


FORM OF ORDER SHEET

Court of _____

Case No.- _____

803/2023

S.No.	Date of order proceedings	Order or other proceedings with signature of judge
1	2	3
1-	10/04/2023	<p>The appeal of Mst. Shamim Akhtar presented today by Mr. Noor Muhammad Khattak Advocate. It is fixed for preliminary hearing before Single Bench at Peshawar on 11.04.2023.</p> <p>By the order of Chairman</p> <p> REGISTRAR</p>

BEFORE THE KHYBER PAKHTUNKHWA SERVICE TRIBUNAL

PESHAWAR.

SERVICE APPEAL No. 803 /2023

QUDRAT ULLAH

VS

EDUCATION DEPTT:

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APPELLANT

THROUGH:

NOOR MUHAMMAD KHATTAK
ADVOCATE SUPREME COURT

-/-

BEFORE THE KHYBER PAKHTUNKHWA SERVICE TRIBUNAL,
PESHAWAR

APPEAL NO. 803 /2023

Mr. Qudrat Ullah DM, BPS (15) GMS Jattan Banda, District Karak,
Under transfer to GHS Gumbati Meena Khel, District Karak.

.....**APPELLANT**

VERSUS

- 1- The Secretary (E&S) Education Department, Khyber Pakhtunkhwa, Peshawar.
- 2- The Director (E&S) Education Department, Khyber Pakhtunkhwa, Peshawar.
- 3- The District Education Officer Karak.
- 4- Mr. Bilal Anwar DM (BPS-15) GMS Anar Banda District karak under transfer to GMS Jattan Banda, District Karak.

..... **RESPONDENTS**

APPEAL UNDER SECTION-4 OF THE KHYBER PAKHTUNKHWA SERVICE TRIBUNAL ACT, 1974 AGAINST THE IMPUGNED ORDER DATED 29.03.2023 WHEREBY THE TRANSFER ORDER OF THE APPELLANT HAS BEEN WITHDRAWN BY THE RESPONDENT AND AGAINST THE ORDER DATED 29.03.2023 WHERE BY THE PRIVATE RESPONDENT HAVE BEEN TRANSFERRED/POSTED AGAINST THE APPELANT POST OF DM BPS-15 AT JATTAN BND A KARAK IN UTTER VIOLATION OF TRANSFER POSTING POLICY AND AGAINST THE APPELLATE ORDER DATED 07.04.2023 WHEREBY THE DEPARTMENTAL APPEAL OF APPELLANT WAS REJECTED WITHOUT ANY RESON.

PRAYER:

That on acceptance of this appeal the impugned withdrawn order dated 29.03.2023, transfer order dated 29.03.2023 of the private respondent and appellate order dated 7.04.2023 may very kindly be set aside and the respondents may kindly be directed not transfer the appellant from GMS Jattan Banda district Karak. Any other remedy which this august Tribunal deems fit that may also be awarded in favor of the appellant.

R/SHEWETH:

ON FACTS:

Brief facts giving rise to the present appeal are as under:-

- 1-That the appellant is a law abiding and peaceful citizen serving the respondents department, as DM BPS-15 Quiet efficiently and to the entire satisfaction of their high ups.
- 2-That through an office order dated 18.03.2023 the appellant was mutually transferred from GHS Gumbati and posted at GMS Gattan Banda District Karak. Copy of the office order dated 18.03.2023 is attached as Annexure**A.**
- 3-That the appellant in response to the said transfer order took over the charge against the said post started performing his duty quite efficiently and up to the entire satisfaction of his superiors. Copies of charge report and attendance sheet are attached as Annexure..... **B & C.**
- 4-That the appellant started performing his duty quite efficiently and up to the entire satisfaction of his superiors against the said post but astonishingly the respondent department issued the impugned order dated 29.03.2023 whereby the transferred order of the appellant was withdrawn. Copy of the impugned order dated 29.03.2023 is attached as Annexure.....**D.**
- 5-That through subsequent impugned office order dated 29.03.2023 the private respondent Bilal Anwar was transfer and posted against the post of DM BPS-15 GMS Jattan Banda District Karak, against the post of appellant. Copy of the Impugned order dated 29.03.2023 is attached as Annexure**E.**
- 6-That Appellant feeling aggrieved from the impugned transfer order dated preferred Departmental appeal before the appellate authority but the same has been rejected through appellate order dated 07.04.2023, without any reason and justification. Copy of the Departmental appeal & Appellate order are attached as Annexure..... **F & G.**
- 7-That feeling aggrieved and having no other remedy the appellant filed the instant appeal on the following grounds amongst the others.

GROUND:

- A-** That the impugned withdrawn order dated 29.03.2023, impugned transfer order 29.03.2023 and appellate order dated 07.04.2023 are against the law, facts, norms of natural justice and materials on the record, hence not tenable and liable to be set aside.
- B-** That the appellant has not been treated by the respondents 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 impugned withdrawn order dated 29.03.2023, impugned transfer order 29.03.2023 and appellate order dated 07.04.2023 has been issued by the respondents in arbitrary and mala fide manner, hence not tenable and liable to be set aside.
- D-** That the impugned withdrawn order dated 29.03.2023, impugned transfer order 29.03.2023 and appellate order dated 07.04.2023 are based on discrimination, favoritism and nepotism, hence not tenable in the eye of law.
- E-** That the impugned withdrawn order dated 29.03.2023, impugned transfer order 29.03.2023 and appellate order dated 07.04.2023 are neither been in the best interest of public service nor in exigencies of service, hence not tenable and liable to be set aside.
- F-** That the impugned withdrawn order dated 29.03.2023, impugned transfer order 29.03.2023 and appellate order dated 07.04.2023 are nothing but to harass the appellant and to accommodate her blue eyed person.
- G-** That it is important to mentioned here the that the privet respondent was regularized through notification dated 19/12/2022, in which it is mentioned in the condition of the ibid notification that they shall perform duty for at least three years, therefore the impugned transfer order is also violative of the ibid notification. Copy of the notification is attached as annexure.....**H.**
- H-** That the impugned withdrawn order dated 29.03.2023, impugned transfer order 29.03.2023 and appellate order dated 7.04.2023 are violative of Clause-I, IV and XIII of the transfer/posting policy of the Government of Khyber Pakhtunkhwa as the appellant has been

-4-

transferred prematurely from his current post. Copy of the transfer/posting policy is attached as annexureI.

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 be accepted as prayed for.

Dated: 07.04.2023


APPELLANT
(QUDRAT ULLAH)

THROUGH:


NOOR MUHAMMAD KHATTAK
ADVOCATE SUPREME COURT


KAMRAN KHAN


UMER FAROOQ MOHMAND


WALEED ADNAN

&


MUHAMMAD AYUB
ADVOCATES HIGH COURT

AFFIDAVIT

I, Mr. Quadrat Ullah DM, BPS (15) GMS Jattan Banda, District Karak, Under transfer to GHS Gumbati Meena Khel, District Karak., do hereby solemnly affirm and declare that the contents of the accompanying **Appeal** true and correct to the best of my knowledge and belief and nothing has been concealed from this Hon'ble Tribunal.


DEPONENT

-5-

BEFORE THE KHYBER PAKHTUNKHWA SERVICE TRIBUNAL,
PESHAWAR

C.M NO. _____/2023
IN
APPEAL No. _____/2023

QUDRAT ULLAH VS EDUCATION DEPT:

APPLICATION FOR SUSPENSION OF OPERATION OF THE
IMPUGNED WITHDRAWN ORDER DATED 29.03.2023 AND
IMPUGNED TRANSFER ORDER DATED 29.03.2023 TILL THE
DISPOSAL OF THE MAIN APPEAL.

R/SHEWETH:

- 1- That the above mentioned appeal along with this application has been filed the appellant before this august Tribunal in which no date has been fixed so far.
- 2- That appellant filed the above mentioned appeal against the impugned withdrawn order dated 29.03.2023 and impugned transfer order dated 29.03.2023 whereby the appellant has been transferred prematurely and in utter violation of the policy.
- 3- That all the three ingredients necessary for the stay is in favor of the appellant.
- 4- That the impugned withdrawn order dated 29.03.2023 and impugned transfer order dated 29.03.2023 had been issued by the respondents in utter disregard of law and prevailing Rules.

It is therefore, most humbly prayed that on acceptance of this application the operation of the impugned withdrawn order dated 29.03.2023 and impugned transfer order dated 29.03.2023 may very kindly be suspended till the disposal of the above mentioned service appeal.

Dated: 07.04.2023

THROUGH:

APPLICANT

&

NOOR MOHAMMAD KHATTAK

KAMRAN KHAN
ADVOCATES

"A" -6-

OFFICE OF THE DISTRICT EDUCATION OFFICER (MALE) KARAK

OFFICE ORDER

Mutual transfer of the following teachers is hereby ordered to the school noted against each on his own pay & scale in the best interest of public service with effect from the date of their taking over charge.

S.No	Name of official, Desig:	From	To	Remarks
1.	Mr. Qudrat Ullah Khan, DM	GHS Gumbati Meena Khel	GMS Jattan Banda	V/s S.No 2
2.	Mr. Zain Ullah, DM	GMS Jattan Banda	GHS Gumbati Meena Khel	V/s S.No 1

Note: No TA/DA Is allowed.

Charge Report should be submitted to all concerned.

**DISTRICT EDUCATION OFFICER
(MALE) KARAK**

Order No. 147/78 /Transfer/ADEO Secy Dated Karak the 18/3/2023

Copy to the:-

1. District Accounts Officer Karak.
2. Budget & Accounts Officer Local Office.
3. District Monitoring Officer Karak.
4. Head Masters Concerned.
5. EMIS Local Office.

**DISTRICT EDUCATION OFFICER
(MALE) KARAK**

OFFICE OF THE DISTRICT EDUCATION OFFICER (MALE) KARAK

OFFICE ORDER

Mutual transfer of the following teachers is hereby ordered to the school noted against each on his own pay and scale in the best interest of public service with effect from the date of their taking over charge.

S.No.	Name of Officials Desig.	From	To	Remarks
1	Mr. Qudrat Ullah Khan, DM	GHS Gumbati Meena Khel	GMS Jattan Banda	V/s S.No.2
2	Mr. Zain Ullah, DM	GMS Jattan Banda	GHS Gumbati Meena Khel	V/s S.No.1

NOTE: no TA/DA allowed.

Charge Report should be submitted to all concerned.

Sd/
DISTRICT EDUCATION OFFICER
(MALE) KARAK

Endst: No. 1474-78 /Transfer /ADEO Secy Dated Karak the 18/03/2023

Copy to the:-

1. District Accounts Officer Karak.
2. Budget & Accounts Officer Local Office.
3. District Monitoring Officer Karak
4. Head Masters Concerned.
5. EMIS Local Office.

Sd/
DISTRICT EDUCATION OFFICER
(MALE) KARAK

-7-

چارچرپورٹ

آرڈر نمبر 78/2023
D.E.O (مراد) ضلع کرک

پریت شہزاد

کارڈ نمبر S.S.F.P.E.F/D.M/G.F.A.F.F.F

اس لئے آپ کو آج مورخہ 23/03/2023ء کے لئے چارج دیا جاتا ہے۔

دستخط چارج دہندہ

دستخط چارج گیر
Dm

GMS (Karachi)

"C"

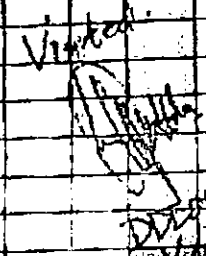
-8-

سرخانی درین

مسجودین

بازت او بار 2 ال 1 ال 2022

تاریخ و زمان		مکان		ملاحظات		ساختار		سختی		سایر	
روز	ساعت	مکان	نوع	شرح	ملاحظات	سختی	سختی	سختی	سختی	سختی	سختی
19/7	7:30	مسجودین	سختی
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21/7	7:30	مسجودین	سختی
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23/7	7:30	مسجودین	سختی
24/7	7:30	مسجودین	سختی
25/7	7:30	مسجودین	سختی
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29/7	7:30	مسجودین	سختی
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2/8	7:30	مسجودین	سختی
3/8	7:30	مسجودین	سختی
4/8	7:30	مسجودین	سختی
5/8	7:30	مسجودین	سختی
6/8	7:30	مسجودین	سختی
7/8	7:30	مسجودین	سختی
8/8	7:30	مسجودین	سختی
9/8	7:30	مسجودین	سختی
10/8	7:30	مسجودین	سختی
11/8	7:30	مسجودین	سختی
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13/8	7:30	مسجودین	سختی
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15/8	7:30	مسجودین	سختی
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17/8	7:30	مسجودین	سختی
18/8	7:30	مسجودین	سختی
19/8	7:30	مسجودین	سختی
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27/8	7:30	مسجودین	سختی
28/8	7:30	مسجودین	سختی
29/8	7:30	مسجودین	سختی
30/8	7:30	مسجودین	سختی
31/8	7:30	مسجودین	سختی



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 Detail 18-3-28 or Total over change
 on 24-3-28 After 4:00pm
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 12:30 7:30

9- "D"



OFFICE OF THE DISTRICT EDUCATION OFFICER
(MALE) KARAK



OFFICE ORDER:

The mutual transfer order No. 1474-78/Transfer/ADEO Secy
Dated Karak the Dated, 18/03/2023 issued by the undersigned is hereby withdrawn in the
best interest of public service.

- Note: 1. No TADA is allowed.
2. Charge Report should be submitted to all concerned.

Endst No. 17/6-21

District Education Officer
Male Karak
Dated 29/10/2023

Copy forwarded for information to the:-

1. Director Elementary & Secondary Education, Khyber Pakhtunkhwa.
2. District Account Officer, Karak
3. DMO Education Monitoring Authority, Karak.
4. Official Concerned.
5. HM GIS Gumbati Mina Khel/GMS Jattan Banda
6. Office Copy.

District Education Officer
Male Karak

**OFFICE OF THE DISTRICT EDUCATION OFFICER
(MALE) KARAK**

OFFICE ORDER:

The mutual transfer order No. **1474-78/Transfer/ADEO Secy Dated Karak the dated. 18/03/2023** issued by the undersigned is hereby withdrawn in the best interest of public service.

- Note 1. No TA/DA is allowed.
2. Charge Report should be submitted to all concerned.

Sd/-
**DISTRICT EDUCATION OFFICER
MALE KARAK**

*Endst. No. 1716-21

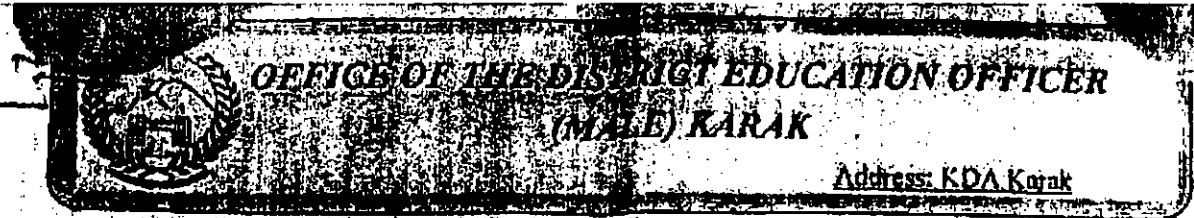
dated 29/03/2023

Copy forwarded for information to the:-

1. Director Elementary & Secondary Education, Khyber Pakhtunkhwa
2. District Account Officer, Karak
3. DMO Education Monitoring Authority, Karak
4. Official concerned.
5. HM GHS Gumbati Mina Khel/GMS Jattan Banda
6. Office Copy.

Sd/-
**DISTRICT EDUCATION OFFICER
MALE KARAK**

-10-4E"



OFFICE ORDER

Mr. Bilal Anwar DM BS-15 GMS Anar Banda (Karak), is hereby Transferred/adjusted at GMS Jattan Banda against the Vacant Post in the best interest of public service with effect from the date of his taking over charge.

Note:

- No TA/DA is allowed.
- Charge Report should be submitted to all concerned.

DISTRICT EDUCATION OFFICER
(MALE) KARAK

Endst: No. 763-31/Transfer/ADEO Secy: Dated Karak the 20/08/2023.

Copy to the: -

10. Deputy Commissioner Karak.
11. District Accounts Officer Karak
12. Headmaster GMS Anar Banda (Karak).
13. Headmaster GMS Jattan Banda (Karak).
14. Official concerned.
15. District Monitoring Officer Karak.
16. B & AO Local Office.
17. FMIS Local Office.
18. Office copy.


DISTRICT EDUCATION OFFICER
(MALE) KARAK

**OFFICE OF THE DISTRICT EDUCATION OFFICER
(MALE) KARAK**

Address: KDA Karak

OFFICE ORDER

Mr. Bilal Anwar DM BS-15 GMS Anar Banda (Karak), is hereby Transferred/adjusted at GMS Jattan Banda against the Vacant Post in the best interest of public service with effect from the date of his taking over charges.

Note:

No TA/DA is allowed
Charge report should be submitted to all concerned

Sd/-XXXX
District Education Officer
(Male) Karak

Endst: No., 1723-31/Transfer/ADEO Secy; Karak the 29/03/2023

Copy to the:-

10. Deputy Commissioner, Karak
11. District Accounts officer Karak
12. Headmaster GMS Anar Banda (Karak)
13. Headmaster GMS Jattan Banda (Karak)
14. Official concerned
15. District Monitoring Officer Karak
16. B & AO Local Office
17. EMIS Local Office
18. Office Copy

Sd/-XXXX
District Education Officer
(Male) Karak

بھومت جناب ڈائریکٹر آف ایجوکیشن ایڈمنسٹری ائیڈ اسکینڈری ایجوکیشن (kpk) پشاور
"F" "Q"
- 11 -

جناب عالی

گزارش کی جاتی ہے کہ سائل ایجوکیشن ڈیپارٹمنٹ میں اپنے فرائض منصبی سرانجام دے رہا ہے حال میں سائل گورنمنٹ ڈل سکول جٹان بانڈہ کرک میں ڈرائنگ ماسٹر (BPS-DM-15) کی پوسٹ پر مامور ہے۔ سائل کا حال میں تاریخ 18/03/2023 کو گورنمنٹ ہائی سکول کھٹی مینا جیل کرک سے گورنمنٹ ڈل سکول جٹان بانڈہ کرک ہا ہی تبادلہ (Mutual Transfer) ہوا تھا اور سائل نے بقاعدہ طور پر ڈسٹرک ایجوکیشن ایفسر ارڈر Endst 1474-78 کے تحت 24-3-2023 کو گورنمنٹ ڈل سکول جٹان بانڈہ کرک میں 'DM' کی پوسٹ پر چارج لے لیا لیکن دوبارہ ڈسٹرک ایجوکیشن ایفسر کرک نے سیاسی و باہر کے پیش نظر میری Mutual Transfer ارڈر تاریخ 29-3-2023 - Endst-1716-21 منسوخ کر دیا جو کہ سر اسر سائل کے ساتھ نا انصافی ہے اور اسے ساتھ ڈالنا مناسب ہے۔ سائل کے بیک بون اپریشن کی وجہ سے سائل پر زیادہ سفر کی پابندی بھی لگائی گئی ہے۔

لہذا استدعا کی جاتی ہے کہ سائل کا Mutual Transfer ارڈر کو برقرار رکھ کر دوسری ارڈر (Endst.no-1716-21) کو ختم کیا جائے۔
سائل زندگی بھر آپ کا مشکور ہوگا

انعامش

Qat
بسم اللہ

تاریخ: 30/3/2023

نمبر: DM-(15-BPS)

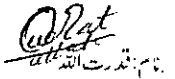
گورنمنٹ ڈل سکول جٹان بانڈہ کرک

بجرت جناب ڈائریکٹر آف ایجوکیشن ایڈمنسٹریٹریٹو ایجوکیشن (kpk) پشاور
"F" "4"
-11- جناب عالی

گزارش کی جاتی ہے کہ سائل ایجوکیشن ڈیپارٹمنٹ میں اپنے فرائض منصبی سرانجام دے رہا ہے حال میں سائل گورنمنٹ مڈل سکول جتان ہاڈہ کرک میں ڈرائنگ ماسٹر (BPS-DM-15) کی پوسٹ پر مامور ہے سائل کا حال میں تاریخ 18/03/2023 کو گورنمنٹ ہائی سکول گتھی مینا جیل کرک سے گورنمنٹ مڈل سکول جتان ہاڈہ کرک باہمی تبادلہ (Mutual Transfer) ہوا تھا اور سائل نے قاعدہ طور پر ڈسٹرک ایجوکیشن افسر ارڈر Endst 1474-78 کے تحت 24-3-2023 کو گورنمنٹ مڈل سکول جتان ہاڈہ کرک میں 'DM' کی پوسٹ پر چارج لے لیا لیکن دوبارہ ڈسٹرک ایجوکیشن افسر کرک نے سیاسی دباؤ کے پیش نظر میری Mutual Transfer ارڈر تاریخ 29-3-2023 Endst-1716-21 منسوخ کر دیا جو کہ سراسر سائل کے ساتھ ناانسانی ہے اور اس کے ساتھ ڈاکٹمنٹس کے مطابق سائل کے ایک بون اپریشن کی وجہ سے سائل پر زیادہ سزائی پابندی بھی لگائی گئی ہے

لہذا استدعا کی جاتی ہے کہ سائل کا Mutual Transfer ارڈر کو برقرار رکھ کر دوسری ارڈر (Endst.no-1716-21) کو ختم کیا جائے
سائل زندگی بھر آپ کا مشکور ہوگا

اعمالش


بجرت جناب ڈائریکٹر آف ایجوکیشن

تاریخ 30/3/2023

ممدو (BPS-15) DM

گورنمنٹ مڈل سکول جتان ہاڈہ کرک



-12- "147" "6"

DIRECTORATE OF ELEMENTARY & SECONDARY EDUCATION
KHYBER PAKHTUNKHWA PESHAWAR.

No. 3883 /F.No./Appeal for Justice/Transfer/Estab(M-1)
Dated Peshawar the 07/04 /2023.

To

The District Education Officer
(Male) Karak.

Subject: **APPEAL FOR CANCELLATION OF TRANSFER ORDER.**

Memo:

I am directed to refer to the subject cited above and to ask you that appeal in r/o Mr. Qudrāt Ullah Khan DM GMS Jattan District Karak has been rejected.

I am further directed to ask to inform the teacher concerned accordingly, please.


Assistant Director (Estab-1)

Directorate of Elementary & Secondary Edu:
Khyber Pakhtunkhwa, Peshawar.

Endst; No. _____/

Copy forwarded to the: -

1. Teacher Concerned.
2. PA to Director Elementary & Secondary Education Khyber Pakhtunkhwa Peshawar.

Assistant Director (Estab-1)

Directorate of Elementary & Secondary Edu:
Khyber Pakhtunkhwa, Peshawar.



**OFFICE OF THE DISTRICT EDUCATION OFFICER
MALE KARAK**

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NOTIFICATION

Under the provision of Government of Khyber Pakhtunkhwa Teachers (Appointment and Regularization of Services) Act, 2022 (Khyber Pakhtunkhwa Act No. XXI of 2022), the services of the following DM Male BPS-15 appointed on A.C. Contract basis w.e.f. 08-03-2017, are hereby regularized in Teaching Cadre on the terms and conditions given below with effect from the date of their initial appointment till the commencement of the Act 2022.

S. No.	Name	Father Name	Date of Birth	CNIC No.	Total Marks out of 200	School where posted	Appointment order No. and Date
1	Mamoon Azam	Mir Kazim Khan	15-05-79	14203-2039132-3	95.36	GMS Aman Kot	No. 6331-36 18/12/2018
2	Muhammad Itesham Ul Haq	Muhammad Zia Ul Haq	01-02-78	14202-1345964-9	94.13	GMS Nari Edal Khel	No. 6331-36 18/12/2018
3	Mushtaq Ahmad	Rambail Khan	15-04-77	14203-2055474-5	91.82	GMS Ahmad Khel	No. 6331-36 18/12/2018
4	Said Jamal	Khoob Nawaz	15-02-72	14203-6837233-5	86.56	GMS Kundi	No. 6331-36 18/12/2018
5	Muhammad Hayat Khan	Ebarah Khan	08-05-77	14202-4081477-1	83.07	GHS Lawaghar Chuni Khel	No. 6331-36 18/12/2018
6	Hazrat Astar	Zar Poo Khan	18-03-74	14203-2058179-9	81.26	GMS Ashsari Ali Khel	No. 6331-36 18/12/2018
7	Abdul Wanaab	Shahzad Ali Khan	10-04-91	14203-3215728-1	103.60	GHS Mami Khel	No. 6109-12 07/12/2018
8	Rashid Rashid Rashid	Abdul Rashid	31-03-91	14203-0249261-3	156.25	GMS Bargai	No. 138-46 09-01-2019
9	Muhammad Arif Khan	Aman Ullah	15-09-89	11191-1022376-5	154.57	GMS Aral Adam Barada	No. 138-46 09-01-2019
10	Muhammad Shoaib	Muhammad Nabi Shoh	15-05-92	14203-5335721-3	153.84	GMS Ghar Killa	No. 138-46 09-01-2019
11	Shahab Ahmad	Mamun Khan	17-06-94	14203-8299101-5	151.50	GMS Wargha Nari Panous	No. 138-46 09-01-2019
12	Muhammad Ali Khan	Muhammad Ali Khan	01-03-88	14203-0634591-9	151.00	GMS Shakir Khel	No. 138-46 09-01-2019
13	Muhammad Ali Khan	Ab Ma Khan	30-01-91	14203-0983280-9	150.64	GHS Makori	No. 138-46 09-01-2019
14	Sattailal	Muhammad Nabi Shoh	01-12-87	14203-5436721-3	150.28	GHS Totaki	No. 138-46 09-01-2019
15	Muhammad Ali Khan	Mir Kazim Khan	07-09-86	14203-7543853-1	149.46	GHS Hayat Abad	No. 138-46 09-01-2019
16	Muhammad Ali Khan	Basra Gul	16-09-92	14203-6382715-3	149.44	GHS Biland Killa	No. 138-46 09-01-2019

**OFFICE OF THE DISTRICT EDUCATION OFFICER
MALE KARAK**

NOTIFICATION

Under the provision of Government of Khyber Pakhtunkhwa Teachers (Appointment and Regularization of Services) Act, 2022 (Khyber Pakhtunkhwa Act No XLI of 2022), the services of the following DM Male BPS-15, appointed on Adhoc Contract basis w.e.OF 08/03/2017, are hereby regularized in Teaching Cadre on the terms conditions give below will effect from the date of their initial appointment till the commencement of the Act ibid.

S.No.	Name	Father Name	Date of Birth	CNIC No.	Total Marks out of 200	School where posted	Appointment Order NO. and date
1.	Mansoor Azam	Mir Kazim Khan	15.05.79	14203-2039132-3	95.36	GMS Aman kot	No. 6331-36 18/12/2018
2.	Muhammad Itehsn ul Haq	Muhammad Zia ul Haq	01.02.78	14202-1345964-9	94.13	GMS Nari Edal Khel	No. 6331-36 18/12/2018
3.	Mushtaq Ahmad	Rambail Khan	15.04.77	14203-2055474-5	91.82	GMS Ahmad Khel	No. 6331-36 18/12/2018
4.	Said Jamal	Khoob Nawaz	15.02.72	14203-6837233-5	86.56	GMS Kundl	No. 6331-36 18/12/2018
5.	Mohammad Haroon Khan	Khajab Din	08.05.77	14202-4081477-1	83.07	GHS Lawaghar Chani Khel	No. 6331-36 18/12/2018
6.	Hazrat khan	Zar Pio Khan	18.03.74	14205-2058179-9	81.26	GMS Ashkari Ali khel	No. 6331-36 18/12/2018
7.	Abdul Wahab	Shahzad Ali Khan	10.04.19 91	14203-3215728-1	103.60	GHS Maml Khel	No. 6109-12 07.12.2018
8.	Kashif Rashid	Abdul Rashid	31.3.91	14203-0249261-3	156.25	GMS Bargai	No. 138-46 09-01-2019
9.	Muhammad Arif Khattak	Aman Ullah	15.09.90	11101-1022376-5	154.57	GMS Aral Adam banda	No. 138-46 09.01-2019
10.	Muhammad Shoaib	Muhammad Nabi Shah	15.05.93	14203-5335721-3	153.84	GMS Ghar Killa	No. 138-46 09.01-2019
11.	Shoaib Ahmad	Momin Khan	17.06.94	14203-8299101-5	151.50	GMS Wargha Hari Panoos	No.138-46 09.01.2019
12.	Ikram Ullah	Muhammad Akbar Khan	01.03.88	14203-0634591-9	151.00	GMS Shakir khel	No.138-46 09.01.2019
13.	Irfan Ullah	All Mat Khan	30.01.91	14203-9083250-9	150.64	GHS Matori	No.138-46 09.01.2019
14.	Salfulah	Muhammad Nabi Shah	01.12.87	14203-5430721-3	150.28	GHS Tetaki	No.138-46 09.01.2019
15.	Nasir Azam	Mir Kazim Khan	07.09.86	14203-2039132-3	149.46	GHS Hayat Abad	No.138-46 09.01.2019
16.	Atif Ullah	Basya Gul	16.09.92	14202-1345964-9	149.44	GHS Biland Killa	No.138-46 09.01.2019

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S. No	Name	Father Name	Date of Birth	CNIC No	Total Marks out of 200	School where posted	Appointment order No. and Date
17	Qudrat Ullah Khan	Jalal Ud Din	03-09-85	14203-5144100-3	148.24	GMS Mehmood Khel	No. 138-46 09-01-2019
18	Muhammad Asif Junaid Khan	Masta Khan	02-02-94	14202-5340330-7	121.36	GHS Latamber	No. 4638-45 14-6-2019
19	Rashid Usman	Mohammad Usman	23-06-96	14202-4036492-7	147.57	GISS Janderi	No. 1709-16 18-05-2020
20	Fahad Imran	Yuqoot Rehman	26-03-89	14202-1699747-7	144.87	GHS Sai Kot	No. 1709-16 18-05-2020
21	Abdul Haleem	Mansoor Khan	01-03-89	14203-4442528-9	141.51	GMS Shanawa Gudi Khel	No. 1709-16 18-05-2020
22	Mudassar Naeem	Sawan Khan	11-03-88	14203-2957566-1	141.47	GMS Odin Shah	No. 1709-16 18-05-2020
23	Ziad Ur Rehman	Sakhi Sarwar	05-02-89	14203-6391881-3	140.60	GHS Ghundi Killa	No. 1709-16 18-05-2020
24	Aamer Nadeem	Wilayat Gul	15-08-93	17301-9618882-1	140.37	GHS Ghundi Mir Khan Khel	No. 1709-16 18-05-2020
25	Muhammad Irfan	Muhammad Khan	04-01-88	14203-3165871-7	140.06	GMS Khusr Lawagher	No. 1709-16 18-05-2020
26	Shahid Iqbal	Gul Faraz Khan	01-09-94	14203-83688245	139.05	GMS Zar Khan Killa	No. 1709-16 18-05-2020
27	Muhammad Waqas Khan	Allah Dad Khan	06-09-96	14203-45533631	138.21	GMS Kamali Banda	No. 1709-16 18-05-2020
28	Abid Nawaz	Muhammad Nawaz	11-01-93	14202-4820439-9	138.18	GMS Sarat Khel	No. 1709-16 18-05-2020
29	Muhammad Saïd	Umar Khan	03-03-92	14203-8841980-1	138.18	GHS Maudawa	No. 1709-16 18-05-2020
30	Muhammad Imtiaz	Muhammad Afzal Khan	15-06-90	14202-9200245-7	136.43	GMS Sabir Abad	No. 1709-16 18-05-2020
31	Adnan Ullah	Qudrat Ullah	06-09-90	14203-1792532-5	136.35	GHS Sarki Lawagher	No. 1709-16 18-05-2020
32	Abdul Rehman	Muhammad Najeeb	18-02-90	14203-3310790-7	136.33	GMS Charpara	No. 3266-72 08-10-2020
33	Amrooz Hussain	Zakar Rehman	10-04-92	14203-3858974-9	138.10	GHS Ahmadi Banda	No. 2624-30 29/06/2021
34	Sami Ullah	Muhammad Abdullah	30-09-94	14203-9955980-5	147.99	GMS Shanki Banda	No. 2624-30 29/06/2021
35	Haseeb Ullah	Fiaz Khan	02-04-93	14202-4789992-1	147.30	GHS Ghundi Mir Khan Khel	No. 2624-30 29/06/2021

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S.No.	Name	Father Name	Date of Birth	CNIC No.	Total Marks out of 200	School where posted	Appointment Order NO. and date
17.	Qudrat Ullah Khan	Jalal ud Din	03.09.85	14203-5144100-3	148.24	GMS mehmoood Khle	No.138-46 09.01.2019
18.	Muhammad Asif Junaid Khan	Masta Khan	02.02.94	14202-5340330-7	121.36	GHS Latamber	No.4638-43 14.06.2017
19.	Rashid Usman	Mohammad Usman	23.06.96	14202-4036492-7	147.57	GHS Janderi	No.1709-16 18.05.2020
20.	Farhad Imran	Yaqoot Rehman	26.03.89	14202-1699747-7	144.87	GHS Saikot	No.1709-16 18.05.2020
21.	Abdul Hakeem	Mansoor Khan	01.03.89	14203-442528-9	141.51	GMS Shanawa Gudi Khel	No.1709-16 18.05.2020
22.	Mudassir Naeem	Saawan Khan	11.03.88	14203-2957566-1	141.47	GMS Odin Shah	No.1709-16 18.05.2020
23.	Ziad ur Rehman	Sakhi Sarwar	05.02.89	14203-6791881-3	140.60	GHS Ghundi Killa	No.1709-16 18.05.2020
24.	Aamer Hadeem	Wilayat Gul	15.08.93	17301-9618882-1	140.37	GHS Ghundi Mir Khan Khle	No.1709-16 18.05.2020
25.	Muhammad Irfan	Muhammad Khan	04.04.88	14203-3165871-7	140.06	GMS Khusra Lawagher	No.1709-16 18.05.2020
26.	Shahid Iqbal	Gul Faraz Khan	01.09.94	14203-83688245	139.05	GMS Zar Khan Killa	No.1709-16 18.05.2020
27.	Muhammad Waqas Khan	Allah Dad Khan	06.09.96	14203-45533631	138.21	GMS Kamall Banda	No.1709-16 18.05.2020
28.	Abid Nawaz	Muhammad Nawaz	11.01.93	14202-4820439-9	138.18	GMS Sarat Khel	No.1709-16 18.05.2020
29.	Muhammad Sajid	Umar Khan	03.03.92	14203-8841980-1	138.18	GHS Mandawa	No.1709-16 18.05.2020
30.	Muhammad Imtiaz	Muhammad Afzal Khan	15.06.90	1420-9200245-7	136.43	GMS Sabir Abad	No.1709-16 18.05.2020
31.	Adnan Ullah	Qudrat Ullah	06.09.90	14203-1792532-5	136.35	GHS Sarki Lawagher	No.1709-16 18.05.2020
32.	Altaf ur Rehman	Muhammad Najeeb	18.02.90	14203-3310790-7	136.33	GMS Charpara	No.2266-72 08.10.2020
33.	Tanveer Ul Haq	Zakir Rehman	10.04.92	14203-6858974-9	148.10	GHS Ahmadi Banda	No.2424-30 29.06.2021
34.	Sami Ullah	Muhammad Abdullah	30.09.94	14203-9955980-5	147.99	GMS Shanki Banda	No.2424-30 29.06.2021
35.	Haseeb Ullah	Lizat Khan	03.04.93	14202-4789992-1	147.30	GHS Ghundi Mir Khan Khel	No.2424-30 29.06.2021

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S. No	Name	Father Name	Date of Birth	CNIC No	Total Marks out of 200	School where posted	Appointment order No. and Date
36	Kaniran Ahmed	Zaheer Ahmad	14-01-96	14203-2141027-5	146.63	GMS Barbara.	No. 2624-30 29/06/2021
37	Muhammad Haider	Islam Badshah	20-04-94	14202-4351340-5	145.67	GMS Kamali Zara Khel	No. 2624-30 29/06/2021
38	Muhammad Saqib	Adil Marjan	17-09-95	37405-5169022-1	145.48	GMS Tabi Khwa	No. 2624-30 29/06/2021
39	Bilal Anwar	Abdus Saboor Khan	20-05-92	14203-5999558-1	144.74	GMS Anar Banda	No. 2624-30 29/06/2021
40	Muhammad Siqaf	Khan Sardar	07-02-94	14203-3428378-9	144.06	GMS Zebi Chani khel	No. 2624-30 29/06/2021
41	Musaddiq Islam	Gulab Shaur	19-12-88	14202-8372182-1	143.80	GHS Dabb Sangini	No. 3645-50 13/09/2021

TERMS AND CONDITIONS: -

1. Their services shall be governed by the Khyber Pakhtunkhwa Civil Servant Act, 1973, the Khyber Pakhtunkhwa (Appointment, Deputation, posting and Transfer of Teachers, Lecturers, Instructors and Doctors) Regularity Act 2011, and such rules and regulation as may be issued from time to time by Government.
2. Their service will be considered regular and they shall be eligible for pension/deduction of GP Fund in terms of Khyber Pakhtunkhwa Civil Servant Act, 1973, as amended in 2013, however, the teachers appointed on or after 07/05/2022 shall deal with section (2)(2) of the Khyber Pakhtunkhwa (Amendment) Act, 2022.
3. Their services are liable to termination on one-month notice from either side. In case of resignation without notice, their one month pay/allowances shall be forfeited to the Government.
4. They shall possess the same qualification and experience required for the subject post on regular basis as specified in section (3) (a) of the Act.
5. Their regularization shall not affect the service promotion quota of all service cadres as specified in Section 31 C of the Act.
6. They shall be entitled for seniority and pay from the date of initial appointment on Adhoc/Contract basis as specified in Section (30) (d) of the Act.
7. They Shall perform duty for at least three years from the date of taking over charge where they were appointed/posted initially.
8. The regularization shall not be in favor of those teachers who have not taken over charge, remained absent from duty and resigned from service.
9. The teacher, regularized through this notification, shall be confirmed after successful completion of In-service mandatory training as specified in their Service Rules notified vide notification No SO (PE) 4-5/SSRC Meeting/2012/Teaching Cadre/2017 dated 07/03/2017 within two consecutive attempts otherwise their appointment orders shall be considered as withdrawn/cancelled from the date of declaration of result of the second attempt made in the induction program.

(Muhammad Aurangzeb)
District Education Officer
Male karak

Dated Karak the 19/12/2022

Endst No. 3673-80 Regularization 2022

Copy to the:

1. PA to Director Elementary & Secondary Education Khyber Pakhtunkhwa, Peshawar
2. PS to Secretary Elementary & Secondary Education Khyber Pakhtunkhwa, Peshawar.

S.No.	Name	Father Name	Date of Birth	CNIC No.	Total Marks out of 200	School where posted	Appointment Order NO. and date
36.	Kamran Ahmad	Zaheer Ahmad	14.01.96	14203-2141027-5	146.63	GMS Barbara	No.2624-30 29.06.2021
37.	Muhammad Haider	Islam Badshah	20.04.94	14202-4351340-5	145.67	GMS Kamali Zara Khel	No.2624-30 29.06.2021
38.	Muhammad Saqib	Adil Marjan	17.09.95	37405-5169022-1	145.48	GMS Tabi Khwa	No.2624-30 29.06.2021
39.	Bilal Anwar	Abdus Saboor Khan	20.05.92	14203-5999558-1	144.74	GMS Anwar Banda	No.2624-30 29.06.2021
40.	Muhammad Siqaf	Khan Sardar	07.02.94	14203-3428378-9	144.06	GMS Zebl Chani Khel	No.2624-30 29.06.2021
41.	Musaddiq Islam	Gulab Shaur	19.12.88	14202-8372182-1	143.80	GHS Dabb Sangini	No.3645-50 13.09.2021

Terms and conditions

1. Their services shall be governed by the Khyber Pakhtunkhwa Civil Servant Act, 1973, the Khyber Pakhtunkhwa (Appointment, Deputation, posting and Transfer of Teachers, Lecturers, Instructors and Doctors) Regularity Act 2011, and such rules and regulation us may be issued from time to time by Government.
2. Their service will be considered regular and they shall be eligible for pension/deduction of GP Fund in terms of Khyber Pakhtunkhwa Civil Servant Act, 1973, as amended in 2013, however, the teachers appointed on or after 07/06/2022 shall deal with section (2)(2) of the Khyber Pakhtunkhwa (Amendment) Act.2022.
3. Their services are liable to termination on one-month notice from either side. In case of resignation without notice, their one month pay/allowances shall be forfeited to the Government.
4. They shall possess the same qualification and experience required for the subject post on regular basis as specified in section (3) (a) of the Act.
5. Their regularization shall not affect the service promotion quota of all service cadres as specified in Section (3) of the Act.
6. They shall be entitled for seniority and pay from the date of initial appointment on Adhoc/Contract basis as Specified in Section (30 (d) of the Act.
7. They Shall perform duty for at least three years from the date of taking over charge where they were appointed/ posted initially.
8. The regularization shall not be in favor of those teachers who have not taken over charge, remained absent from duty and resigned from service.
9. The teacher, regularized through this notification, shall be confirmed after successful completion of In- service mandatory training as specified in their Service Rules notified vide notification No SO (PE) 4- 5/SSRC/Meeting/2012/Teaching Cadre/2017 dated 07/03/2017 within two consecutive attempts otherwise their appointment orders shall be considered as withdrawn/cancelled from the date of declaration of result of the second attempt made in the Induction program

**Muhammad Aurangzeb
District Education Officer
Male Karak**

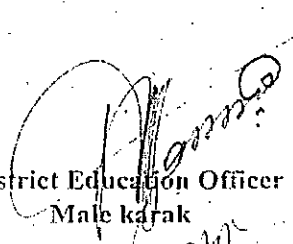
Endst No.5673-80/Regularization/2022

Copy to the

1. PA to Director Elementary & Secondary Education Khyber Pakhtunkhwa, Peshawar.
2. PS to Secretary Elementary & Secondary Education Khyber Pakhtunkhwa, Peshawar.

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3. District Accounts Officer Karak.
4. Deputy District Education Officer (Male) Karak.
5. Principal/Head Master Concerned.
6. Budget & Accounts Officer Local Office.
7. EMIS Local Office.
8. Master File.


District Education Officer
Male Karak

ANNEXURE "I" - 17-

Posting - Transfer Policy - updated till 10 Jan, 2009



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 posing/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.

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

- 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.

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.

ATTACHED

VAKALATNAMA
BEFORE THE KHYBER PAKHTUNKHWA SERVICE TRIBUNAL,
PESHAWAR.

APPEAL NO: _____ OF 2023

Qudrat Ullah

(APPELLANT)
(PLAINTIFF)
(PETITIONER)

VERSUS

Education Deptt

(RESPONDENT)
(DEFENDANT)

I/We Appellant

Do hereby appoint and constitute **Noor Mohammad Khattak Advocate Supreme Court** 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. _____ / _____ / 2022

Qudrat Ullah
CLIENT

ACCEPTED

NOOR MOHAMMAD KHATTAK
ADVOCATE SUPREME COURT

(BC-10-0853)

(15401-0705985-5)

Kamran Khan
KAMRAN KHAN

Umar Farooq Mohmand
UMAR FAROOQ MOHMAND

Waleed Adnan
WALEED ADNAN

&

Muhammad Ayub
MUHAMMAD AYUB
ADVOCATES

OFFICE:

Flat No. (TF) 291-292 3rd Floor,
Deans Trade Centre, Peshawar Cantt.
(0311-9314232)