

BEFORE THE KHYBER PAKHTUNKHWA
SERVICE TRIBUNAL, PESHAWAR

C.M No. _____/2023

In Appeal No. 472 of 2022

Khyber Pakhtunkhwa
Service Tribunal

Diary No. 5016

Dated 28/4/2023

Mst Shazia Kiran Versus Govt of KPK & Others

SERVICE APPEAL

INDEX

Sr. #	Particulars of Documents	Annexure	Page
1	Application for bringing on Record.	--	1-2
2	Advertisement & Form	A-A1	3-9
3	Appointment Order	B	10-
4	Termination Order	C	11
5	Comments In Writ Petition # 462-D of 2009, Dated 27/05/2010	D	12-16
6	Fresh Comments Writ Petition 462-D Of 2009 Dated 23/06/2014	E	17-20
7	List of Terminated Teachers Who's Terminated by Committee	F	21-23
8	Index of Writ Petition No.462-D of 2009	G	24

April 26, 2023

Your Humble Petitioner

Mst Shazia Kiran
Through Counsel

Muteeullah Rind
Advocate High Court

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

C.M No. _____/2023

In Appeal No. 472 of 2022

Mst Shazia Kiran Versus Govt of KPK & Others

SERVICE APPEAL

**APPLICATION FOR BRINGING ON RECORD IN SERVICE
APPEAL BEARING # 472 OF 2022, ARE AS UNDER:-**

**1. (ADVERTISEMENT & FORM), 2. (APPOINTMENT
ORDER), 3. (TERMINATION ORDER), 4. (COMMENTS IN
WRIT PETITION # 462-D OF 2009, DATED
27/05/2010), 5. (COMMENTS WRIT PETITION 462-D
OF 2009 DATED 23/06/2014), 6. (LIST OF
TERMINATED TEACHERS WHO'S TERMINATED BY
COMMITTEE), 7. (INDEX OF WRIT PETITION NO.462-D
OF 2009) IN ABOVE TITLED SERVICE APPEAL AS PER
DIRECTIONS OF THIS HONOURABLE SERVICE
TRIBUNAL.**

Respectfully Sheweth;

Petitioner humbly submits as under,

1. That the captured service appeal is pending/adjudication before this Honourable service Tribunal and is fixed for 18/05/2023.
2. That the honourable service Tribunal has permitted the petitioner to submit record of 1. (Advertisement & Form), 2.

(Handwritten mark)

(Appointment Order), 3. (Termination Order), 4. (Comments In Writ Petition # 462-D of 2009, Dated 27/05/2010), 5. (Comments Writ Petition 462-D Of 2009 Dated 23/06/2014), 6. (List of Terminated Teachers Who's Terminated By Committee), 7. (Index of Writ Petition No.462-D Of 2009), which are part and parcel of the above titled service appeal. Copies are annexed as **Annexure A to G**, respectively.

3. That the above-mentioned documents are essential for the just and judicial decision of the above said appeal.

It is thus prayed that the above-mentioned documents may graciously be pleased to bring on the judicial file of the pending instant appeal.

Dated: 26/04/2023

Your humble applicant

Mst Shazia Kiran
Through Counsel

Muteeullah Rind
Advocate High Court

AFFIDAVIT

I, **Muteeullah Rind Advocate High Court**, do hereby solemnly affirm and declare on oath that all contents, annexed documents given by applicant to me which are correct to the best of my knowledge and behalf, although those documents already appended with Writ Petition No.462-D of 2009, and nothing has been concealed therein.

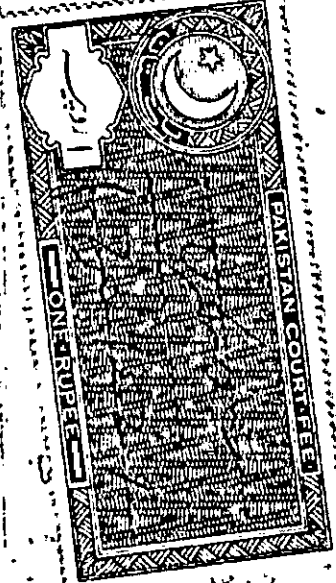
Attached
Fayyaz
26/4

Deponent
Muteeullah Rind

روزنامہ صدائے حق (5) ایف 2007 اپریل 2007

نمبر	نمبر	نمبر	نمبر	نمبر	نمبر	نمبر	نمبر	نمبر	نمبر	نمبر	نمبر	نمبر	نمبر
1	24/04/07	14/05/07	GMS	11	15/05/07	GMS	11	16/05/07	GMS	11	16/05/07	GMS	11
2	25/04/07	15/05/07	GMS	11	16/05/07	GMS	11	16/05/07	GMS	11	16/05/07	GMS	11
3	25/04/07	15/05/07	GMS	11	16/05/07	GMS	11	16/05/07	GMS	11	16/05/07	GMS	11
4	26/04/07	16/05/07	GMS	11	16/05/07	GMS	11	16/05/07	GMS	11	16/05/07	GMS	11
5	26/04/07	16/05/07	GMS	11	16/05/07	GMS	11	16/05/07	GMS	11	16/05/07	GMS	11
6	26/04/07	16/05/07	GMS	11	16/05/07	GMS	11	16/05/07	GMS	11	16/05/07	GMS	11
7	26/04/07	16/05/07	GMS	11	16/05/07	GMS	11	16/05/07	GMS	11	16/05/07	GMS	11

Attached to this copy
Mushk
Habal



Handwritten notes and signatures in Urdu along the left margin.

NO: INF/D.LK/11

16 صدائے حق

17 صدائے حق

تبدیلی نام
پیکر نام اور تاریخ تبدیلی نام
کے بارے میں جاننا اور نام تبدیلی کے بارے میں جاننا
کے بارے میں جاننا اور نام تبدیلی کے بارے میں جاننا
کے بارے میں جاننا اور نام تبدیلی کے بارے میں جاننا

Handwritten notes and signatures in Urdu in the bottom left section.

Signature of Applicant /
 Postal Address: 57 in Kiro-c/o
 Ramdullah, Boudi, Westan
 North near P.S. by D. 1/18/82

100	100	Total
5	5	Experience
10	10	M.A./M.Sc
10	10	B.A./B.Sc
10	10	Professional Exam
25	25	F.A./F.Sc
25	25	S.S.C
25	25	Certificate/Degree
25	25	M.T/DA/PT
25	25	M.T/DA/PT

5. Allocation of Marks
- Total Marks of SSC Exam = 850
 - Marks obtained by the candidate = 680
 - Merit Position = 680 x 25/850 = 20
4. Determine your merit against each certificate degree under the column "Merit Position" by multiplying your "Marks obtained" with that of the "total allocated" to the certificate degree (as per S.No. 5 below) dividing by the "Total marks of exam" e.g.
- Check mark/relevant marks against S.No. not applicable.
 - Score out the words/columns S.No. not applicable.
 - Fill the form neatly & explicitly.

INSTRUCTION:

- Total merit position for the academic and professional qualification.
- Whether a fresh or in Service candidate.
- If in Service, state exact date and duration of service after passing the professional exam prescribed for the post applied for. Date
- Service/Experience marks (in accordance with S.No. 12 above) (2 marks for one year, marks for two year and 5 marks for three years). (Only for Govt. Service).
- Overall merit position i.e. Total of S.No. 11-14

Examination Passed	Roll No.	Year	Date of Declaration of Result	Total Marks of the Examination	Marks Obtained	Posit. No.
S.S.C	51279	1998	1998	850	522	522
F.A./F.Sc	53673	2000	2000	1100	519	519
C.T/DN/PT	504494	2008	2008	900	493	493
AT (BPS-15)	10551	2001	2001	600	239	239
TT (BPS-14)	8021	2007	2007	550	278	278
B.A./B.Sc						
M.A./M.Sc						
Others						

10. Qualification:
- Name of the Applicant in Urdu
 - Name of Applicant in Urdu
 - N.C.T. No.
 - Father's Name
 - Father's M.C. No.
 - Domestic
 - Date of Birth (As per SSC)
 - Age on 20-04-2007
 - Permanent Home Address

Name of Post Applied for CT M.T P.T A.T T.T Q.A.N.S

Nature of Quota Session Wise Open Merit Disable Gender Male Female

1. Name of the Applicant in English (Block Letters)

2. Name of Applicant in Urdu

3. N.C.T. No.

4. Father's Name

5. Father's M.C. No.

6. Domestic

7. Date of Birth (As per SSC)

8. Age on 20-04-2007

9. Permanent Home Address

10. Qualification:

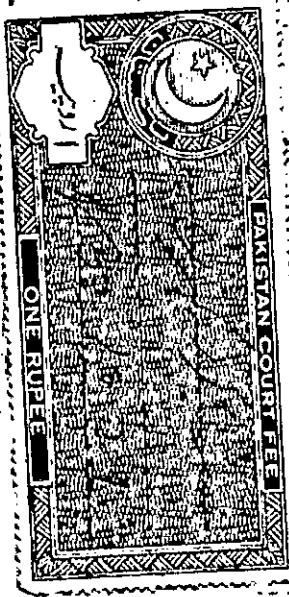
11. Total merit position for the academic and professional qualification.

12. Whether a fresh or in Service candidate.

13. If in Service, state exact date and duration of service after passing the professional exam prescribed for the post applied for. Date

14. Service/Experience marks (in accordance with S.No. 12 above) (2 marks for one year, marks for two year and 5 marks for three years). (Only for Govt. Service).

15. Overall merit position i.e. Total of S.No. 11-14



13

C

2

13

Price Rs.

CAUTION FOR EMPLOYMENT OF Q.A.N.S./P.T./M.T/CT

5

درخواستی حضرت سید رسول بخش صاحب دایره اسپهان

8
9

حضرت سید رسول بخش صاحب دایره اسپهان

Attested to be

HAQ NAWAZ KHAN
Senior Civil Judge, Magistrate Sec. 30
Dera Ismail Khan.



۱- صدیق احمد ولد شہزاد احمد سکنہ لکھنؤ اسپرانہ

True Copy
Attested
B...

۲- عبید اللہ ولد الطاف حسین سکنہ گلی /
نگر تحصیل وضع دایره اسپهان

۳- شاد بہ نون دختر عنایت اللہ سکنہ لکھنؤ اسپرانہ
شمالی دایره اسپهان (مدعیان)

بنا

۱- سید سیدی محمد تعلیم گورنمنٹ آف این ڈبلیو ایف ای
ایجوکیشن ڈیپارٹمنٹ لکھنؤ

۲- ڈائریکٹر تعلیم (سکولز اینڈ ٹریننگ) این ڈبلیو ایف
لی شہور

۳- ایس ڈبلیو ڈسٹرکٹ آفسیئر (سکولز اینڈ ٹریننگ) تعلیم
دایره اسپهان

۴- ڈسٹرکٹ آفسیئر سرڈانہ زمانہ (سکولز اینڈ ٹریننگ)

محمد تعلیم دایره اسپهان

دستور دیکھو اور ڈیٹیشن آف میٹر ڈیڑھ اسٹیبل خان

عناصن علی شاہ ولد حسین بخش شاہ سندھ قانون

اشفاق علی شاہ طالب ٹورنٹو تحصیل بیار پور ضلع 15 سٹیبل خان

اشفاق علی شاہ

احمد ولد محمد عرف سندھ ناچلوں پیچر نیو یو ایڈو ایٹن ڈیپارٹمنٹ EDO education of Khan

محمد اسحاق ولد محمد خان سندھ کھیر تحصیل پروانہ ضلع

ڈیڑھ اسٹیبل خان

جس اشفاق علی شاہ نے 23.6.07 کو اپنے والدین سے مل کر درخواست دی تھی اور اس پر 27.7.07 کو سندھ ہائی کورٹ نے فیصلہ سنایا ہے۔

دعویٰ استغناء میں فرادہ رکنہ در عدلیہ غیر اتاک کے

ضروری 2006 میں قعدہ زمانہ و فردانہ سکولز اپ ٹریڈ ایج میں

میں پرائمری سکولز عدل سکولز میں اور عدل سکولز پائی سکولز

میں اپ ٹریڈ ہوئے در عدلیہ غیر اتاک نے ملی عدالت کر کے لفیہ

اضامہ میں استغناء دینے انہوں نے فائزہ کو سبیل کر دیں ہیں

در عدلیہ میں نما آڈررز فردا فردا چارگی کے جا رہے احکامات

در عدلیہ میں نما آڈررز کے علاوہ نما آڈررز کو عدلیہ کی پریشر

آسامیاں جو قعدہ قانون، خلاف ضابطہ اور سیاسی اثر دہی

اور لفیہ اخبار میں استغناء دینے کے قابل، سوچی ہیں اور کسی

تعمیری حقوق قابلیت اور دربارہ اخبار میں استغناء کر کے

دن در بیان کو بطور سبیل پیکر آئے لہذا بیجا جا کے

2/7

Handwritten marks and symbols at the top right.

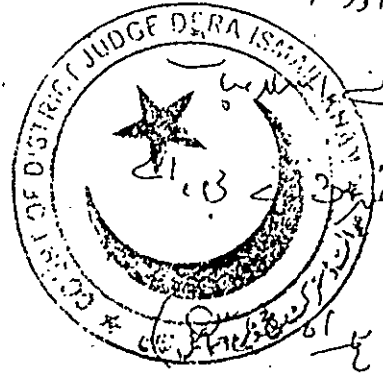
HAQ NAWAZ KHAN
Senior Civil Judge Magistrate Sec 30.
Dera Ismael Khan.

حنا عالی درعیان حسب ذیل عرض میں ہیں
یہ کہ جن درعیان منبج دیوانہ اسٹریٹل خان کے مستقل رہائشی ہیں

10

سٹوٹس میں اور نہ ہی ایچ اے آئی کے آئی اے اور آئی کے آئی کی

Attached



سند حاصل کر رکھی ہے اور وہ سند غیرت کے ایچ اے آئی کی
اور آئی کے آئی کی سند حاصل کر رکھی ہے اسٹریٹل خان کے درعیان کے
اور آئی کے آئی کی سند حاصل کر رکھی ہے (دستاویزات کے ساتھ)

Handwritten signature and name: All... Babul...

یہ کہ درعیان علیہ الفرض نے فروری 2006ء میں منبج ڈیو
اسٹریٹل خان کے مفرد و سٹوٹس اپ گریڈ کرنے کے احکامات کے
تحتیج میں پرائمری سے دل اور دل سے ہائی سٹوٹس میں اپ
گریڈ ہوئے ہیں جن میں سے یہ کی تفصیل دکھائی جائے گی
رف میں

یہ کہ درعیان علیہ الفرض نے ماسکے ماہی سار بازار کے پورے سیاسی
انٹرویو کے ذریعے حکم جاری کردہ پروٹیکشن نمبر 74-29070 جو

21/10/2006ء تک درعیان علیہ الفرض جاری ہے اسٹریٹل خان نمبر 9-29386

نمبر 493-64 جو 1/11/06ء اور 04/3/06ء تک درعیان علیہ الفرض نمبر 8

جاری ہے ہیں۔ اسٹریٹل خان نمبر 2 میں اسٹریٹل خان اسٹریٹل خان

پریکٹس ہیں۔ جو قابل منسوخ ہیں اور جن درعیان سٹیٹل خان نمبر

کی آسامیوں کے اہل تھے ان کے درعیان علیہ الفرض ماسکے ماہی سار بازار میں

اشعار دیتا تو جن درعیان سٹیٹل خان کے اہل تھے اور نمبر 2 اسٹریٹل خان

Handwritten notes on the right margin.

Handwritten signature and stamp at the bottom left.

کو پاس کرنے کی اہلیت رکھتے تھے جس کا نتیجہ یہ آیا کہ کن ممبران

کو تعینات کرنے کے پانچ وزیروں میں

(آؤرز بیاہ لفافے میں)

4۔ یہ کہ جن ممبران سے مراد اعلیٰ ترین ممبر 3، 4، 5 سے رابطہ

ہوا کہ ممبران تفصیل برائے آپ ٹریڈ سٹولز درکار ہیں لہذا احکامات

یا کے ہوتے درکار ہیں تو عدالت اعلیٰ صاف انکار کرے اور کیا کہ

ممبر نے عدالت اعلیٰ کے حکم کے مطابق لکھنے سے منجانباً

عدالت اعلیٰ کے مطابق 2077-78 اور 2078-79 کے لیے ہیں

(نقل شدہ عدالت اعلیٰ کے)

5۔ یہ کہ عدالت اعلیٰ نے آئی ٹی ٹی ٹی ٹی ٹی ٹی ٹی ٹی ٹی ٹی ٹی

کیروہ عدالت اعلیٰ نے ٹریڈ سٹولز اور دیگر امور

آپ ٹریڈ سٹولز جو غیر قانونی ہے صارفین کی سہولتوں کو

قابل سمجھنے میں دیا ہے اور یہاں جو کہ قانونی طور پر

حق داروں میں، دوبارہ اس بارے میں اشتقاق کر کے

ممبران تعینات کی جائیں۔ یہ ہے جو وہ سال 2006 سے

ہوتے رہے اب صرف ایک طرف سے عدالت اعلیٰ میں

وہ فرسٹ ڈائریکٹری ڈیویژن کے اندر ہوتی

جائے۔ یہ ٹریڈ سٹولز کی تمام ڈیویژن اس میں

سب سے زیادہ اہمیت اور انکار عدالت اعلیٰ میں



9

44

منہ سے ایسی ہی بدین و صبر دعو کی ہذا اثر و مہیا رور و دروہ استیار

بہا مت عدالت حضور الوری ہے



۱۔ یہ کہ دعو کی حالت مقدمہ، مبلغ 200000/-

صنوبہ کورٹ میں صاف ہے

11

Attested
Shahid Ali
11/12/06

بندہ استدعا ہے کہ صبر فرمائے گوان

تشریح عرضی دعو کی ڈگری بحق عد علیہ صدفادہ

معہ فریب صادر فرمائی جاوے

الحرمہ 11-12-2006

درعیان

صدر ایف احمد وغیرہ

Shahid Ali

عبداللہ

Shahid

بی بی شہارین

صدر ایف احمد وغیرہ اسٹوڈنٹ

با اقرار صالح تقدیر کی حالتی ہے کہ

جملہ وائٹ عرضی دعو کی جمع و در

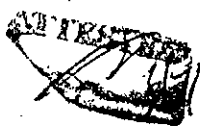
میں اور اس سے قبل اس پر سہم

ہوئی دعو کی دائرہ میں ہے

11-12-2006

درعیان

صدر ایف احمد وغیرہ



Shahid

Shahid Ali

بی بی شہارین

Annexure

Page -

11

OFFICE OF THE DISTRICT COORDINATION OFFICER, DERA ISMAIL KHAN

No. 4348- / DCO (edu.) dated DIKhan the 09/06/2008

To :-

The Executive District Officer,
School & Literacy, D.I.Khan

SUBJECT :- DEPARTMENTAL APPEAL

Memo :-

In continuation of this office letter No. 2952/ DCO dated 20.05.2008.

The services of Miss Shazia Kiran CT may be terminated if the vacant post of CT is not held ^{available} in School & Literacy Deptt: DIKhan.

District Coordination Officer,
Dera Ismail Khan

No. 4349-51 / DCO (edu.)

1. District Accounts Officer, DIKhan
2. Head Mistress GGHS Fateh, DIKhan.
3. Official concerned

District Coordination Officer,
Dera Ismail Khan

e/c

Annexure D
Page 18

BEFORE THE PESHAWAR HIGH COURT, BENCH D.I.KHAN.

Writ Petition No.462/2009

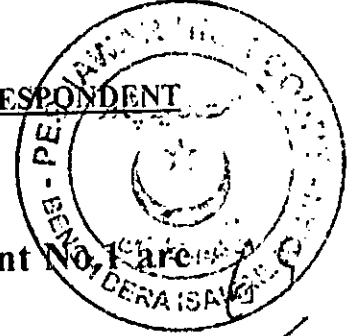
Shazia Kiran d/o Inayatullah, r/o Basti Ustrana(North) DIKhan
.....PETITIONER

VERSUS

District Coordination Officer etc..... **RESPONDENT**

Respectfully Sheweth.

Para wise comments on behalf of Respondent No. 1 are as under :-



FACTS

1. Incorrect. If the Petitioner was appointed on merit she may please be asked to provide her Serial Number in the final seniority list. But Sir her appointment order was bogus, factitious, fake and forged. If required codal formality were observed then she should provide documentary proof as the burden of proof lies upon the shoulders of the petitioner.
2. Incorrect. As the orders were already bogus but there was no vacant post available at GGMS Khuti so such appointment orders were invalid and retains no worth and value.
3. Incorrect. This order was also bogus but falsely some one related to her drew only one months pay on the false signature of the DDO about which the DDO/Headmistress of the said school made complaint and further more no other pay could be drawn. Legal action against her is awaited till the decision of honourable court as and when the case is decided appropriate legal action will be initiated against her in this regard.
4. Incorrect. Baseless and impossible.

Handwritten notes and signatures on the left margin, including the date 27/5/10.

EXAMINOR
17.4.2010
Peshawar High Court, Bench, Dera Isak

Handwritten initials or signature on the right margin.

(13)

5. Incorrect. Bogus forged order keeps no validity. If the DDO stopped her salary on personal bias she should have instantly knocked the higher ups of the department and door of court. If agreed she should had presented departmental appeal then afterwards the civil suit.
6. In correct. This is beyond the jurisdiction of learned court. This relates to service matters. The services matters are dealt in service tribunal.
7. Incorrect. It is requested that she may please be asked to produce documentary proof in this regard. The charges of Rs.30,000/- is a sensitive charge and may please be investigated by competent lawful authority.
8. Incorrect. If the petitioner can produce certain documentary proof then the culprits must be intensively punished otherwise forged and false blame should be trialed.
9. Incorrect. It is requested before the honourable court that petitioner may please be asked to produce documentary proof regarding her allegations.
10. Incorrect. The first proper forum for her remedy is departmental appeal and in the case of rejection of departmental appeal she should pursue the service tribunal.
11. Incorrect. The departmental representation can only be justified. If the appointment orders are valid.
12. Incorrect. As the serious observations were raised regarding recruitment since 1/1/20-07 to 30/6/2008 many high level enquiries were under process under Falak Naz Director, Elementary &

[Handwritten notes and signatures]
27/5/16

[Signature]
17/4/08
EXAMINOR
Peshawar High Court

(14)

Secondary Education Khyber Pakhtunkhwa, Special Secretary Muhammad Arifeen, Additional Secretary Ahmad Khan, Director PITE, Hidayatullah Afghani and Standing Committee No.26 for Education, Provincial Assembly Khyber Pakhtunkhwa so waiting for the report of said committee. Comments were also awaited so the matter is left on the mercy of honourable court.

70

13. Incorrect. Verbal statement is never reliable.
14. Incorrect. We are bound to obey and comply with the directions of the honourable court.
15. Does not relate to Respondent. No comments. It is the private matter of the petitioner.

21/50
22/50
27/5/16

GROUND

1. Incorrect. Baseless.
2. Incorrect. The Petitioner may please be asked to prove her seniority in accordance with merit list.
3. Incorrect. The petitioner is failed to prove so far her claim of right.
4. Incorrect. When order is bogus. What is meaning of performing duty.
5. Incorrect. The Respondent is responsible civil servant, senior citizen and cannot imagine the contempt of court and also the Respondent has no profit and loss in this regard.
6. No comments. It is legal point.

EXAMINOR
Peshawar High Court Bench,
Dera Ismail Khan

CONCLUSION.

During 1st January 2007 to 30.6.2008 many bogus appointments orders were issued also over and above sanctioned posts by the Finance Department many observations were raised. High level enquiries conducted and finally the Govt terminated them all whose appointments were made without observing codal formalities. So the Govt terminated their services in first step the honourable Peshawar High Court granted status quo but later on returned it back. Now the 1613 such like appointments are under trial before the Supreme Court of Pakistan.

71

The orders issued by EDO Elementary & Secondary Education DIKhan and the predecessor DCO are both bogus. But as the matter pertain to service matter. It is beyond the jurisdiction of this honourable court and relates to the service tribunal.

[Handwritten signature]
Dated 17/4/08
At Peshawar
22/5/08

District Coordination Officer, DIKhan/
Respondent No.1

[Handwritten signature]
17.4.08
EXAMINOR
Peshawar High Court Bench,
Dera Ismail Khan

Annexure - B⁶

Page

(10)

~~Annexure - B~~

OFFICE OF THE EXECUTIVE DISTRICT OFFICER SCHOOLS & LITERACY
D.I.KHAN

APPOINTMENT ORDER

Consequent upon the approval of Selection Committee, the following Female Candidate is hereby appointed against vacant post of T.C.T. in the school noted against their name in BPS 02 plus grant allowance being a qualified fresh candidate as per existing policy in the interest of public service with effect from the date of taking over charge on the following terms and conditions.

S.No.	Name of Candidate with Father's Name	Schools where posted
1	Shazia Khan D/O Inayatullah W/O D.I.Khan	GCIS, Fatcha

TERMS & CONDITIONS

1. Charge reports should be submitted to all concerned.
2. No pensionary benefit will be available.
3. The services of the above named candidate is purely on temporary basis & liable to terminate at any time with out assigning any intice/reasons.
4. The candidate will produce Health & Age certificate from the M/S concerned.
5. The original documents may be checked/verified by concerned Head/University through DDO concerned before taking over charge.
6. No P.T.D.A is allowed.

EXECUTIVE DISTRICT OFFICER
SCHOOLS & LITERACY D.I.KHAN

29/11/2007

- Copy to the
1. Director Schools & Literacy N.W.F.P. Peshawar.
 2. District Co-ordination Officer, D.I.Khan.
 3. District Accounts Officer, D.I.Khan.
 4. Principal/Headmistress/Headmaster concerned.
 5. Candidate concerned.

EXECUTIVE DISTRICT OFFICER
SCHOOLS & LITERACY D.I.KHAN

Executive District Officer
Schools & Literacy D.I.Khan

BEFORE THE PESHAWAR HIGH COURT, BENCH D.I.KHAN.

Writ Petition No.462/2009

Shazia Kiran d/o Inayatullah, r/o Basti Ustrana(North) DIKhan
.....PETITIONER

VERSUS

District Coordination Officer etc..... RESPONDENT

AFFIDAVIT

I, Muhammad Nawaz. ADO (Inspection) Elementary & Secondary Education DIKhan do hereby solemnly affirms and declares on oath that the contents. of Comments/Written reply to Writ Petition are true & correct to the best of my knowledge /Respondents No.1 and nothing has been concealed from this Honourable Court.

8/50
27/5/10

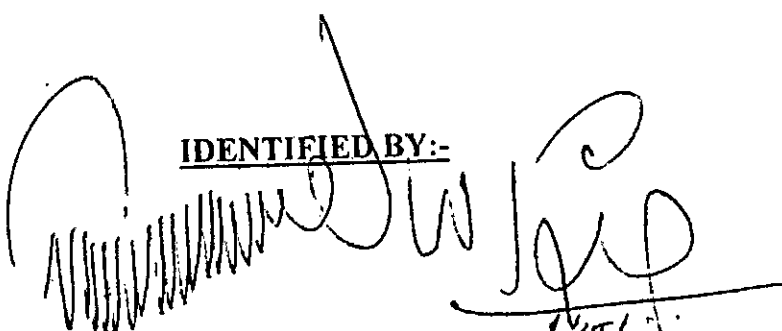
72

26/5/2010

DEPONENT



IDENTIFIED BY:-



Deputy Advocate-General
High Court, D.I.Khan. Bench

26/5/10

Mekawan & meher
A.D.O. (Inspection) (E & S)
Peshawar - D.I.K.

On the identification of
D.I.K. O.K.
as the D.P. of the above
I have verified the contents of the above
affirmation to be true on Oath
No. 176/10 of 27-5-10.

Additional
Oath Commissioner
Peshawar High Court

17/5/10

EXAMINOR

Peshawar High Court Bench,
Dera Ismail Khan

BEFORE THE HONORABLE PESHAWAR HIGH COURT DIKHAN BENCH.

Writ petition No. 462/2009.

Shazia Kiran _____ Petitioner

V/S

D.C.O & Other



WRITTEN REPLY ON BEHALF of DEO(Female) DIKhan

Preliminary objections.

1. That the petitioner has got no cause of action.
2. That alternate remedy of appeal is provided under the Law. Therefore instant writ petition is not maintainable as held in 2002 SCMR 549
3. That secretary to Govt., Director Elementary & secondary Education and District Education Officer (Female) are necessary Parties. The Petitioner has not arrayed them as party. therefore instant writ petition is liable to dismissed due to non joinder of necessary parties.
4. That the petitioner has not come to court with clean hands.
5. That Petitioner has concealed material facts from this honourable court that his services have been terminated and she is not performing duties.
6. That appeal of Petitioner was bogus /illegal therefore the petitioner has no rights is hold the post nor entitle to the receive the salary and other benefits attached to the post as held in 2002 SCMR 769.
7. That this honourable court has no jurisdiction to entertain the subject matter of this writ petition. Therefore this honourable court returned the petitions to the petitioners for presentation to the proper forum, if they so desired vide order dated 29-04-2010 of this honourable court in writ petition NO _____.

Filed today 23/6/14

Adl. Registrar

23/6/14

OBJECTION ON FACTS

1. Correct to the extent that EDO advertised the vacancies of the teachers Academic/professional qualifications of the petitioner need verification. Remaining para pertains to record of learned trial court. Hence no comments.
2. Incorrect/ not admitted. Petitioner is included in 1613 terminated teachers. During the period of 01-01-2007 to 30-06-2008 many illegal/bogus appointments were made by Mr. Abdul Rahim Khan, the then EDO DIKhan. He was proceeded under Removal from service ordinance 2001 for making these illegal / bogus appointments and was degraded from BS 19 to BS 18. Where as service s of all the 1613 illegal teachers were terminated. Petitioner was appointed CT teacher on 01-10-2007 by the said Abdul Rahim Khan. Her appointment was illegal/

EXAMINOR
Peshawar High Court Bench,
Dera Ismail Khan

bogus .It is added that the petitioner had herself produced to different appointment order of the same date and for the same post. One for GGMS Khutti and other for GGHS Fateh.(as Annexure A &B).The petitioner was appointed without observing codal formalities for appointment and merit.The petitioner did not take over charge of CT post in GGMS Khutti.

- 3. Incorrect/ not admitted. Appointment order was illegal /bogus .The petitioner draw her salary on fake signature of the head mistress concerned.
- 4. Incorrect/ not admitted. Statement of the petitioner is false and untrue in this para.
- 5. Incorrect/ not admitted. Service of the petitioner has been terminated and she is not performing duties anywhere therefore salary is stopped
- 6. Para pertains to record of learned trial court. Hence no comments.
- 7. Incorrect/ not admitted. The petitioner was not entitled for salary on the basis of illegal / bogus appointment order. Her services have been terminated.
- 8. Incorrect/ not admitted. Reply as stated in para above.
- 9. Incorrect/ not admitted.The petitioner has concealed material facts from this honourable court.In fact during the period of 01-01-2007 to 30-06-2008 many illegal / bogus appointments were made in E &SE Department DIKhan.Mr.Israr ullah Khan Gandapore,the then MPA challenged the validity of these appointments in provincial assembly .After discussion the matter was refered to standing committee NO.26 of the provincial assembly for E &SE department.After conducting high level inquires the afore said appointments were declared illegal and void ab-initio.The committee recommended for termination of all the illegal appointments. (As Annexure C). Peshawar High Court DIKhan bench directed to implement the inquiry report vide order dated 11-06-2009 in writ petition NO.252/09. . (As Annexure D). Govt of NWFP ordered for termination of services of all illegal appointments.(as Annexure E).. DCO DIKhan issued termination order. (As Annexure F). The petitioner was appointed during the said period and her services have been terminated.
- 10. Para pertains to the record of this honourable court .Hence no comments.
- 11. Para pertains to the record of this honourable court .Hence no comments.
- 12. Para pertains to the record of this honourable court .Hence no comments.
- 13. Incorrect/ not admitted. DCO DIKhan issued order for termination of services of all the illegal appointees appointed during the period 01-01-2007 to 30-06-2008
- 14. Incorrect/ not admitted. This honourable court directed to implement inquiry report .In pursuance of order of this court all the illegal appointments were terminated .The terminated teachers / officials preferred appeals for reinstatements of their services which were dismissed and august Supreme Court of Pakistan declined leave to appeal. (as Annexure G).
- 15. Incorrect/ not admitted. Alternate remedy of appeal is provided under the law. Therefore writ petition is not maintainable.

~~Filed today~~ 9/2/14
Addl. Registrar
23/10/14

[Signature]
17/4/08
EXAMINOR
Peshawar High Court Bench,
Dera Ismail Khan

(19)

(3)

OBJECTION ON GROUND


1. Incorrect/ not admitted. DCO DIKhan terminated service of illegal appointed junior clerks / Lab assistants and assistant store keeper of education department and apex court of the country upheld the termination order issued by the DCO DIKhan.
2. Incorrect/ not admitted. Appointment order of the petitioner was illegal / bogus and no rights can be claimed on the basis of illegal order. Reliance is placed on 2000 SCMR 907
3. Incorrect/ not admitted. Respondent NO.1 is defunct and respondent NO.2 is performing her official duties in accordance with rule and law.
4. Incorrect/ not admitted. Appointment of the petition was illegal .Her services have been terminated. Therefore she was not entitled for salary.
5. Incorrect/ not admitted. The honourable court directed to terminate all illegal appointments vide order 11-06-2009 in writ petition 252/09 titled Hussan Ara versus Govt of KPK and services of the illegal appointees have been terminated.
6. Consul for respondents seeks permission of this honourable court to raise additional grounds during the course of hearing.

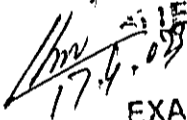
In view of above submission it is humbly prayed that on acceptance of written reply. instant writ petition may graciously be dismissed with cost.

~~Filed today~~

~~Add: Registrar.~~

~~23/6/14~~


DISTRICT EDUCATION OFFICER
FEMALE DERA ISMAIL KHAN


17.6.09
EXAMINOR
Peshawar High Court Bench,
Dera Ismail Khan

20

7

**BEFORE THE HONOURABLE PESHAWAR HIGH COURT
D.I.KHAN BENCH**

WRIT PETITION NO. 462/2009

Shazia Kiran _____ Petitioner

82

V/S

DCO & Others _____ Respondents

Filed today 4:253

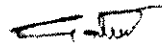
Advt. Registrar
23/6/14

AFFIDAVIT

I, Mst. Ghulam Fatima SDEO (F) Paroa DIKhan do hereby solemnly affirm and declare that the contents of instant para wise reply are true and correct to the best of my knowledge and belief and nothing has been concealed from this Honorable Court.

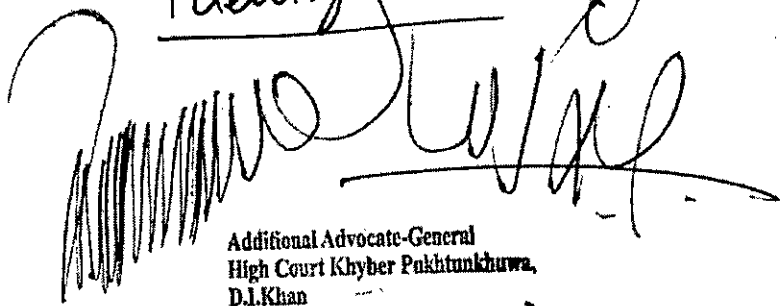
Deponent

Dated 21/06/2014


Sub Divisional Officer
(Female) Paroa

CNIC# 12101-0922400-4

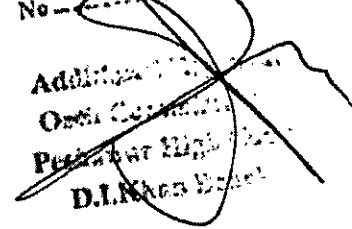
Identified by:

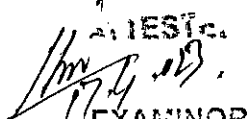


Additional Advocate-General
High Court Khyber Pakhtunkhwa,
D.I.Khan

23/6/14

Name Mst. Ghulam Fatima
S/O SDEO (F) Paroa (D.I.Khan)
B/O D.S. Khan
On the identification of ASG D.I.Khan
On date 23/6/14 at Paroa
Verified the above affirmation by ASG D.I.Khan
No. 23/6/14


Additional Advocate-General
Peshawar High Court
D.I.Khan Bench


EXAMINOR
Peshawar High Court Bench,
Dera Ismail Khan

2018.
Application Received on 17.4.23
Copying Fee Deposited Rs 10/-
No of Papers 04/-
Copying Fee /-
Urgent Fee /-
Total Fee /-
Copy ready for delivery 17.4.23
Copy delivered on 17.4.23
Signature of Examiner /

Certified to be true Copy
/ 17.4.23

EXAMINOR
Peshawar High Court, P. M. Khan
Authorized Signature No 97 of
Qadriya-Siddiqi-6-

Annexure 21
Page 4

21

44

SS

25

CT FEMALE

Annex-C

S.No	Name with Father Name	Present Posting	Edst No. of Applicant Order & Date	D/O Result declaration of CT
1.	Mishah Hayat D/O Muhammad Hayat	GGMS W.Madani	11459-63 dated 25-05-2006	29-09-2008
2.	Naila Naz D/O Qayyum Nawaz	GGHS Lar	20320-24 dated 01-10-2007	Documents not available
3.	Samina Mustafa D/O Abdul Mustafa	GGMS Rahmani Khel	13161-13210 dated 02-07-2007	20-03-2007
4.	Chaman Zuhra D/O H. Aif Muhammad	GGHS Qasaban No.5	20421-25 dated 01-10-2007	20-03-2007
5.	Roza Nusrat D/O Sher Bahader	GGHS Kot Jai	20270-74 dated 01-10-2007	20-03-2007
6.	Ruqia Bibi D/O Bashir Ahmad	GGHSS Pataqpur	20350-54 dated 01-10-2007	20-03-2007
7.	Jamila Bibi D/O Ghulam Shahir	GGHS Ramak	20375-79 dated 01-10-2007	20-03-2007
8.	Kalsoom Bibi D/O Muhammad Baksh	GGHS Bigwani Shomali	20195-99 dated 01-10-2007	28-12-2006
9.	Sadia Naz D/O Faiz Rasul	GGHS Kaich	22827-31 dated 09-10-2007	09-01-2006
10.	Nasreen Khan D/O Faiz Mahmood	GGHS Kacha Mali Khel	20265-70 dated 01-10-2007	09-01-2006
11.	Ambreen Moab D/O Muhammad Aslam	GGMS Dhakki	23455-59 dated 01-12-2007	21-11-2005
12.	Jamila Shaheen D/O Ubaid Ullah	GGMS Himmat	12486-90 dated 02-07-2007	21-11-2005
13.	Shahmar Bibi D/O Muhammad Nawaz	GGMS Musa Zai	3882-86 dated 20-07-2007	21-11-2005
14.	Shazia Bibi D/O Aman Ullah	GGMS Dhakki	20385-89 dated 01-10-2007	21-11-2005
15.	Fozia Malik D/O Malik Ahsan Nawaz	GGHS Kot Jai	20340-44 dated 01-10-2007	20-03-2008
16.	Syeda Hafza Batool D/O Hashim Shah	GGHS Wanda Mozan	19905-09 dated 02-07-2007	21-11-2005
17.	Saira D/O Jamid Ullah	GGHS Muryali	20110-14 dated 01-10-2007	20-07-2004
18.	Amina Begum D/O Muhammad Sultan	GGHS Sara Garah	20270-74 dated 01-10-2007	258-03-2001
19.	Ambar Noreen D/O Malik Abdul Aziz	GGHS Wanda Mozan	20380-83 dated 01-10-2007	01-05-2004
20.	Irum Ibrar D/O Ibrar Hussain	GGHSS No.2 D.I Khan	20145-49 dated 01-10-2007	20-07-2004
21.	Nuheed Akhtar D/O Muhammad Rafiq	GMS Degwani Shemali	6102-06 dated 15-03-2007	06-05-2004
22.	Ishrat Jahan D/O Khurshid Hussain	GGHSS Pataqpur	20155-59 dated 01-10-2007	28-12-2004
23.	Mehreen Begum D/O Attullah	GGMS Ajmal Abad	20275-79 dated 01-10-2007	20-07-2004
24.	Robina Bibi D/O Fazal Rahman	GGHS No.9 Din Pur	20330-34 dated 01-10-2007	06-05-2004
25.	Rihana Afzal D/O Muhammad Afzal	GGHS Muryali	20340-44 dated 01-10-2007	-05-2003
26.	Azra Bibi D/O Ghulam Hussain	GGMS Kachi Katger	7140-64 dated 30-03-2007	07-10-2002
27.	Rozina Shaheen D/O Zakir Hussain	GGHS No.2 D.I Khan	20501-05 dated 01-10-2007	30-07-2007
28.	Ruqia Bibi D/O Malik	GGHS Ramak	20140-44 dated	Session 2001

[Handwritten signatures and marks]

	Elalhi Bakhsh		01-10-2007	
	Asma Ul Husna D/O Ghulam Abbas	GGMS Saidu Wali	20234-38 dated 01-10-2007	07-10-2007
(30)	Mehrun Nisa D/O Rahim Bakhsh	GGMS Zafar Abad	20391-470 dated 01-10-2007	Documents not available
31.	Gohar Sultana D/O Muhammad Nawaz	GGMS Giloty	20512-16 dated 01-10-2007	25-04-2000
32.	Alia Iqbal D/O Muhammad Sadiq Hussain	GGMS Adil Sipra	2695-99 dated 01-02-2007	25-05-1996
33.	Farzana Hakeem D/O Hakim Uddin	GGHS No.2 D.I Khan	20481-85 dated 01-10-2007	12-10-2003
X 34.	Arjuman Bano D/O Mumtaz Hussain	GGHS Bihari Colony	20290-94 dated 01-10-2007	12-12-1995
35.	Moqadda Nosheen D/O Shah Nawaz	GGHS Patch	20410-15 dated 01-10-2007	30-03-1998
36.	Lubna Saida D/O Qamar Din	GGMS Paharpur	13161-210 dated 02-07-2007	25-12-1993
37.	Aroosa Asif D/O Muhanimad Asif	GGMS Gara Muhabbat	20250-54 dated 01-10-2007	Documents not available
38.	Shagufta Bibi D/O Abdul Qadus	GGHS Panyala	20271-75 dated 01-10-2007	20-03-2007
39.	Tasleem Akhtar D/O Gul Muhammad	GMS Wanda Lali	12266-70 dated 02-07-2007	20-03-2007
40.	Qausar Parveen D/O Ghulam Farid	GGHS Paroa	20476-80 dated 01-10-2007	20-03-2007
41.	Ghazala Bibi D/O Muhammad Afzal	GGHS Muryali	20391-95 dated 01-10-2007	20-03-2007
42.	Kishwar D/O Zafar Khan	GGMS Zafar Abad	20630-34 dated 01-10-2007	Documents not available
43.	Humera Mumtaz D/O Ghulam Ahmad	GGMS Said Wali	20395-99 dated 01-10-2007	30-12-2006
44.	Abid Bibi D/O Habib Ullah	GGMS Maddi	20110-14 dated 01-10-2007	20-03-2007
(45)	Neelam Nisar D/O Nisar Ahmad	GGMS Ijaz Abad	12511-15 dated 02-07-2007	20-03-2007
46.	Tehmina Unqa D/O Muhammad Hanif	GGMS Awan	11247-50 dated 20-05-2006	22-11-1992
47.	Shabnum D/O Yasin	GGMS Kachi Kathgarh	20280-84 dated 01-10-2007	20-03-2007
48.	Farzana Bibi D/O Shah Nawaz	GGMS Sarah Gara	25220-24 dated 01-12-2007	20-03-2007
49.	Schrish Bibi D/O Khan Gul	GGMS Hisam	25120-24 dated 01-12-2007	06-05-2004
50.	Farkhanda D/O Rab Nawaz	GGMS Athock	20480-84 dated 01-10-2007	20-03-2007
51.	Nadia D/O Asad Ullah Jan	GGMS Hissam	25220-24 dated 01-12-2007	Documents not available
52.	Shazia D/O M. Rauf Khan	GGMS Musa Zair Sharif	20140-44 dated 01-10-2007	10-07-2000
53.	Naheed Akhtar D/O Aurangzeb	GMS Lang Khair Shah	12559-63 dated 02-07-2007	20-03-2007
X 54.	Anila Sarfaraz D/O Sarfaraz	GGMS Kachi Paind Khan	12501-05 dated 02-07-2007	28-02-2005
(55)	Samina Zaman D/O Muhammad Zaman	GGHS Niavella	20150-54 dated 01-10-2007	21-11-2005
56.	Salma Aziz D/O Aziz Ur Rahman	GGMS Rahmani Khel	7108-12 dated 30-03-2007	06-08-2002
57.	Rukhsana Parveen D/O Ghulam Hussain Baluch	GGHS No.4 D.I Khan	20426-50 dated 01-10-2007	20-05-1996

23

46

ST

27

59.	Ullah Forzja Gul D/O Ghulam Fazid	GGHS Kulachi	01-10-2007 20517-21 dated 01-10-2007	-08-07-2006
60.	Naziran Bib D/O Allah Nawaz	GHSS Kulachi	20506-10 dated 01-10-2007	21-11-2005
61.	Tahira Yasmin D/O Ghulam Yasceen	GGMS Hissam	23120-24 dated 01-12-2007	10-07-1998
62.	Asin Yasmeer D/O Muhammad Nawaz	GGHS No.6 D.I Khan	20391-470 dated 01-10-2007	31-03-1998
63.	Adeela Bashir D/O Muhammad Bashir	GGMS Musazia	20266-70 dated 01-10-2007	20-03-2007
64.	Nahced Akhtar D/O Muhammad Rafiq	GGMS Bigwani Shomali	3102-06 dated 15- 03-2007	06-05-2004
65.	Sahira Hassan D/O Ahmad Hassan	GGHS Paltarpur	13161-210 dated 02-07-2007	06-05-2004
66.	Naseem Imrana D/O Nabi Bakhs	Appointment order not available	Only document provided	22-07-2008

He
V-7
A

Annexure B1 Page 24

BEFORE THE PESHAWAR HIGH COURT D.I.KHAN BENCH

Writ Petition No.462.../2009

SHIZA KIRAN

.....PETITIONER

VERSUS

District Co-ordination Officer, Dera Ismail Khan etc.

.....RESPONDENTS

INDEX

S #	Particulars of documents	Annexure	Page
01.	Ground of Writ Petition		1-8
02.	Copy of civil suit.	"A"	9-11
03.	Copy Advertisement	"B"	12
04.	Copy of application.	"C"	13
05.	Copy of appointment order.	"D"	14
06.	Copy of appointment order II.	"E"	15
07.	Copy of application against respent. 2.	"F"	16
08.	Copy of source form-II	"G"	17
09.	Copy of application Civil Judge-I, DIKhan for releasing her pay/salary.	"H"	18
10.	Copy of order sheet.	"J"	19-20
11.	Copy of order of EDO.	"K"	21
12.	Copy of the order of Rspdnt: 3	"L"	22
13.	Copies of newspaper clipping.	"M"	23
14.	Copy of the order of Rspdnt: No. 1 dated 20.05.2008.	"N"	24
15.	Copy of the order District Nazim dt. 13.09.2008	"O"	25
16.	Copy of judgment and decree.	"P"	26-28
17.	Copy of relevant law local law ordinance	"Q"	29-30
18.	Stamp duty worth of Rs. 100/-		31
19.	Wakalatnama.		32



Dated. 30/10/2009

26/10/09
30/10/09

Your humble Petitioner

D Kiran

SHAZIA KIRAN

Through counsel

(MUTEEULLAH RIND)
Advocate, High Court
Dera Ismail Khan

17.4.09
EXAMINOR
Peshawar High Court Bench,
Dera Ismail Khan