختی کارڈ نمبر: 1610207410578

شناختی کارڈ نمبر: 1610247052259

والد کا نام اختر گل

والد کا نام: گل محمد

شناختی کارڈ نمبر:

شناختی کارڈ نمبر:

عمر: 29 سال 00 ماہ 22 دن ازدواجی حیثیت وغیر شادی شدہ
 پتہ: لونڈ خور گاؤں سنگو بانڈہ تحصیل تخت بھائی ضلع مردان۔

عمر: 32 سال 00 ماہ 14 دن ازدواجی حیثیت غیر شادی شدہ
 پتہ: لونڈ خور گاؤں سنگو بانڈہ تحصیل تخت بھائی ضلع مردان۔

Particular of Bride

Particular of Groom

Name NASIRA

NAME AYAZ MUHAMMAD

CNIC: 1610297410578

CNIC: 1610247052250

FATHER NAME AKHTAR GUL

FATHER NAME GUL MUHAMMAD

CNIC

CNIC

AGE 32 Y 00 M 14 D MARITAL STATUS VIRGIN AGE 29 Y 00 M 22 D MARITAL STATUS VIRGIN

ADDRESS

ADDRESS

ADD INFO LUND KHWAR

ADD INFO LUND KHWAR

VILLAGE MOTI BANDA TEH TAKHT BHAUI

VILLAGE MOTI BANDA TEH TAKHT BHAUI

DIST MARDAN

DIST MARDAN

DATE OF MARRIAGE 12.5.2014

نکاح کی تاریخ: 12.5.2014

Marriage Solemnized by Name: MUHAMMAD KAMAL

نکاح خواں کا نام: محمد کمال

Marriage Solemnized by CNIC: 1610298606169

نکاح خواں کا شناختی کارڈ نمبر: 1610298606169

Date of Entry 3.9.2015

تاریخ اندراج: 3.9.2015

Date of Issuance 3.9.2015

تاریخ اجراء: 3.9.2015

دستخط -sd-

سیکرٹری یونین کونسل

شناختی کارڈ نمبر 1-16102-2300702

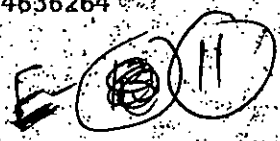
ATTESTED



حکومت خیبر پختونخوا پاکستان

THE GOVT OF KHYBER PAKHTUNKHWA PAKISTAN

کابینہ سوشل سروسز



MARRIAGE REGISTRATION CERTIFICATE

CRMS No M161094-15-0340

FORM No P04636264

بہن کے کوہانٹ

دوہا کے کوہانٹ

نام: ناسیرہ
شناختی کارڈ نمبر: 1610207410578
والد کا نام: اختر گل
شناختی کارڈ نمبر:

نام: ایاز محمد
شناختی کارڈ نمبر: 1610247052259
والد کا نام: گل محمد
شناختی کارڈ نمبر:

تاریخ: 14 مئی 2014ء
وقت: 00 بجے

تاریخ: 22 مئی 2014ء
وقت: 00 بجے

Particulars of Bride

Particulars of Groom

NAME: NASIRA
CNIC: 1610207410578
FATHER NAME: AKHTAR GUL
CNIC:
AGE: 32 Y 00 M 14 D MARITAL STATUS: VIRGIN
ADDRESS:
ADD INFO: LUND KHWAR
VILLAGE MOTI SANDA TEH: TAKHT BHAI DIST: MARDAN

NAME: AYAZ MUHAMMAD
CNIC: 1610247052259
FATHER NAME: GUL MUHAMMAD
CNIC:
AGE: 29 Y 00 M 22 D MARITAL STATUS: VIRGIN
ADDRESS:
LUND KHWAR
VILLAGE SANGA BANDA TEH: TAKHT BHAI DIST: MARDAN

Date of Marriage: 12-5-2014
Marriage Solemnized by Name: MUHAMMAD KAMAL
Marriage Solemnized by CNIC: 1610298606169
Date of Entry: 3-9-2015
Date of Issuance: 3-9-2015

12-5-2014
3-9-2015
3-9-2015

Secretary
Union Council
Lund Khwar

ATTESTED

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SECRETARY
Union Council
Lund Khwar

F-121



حکومت پاکستان

قومی شناختی کارڈ

16102-4705225-9

نام: محمد

پتہ: ...

...

عثمان یوسف مین
تاریخ پیدائش: 20/04/1985

دستخط: محمد یونس

دستخط: محمد یونس



نام: محمد

16102-4705225-9

قومی شناختی کارڈ

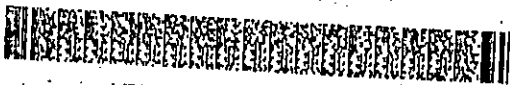
13285015895



19/02/2026

19/02/2016

تاریخ پیدائش: 19/02/2016



ATTESTED

Khyber Pakhtunkhwa
POLICE

Service ID Card

Ayaz Muhammad
PC

ID No : 2220

Date of Appointment : 22-08-2004



Official Copy
Machine Readable

G-13

ATTESTED

[Handwritten signature]

Patrol Name : Qazi Muhammad
CRIC No : 10102-070220-0
Date of Birth : 20-06-1988
Contact No : 0300-4302331
Emergency No : 0314-6003363
Address : Akbari Lund Khawar Tabat Shal Mardan

Attest:



Version: 11-02-0729

Khyber Pakhtunkhwa
POLICE

B/A

APPLICATION FORM FOR INTER DISTRICT TRANSFER

- | | | |
|-----|---|-----------------------|
| 1. | Name of the Teacher/Applicant | Nasra |
| 2. | District of Domicile | (FATA) Mohmand |
| 3. | Designation/Post held with BPS PST BPS 12 | PST BPS 12 |
| 4. | Date of Taking over Charge (Director of present post) | 30.08.2013 |
| 5. | Name of Present School of Posting | 1.9.2013 |
| 6. | Name of School where posting is required: | GGPS King Farmanullah |
| | | 1. GGPS |
| | | 2. |
| | | 3. |
| 7. | Reason for Transfer | |
| 8. | G. P. Fund No. | |
| 9. | Personal No. | 00402641 |
| 10. | Numbers of C/Leave (Availed) | |
| 11. | Signature of Pri/HM/HT | |
| 12. | Signature of A.D.O in case of Primary Teacher | |

I solemnly declare that all above information's from S. No. 1 to 12 are correct and nothing Has been concealed.

Signature	sd-
Name of Applicant	Nasra
N.I.C No.	16102-0741097-8

CERTIFICATE BY THE RELIEVING EDO E&SE

1. Certified that I have no objection to the transfer of Mr./Mst. NASRA from FATA to Settle Side.
2. The following arrangement will be made by me for filling up the post of Above PST. In case of transfer of Mr./Mst. Nasra PST.

It is certified that:-

- I. The Study/Education of the students of the school will not suffer with proposed transfer.
- II. The applicant is regular employee and not contract (mentioned) period.

Signature _____
Name of EDO E&SE _____

Endst: No. _____ /Dated _____

POST AVAILABILITY CERTIFICATE OF THE EXECUTIVE DISTRICT OFFICER
ELEMENTARY & SECONDARY EDUCATION WHEPE POST IS PROPOSED

I have no objection to the transfer of Mr./Mst. _____ of against a vacant post of _____ at (Name of Schools _____ of District _____). I have also examined his/her relevant documents and found correct. It is also certified that no N.O.C has been issued to any other person against this post.

Name of EDO _____ E&SE _____ Signature _____
Endst No. _____ /Dated _____ Stamp _____

Note: The following documents/duly attested) should be provided:-

1. Service Book Photo State
2. 1st appointment order/Original OR attested photo state copy by EDO E&SE
3. Last Pay Roll. (7) Last Balance Sheet of GP Fund.

ATTESTED


Annexure # 9 13/A

APPLICATION FORM FOR INTER DISTRICT TRANSFER

- Name of the Teacher/Applicant
- District of Domicile
- Designation/Post held with BPS
- Date of Appointment
- Date of Taking over Charge (District of present post)
- Name of Present School of Posting
- Name of School where posting is required

MASRYA
W/TA, M/TA
PST, BPS 12
30.06.2011
10.09.2011
2015-2016
2015-2016

- Reason for Transfer
- G.P. Fund No.
- Personal No.
- Numbers of C/Leave (Availed)
- Signature of Pr/HM/HT
- Signature of A.D.O in case of Primary Teacher

1. _____
 2. _____
 3. _____
 Special - DR. E. Manasa
2015-2016

I solemnly declare that all above information's from S.No.1 to E are correct and true. Has been concealed.

Signature
Name of Applicant
N.I.C No.

CERTIFICATE BY THE RELIEVING EDO E&SE

Certified that I have no objection to the transfer of Mr/Mst: MASRYA
 From W/TA to W/TA
 The following arrangement will be made by me for filling up the post of MASRYA
 in case of transfer of Mr/Mst: MASRYA PST

- It is certified that:-
- i. the Study/Education of the students of the school will not suffer with proposed transfer
- ii. The applicant is regular employe and not contract (Mention) period

Signature
Name of EDO E&SE

Endst: No. _____ / Dated _____

POST-AVAILABILITY CERTIFICATE OF THE EXECUTIVE DISTRICT OFFICER
ELEMENTARY & SECONDARY EDUCATION WHERE POST IS PROPOSED.

I have no objection to the transfer of Mr/Mst: _____
 Of against a vacant post of _____ at (Name of Schools) _____ Of District _____
 I have also examined his/her relevant documents and found correct. It is also certified that no N.C.C. has
 been issued to any other person against this post.

Name of EDO E&SE _____ Signature _____
 Endst No. _____ / Dated _____ Stamp _____

- The following documents (duly attested) should be provided:-
- Service Book Photo State
 - 1st appointment order (Original OR attested photo state copy by EDO E&SE)
 - Last Pay Roll. (?) Last Balance Sheet of GP Fund

ATTESTED

(Signature)

Page No. (17)

3/B

VACANT POST

A post of PSI (BPS-12) is laying vacant since last year to still Govt. Girls Primary School Gul Pur Kally, Circle Sher Garh District Mardan.

Date: 17.11.2018

-sd-
Submitted to SDEO(F)
T.Bhai for necessary action.

ATTESTED


VACANT POST

~~10/11~~
13/B

A post of PST (BPS-12) is laying vacant since last year to

Still vacant Govt. Girls Primary School Gul Puh Kaly, Circle

Sher Garh District Mardan.

Date: 17-11-2018

Submitted to SID Co-Ord
for necessary
action.

SARWAT SAMANDAR
AS-SEO (F)
Circle Sher Garh
District Mardan

~~_____~~

~~_____~~

ATTESTED

[Signature]

BEFORE THE PESHAWAR HIGH COURT, PESHAWAR

WRIT PETITION NO. _____/2019

A
H-14

Mst: Nasira, PST (BPS-12),
R/O Kodehri, Lund Khwar, Tehsil Takht Bhai, District Mardan

VERSUS



- 1- The Government of Khyber Pakhtunkhwa through Secretary (E&SE) Department, Khyber Pakhtunkhwa, Peshawar.
- 2- The Director (E&SE) Department, Khyber Pakhtunkhwa, Peshawar.
- 3- The Director Education Merged Area, Warsak Road, Peshawar.
- 4- The District Education Officer, District Mohamnd.
- 5- The District Education Officer, District Mardan.

RESPONDENTS

**WRIT PETITION UNDER ARTICLE 199 OF THE
CONSTITUTION OF ISLAMIC REPUBLIC OF
PAKISTAN 1973 AS AMENDED UP TO DATE**

R/SHEWETH:
ON FACTS:

1- That petitioner is a married women and is the bonafide resident of village Kodehri, Lund khwer, Tehsil Takht Bhai, District Mardan and belongs to a respectable family. Copy of CNIC is attached as annexure **A.**

19 JUN 2019

2- That petitioner was appointed as PST (BPS-12) at female community school Aragi on the proper recommendation of departmental selection committee on contract basis vide order dated 13.04.2007. Copy of the appointment order is attached as annexure.....**B.**

3- That the petitioner was later on regularized on the basis of this august Court decision dated 06.08.2013 vide regularization order dated 30.08.2013, where after the petitioner has been posted at GGPS Kung Farmanullah, Tehsil Bazai, District Mohmand against newly created post which is at serial No.49 of the said order copy of the regularization order is attached is annexure..... **C.**

4- That petitioner's husband Mr. Ayaz Muhammad who is also a Government servant serving as constable in police deployed at District Mardan and permanently residing there as well, and also holding domicile of District Mardan. Copies of the district police issued certificate and domicile certificate; marriage

ATTESTED

PESHAWAR HIGH COURT, PESHAWAR.

ORDER SHEET

15

Date of Order/ Proceedings	Order or other Proceedings with Signature of Judge.
<u>17/06/2020</u>	<p><u>WP.No. 6806-P/2019</u></p> <p><u>Present:</u> Mr. Noor Muhammad Khattak, Advocate for the petitioner.</p> <p>Syed Qaiser Ali Shah, AAG, for respondents.</p> <p>====</p> <p><u>WAQAR AHMAD SETH, CJ.</u>- After hearing the case at length, learned counsel for the petitioner stated at the bar that he would be satisfied if the instant Writ Petition is treated as departmental appeal/representation and sent to respondent No.2 for decision in accordance with law.</p> <p>2. In view of the above, office is directed to send the instant Writ Petition to respondent No.2, copy whereof be retained in office for the purpose of record, who shall treat the same as departmental appeal/representation and decide it through explicit order as per law within a period of fifteen (15) days positively.</p> <p>3. Writ Petition stands disposed of accordingly.</p> <p><u>Chief Justice</u></p> <p><u>Judge</u></p>



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ATTESTED

DECLARED TO BE TRUE COPY
Peshawar High Court, Peshawar
Authorized Under Article 97 of
the Constitution Order 1982

19 JUN 2020

BEFORE THE PESHAWAR HIGH COURT PESHAWAR

COC NO. _____ / 2020

IN

W.P.NO. 6806-P/2019

I - (16)

1. Mst. Nasira, PST(-12),
R/O kodehri, Lund Khwar, Tehsil Takht Bhai, District Mardan
.....PETITIONER

VERSUS

- 1- Nadeem aslam chaudry secretary (E&SE) Department,
Khyber Pakhtunkhwa, Peshawar.
2- Hafiz mohammad Ibrahim Director (E&SE) Department,
Khyber Pakhtunkhwa, Peshawar.
3- Doctor iqbal Director Education Merged Area, Warsak Road,
Peshawar.
4- Mohammad jiddi khan Khalil d istrict Education Officer,
5- Farzana sardar (Female) District Education Officer, Mardan.

.....Respondents/Contemnors

**APPLICATION UNDER ARTICLE- 204 OF THE
CONSTITUTION OF THE ISLAMIC REPUBLIC OF
PAKISTAN, 1973 READ WITH SECTION 3 & 4 OF
THE CONTEMPT OF COURT ORDINANCE, 2004 FOR
INITIATING CONTEMPT OF COURT PROCEEDINGS
AGAINST THE RESPONDENTS/CONTEMNORS**

RESPECTFULLY SHEWETH:

- 1- That the applicant/petitioner had filed writ petition No. 6806-P/2019 before this Honorable Court which is allowed vide its Judgment dated 17.06.2020 (**Annex:-A**). The operative part of the Judgment is reproduced as under:-

"In view of the above, office is directed to send the instant Writ Petition to respondent No.2, copy whereof be retained in office for the purpose of record, who shall treat the same as departmental appeal/representation and decided it through explicit order as per law within a period of fifteen (15) days positively". Write Petition stands disposed of accordingly.

ATTESTED



- 2- That after obtaining attested copy of the Judgment the applicants submitted the same before respondents for implementation but the respondents are ignoring the

implementation of this Honorable Court judgment after repeated requests.

- 3- That the acts and actions of the Respondents/Contemnors squarely fall within the ambit of the Contempt of the Court and as such they are liable to be proceeded for the Contempt and for the punishment under the law.

It is therefore, humbly prayed that on acceptance of this application, the Contempt of Court proceedings may graciously be initiated against the Respondents/Contemnors and they may be punished accordingly.

APPLICANT/ PETITIONER

Nasira

MST: NASIRA

THROUGH:

NOOR MOHAMMAD KHATTAK

&

**SHAHZULLAH YOUSAFZAI
ADVOCATES**

ATTESTED

[Signature]



**DIRECTORATE OF ELEMENTARY & SECONDARY EDUCATION
KHYBER PAKHTUNKHWA PESHAWAR**

18

Notification:

1. **WHEREAS**, Mst. Nasira appointed as PST at female community school Argai on contract basis on 13/04/2007 and later on regularized vide order dated 30/08/2013 whereafter posted at GGPS Kung Farmanullah, Tehsil Bazai, District Mohmand.
2. **WHEREAS**, Mst. Nasira filed the subject W.P No. 6806/2019 with the prayer that on acceptance of this W.P inaction of respondents by not transferring/posting the petitioner in light of clause-IX of the transfer/posting policy may be declared as illegal, unconstitutional and in effective upon the rights of the petitioner that the respondent may be pleased be directed to transfer /post the petitioner against the vacant post of PST(12) at Govt, Girls primary school Gul Pur Kally circle Shergarh, District Mardan in light of clause-IX of the transfer /posting policy of provincial Government .any other remedy which the august court deems fit that may also be awarded in favor of the petitioner.
3. **WHEREAS**, During the course of proceeding the Hon'able High Court entertain this petition and direct Respondent no2 vide order dated 17/06/2020 the Director of Elementary & Secondary Education Khyber Pakhtunkhwa, Peshawar to treat this petition as an appeal/representation and decide it through explicit order as per law within the period of fifteen day positively.
4. **WHEREAS**, the husband of petitioner Mr. Ayaz Muhammad who is also a Government servant serving as constable in police Department District Mardan and permanently residing there and also holding domicile of district Mardan .
5. **WHEREAS**, the petitioner is currently serving in GGPS Kung Farmanullah and there are 54 students enrolled and two teachers including petitioner are serving. If the same is allowed it will be inconvenient for the teacher Miss Shazia to run the school alone smoothly as well as against the public interest at large.

NOWTHEREFORE, in compliance to the above referred judgment dated 17/06/2020 of Peshawar High court Peshawar, in exercise of powers conferred upon the undersigned under provision of Clause 17(2)(a) ,of E&D rules 2011,the appellate Authority /Respondent No.2 has been pleased to reject the Departmental appeal of petitioner in view of the above facts and circumstances of the case with immediate effect & interest of public service.

DIRECTOR

**Elementary & Secondary Education
Khyber Pakhtunkhwa Peshawar**

Endstt. No. 2529-16 /F.No. W.P No. ___ /Litigation Section.

Dated Peshawar the 24/8/2020

Copy of the above is forwarded for information & n/action to the:

1. Advocate General Khyber Pakhtunkhwa.
2. Additional Registrar (Judicial) Peshawar High Court, Peshawar
3. District Education Officer (F)
4. PS to Secretary to Government of Khyber Pakhtunkhwa E&SE Deptt. Peshawar.
5. Mst. Nasira W/O Mr. Ayaz Muhammad.
6. PA to Director E&SE, Peshawar.
7. Master File.

ATTESTED

**Deputy Director (Estb.)
Elementary & Secondary Education
Khyber Pakhtunkhwa Peshawar**

24/8/20



GOVERNMENT OF NWFP
ESTABLISHMENT & ADMINISTRATION
DEPARTMENT
(Regulation Wing)

POSTING / TRANSFER POLICY OF THE PROVINCIAL GOVERNMENT.

- i) All the posting/transfers shall be strictly in public interest and shall not be abused/misused to victimize the Government servants
- ii) All Government servants are prohibited to exert political, Administrative or any other pressures upon the posting/transfer authorities for seeking posting/transfers of their choice and against the public interest.
- iii) All contract Government employees appointed against specific posts, can not be posted against any other post.
- iv) The normal tenure of posting shall be three years subject to the condition that for the officers/officials posted in unattractive areas the tenure shall be two years and for the hard areas the tenure shall be one year. The unattractive and hard areas will be notified by the Government.
- v) { }
- vi) While making postings/transfer from settled areas to FATA and vice-versa, specific approval of Governor, NWFP needs to be obtained.
²While making postings/transfers of officers/officials up to BS-17, from settled areas to FATA and vice-versa approval of the Chief Secretary NWFP needs to be obtained. Whereas, in case of posting/transfer of officers in BS-18 and above, from settled areas to FATA and vice versa, specific approval of the Governor NWFP shall be obtained.
- vi (a) All Officers/officials selected against Zone-I/FATA quota in the Provincial Services should compulsorily serve in FATA for atleast eighteen months in each grade. This should start from senior most scales/grades downwards in each scale/grade of each cadre.
- vii) Officers may be posted on executive/administrative posts in the Districts of their domicile except District Coordination Officers (D.C.Os) and DPOs/Superintendent of Police (SP). Similarly Deputy Superintendent of Police (DSP) shall not be posted at a place where the Police Station (Thaana) of his area/residence is situated.
- viii) No posting/transfers of the officer's/officials on detailment basis shall be made.
- ix) Regarding the posting of husband/wife, both in Provincial services, efforts where possible would be made to post such persons at one station subject to the public interest.
- x) All the posting/transferring authorities may facilitate the posting/transfer of the unmarried female government Servants at the station of the residence of their parents.

ATTESTED

Para-1(v) regarding months of March and July for posting/transfer and authorities, for relaxation of ban deleted vide letter No: SOR-VI (E&AD) 1-4/2008/Vol-VI, dated 3-6-2008.

Consequently authorities competent under the NWFP Government Rules of Business, 1985, District Government Rules of Business 2001, Posting/Transfer Policy and other rules for the time being in force, allowed to make posting/transfer subject to observance of the policy and rules.

Added vide Urdu circular letter No. SOR-VI(E&AD)1-4/2003, dated 21-09-2004

20

- xi) Officers/officials except DCOs and DPOs/SPs who are due to retire within one year may be posted on their option on posts in the Districts of their domicile and be allowed to serve there till the retirement
DCOs and DPOs who are due to retire in the near future may also be posted in the District of their domicile subject to the condition that such posting would be against non-administrative posts of equivalent scales;
- xii) In terms of Rule-17(1) and (2) read with Schedule-III of the NWFP Government Rules of Business 1985, transfer of officers shown in column 1 of the following table shall be made by the authorities shown against each officer in column 2 thereof.

Outside the Secretariat		
1.	Officers of the all Pakistan Unified Group i.e. DMG, PSP including Provincial Police Officers in BPS-18 and above.	Chief Secretary in consultation with Establishment Department and Department concerned with the approval of the Chief Minister.
2.	Other officers in BPS-17 and above to be posted against scheduled posts, or posts normally held by the APUG, PCS(EG) and PCS(SG).	-do-
3.	Heads of Attached Departments and other Officers in B-19 & above in all the Departments.	-do-
In the Secretariat		
1.	Secretaries	Chief Secretary with the approval of the Chief Minister.
2.	Other Officers of and above the rank of Section Officers: a) Within the Same Department b) Within the Secretariat from one Department to another.	Secretary of the Department concerned. Chief secretary/Secretary Establishment.
3.	Officials up to the rank of Superintendent: a) Within the same Department b) To and from an Attached Department. c) Within the Secretariat from one Department to another	Secretary of the Department concerned. Secretary of the Dept in consultation with Head of Attached Department concerned. Secretary (Establishment)

- xiii) While considering posting/transfer proposals all the concerned authorities shall keep in mind the following:
- a) To ensure the posting of proper persons on proper posts, the Performance Evaluation Report/annual confidential reports, past and present record of service, performance on post held presently and in the past and general reputation with focus on the integrity of the concerned officers/officials be considered.
- b) Tenure on present post shall also be taken into consideration and the posting/transfers shall be in the best public interest.

TESTED

(21)

xiv) Government servants including District Govt. employees feeling aggrieved due to the orders of posting/transfer authorities may seek remedy from the next higher authority / the appointing authority as the case may be through an appeal to be submitted within seven days of the receipt of such orders. Such appeal shall be disposed of within fifteen days. The option of appeal against posting/ transfer orders could be exercised only in the following cases.

- i) Pre-mature posing/transfer or posting transfer in violation of the provisions of this policy.
- ii) Serious and grave personal (humanitarian) grounds.

2. To streamline the postings/transfers in the District Government and to remove any irritant/confusions in this regard the provision of Rule 25 of the North West Frontier Province District Government Rules of Business 2001 read with schedule - IV thereof is referred. As per schedule-IV the posting/transferring authorities for the officers/officials shown against each are as under:-

S. No.	Officers	Authority
1.	Posting of District Coordination Officer and Executive District Officer in a District.	Provincial Government.
2.	Posting of District Police Officer.	Provincial Government
3.	Other Officers in BPS-17 and above posted in the District.	Provincial Government
4.	Official in BPS-16 and below	Executive District Officer in consultation with District Coordination Officer.

3. As per Rule 25(2) of the Rules mentioned above the District Coordination Department shall consult the Government if it is proposed to:

- a) Transfer the holder of a tenure post before the completion of his tenure or extend the period of his tenure.
- b) Require an officer to hold charge of more than one post for a period exceeding two months.

4. I am further directed to request that the above noted policy may be strictly observed /implemented.

All concerned are requested to ensure that tenures of the concerned officers/officials are invariably mentioned in summaries submitted to the Competent Authorities for Posting/Transfer.

{Authority: Letter No: SOR-VI/E&AD/1-4/2003 dated 24-6-2003}.

It has been decided by the Provincial Government that posting/transfer orders of all the officers up to BS-19 except Heads of Attached Departments irrespective of grades will be notified by the concerned Administrative Departments with prior approval of the Competent Authority obtained on the Summary. The Notifications/orders should be issued as per specimen given below for guidance.

All posting/transfer orders of BS-20 and above and Heads of Attached Departments (HAD) shall be issued by the Establishment Department and the Administrative Departments shall send approved Summaries to E&A Department for issuance of Notifications.

ATTESTED

[Signature]

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PESHAWAR HIGH COURT, PESHAWAR		
FROM 'A'		
FORM OF ORDER SHEET		
COURT OF _____ CASE NO. _____		
SERIAL NO OF ORDER OR PROCEEDINGS	DATE OF ORDER OR PROCEEDINGS	ORDER OR OTHER PROCEEDINGS WITH SIGNATURE OF JUDGE OR MAGISTRATE AND THAT OF PARTIES OR COUNSEL WHERE NECESSARY
1	2	
14.11.2019		<p><u>W.P. No. 112/2019.</u></p> <p>Present: -</p> <p>Mr. Noor Muhammad Khattak, advocate for the petitioner.</p> <p>Mr. Atif Ali Khan, AAG for official respondents.</p> <p style="text-align: center;">*****</p> <p><u>WAQAR AHMAD SETH CJ:-</u> Through the instant constitutional petition filed under Article 199 of the Constitution of Islamic Republic of Pakistan, 1973, petitioner prayed that:-</p> <p style="padding-left: 40px;">"On acceptance of this writ petition the action of the respondent No. 3 by issuing the impugned order dated 16.07.2018 may be declared as illegal, unconstitutional and in effective upon the rights of the petitioner. That the respondents may please be directed in light of the Clause-IX of the transfer/posting policy to transfer the petitioner to her home District i.e. District Malakand. Any other remedy which this august Court deems fit that may also be awarded in favour of the petitioner."</p> <p>2. When the case was taken up for hearing, learned AAG at the very outset stated at the bar that in the light of decision dated 19.12.2018, rendered by this Court in COC No. 509-P/2018 in W.P. No. 702-P/2018 titled Mst. Imtiaz Begum versus The Secretary Elementary & Secondary</p>

(DB) Hon'ble Mr. Justice Waqar Ahmad Seth, Chief Justice and Mr. Justice Ahmad Ali, JJ.
Amir Bashir Awan, Senior Court Secretary.

ATTESTED **ATTESTED**
EXAMINER
Peshawar High Court

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Education, Khyber Pakhtunkhwa, Peshawar and others, vide which **Director Education** was directed to look into the matter on humanitarian/sympathetic grounds, will issue the orders within seven days.

3. Learned counsel for the petitioner also solicited the averments made by the learned AAG. With these observations petition in hand is disposed of, accordingly.

[Signature]
CHIEF JUSTICE

JUDGE

ANNOUNCED
14.11.2019

No. 13917
Date of Presentation of Application 14/11/19
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Examiner
Peshawar High Court, Peshawar
Authorised Under Article 87 01
The Qanun-e-Shahadat Order 1984

ATTESTED

[Signature]

VAKALATNAMA

BEFORE THE KHYBER PAKHTUNKHWA SERVICE TRIBUNAL,
PESHAWAR

_____ OF 2020

Nasira

(APPELLANT)
(PLAINTIFF)
(PETITIONER)

VERSUS

Education Deptt.

(RESPONDENT)
(DEFENDANT)

I/We Nasira

Do hereby appoint and constitute **NOOR MOHAMMAD KHATTAK, Advocate, Peshawar** to appear, plead, act, compromise, withdraw or refer to arbitration for me/us as my/our Counsel/Advocate in the above noted matter, without any liability for his default and with the authority to engage/appoint any other Advocate Counsel on my/our cost. I/we authorize the said Advocate to deposit, withdraw and receive on my/our behalf all sums and amounts payable or deposited on my/our account in the above noted matter.

Dated. ____/____/2020

Nasira

CLIENT

ACCEPTED
NOOR MOHAMMAD KHATTAK

KAMRAN KHAN

MIR ZAMAN SAFI

&

AFRASIAB KHAN WAZIR
ADVOCATES

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