

20/6/2023
Abbottabad

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

Service Appeal No. 1603/2022

Mst. Ayesha Zeb.

Khyber Pakhtunkhwa
Service Tribunal
..... APPELLANT

Diary No. 5010

Dated 28/4/2023

V E R S U S

The chief Justice Peshawar High Court through Registrar Peshawar High
Court, Peshawar.

...RESPONDENT

PARAWISE COMMENTS IN SERVICE APPEAL

INDEX

S #	Description	Page No.	Annexure
1.	Para wise comments (facts & grounds).	1-4	
2.	Copy of inquiry # 167/VI	5-16	"B"
3.	Copy of inquiry # 168/VI	17-19	"C"
4.	Copy of inquiry # 169/VI	20-22	"D"
5.	Copy of Show Cause Notice #1563	21-22	"E"
6.	Copy of Show Cause Notice #1564	18-19	"F"
7.	Copy of Show Cause Notice #1565	07-08	"G"
8.	Copy of Joint Statement	09	"H"
9.	Copy of dismissal from service order	14-16	"I"
10.	Authority letter	23	

.....RESPONDENT

District & Sessions Judge

Abbottabad

BEFORE THE KHYBERPAKHTUNKHWA SERVICE TRIBUNAL, PESHAWAR

Service Appeal # 1603/2022

Mst. Ayesha Zeb

..... Appellant

Versus

The Chief Justice Peshawar High Court
through Registrar Peshawar High Court.

..... Respondents

PARAWISE COMMENTS ON BAHALF OF RESPONDENTS No. 01 to 03

RESPECTFULLY SHEWETH:-

PRELIMINARY OBJECTIONS:-

- I. That the Appellant has got no cause of action/locus standi to file the instant Appeal.
- II. That Appellant has not come to this Hon'ble Tribunal with clean hands.
- III. That this Honorable Tribunal has got no jurisdiction to adjudicate upon the matter.
- IV. That the Appellant has deliberately concealed material facts from this Honorable Tribunal.
- V. That the instant Appeal is barred by law and time.
- VI. That the instant Appeal is bad in its present form, hence not maintainable and liable to be dismissed with special cost throughout.

FACTS: -

- 1) Para # 1 pertains to record.

- 2) Para # 2 pertains to record.
- 3) Para # 3 is incorrect. Initiation of three disciplinary proceedings in inquiry # 167/VI (Annexure "B"), 168/VI (Annexure "C") & 169/VI (Annexure "D") and issuance of final show-cause notices # 1563-2/52, 1564-2/52 & 1565-2/52 dated 23/06/2022 (Annexure "E", "F" & "G"), would bear ample testimony to her conduct and indifferent attitude towards performance of her official duties.
- 4) Para # 4 relates to personal life of the Appellant.
- 5) Para # 5 also relates to the personal life of the appellant. Nevertheless, she neither conveyed nor applied for leave on account of being indisposed.
- 6) In reply to para # 6, it is submitted that appellant's mother did not apply for two months leave nor provided any medical certificate. Rather, she was called during inquiry proceeding # 167/VI, for apprizing about appellant's conduct of refusing to relinquish the charge. Her statement too, was recorded on 13.06.2022 which contains the factum of appellant's refusal to relinquish the charge and even receive explanation in that regard. Statement of Shabir Ahmad, (Superintendent), Mr. Shafique Akbar (Reader) and Muhammad Khursheed (Stenographer) (Annexure "H") in whose presence this all happened was also recorded.
- 7) Incorrect against facts and law, hence, denied. Posting and transfer is part and parcel and integral part of the service. Her two postings from two different courts would reflect that she was unable to perform her work, to the satisfaction of the presiding officers. Ultimately, she was transferred to the scanning branch through an order dated 02/06/2022 which she did not comply, which is unbecoming of a civil servant.
- 8) Incorrect against facts and law, hence, denied. Since, there was sufficient material to proceed against the appellant, therefore, she was issued final show-cause notice by dispensing the inquiry within the meaning of rule 5(1)(a) of the KPK Govt Servant Efficiency & Discipline Rules 2011. This show-cause notice was served upon the appellant by the Superintendent Session Court in presence of the presiding officer of the court where she was posted.

- 9) The appellant has been dismissed from service vide impugned dismissal order dated 01/07/2022 (Annexure "I") by observing all the codal formalities, well within the remits and adhering to the rules governing the subject.
- 10) Para 10 is a matter of record.

GROUND:

- a- The impugned -dismissal order is, neither malafide & discriminatory nor against the law and rules.
- b. The appellant had been issued three show-cause notices bearing # 1563-2/52, 1564-2/52 & 1565-2/52 dated 23/06/2022 containing the statements of allegations. She did not file any reply and the competent authority after considering contents of the complaints and related facts of the case and reasons /grounds thereof, dispensed with the formal inquiries as permissible under E & D Rules 2011.
- c. The appellant through final show-cause notice # 1565-2/52, dated 23/06/2022 was called upon to convey in writing, if she would like to be heard in person but she neither submitted any reply within the prescribed time nor intimated to opt for personal hearing, which speaks volume about her stubborn attitude.
- d. The impugned dismissal order dated 01/07/2022 was not ex-parte as the appellant herself intentionally did not opt to join the disciplinary proceedings.
- e. The undersigned as competent authority had adhered to the procedure provided under the rules governing the subject.
- f. The appellant's mother did not apply for medical leave rather the facts had been marshaled to give twist and cover to the conduct and indifferent attitude she has imply demonstrated during her service. Her assertion is belied by the office record.
- g. Since, the appellant did not apply for the medical leave, therefore, this para needs no comments.

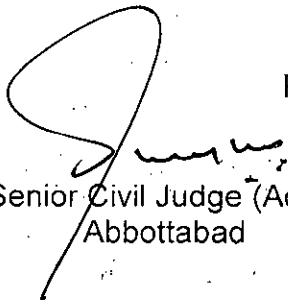
The Appellant neither joined the fact findings inquiries nor bothered to submit reply to the final show-cause notice or to be heard in person in pursuance thereto, which, amply speaks of least respect to service discipline and good order. She was issued explanation bearing # 1444/-2/52, dated 13/06/2022,

which she had refused to receive as per report of the superintendent even dated. Her appeal is meritless and liable to be dismissed.

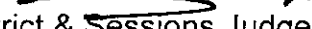
- h. The Answering Respondents will also raise more grounds at the time of arguments with the permission of this Hon'ble Tribunal.

It is, therefore, most humbly prayed that the Appeal filed by the Appellant being incorrect, time barred, baseless, frivolous, illegal, without any substance and against the record, may graciously be dismissed with heavy cost.

Any other remedy which this Hon'ble court deem proper in the circumstances may also graciously be awarded in favour of the Answering Respondents.


Senior Civil Judge (Admn)
Abbottabad



Registrar,
Peshawar High Court, Peshawar


District & Sessions Judge
Abbottabad

AFFIDAVIT

The contents of the parawise comments submitted in service appeal No. 1603/2022 are correct and true to the best of my knowledge and belief and nothing has been suppressed from the Hon'ble Service Tribunal.


DEPONENT

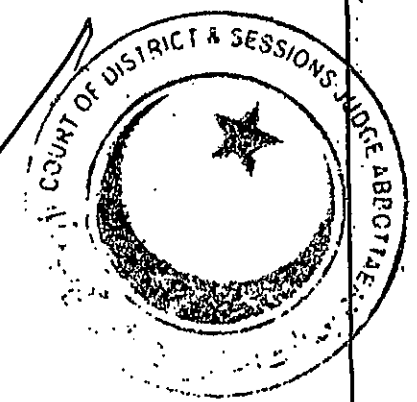

MUHAMMAD ADNAN YOUNIS
ADVOCATE HIGH COURT
OATH COMMISSIONER
Abbottabad Lic # 2986-88
27/04/2023

ANNEXURE B

عمر 2235 ر 98646 ر 15
بعدالت جناب ڈسٹرکٹ اینڈ سیشن جج ایف ختیاد خان ایف ایف آباد

نمبر شمارہ	تعداد	تفصیل
1/7	7	انڈیکس خادم، پیرت حکم یا ٹی، فائنل شو کاز کونشن
8/9	2	مشترکہ بیان بشیر احمد اود شفیق اکبر، بیان ساجد علی بی
10/15	6	Explanation حکم، لوٹ ٹیسٹ، حکم بر طرفی عائشہ ذیب

10/10
18.7.2022



COUNTERSIGNED

District & Sessions Judge
Abbottabad

لوٹل قطعات 15

سیرنڈنٹ ٹریسنگ کورٹ ایف ایف آباد

مکرمہ ایف ایف ایف

Attested
28/4/22

Handwritten signature/initials

IN THE COURT OF IKHTIAR KHAN,
DISTRICT & SESSIONS JUDGE, ABBOTTABAD

Inquiry No. _____

Order # 03
30.06.2022

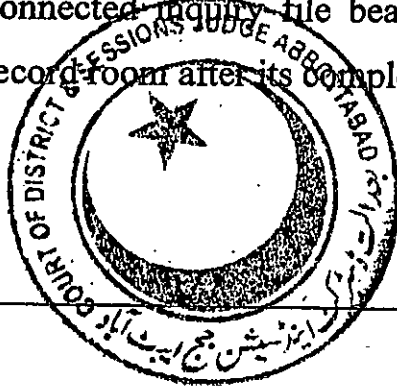
The delinquent official/accused namely Aisha Zeb, Computer Operator is absent. Similarly, she neither submitted reply to final show cause notice nor opted for personal hearing till closing hours i.e. 02:30 PM, therefore, to come up for further proceedings on 01.07.2022.

Order # 04
01.07.2022

Attested
28/07/22

(IKHTIAR KHAN)
D&SJ, Abbottabad /
Competent Authority

The delinquent official/accused namely Aisha Zeb, Computer Operator did not appear till closing hours i.e. 12:00 noon; therefore, major penalty of dismissal from service is imposed upon her. Order issued accordingly and placed on connected inquiry file bearing No. 8/E. File be consigned to record room after its completion and compilation.



(IKHTIAR KHAN)
D&SJ, Abbottabad /
Competent Authority



OFFICE OF THE
DISTRICT AND SESSIONS JUDGE
ABBOTTABAD

Phone: 0992-931005
Fax: 0992-330149
@Email: dsjstd@gmail.com

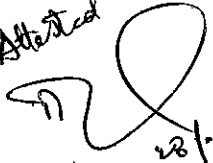
No. 1565-2/52

Dated Abbottabad the 23/06/2022

To,

Miss. Ayesha Zeb,
Computer Operator

FINAL SHOW CAUSE NOTICE

Attested

23/6/22

The office, through a note-sheet dated 13/06/2022, has reported that after being transferred, vide order bearing # 1211-1300-2/4 dated 02/06/2022, from the Court of Civil Judge/JFC-III to Record Room, for scanning, you neither relinquished nor assumed the charge and failed to comply with the order.

Whereas, you were issued explanation by this office vide # 1444-2/52 dated 13/06/2022, which, as per report of the Superintendent Sessions Court, statement of your mother, Mr. Shafique Akbar, Reader and Mr. Muhammad Khurshid Senior Scale Stenographer, you refused to receive, within their view.

Whereas, your mother Mst. Sajida Bibi w/o Aurangzeb appeared before the undersigned on 13/06/2022, who was informed of your stubborn and indifferent conduct towards performance of your duty and not obeying the transfer order.

Whereas, on 13/06/2022, Mr. Shabbir Ahmad, Superintendent, Mr. Shafique Akbar Reader Senior Civil Judge and Muhammad Khurshid, Senior Scale Stenographer to ASJ-VI, too, had asked you to comply with the transfer order, in presence of your mother Mst. Sajida Bibi, sister Mst. Maryam Bibi and first cousin Sarfaraz Khan S.I, but to no avail.

Whereas, there is sufficient documentary evidence against you, therefore, the undersigned is satisfied that there is no need to hold any inquiry,

on the charge of your willful disobedience and misconduct, hence dispensed with the inquiry, within the meanings of Rule 5 (1) (a) of the Khyber Pakhtunkhwa Government Servants (Efficiency and Discipline) Rules, 2011.

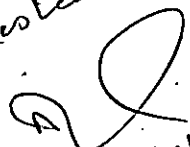
Whereas by reason of above, you, Miss Ayesha Zeb, Computer Operator, have been found guilty of misconduct, within the meanings of Rule 2 1 (i) of the Khyber Pakhtunkhwa Government Servants (Efficiency and Discipline) Rules, 2011, which, may lead to imposition of one or more of the penalties including major penalty of dismissal from service as prescribed in Rule 4 (1) (b) (iv) of the Khyber Pakhtunkhwa Government Servants (Efficiency and Discipline) Rules, 2011


Now, I, Mr. Ikhtiar Khan, District & Sessions Judge, being competent authority, call upon you, Miss Ayesha Zeb, Computer Operator, to show cause, within the meanings of Rule 7 (b) of the Khyber Pakhtunkhwa Government Servants (Efficiency and Discipline) Rules, 2011 within 07 days of receipt of this notice, as to why one or more penalties including the major penalty of dismissal from service may not be imposed upon you under Rule 4 (1) (b) (iv) of the Khyber Pakhtunkhwa Government Servants (Efficiency and Discipline) Rules, 2011.

Your written reply to the show cause notice should reach the undersigned within seven days, failing which ex-parte decision shall be taken against you.

You are also called upon to convey, in writing, if you would like to be heard in person.

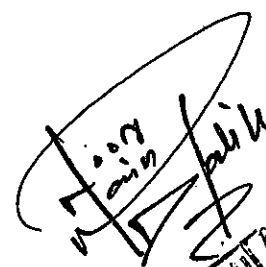
Attested


28/04/23


23-06-2022

S/d:

(IKHTIAR KHAN)
District & Sessions Judge
Abbottabad


MOHAMMAD ALI KHAN
District Judge
Abbottabad

H

8

9

Joint Statement of Shabir Ahmed (Superintendent), Shafique Akbar (Reader Senior Civil Judge) & Muhammad Khurshid (Steno ASJ-VI) Abbottabad.

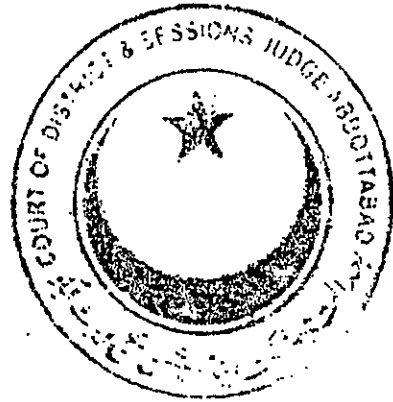
ANNEXURE
11/9

State that Mst. Ayesha Zeb (computer operator) attached with the court of Learned CJ-III Abbottabad was posted in record room Session Court Vide Order bearing No. 1211-1300-2/4 dated 02-06-2022 but until now neither she has relinquished the charge from the court of CJ-III nor assumed the charge in record room Sessions for scanning files. Today we asked her to relinquish the charge in compliance of the above mentioned order but she is reluctant to do so in presence of her mother Mst. Sajida Bibi, sister Mst. Maryum Bibi and first cousin namely Sarfraz Khan SI . Similarly, today on 13-06-2022 her explanation was also called by the Honorable District & Sessions Judge Abbottabad which was accordingly handed over to her but she refused to received the same of above named persons.

Shabir Ahmed (Superintendent)

Shafique Akbar (Reader Senior Civil Judge)

Muhammad Khurshid (Steno ASJ-VI)



(Ikhtiar Khan)
D&SJ, Abbottabad

Attested

11/9
28/4/22

13

9

بیان صحافتی سہ ماہی پر اور تالیف سائنس
تاریخ 13.00

سرحد میں سائنس کا کیمیا اور تاریخ 13 کو 13
کورٹ میں عدالت میں صحافتی سہ ماہی پر اور تالیف سائنس

میں عدالت میں سہ ماہی پر اور تالیف سائنس
میں عدالت میں سہ ماہی پر اور تالیف سائنس
میں عدالت میں سہ ماہی پر اور تالیف سائنس

میں صحافتی سہ ماہی پر اور تالیف سائنس
میں صحافتی سہ ماہی پر اور تالیف سائنس

میں صحافتی سہ ماہی پر اور تالیف سائنس
میں صحافتی سہ ماہی پر اور تالیف سائنس

28/9/23



13301-1163960-0
صحافتی سہ ماہی پر اور تالیف سائنس

OFFICE OF THE DISTRICT & SESSIONS JUDGE, ABBOTTABAD

No. 1444 -2/52

Dated Abbottabad 13/06/20

To

Ms. Ayesha Zeb,
Computer Operator

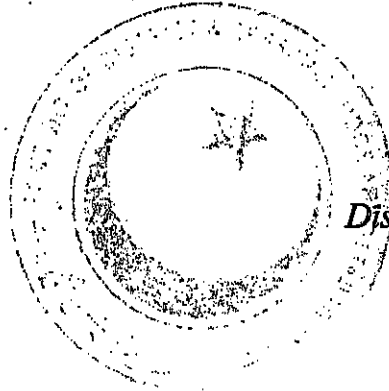
Subject: EXPLANATION

Memo;

Vide this office order bearing endorsement No. 1211-1300-2/4, dated 02.06.20 you were transferred and posted as Computer Operator in Record Rooms Sessions. However despite oral directions through concerned staff and lapse of more than 11 days you did not relinquish the charge from the court of Civil Judge-III, Abbottabad and assume the charge in record rooms sessions.

Your this act falls within the ambit of misconduct and disobeying the order authority, calling for disciplinary action under the rules.

Now, therefore, you are directed to explain your position within three days receipt of this explanation, failing which it shall be presumed that you have no defense to offer



Ikhlaq Khan
District & Sessions Judge
Abbottabad.

Attested

28/6/20

MS Ayesha Zeb

ایک جناب سید صاحب این بار
شعبہ آئی ٹی کے طور پر کام کرنے کے لیے
مقرر ہوئے ہیں۔
عطا علی بیگ سے انکار ہے
13/6/20
سید

OFFICE OF THE DISTRICT & SESSIONS JUDGE, ABBOTTABAD

No. 1444 -2/52

Dated Abbottabad 13/06 / 2022

To

Ms. Ayesha Zeb,
Computer Operator

Subject: EXPLANATION

Memo;

Vide this office order bearing endorsement No. 1211-1300-2/4, dated 02.06.2022 you were transferred and posted as Computer Operator in Record Rooms Sessions. However, despite oral directions through concerned staff and lapse of more than 11 days you did not relinquish the charge from the court of Civil Judge-III, Abbottabad and assume the charge in record rooms sessions.

Your this act falls within the ambit of misconduct and disobeying the order of authority, calling for disciplinary action under the rules.

Now, therefore, you are directed to explain your position within three days of receipt of this explanation, failing which it shall be presumed that you have no defense to offer.


Attested
A
28/4/22

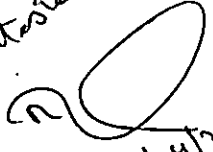
Ikhlaar Khan
District & Sessions Judge,
Abbottabad.

Note sheet
13.06.2022

Vide order bearing No. 1211-1300-2/4 dated 02.06.2022 Mst. Aysha Zeb Computer Operator attached with the court of learned Civil Judge-III, Abbottabad was posted at Record Room Sessions for Scanning but till today neither she has relinquished the charge as Computer Operation from the Court of learned CJ-III, Abbottabad nor has assumed the charge in the Record Room Sessions due to which official work is badly suffering. Report is submitted for order please.

13.06.2022.


Superintendent,
District & Sessions Court,
Abbottabad.

Attested

28/06/22

*Explanation be called from the
said officer*
13.06.2022.

I

1

**OFFICE OF THE
DISTRICT AND SESSIONS JUDGE
ABBOTTABAD**

Phone: 0992-9310051
Fax: 0992-330149
Email: dsjstd@gmail.com

No

1620-2/4

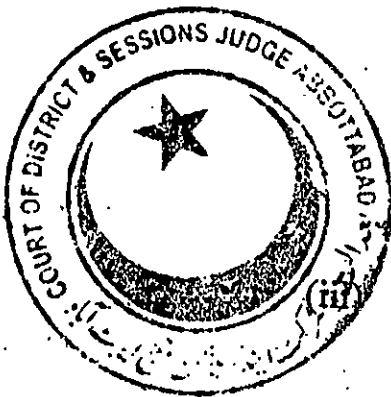
Dated Abbottabad the 01/07/2022

ORDER

WHEREAS, disciplinary proceedings were conducted against Ms. Ayesha Zeb, Computer Operator (BPS-16), within the meanings of Khyber Pakhtunkhwa Government Servants (Efficiency and Discipline) Rules, 2011.

WHEREAS, three show-cause notices No. 1563-2/52, 1564-2/52 & 1565-2/52, dated 23/06/2022 were issued to the above named accused official, with the following allegations:

- Attested*
[Signature]
28/4/22
- (i) She had misbehaved with the then presiding officer Miss. Faiza Malik, thus, demonstrated a conduct prejudicial to good order and service discipline, which amounts to misconduct.
 - (ii) She had shown unprofessionalism and failed to comply with and obey lawful and reasonable orders given to her by her presiding officer, as she refused to switch on computer and to transmit the PQS data, thus failed to perform functions assigned to her in the discharge of her duty, rendering herself inefficient.
 - (iii) She had demonstrated contumacious and non-serious attitude towards her court duties, while posted in the Court of Civil Judge/JFC-III, due to which business of court was adversely affected.
 - (iv) She was reported to be an ill-subordinate, turning deaf ears towards the orders and directions of the Presiding Officer.
 - (v) Due to her unwillingness to take dictation of the orders from the Presiding Officer, litigants had to suffer by waiting for collection of guardianship certificates and orders etc for many



01.07.2022

days, thus she had shown unprofessionalism and failed to comply with and obey lawful and reasonable orders given to her by her presiding officer, thus failed to perform functions assigned to her in the discharge of her duty, rendering herself inefficient.

- (vi) This office, through a note-sheet dated 13/06/2022, had reported that after being transferred, vide order bearing # 1211-1300-2/4 dated 02/06/2022, from the Court of Civil Judge/JFC-III to Record Room, for scanning, she neither relinquished nor assumed the charge and failed to comply with the order.

WHEREAS, the undersigned, after considering contents of the complaints and related facts of the case and reasons/grounds thereof, had dispensed with formal inquiries.


AND WHEREAS, the accused official was advised to submit written defense against the above charges, within seven days of receipt of notice, explaining as to why one or more penalties, including the major penalty of dismissal from service, should not be imposed upon her and also to communicate whether she wanted to be heard in person.

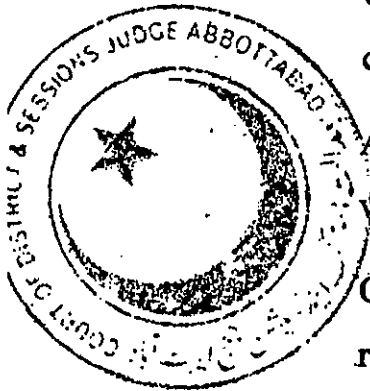
AND WHEREAS, the accused official neither submitted any reply within the prescribed time, nor intimated to opt for personal hearing.

Considering the contents of the complaint, mentioned as reference and related facts of the case, the accused official, having failed to show cause, as required from her, has become liable to receive penalty as prescribed in Rule 4 (1) (b) (iv) of the Khyber Pakhtunkhwa Government Servants (Efficiency and Discipline) Rules, 2011.

THEREFORE, Ms. Ayesha Zeb, Computer Operator (BPS-16) has been held liable for awarding major penalty of dismissal from service.

NOW, THEREFORE, it is notified that the accused official Ms. Ayesha Zeb, Computer Operator (BPS-16) stands dismissed from service,

Attested

 28/04/23



21.07.2022

within the meaning of Rule 4 (1) (b) (iv) of the Khyber Pakhtunkhwa
Government Servants (Efficiency and Discipline) Rules, 2011.

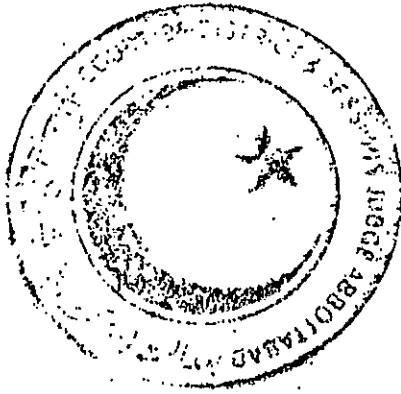
(IKHTIAR KHAN)
District & Sessions Judge
Abbottabad

No. 1621 - 1625 - 2/4

Dated Abbottabad the 01/02/2022

Copy forwarded to:

- 1) The Registrar, Peshawar High Court, Peshawar.
- 2) The Senior Civil Judge (Admn), Abbottabad.
- 3) The Comptroller of Accounts, Abbottabad.
- 4) The Budget & Accounts Assistant, Abbottabad.
- 5) Official concerned.



(IKHTIAR KHAN)
District & Sessions Judge
Abbottabad

Attested

[Handwritten Signature]

28/4/22

98645

جنرل 2254

(22)

جناب ڈسٹرکٹ ایڈووکیٹ جی احتیاد خان

ANNEX

(17)

درخواست انکوئری پر خلاف عائنہ ذیب KPO

بجہ مقدم 16/7/22، فرم 26/7/22، نوٹس ریکورڈ

لوعیت مقدمات، ملاحظات (22)

تعداد	نمبر شمارہ
4	1/4
6	5/10
4	11/14
2	15/16
3	17/19
3	20/22
22	

انویکس فادہ، پیرت حکم پائی،

فائل شوکاڈ لوٹس، نقل برطرفی حکم عائنہ ذیب، نوٹس پائی

انویکس فادہ 2022، پیرت حکم پائی، انکواری دہشت پر خلاف عائنہ ذیب

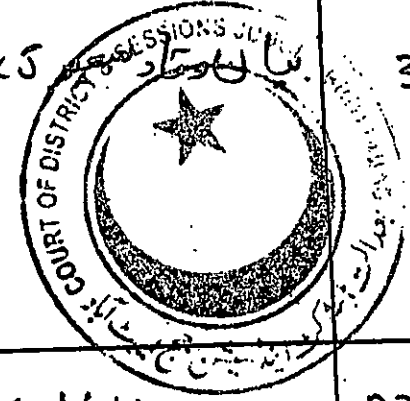
پیرت حکم 17.05.22، کاپی لینٹ پر خلاف عائنہ ذیب KPO

بیان وقاد سعید آ، بیان سردار امان، بیان فدا مہدی

بیان سردار امان، نوٹس پائی

COUNTERSIGNATURE

Distt. Sessions Judge
Abbottabad



لوٹل گھا قسطات

سپرینٹنڈنٹ و سیشن کورٹ ایبٹ آباد

مہر د انگلیش آفس

18-7-2022

Attested

28/4/22

ANNEX

'ANNEXURE F'



OFFICE OF THE
DISTRICT AND SESSIONS JUDGE
ABBOTTABAD

Phone: 0992-931005
Fax: 0992-330149
Email: dsjtd@gmail.com

No-1564-2/52

Dated Abbottabad the 23/06/2022

To,

Miss. Ayesha Zeb,
Computer Operator


FINAL SHOW CAUSE NOTICE

It is reported against you that you have committed below mentioned serious acts/omissions in contravention of the conduct rules while being working as computer operator in the court of Civil Judge/JFC-III:

- (1) You had demonstrated contumacious and non-serious attitude towards your court duties, due to which business of court was adversely affected.
- (2) You were reported to be an ill-subordinate, turning deaf ears towards the orders and directions of the Presiding Officer.
- (3) Due to your unwillingness to take dictation of the orders from the Presiding Officer, litigants had to suffer by waiting for collection of guardianship certificates and orders etc for many days, thus you had shown unprofessionalism and failed to comply with and obey lawful and reasonable orders given to you by your presiding officer, thus failed to perform function assigned to you in the discharge of your duty, rendering yourself inefficient.
- (4) You had failed to maintain good conduct and discipline, thus, demonstrated a conduct unbecoming of Government servant and gentle woman rendering yourself to misconduct.

Whereas, during the facts-finding inquiry, conducted by Judicial Magistrate-III, you opted not to defend yourself and was found guilty of misconduct.

Attested


23/04/22

19

Whereas, after conducting the facts-finding inquiry, there is sufficient evidence against you, therefore, the undersigned is satisfied that there is no need to hold any formal inquiry, hence dispensed with the formal inquiry, within the meanings of 3rd proviso to Rule 5 of the Khyber Pakhtunkhwa Government Servants (Efficiency and Discipline) Rules, 2011.

Whereas by reason of above, you, Miss Ayesha Zeb, Computer Operator, have been found guilty of inefficiency and misconduct, within the meanings of Rule 2 (1) (i) & 1 (i) of the Khyber Pakhtunkhwa Government Servants (Efficiency and Discipline) Rules, 2011, which, may lead to imposition of one or more of the penalties including major penalty of dismissal from service as prescribed in Rule 4 (1) (b) (iv) of the Khyber Pakhtunkhwa Government Servants (Efficiency and Discipline) Rules, 2011

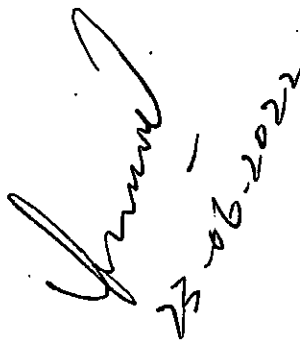
Now, I, Mr. Ikhtiar Khan, District & Sessions Judge, being competent authority, call upon you, Miss Ayesha Zeb, Computer Operator, to show cause within 07 days of receipt of this notice, as to why one or more penalties including the major penalty of dismissal from service may not be imposed upon you under Rule 4 (1) (b) (iv) of the Khyber Pakhtunkhwa Government Servants (Efficiency and Discipline) Rules, 2011.

Your written reply to the show cause notice should reach the undersigned within seven days, failing which ex-parte decision shall be taken against you.

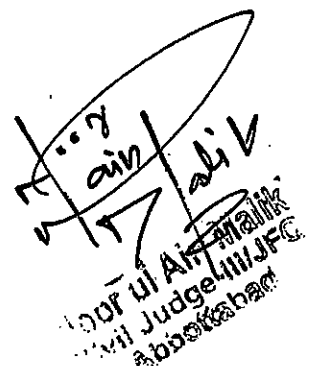
You are also called upon to convey, in writing, if you would like to be heard in person.

Attested


28/04/22


23-06-2022

(IKHTIAR KHAN)
District & Sessions Judge
Abbottabad


District & Sessions Judge
Abbottabad

1115 980

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بجرائت جناب ڈسٹرکٹ اینڈ سیشن جج ایبٹ آباد

ANNEXURE

درخواست انکوالتی بر خلاف عاشر ذی قعدہ ۱۴۴۲ھ

نوٹیفکیشن / نوٹیفکیشن	تعداد	نمبر شمار
انڈیکس فام، برت حکم پائے، فائل شو کاز نوٹس	6	1
نوٹیفکیشن، Dismissal order، بیف رپورٹ اور موٹیو	8	2
انڈیکس فام، برت حکم پائے، SC، نوٹیفکیشن سٹاپ	9	3
Complaint (C-11)، نقل Annex-A، بیان سول جج 11	4	4
بیان عبدالحمید ریڈ، بیان ظہود احمد محمد، بیان ارم شہزاد	3	5
بیان وقاد سعید III-C، نوٹس پائے	3	6

COUNTERSIGNED **سول کاندھل**



District & Sessions Judge
Abbottabad

[Signature]
18-7-2022

[Signature]
ایبٹ آباد

[Signature]

Attested
[Signature]
28/04/23

**OFFICE OF THE
DISTRICT AND SESSIONS JUDGE
ABBOTTABAD**

Phone: 0992-9310051
Fax: 0992-330149
Email: dsjstd@gmail.com

No -1563-2/52

Dated Abbottabad the 23/06/2022

To,

**Miss. Ayesha Zeb,
Computer Operator**

FINAL SHOW CAUSE NOTICE

It is reported against you that you have committed the below mentioned serious acts/omissions in contravention of the conduct rules while being working as Computer Operator in the court of Civil Judge-XI/JFC-IV:

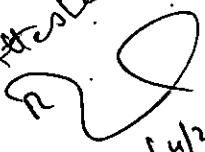
(1) You had misbehaved with the then presiding officer Miss. Faiza Malik, thus, demonstrated a conduct prejudicial to good order and service discipline, which amounts to misconduct.

(2) You had, shown unprofessionalism and failed to comply with and obey lawful and reasonable orders given to you by your presiding officer, as you refused to switch on computer and to transmit the PQS data, thus failed to perform functions assigned to you in the discharge of your duty, rendering yourself inefficient.

(3) You had failed to maintain good conduct and discipline, thus, demonstrated a conduct unbecoming of Government servant and gentle woman, rendering yourself to misconduct.

Whereas, during the facts-finding inquiry, conducted by Senior Civil Judge (Admn), you opted not to defend yourself and was found guilty of misconduct.

Whereas, after conducting the facts-finding inquiry, there is sufficient evidence against you, therefore, the undersigned is satisfied that there is no need to hold any formal inquiry, hence dispensed with the formal

Attested

28/4/23

ANNEXURE
(E)

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17

inquiry, within the meanings of 3rd proviso to Rule 5 of the Khyber Pakhtunkhwa Government Servants (Efficiency and Discipline) Rules, 2011.

Whereas by reason of above, you, Miss Ayesha Zeb, Computer Operator, have been found guilty of inefficiency and misconduct, within the meanings of Rule 2 (1) (i) & 1 (i) of the Khyber Pakhtunkhwa Government Servants (Efficiency and Discipline) Rules, 2011, which, may lead to imposition of one or more of the penalties including major penalty of dismissal from service as prescribed in Rule 4 (1) (b) (iv) of the Khyber Pakhtunkhwa Government Servants (Efficiency and Discipline) Rules, 2011

Now, I, Mr. Ikhtiar Khan, District & Sessions Judge, being competent authority, call upon you, Miss Ayesha Zeb, Computer Operator, to show cause within 07 days of receipt of this notice, as to why one or more penalties including the major penalty of dismissal from service may not be imposed upon you under Rule 4 (1) (b) (iv) of the Khyber Pakhtunkhwa Government Servants (Efficiency and Discipline) Rules, 2011.

Your written reply to the show cause notice should reach the undersigned within seven days, failing which ex-parte decision shall be taken against you.

You are also called upon to convey, in writing, if you would like to be heard in person.

Attested
28/04/22

23-06-2022

S/d.
(IKHTIAR KHAN)
District & Sessions Judge
Abbottabad

27.07
Wafiq-ur-Rahman Malik
C/Mr. Judge (M/JFC)
Abbottabad



23

**OFFICE OF THE
DISTRICT AND SESSIONS JUDGE
ABBOTTABAD**

Phone: 0992-921051
Fax: 0992-921594
@Email: dsjatd@gmail.com

23

AUTHORITY LETTER

Mr. Rizwan Pervaiz, Superintendent District & Session Judge, Abbottabad is hereby authorized to appear before the Hon'ble Khyber Pakhtunkhwa Service Tribunal, Peshawar in connection with service appeal No. 1603/2022 titled "Mst. Ayesha Zeb Vs The Chief Justice Peshawar High Court through Registrar PHC, Peshawar".

**District & Sessions Judge
Abbottabad
District & Sessions Judge,
Abbottabad**