

BEFORE THE KHYBER PAKHTUNKHWA SERVICES TRIBUNAL PESHAWAR.

Service Appeal No. 620/2018

Date of Institution ... 03.05.2018

Date of Decision... 13.04.2023

Mst. Khadija Bibi, Qaria (BPS-12), GGHSS Barawal, District Dir Upper.

... (Appellant)

VERSUS

The Government of Khyber Pakhtunkhwa through Secretary (E&SE) Department, Khyber Pakhtunkhwa, Peshawar and 03 others.

... (Respondents)

MR. KAMRAN KHAN,
Advocate

--- For appellant.

MR. MUHAMMAD JAN,
District Attorney

--- For respondents.

MR. KALIM ARSHAD KHAN
MR. SALAH-UD-DIN

--- CHAIRMAN
--- MEMBER (JUDICIAL)

JUDGMENT:

SALAH-UD-DIN, MEMBER:- Precise facts forming the background of the instant service appeal are that upon the recommendations of the Departmental Selection Committee, the appellant was appointed as Qaria (BPS-12) on adhoc school based basis vide Notification dated 30.04.2014. The appellant assumed the charge of her post in Government Girls Higher Secondary School Barawal Bandi District Dir Upper and started performing of her duty. Vide office order dated 10.09.2014 passed by District Education Officer (Female) Dir Upper, the appellant was directed to resume her duty at Government Girls High School Sheringal and in compliance of the same, she started performing her duty in the said

school. Vide order dated 01.04.2015 issued from the office of District Education Officer (Female) Dir Upper all transfers/adjustments of NTS teachers issued by the said office were cancelled and they were directed to report to their original stations. The appellant had allegedly not reported back to her original station i.e Barawal Bandi, therefore, she was issued another notice on 02.11.2015 to resume her duty at Barawal Bandi but she allegedly did not resume her duty at the said school, therefore, the District Education Officer (Female) Dir Upper issued office order dated 01.12.2015, wherein it was mentioned that the contract of service of the appellant stands withdrawn/cancelled due to her long absence from duty. The aforementioned order was challenged by the appellant through filing of departmental appeal, which was rejected vide order dated 21.07.2016. The appellant then filed Writ Petition No. 518-M/2016 before the Hon'ble Peshawar High Court, Mingora Bench, which was dismissed in *limine* vide order dated 10.04.2017 with the observations that proper remedy for the appellant was to approach the Service Tribunal for redressal of her grievance, hence the instant appeal.

2. On admission of the appeal for regular hearing, notices were issued to the respondents, who contested the appeal by way of filing of reply, wherein they refuted the assertion raised by the appellant in her appeal.

3. Learned counsel for the appellant has addressed his arguments supporting the grounds agitated by the appellant in her service appeal. On the other hand, learned District Attorney for the

respondents has controverted the arguments of learned counsel for the appellant and has supported the comments submitted by the respondents.

4. Arguments have already been heard and record perused.

5. The impugned order was passed on 01.12.2015, which was challenged by the appellant through filing of departmental appeal, however the same was rejected vide order dated 21.07.2016.

The appellant instead of approaching this Tribunal, filed Writ Petition No. 518-M/2016 before worthy Peshawar High Court, Mingora Bench (Dar-ul-Qaza), Swat, which was dismissed

in *limine* vide order dated 10.04.2017 with the observations that proper remedy for the appellant was to approach the Service

Tribunal. The appellant then filed Review Petition No. 12-M/2017 for review of order dated 10.04.2017 passed by worthy Peshawar High Court, Mingora Bench (Dar-ul-Qaza), Swat, however the

same was also dismissed vide order dated 03.04.2018. The

appellant then approached this Tribunal by way of filing of instant appeal on 03.05.2018, which is badly time barred. It is by now well

settled principle that the time spent/consumed in pursuing remedy before the wrong forum cannot be condoned. The appellant has

though filed an application for condonation of delay alongwith the appeal in hand but no sufficient reasons have been mentioned

therein, which could warrant condonation of delay in filing the instant appeal. Worthy apex court in its judgment dated 03.10.2022

titled "Chief Engineer, Gujranwala Electric Power Company



(GEPSCO), Gujranwala Versus Khalid Mehmood and others” passed in Civil Appeals No. 1685 to 1687 of 2021 has held as below:-

“12. The law of limitation reduces an effect of extinguishment of a right of a party when significant lapses occur and when no sufficient cause for such lapses, delay or time barred action is shown by the defaulting party, the opposite party is entitled to a right accrued by such lapses. There is no relaxation in law affordable to approach the court of law after deep slumber or inordinate delay under the garb of labeling the order or action void with the articulation that no limitation runs against the void order. If such tendency is not deprecated and a party is allowed to approach the Court of law on his sweet will without taking care of the vital question of limitation, then the doctrine of finality cannot be achieved and everyone will move the Court at any point in time with the plea of void order. Even if the order is considered void, the aggrieved person should approach more cautiously rather than waiting for lapse of limitation and then coming up with the plea of a void order which does not provide any premium of extending limitation period as a vested right or an inflexible rule. The intention of the provisions of the law of limitation is not to give a right where there is none, but to impose a bar after the specified period, authorizing a litigant to enforce his existing right within the period of limitation. The Court is obliged to independently advert to the question of limitation and determine the same and to take cognizance of delay without limitation having been set up as a defence by any party. The omission and negligence of not filing the proceedings within the prescribed limitation period creates a right in favour of the opposite party. In the case of Messrs. Blue Star Spinning Mills LTD Vs. Collector of Sales Tax and others (2013 SCMR



587), this Court held that the concept that no limitation runs against a void order is not an inflexible rule; that a party cannot sleep over their right to challenge such an order and that it is bound to do so within the stipulated/prescribed period of limitation from the date of knowledge before the proper forum in appropriate proceedings. In the case of Muhammad Iftikhar Abbasi Vs. Mst. Naheed Begum and others (2022 SCMR 1074), it was held by this Court that the intelligence and perspicacity of the law of Limitation does not impart or divulge a right, but it commands an impediment for enforcing an existing right claimed and entreated after lapse of prescribed period of limitation when the claims are dissuaded by efflux of time. The litmus test is to get the drift of whether the party has vigilantly set the law in motion for the redress or remained indolent. While in the case of Khudaded Vs. Syed Ghazanfar Ali Shah @ S. Inaam Hussain and others (2022 SCMR 933), it was held that the objective and astuteness of the law of Limitation is not to confer a right, but it ordains and perpetrates an impediment after a certain period to a suit to enforce an existing right. In fact this law has been premeditated to dissuade the claims which have become stale by efflux of time. The litmus test therefore always is whether the party has vigilantly set the law in motion for redress. The Court under Section 3 of the Limitation Act is obligated independently rather as a primary duty to advert the question of limitation and make a decision, whether this question is raised by other party or not. The bar of limitation in an adversarial lawsuit brings forth valuable rights in favour of the other party. In the case of Dr. Muhammad Javaid Shafi Vs. Syed Rashid Arshad and others (PLD 2015 SC 212), this Court held that the law of limitation requires that a person must approach the Court and take recourse to legal remedies with due




diligence, without dilatoriness and negligence and within the time provided by the law, as against choosing his own time for the purpose of bringing forth a legal action at his own whim and desire. Because if that is so permitted to happen, it shall not only result in the misuse of the judicial process of the State, but shall also cause exploitation of the legal system and the society as a whole. This is not permissible in a State which is governed by law and Constitution. It may be relevant to mention here that the law providing for limitation for various causes/reliefs is not a matter of mere technicality but foundationally of the "Law" itself."

6. This Tribunal cannot enter into merits of the case as worthy Supreme Court of Pakistan in its judgment reported as 1987 SCMR 92 has held that when an appeal is required to be dismissed on ground of limitation, its merits need not to be discussed.

7. In view of the above discussion, the appeal in hand stands dismissed being barred by time. Parties are left to bear their own costs. File be consigned to the record room.

ANNOUNCED
13.04.2023


(KALIM ARSHAD KHAN)
CHAIRMAN


(SALAH-UD-DIN)
MEMBER (JUDICIAL)

ORDER
13.04.2023

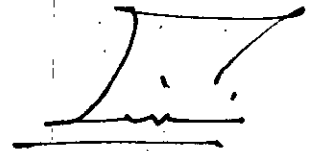
Learned counsel for the appellant present. Mr. Muhammad Jan,
District Attorney for the respondents present. Arguments have already
been heard and record perused.

Vide our detailed judgment of today, separately placed on file,
the appeal in hand stands dismissed being barred by time. Parties are
left to bear their own costs. File be consigned to the record room.

ANNOUNCED
13.04.2023



(Kalim Arshad Khan)
Chairman



(Salah-Ud-Din)
Member (Judicial)

17th March, 2023

Learned counsel for the appellant present. Mr. Muhammad Jan, District Attorney for the respondents present.

Arguments heard. To come up for consideration and order on 29.03.2023 before the D.B. Parcha Peshi given to the parties.

SCANNED
17/03/23
Peshawar

(Salah-ud-Din)
Member (J)

(Kalim Arshad Khan)
Chairman

29th Mar, 2023

Learned counsel for the appellant present. Mr. Muhammad Jan, District Attorney for the respondents present.

Order could not be announced due to rush of work. To come up for consideration and order on 05.04.2023 before D.B. P.P given to the parties.

SCANNED
17/03/23
Peshawar

(Salah Ud Din)
Member (Judicial)

(Kalim Arshad Khan)
Chairman

RN
05/04/2023


Proper D.B is not available, therefore
to come up for the same on 13-4-23

15.02.2023

Learned counsel for the appellant present. Mr. Naseer-ud-Din Shah, Assistant Advocate General for the respondents present.

Partial arguments heard. To come up for remaining arguments on 02.03.2023 before the D.B.


(Fareeha Paul)
Member (E)



(Salah-ud-Din)
Member (J)

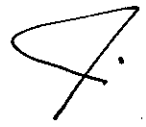
02.03. 2023

Clerk of learned counsel for the appellant present. Mr. Umair Azam Khan, Additional Advocate General for the respondents present.

Clerk of learned counsel for the appellant requested for adjournment on the ground that learned counsel for the appellant is busy in the august Peshawar High Court, Peshawar. Adjourned. To come up for arguments on 17.03.2023 before the D.B. Parcha Peshi given to the parties.

SCANNED
KPST
Peshawar


(Fareeha Paul)
Member (E)


(Salah-ud-Din)
Member (J)

11.11.2022

Appellant alongwith Kamran Khan, Advocate present.

Naseer Ud Din Shah learned Assistant Advocate General for respondents present.

Appellant's evidence is not available. Learned counsel is given last opportunity for production of entire evidence on the next date, failing which strict legal action would be taken against the appellant. To come up for appellant's evidence on 06.12.2022 before D.B.

SCANNED
KPST
Peshawar

06th Dec, 2022

(Fareeha Paul)

Appellant alongwith her counsel present. Member (E)



(Rozina Rehman)


Member (J)
Naseer-ud-Din

Shah, Assistant Advocate General for the respondents present.

SCANNED
KPST
Peshawar

Joint statements of appellant Khadija Bibi and Mr. Naseer-ud-Din Shah on behalf of the respondents recorded and they stated that there was no need to record evidence in this case, therefore, they request that the case may be decided on the basis of memo and grounds of appeal as well as reply and the documents annexed therewith after hearing the parties. To come up for arguments on 15.02.2023 before the D.B.


(Fareeha Paul)
Member (E)


(Kalim Arshad Khan)
Chairman

19.07.2022

Appellant present through counsel.

Muhammad Riaz Khan Paindakheil, learned Assistant Advocate General for respondents present.

Appellant's evidence is not available, therefore, learned counsel for the appellant made a request for adjournment. He is directed to produce his entire evidence on 12.09.2022 before D.B.


(Fareeha Paul)
Member(E)


(Rozina Rehman)
Member (J)


12.09.2022

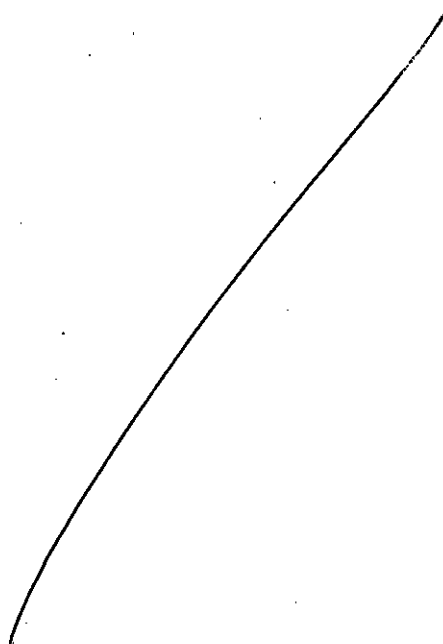
Appellant alongwith counsel present.

Naseer Ud Din Shah, learned Assistant Advocate General for respondents present.

Former made a request for adjournment in order to make preparation of the case. Adjourned. To come up for evidence of the appellant on 11.11.2022 before D.B.


(Fareeha Paul)
Member(E)


(Rozina Rehman)
Member(J)



25.04.2022

Appellant alongwith her counsel present. Mr. Muhammad Adeel Butt, learned Additional Advocate General for the respondents present.

Appellant submitted an affidavit in compliance of observations mentioned in order sheet dated 08.06.2021 alongwith photocopies of Educational certificates/degrees of SSC, Shahadatul Sania, Shahadatul Tahfeez Ul Quran ul Kareem, Shahadatul Sania Wal Aabia Al Islamia (F.A), Shahadat Iqra AlQuran ul Kareem Waltajweed, HSSC, Shahadat ul Aalia Fil Uloom Al Arabia Wal Islamia (B.A) and Shahadatul Aalamia Wa Islamia (M.A), which are placed on file. Learned AAG requested that as he is feeling not well, therefore, statement of the appellant be recorded on the next date. Adjourned. To come up for evidence of appellant on 20.05.2022 before the D.B.



(Rozina Rehman)
Member (J)



(Salah-Ud-Din)
Member (J)

20.05.2022

Appellant present through counsel.

Mr. Muhammad Adeel Butt, Additional Advocate General for respondents present.

When the appeal in hand was earlier called on for hearing, learned counsel for the appellant was stated to be busy in the august Peshawar High Court, Peshawar. Learned counsel for appellant is now present, however, it is now closing time of the Court, therefore, evidence of the appellant could not be recorded. Adjourned. To come up for evidence of the appellant on 19.07.2022 before the D.B.



(Rozina Rehman)
Member (J)



(Salah-Ud-Din)
Member (J)

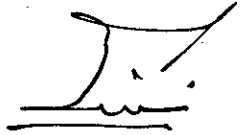
31.03.2022

Junior of learned counsel for the appellant present. Mr. Naseer-ud-Din Shah, Assistant Advocate General for the respondents present.

File to come up alongwith connected Service Appeal No. 568/2016 titled "Naz Begum Versus Education Department", on 25.04.2022 before the D.B.



(Rozina Rehman)
Member (J)



(Salah-ud-Din)
Member (J)

08.06.2021

Appellant present through counsel.

Kabir Ullah Khattak learned Additional Advocate General alongwith Sherzada ASDEO for respondents present.

File to come up alongwith connected appeal No.568/2016 filed by Naz Begum Vs. Government of Khyber Pakhtunkhwa, on 16.09.2021 before D.B.


(Rozina Rehman)
Member (J)



Chairman

16.09.2021

Appellant present through counsel.

Usman Ghani learned District Attorney for respondents present.

File to come up alongwith connected Service Appeal No.568/2016 titled Naz Begum Vs. Education Department, on 16.12.2021 before D.B.


(Rozina Rehman)
Member (J)

Chairman

16.12.21

DB is an Tour case to come up
For the same on Dated. 31-3-22

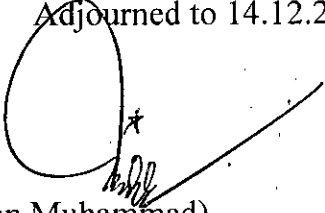

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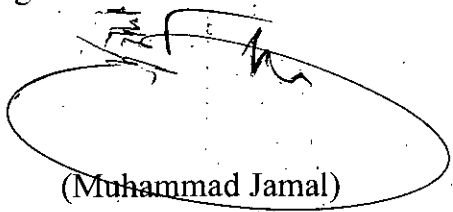
22.09.2020

Mr. Mir Zaman Safi, Advocate junior of Mr. Noor Muhammad Khattak, Advocate on behalf of the appellant is present. Mr. Kabirullah Khattak, Additional Advocate General for respondents present.

Junior requested that his senior counsel is busy in Hon'able High Court, Peshawar. Requested for adjournment.

Adjourned to 14.12.2020 for arguments before D.B.


(Mian Muhammad)
Member (E)



(Muhammad Jamal)
Member(J)

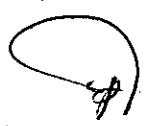
14.12.2020

Junior counsel for Appellant present.

Zara Tajwar learned Deputy District Attorney alongwith Najeeb Ullah ADAO for respondents present.

Former made a request for adjournment as his counsel is busy before D.B-I. Adjourned. To come up for arguments on 03.03.2021 before D.B.



(Atiq ur Rehman Wazir)
Member (E)


(Rozina Rehman)
Member (J)

03.03.2021

Junior to counsel for the appellant and Addl. AG alongwith Ajeebullah, ADO for the respondents present.


Learned senior counsel for the appellant is reported to be busy before Darul Qaza Bench of Peshawar High Court today.


 Adjourned ^{next} is, therefore, sought. Adjourned to 08.06.2021 for hearing before the D.B. As the appeal in hand is old one, the adjournment is allowed as last chance.


(Atiq-ur-Rehman Wazir)
Member(E)


Chairman

31.01.2020 Junior to counsel for the appellant and Mr. Muhammad Jan learned Deputy District Attorney present. Junior to counsel for the appellant seeks adjournment as senior counsel is not available. Adjourn. To come up for arguments on 02.04.2020 before D.B


Member


Member

02.04.2020 Due to public holidays on account of Covid-19, the case is adjourned. To come up for the same on 26.06.2020 before D.B.


Reader

26.06.2020 Brother of the appellant on behalf of the appellant and Mr. Kabirullah Khattak learned Addl. AG alongwith Mr. Najeeb Ullah ADO for the respondents present.

Due to general strike on the call of Khyber Pakhtunkhwa Bar Council, learned counsel for the appellant is not available today.


Adjourned to 22.09.2020 before D.B.


Member


Chairman


24.07.2019 Learned counsel for the appellant present. Mr. Zia Ullah learned Deputy District Attorney alongwith Mr. Hazrat Wahab Assistant for the respondents present. Arguments heard. To come up for order on 09.10.2019 before D.B.


(Hussain Shah)
Member


(M. Amin Khan Kundi)
Member

9-10-2019

Due to tour of Honble Member to camp court Swat the case is adjourned to 20-12-2019.


Reader

20.12.2019 Learned counsel for the appellant and Mr. Kabir Ullah Khattak learned Additional Advocate General alongwith Ajeeb Ullah ADO present. Learned counsel for the appellant seeks adjournment. Adjourn. To come up for arguments on 31.01.2020 before D.B.


Member


Member


21.01.2019 None present on behalf of appellant. M/S Ajeeb Ullah ADO representative of respondent No.3 and Subhan ud Din representative of respondent No.4 present. Written reply not submitted. Representatives of the respondents seek time to furnish written reply/comments. Granted. To come up for written reply/comments on 05.03.2019 before S.B.


Member

05.03.2019 None present on behalf of the appellant. Mr. Kabirullah Khattak, Additional AG alongwith M/S Subhan-ur-Din, ADO and Hazrat Wahab, Assistant for the respondents present. Written reply on behalf of respondents submitted. Adjourned to 13.05.2019 for rejoinder and arguments before D.B-I.


(MUHAMMAD AMIN KHAN KUNDI)
MEMBER

13.05.2019 Nemo for the appellant. Mr. Kabirullah Khattak learned Additional Advocate General for the respondents present. Due to leave of the worthy Chairman the case is adjourned to 24.07.2019 for arguments before D.B.


(Hussain Shah)
Member

16.10.2018

Counsel for the appellant present and seeks adjournment.
Granted. Case to come up for preliminary hearing on 29.11.2018
before S.B.


(Ahmad Hassan)
Member

29.11.2018

Learned counsel for the appellant present. Preliminary arguments heard.

The appellant (Ex-Qaria) has filed the present service appeal against the order dated 01.12.2015 whereby the contract of service of the appellant was withdrawn/cancelled on the ground of long absence from duty. The appellant has also challenged the order dated 21.07.2016 through which her departmental appeal was rejected.

Learned counsel for the appellant argued inter-alia that the impugned order is against law, facts and norms of natural justice; that the appellant has not been treated in accordance with law, and that the application for condonation of delay is also annexed with the main service appeal. On the other hand learned Deputy District Attorney argued that the appellant does not qualify the status of civil servant as she was appointed on adhoc basis and that the services of the appellant were rightly dispensed with due to none performance of duties.

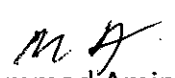
Pro and contra arguments from both sides and grounds mentioned in the memo of appeal, need further consideration. The present service appeal is admitted for regular hearing subject to all legal objections including the issues of limitations and maintainability. The appellant is directed to deposit security and process fee within 10 days, thereafter notices be issued to the respondents for written reply/comments. To come up for written reply comments on 21.01.2019 before S.B.

Appellant Deposited
Security & Process Fee


Member


13.07.2018

Counsel for the appellant present and requested for adjournment. Adjourned. To come up for preliminary hearing on 24.07.2018 before S.B.


(Muhammad Amin Kundi)
Member

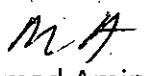
24.07.2018

Counsel for the appellant present and seeks adjournment. Adjourned. To come up for preliminary hearing on 04.09.2018 before S.B.


(Ahmad Hassan)
Member

04.09.2018

Counsel for the appellant present and seeks adjournment. Adjourned. To come up for preliminary hearing on 25.09.2018 before S.B.


(Muhammad Amin Khan Kundi)
Member

25.09.2018

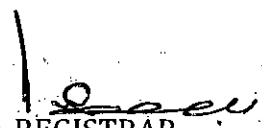

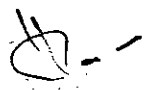
Mr. Noor Muhammad Khan, Advocate, counsel for the appellant present and heard on preliminary to some extent.

In the circumstances of the case, it is necessary to issue pre-admission notice to the respondents for arguments on the point of maintainability of the appeal and jurisdiction of this Tribunal. To come up for preliminary hearing on 16.10.2018 before S.B.


Chairman

Form-A
FORM OF ORDERSHEET

Court of _____
Case No. 620/2018


S.No.	Date of order proceedings	Order or other proceedings with signature of judge
1	2	3
1	08/05/2018	<p>The appeal of Mst. Khadija Bibi resubmitted today by Mr. Kamran Khan Advocate may be entered in the Institution Register and put up to the Worthy Chairman for proper order please.</p> <p style="text-align: right;"> REGISTRAR</p>
2-	15/05/18.	<p>This case is entrusted to S. Bench for preliminary hearing to be put up there on <u>28/05/18.</u></p> <p style="text-align: right;"> CHAIRMAN</p>
	28.05.2018	<p>Learned counsel for the appellant present and seeks adjournment. Adjourn. To come up for preliminary hearing on 13.07.2018 before S.B</p> <p style="text-align: right;"> Member</p>

The appeal of Mst. Khadija Bibi Qaria GGHS Barawal Dir Upper received today i.e. on 03.05.2018 is incomplete on the following score which is returned to the counsel for the appellatant for completion and resubmission within 15 days.

1- Annexures of the appeal may be got signed by the appellatant.

No. 956 /S.T,

Dt. 04/05 /2018.


REGISTRAR
SERVICE TRIBUNAL
KHYBER PAKHTUNKHWA
PESHAWAR.

Mr. Kamran Khan Adv. Pesh.

Note:

Sto

*That above objection has been removed,
hence re-submitted today dated 8/5/2018.*

8/5/2018

BEFORE THE KHYBER PAKHTUNKHWA SERVICE TRIBUNAL
PESHAWAR

APPEAL NO. 620 /2018

KHADIJA BIBI

VS

EDUCATION DEPTT:

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16.	Vakalat nama	40.

APPELLANT

THROUGH:


KAMRAN KHAN
ADVOCATE

BEFORE THE KHYBER PAKHTUNKHWA SERVICE TRIBUNAL
PESHAWAR

Khyber Pakhtunkhwa
Service Tribunal

APPEAL NO. 620 /2018

Diary No. 653

Dated 03/5/2018

Mst: Khadija Bibi, Qaria (BPS-12),
GGHSS Barawal, District Dir Upper **APPELLANT**

VERSUS

- 1- The Government of Khyber Pakhtunkhwa through Secretary (E&SE) Department, Khyber Pakhtunkhwa, Peshawar.
- 2- The Director (E&SE) Department, Khyber Pakhtunkhwa, Peshawar.
- 3- The District Education Officer (F), District Dir Upper.
- 4- The District Accounts Officer, District Dir Upper.

.....**RESPONDENTS**

APPEAL UNDER SECTION 4 OF THE KHYBER PAKHTUNKHWA SERVICE TRIBUNAL ACT 1974 AGAINST THE IMPUGNED ORDER DATED 01.12.2015 WHEREBY THE APPOINTMENT ORDER OF THE APPELLANT WAS WITHDRAWN AND AGAINST THE APPELLATE ORDER DATED 21.7.2016 WHEREBY THE DEPARTMENTAL APPEAL OF THE APPELLANT HAS BEEN REJECTED ON NO GOOD GROUNDS

PRAYER:

That on acceptance of this appeal the impugned orders dated 01.12.2015 and 21.7.2016 may very kindly be set aside and the appellant may be re-instated into service with all back benefits. 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 writ petition are as under:-

Re-submitted to 1-
and filed. -day

[Signature]
Registrar

8/5/18

1- That appellant was appointed as Qaria (BPS-12) in the respondent Department on adhoc/school based basis on the proper recommendation of Departmental Selection Committee vide Notification dated 30.4.2014. That in response the appellant submitted her medical certificate along with charge report and started performing her duty quite efficiently and up to the entire satisfaction of her superiors. Copies of the Notification, medical certificate,

charge report and service book are attached as annexure **A, B, C & D.**

- 2- That during the course of service the respondent No.3 issued the order dated 10.9.2014 whereby the appellant was transferred from GGHSS Barawal to GGHS Sheringal. That appellant in response to the said order dated 10.9.2014 submitted her arrival report and started her duty at the concerned station quite efficiently and up to the entire satisfaction of her superiors. Copies of the order and attendance register are attached as annexure..... **E and F.**
- 3- That appellant while serving as Qaria (BPS-12) at GGHS Sheringal an order dated 1.12.2015 was issued whereby the appointment of the appellant was withdrawn by the respondent No.3 on the wrong pretext that she absented her self from duty at GGHSS Barawal. Copy of the impugned order are attached as annexure **G.**
- 4- That appellant feeling aggrieved from the impugned order dated 1.12.2015 filed Departmental appeal before the respondent No.2 but the same was rejected by the appellate authority i.e. respondent No.2 on no good grounds vide impugned appellate order dated 21.7.2016. Copies of the departmental appeal, comments and rejection order are attached as annexure **H, I & J.**
- 5- That appellant feeling aggrieved from the impugned orders dated 01.12.2016 and 21.7.2016 filed writ petition No. 518-M/2016 before the Peshawar High Court Mingora Bench, Swat which was dismissed with the direction to approach the proper forum being civil servant vide judgment dated 10.04.2017. Copy of the judgment is attached as annexure..... **K.**
- 6- That against the said judgment the appellant filed review petition No.12/2017 but the same was upheld/maintained vide order dated 03.04.2018. Copy of the order dated 03.04.2018 is attached as annexure.....**L.**
- 7- That appellant having no other remedy but to file the instant appeal on the following grounds amongst the others.

GROUND:

- A- That the impugned orders dated 1.12.2015 and 21.7.2016 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 appellant has not been treated by the respondent Department 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 respondent No.3 inspite knowing the fact that appellant had been transferred from GGHS Barawl to GGHS Sheringal has issued the impugned order dated 1.12.2015 in utter disregard of law and prevailing rules.
- D- That the education Department acted an un-educated manner while issuing the impugned orders dated 1.12.2015 and 21.7.2016.
- E- That the respondent Department acted in arbitrary and malafide manner while issuing the impugned orders dated 1.12.2015 and 21.7.2016.
- F- That no inquiry whatsoever has been conducted in the matter of the appellant and as such the appellant has been condemned unheard.
- G- That the respondent Department discriminated the appellant by canceling the appointment order of the appellant just to accommodate her blue eyed chap person.
- H- That the respondents violated the principal of Locus Poenitentiae while issuing the impugned order dated 1.12.2015.
- I- That appellant seeks permission to advance other ground and proofs at the time of hearing.

It is therefore, most humbly prayed that the appeal of the appellant may be accepted with all back benefits. Any other remedy which this august Court deems fit that may also be awarded in favor of the appellant.

APPELLANT

Khadija

KHADIJA BIBI

THROUGH:

Kamran Khan
KAMRAN KHAN

&

Shahzullah Yousafzai
SHAHZULLAH YOUSAFZAI
ADVOCATE

BEFORE THE KHYBER PAKHTUNKHWA SERVICE TRIBUNAL
PESHAWAR

APPEAL NO. _____/2018

KHADIJA BIBI

VS

EDUCATION DEPTT:

APPLICATION FOR CONDONATION OF
DELAY IN FILING THE ABOVE NOTED
APPEAL

R.SHEWETH:

- 1- That the appellant has filed an appeal along with this application in which no date has been fixed so far.
- 2- That the appellant prays for the condonation of delay in filing the above noted appeal inter alia on the following grounds:

GROUND OF APPLICATION:

- A- That valuable rights of the appellant are involved in the case hence the appeal deserve to decide on merit.
- B- That it has been the consistent view of the Superior Courts that cases should be decided on merit rather on technicalities including the limitation. The same is reported in 2004 PLC (CS) 1014 and 2003 PLC (CS) 76.

It is therefore prayed that on acceptance of this application the delay in filing the above noted appeal may please be condoned.

Dated: 02.05.2018.

APPELLANT

Khadija

KHADIJA BIBI

THROUGH:

Kamran Khan
KAMRAN KHAN
ADVOCATE

BETTER COPY OF PAGE..... 12 95

Appointment order Qari (F) Contract

District Education Officer Female District Dir Upper

APPOINTMENT.

Consesequenet upon recommendation of the Departmental Selection Committee appointment of the following candidates are hereby orderd agsint the post of Qari Teachers Female School bassed in BPS-12 (Rs.7000-500-22000) @Rs.7000/- fixed plus usual allownces as admi9ssible under the rules on adhoc basis under the existing policy of the Provincial Government in Teaching Cadre on the terms and conditions given below with effect from the date of their taking over charge.

S#	Name	Father's Name	Merit	Place of Posting	Remarks
01	Rabbania Bibi	Amir Nawab	126.37	GGHS Samkot	A.V.P
02	Khadija Bibi	Ghulam Sadiq	123.29	GGHSS Barawal	A.V.P
03	Abeeda Bibi	Khaista Rahman	117.08	GGHS Janbhatti	A.V.P

TERMS & CONDITION:

1. No TA/DA etc is allowed.
2. Charge reports should be submitted to all concerned in duplicate.
3. appointment is purely on temporary basis intially for one year.
4. they should not be handed over charge if they exceed 35 years or below

ATTESTED



ATTESTED



A 56 (13)

Appointment Order Qari (F) Contract

District Education officer female District Dir Upper

File No. 09/14-381900.

E-mail: demisd@dirupper@gmail.com



APPOINTMENT.

Consequent upon recommendation of the Departmental Selection Committee, appointment of the following candidates are hereby ordered against the post of Qari Teachers Female School based in DPS-12(Rs.7000-500-22000) @ Rs. 7000/- fixed plus usual allowances as admissible under the rules on adhoc basis under the existing policy of the Provincial Government, in Teaching Cadre on the terms and conditions given below with effect from the date of their taking over charge :-

S.#	Name	Father's Name	Merit	Place of Posting	Remarks
01	RABBANIA BIBI	AMIR NAWAB	126.37	GGHS SAMKOOT	A.V.P
02	KHADJA BIBI	GIBILAM SADIQ	123.29	GGHS BARAWAL	A.V.P
03	ABEEDA BIBI	KHAJSTA RAHMAN	117.08	GGHS JANBHATTI	A.V.P

TERMS & CONDATION.

- NO TA/DA etc is allowed.
- Charge reports should be submitted to all concerned in duplicate.
- Appointment is purely on temporary basis initially for one year.
- They should not be handed over charge if they exceed 35 years or below 18 years of age.
- Appointment is subject to the condition that their certificates/degrees must be verified from the concerned authorities if any one found producing bogus Certificate will be reported to the enforcing agencies for further action.
- Her services are liable in termination on one month's notice from either side. In case of resignation without notice his one-month pay/allowances shall be forfeited to the Government.
- Pay will not be made until and unless a certificate from the concerned authority is issued her certificates are verified.
- They should join their post within 15 days of the issuance of this notification. In case of failure to join their post within 15 days of the issuance of this notification, her appointment will expire automatically and no subsequent appeal etc shall be entertained.
- Health and Age Certificate should be produced from the Medical Superintendent concerned before taking over charge.
- She will be governed by such rules and regulations as may be issued from time to time by the Govt.
- Their services shall be terminated at any time, in case of her performance is found unsatisfactory during her contract period. In case of misconduct, she will be proceeded under the rules framed from time to time.
- Her appointment is made on School based. He/she will have to serve at the place of posting, and His/her service is not transferable to any other station.
- Before handing over charge once again their document may be checked if they have no required qualifications they may not be handed over charge.

ATTESTED

ATTESTED

BETTER COPY OF PAGE NO. 196

Appointment order Qari (F) Contract

14. No payment will be made so then before making verification from concerned institutions.

(Jehan Muhammad)
District Education Officer,
Female Dir Upper

Endst: No. 2029-36/ File No.01-A/Qari/ Apptt:/DEO(F)/SEB Dated Dir (U)
the 30/04/2014

Copy forwarded to all concerned.

ATTESTED



ATTESTED



6 5

Appointment Order Qari (F) Contract

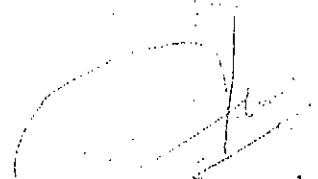
14. No payment will be made to them before making verification from concerned institutions.

(Jehan Muhammad)
District Education Officer,
Female Dir Upper

Endst: No. 2020-36/ File No. 01-A-7/Qari/ Appnt./ DEO(F)/SEB Dated Dir (U) the 30/04/2017.

Copy forwarded for information and necessary action to the:-

1. Director of Elementary & Secondary Education Khyber Pakhtunkhwa Peshawar
2. District Accounts Officer Dir Upper
3. Dy: District Education Officer Female Dir Upper.
4. A.P EMIS Local Office.
5. Head Mistress Concerned.
6. Accountant Concerned
7. Official Concerned.
8. M/File


District Education Officer,
Female dir Upper

ATTESTED





ATTESTED



(10)


B-7

NWFP Med No 4

GS&PD-NWFP-27-ES-2000 P of 100 (29-7-95/16)

MEDICAL CERTIFICATE

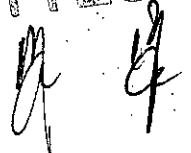
Name of Official: Khudija Bhatti
 Cast or race: Sadiqi
 Father's Name: Ghulam Sadiq
 Residence: Village Sharayat Taktat Dist
Tehsil Daska Upper Dist
 Date of Birth: 01-01-1991 According to nil
 Exact height by measurement:
 Personal mark of identification: Nil
 Signature of the official: K. J. A.
 Signature of head of office:

Seal of Officer: 
Principal
 G.H.S.S Barawal Dist. Dir Upper


I do hereby certify that I have examined Mr. Khudija Bhatti a candidate for employment in the office of the Educational Dept and cannot discover that he had any disease communicable or other constitutional affection or bodily infirmity except Nil.

I do not consider this as disqualification for employment in the office of the Educational Dept. His age according to own statement 23 years and by appearance about 23 Year.


 LEFT HAND THUMB AND FINGER IMPRESSION.....

ATTESTED


W. A. S.
 Medical Superintendent
 Civil Hospital

ATTESTED


BETTER COPY OF PAGE NO. ~~13~~ 8

CHARGE REPORT

I took over charge of my duty as Qari today on 03.05.2014 (F.N) at GGHSS Barawal Bandi District Dir Upper order issued vide District Education Officer (Female) Dir Upper Endstt: No. 2029-36 dated 30.04.2014.

KHADIJ BIBI QARI

GGHSS BARAWAL BANDI

DISTRICT DIR UPPER

Endst: No. 1369-13/ dated the GGHSS Barawal Bandi 03.05.2014

Copy forwarded to all concerned.

ATTESTED



(15)

C-8

CHARGE REPORT

I took over charge of my duty as Qari, today on 03/05/2014 (F.N) at GGHSS Barawal Bandi District Dir upper. order issued vide District Education Officer (Female) Dir upper Endost: No 2029-36 dated 30/04/2014.

Khadija Bibi Qari
GGHSS Barawal Bandi
District Dir upper.

Endost: No 2029-36 / dated the GGHSS Barawal Bandi 30/04 2014.

Copy to

1. District Education Officer (Female) Dir upper.
2. District Accounts Officer Dir upper.
3. Official concerned.

[Signature]
Principal
GGHSS Barawal Bandi
District Dir upper.
Principal
GGHSS Barawal Bandi
District Dir upper

ATTESTED

[Signature]

ATTESTED

[Signature] *[Signature]*

D-9 (16)

(For use in Police Department only).

Note: The en should

1. Passed SSC (A) 2008 Examination from BISE Malakand Heirs, under R. No 50925, obtain 544 Marks out of 900.

2. Passed F.A (Annual) 2011 Examination from BISE Malakand under R. No 50431 obtain 638 Marks out of 1100.

3. Passed Shahada Qadim ul Quran Kareem wal Tajweed from Rastatul Madaniy, Tafheemul Quran, Matruh, under R. No 0034 obtained 90 Marks out of 100 placed 1st grade. Rtd on 8/11/2011

4. Passed Tahfeez ul Quran Kareem from Rastatul Madaniy Simtal Jona Libonah, Tafheemul Quran, under R. No 454 obtained 80 Marks out of 100, placed 1st grade Rtd on 10/9/2008

1. Name:
2. Race:
3. Resider
4. Father
5. Date of nearly
6. Exact h
7. Person
8. Left har of (Non
- Little Fi
- Middle F
- Thumb:
9. Signature
10. Signature Head of t Officer.

Qualification	Date	Qualification	Date
English		First Arts	
Pushto		B.L. or B.A	
Urdu		Pleadership examination	
Plan-drawing		Training School Final examination	
Finger Print		Other qualifications—	
Drill Instructing			
Court Duties			
Reserve Duties			

Muhammad Anwar
Principal
G.H.S.S Barawal Bandi
Distt: Dir Upper

ATTESTED

ATTESTED

[Signature]

[Signature]

10 10

(For use in Police Department only).

Note: The en should

① Passed SSC (A) 2008 examination from BISE Malakand Heirs, under R. No 50985, obtain 544 marks out of 900.

② Passed F.A (Annual) 2011 examination from BISE Malakand under R. No 50431 obtain 638 marks out of 1100.

③ Passed Shahada Qadit ul Quran Kareem wal Tajweed from Rabta tul Madaris, Tahirul Quran Madrasa, under R. No 0034 obtained 90 marks out of 100 placed in 1st grade. Rtd on 10/11/2011

④ Passed Tahfeez ul Quran Kareem from Rabta tul Madaris Sinalul Jama Libnanah, under R. No 454 obtained 80 marks out of 100, placed in 1st grade Rtd on 10/9/2008

1. Name:

2. Race:

3. Reside:

4. Father

5. Date o nearly

6. Exact i

7. Person

8. Left ha of (Nor

Little F

Middle

Thumb:

9. Signatur

10. Signatur Head of Officer.

Qualification	Date	Qualification	Date
English		First Arts	
Pushto		B.L. or B.A	
Urdu		Pleadership examination	
Plan-drawing		Training School Final examination	
Finger Print		Other qualifications	
Drill Instructing			
Court Duties			
Reserve Duties			

Muhammad Amin
Principal
G.G.H.S.S Barawal Banda
Distt: Dir Upper

ATTESTED

ATTESTED

(11) (11)

Note: The entries on this page should be renewed or re-attested at least every five years and the Signature to lines 9 and 10 should be dated.

ISE Malakawal

1. Name: KHADIJA BIBI

BISE Malakawal

2. Race: Muslim Afghan/Pakistan

joined from

3. Residence: village Jatkoot, Sheringal Distt upper

R. No 0034

4. Father's name and residence: GHULAM SADIQ (As above)

code: Rtd on 8/2011
D. Malakawal

5. Date of birth by Christian era as nearly as can be ascertained: (01-01-1991) 1st January Ninety one

R. No 454

6. Exact height by measurement: 5-3

Rtd on 10/2008

7. Personal marks for identification:

Date

8. Left hand thumb and Finger impression of (Non-Gazetted) officer:

Principal
G.H.S.S Barawal Bandi
Distt Dir Upper

Little Finger:

Ring Finger:

Middle Finger:

Fore Finger:

Thumb:

ATTESTED

Handwritten initials

ATTESTED

Handwritten signature

9. Signature of Government Servant:

Handwritten signature of Government Servant

10. Signature and designation of the Head of the office, or other Attesting Officer.

Principal
G.H.S.S Barawal Bandi
Distt Dir Upper

12

Note: The entries on this page should be renewed or re-attested at least every five years and the Signature to lines 9 and 10 should be dated.

SE Malakand

1. Name: KHADIJA BIBI

BISE Malakand

2. Race: Muslim Afghan/Pakistan

joined from

3. Residence: Village Jatkoot, Sheringal Dist Upper

in R. No 0034

4. Father's name and residence: GHULAM SADIQ
(Address as above)

old Rtd on 8/2011
D. Malakand

5. Date of birth by Christian era as nearly as can be ascertained: (01-01-1991) 1st January Ninety one

R. No 454

6. Exact height by measurement: 5-3

Rtd on 10/2008

7. Personal marks for identification:

Date

8. Left hand thumb and Finger impression of (Non-Gazetted) officer:

Principal
Barawal Bandi
Dist Upper

Little Finger: Ring Finger:

Middle Finger: Fore Finger:

Thumb: ATTESTED

9. Signature of Government Servant: [Signature]

10. Signature and designation of the Head of the office, or other Attesting Officer: [Signature]
Principal
G.S.J.S.S Barawal Bandi
Dist: Dist Upper

on

13 (2)

1	2	3	4	5	6	7	8	9
Name of Post	Substantive Whether substantive or officiating and whether permanent or temporary.	If officiating, state (i) substantive appointment, or (ii) Whether service counts for pension under Art. 371 C.S.R.	Pay in substantive post	Additional pay for officiating	Other emolument falling under the term "pay"	Date of Appointment	Signature of Government servant	Signature and Designation of the head of the office or other attesting officer in attestation of columns 1 to 8
Dari G.H.S.S Barawal	Temp.	B.P.S.# 19 (7000-500-22000) Temp.	7000/-			3 ⁵ / ₂₀ 2014		Principal G.H.S.S Barawal Distt. Dir Upper
ho	u	Temp.	7000/-			1 ¹² / ₂₀ 2014		Principal G.H.S.S Barawal Distt. Dir Upper
		Pay level of B.P.S.# 19 (4000-100-28535)						
Dari G.H.S.S Barawal	Temp.	Temp.	9050			7 ⁷ / ₂₀ 2015		Principal G.H.S.S Barawal Distt. Dir Upper
ATTESTED		B		ATTESTED		B B		ADHOC
								T.No. Paid Re. Allowanc and pay (1/6/14


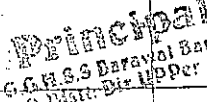
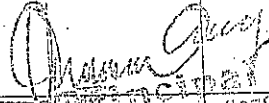

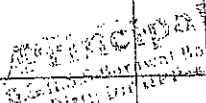
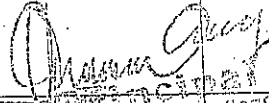

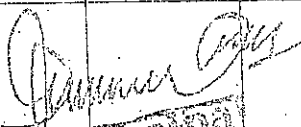

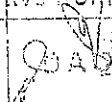
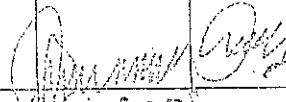
14

1	2	3	4	5	6	7	8	9
Name of Post	Substantive Whether substan- tive or officiating and whether permanent or temporary.	If officiating, state (i) substantive appointment, or (ii) Whether service counts for pension under Art. 371 C.S.R.	Pay in substantive post	Additional pay for officiating	Other emolument falling under the term "pay"	Date of Appointment	Signature of Government servant	Signature and Designation of the head of the office or other attesting officer in attestation of columns 1 to 8
Dun G.H.S.S Barawal	temp	BPS# 12 (7000-500-22000) temp	7000/-			3 ⁵ / ₂₀₁₄		 Principal G.H.S.S Barawal Distt. Dir
do	"	"	7000/-			12 2014		 Principal G.H.S.S Barawal Distt. Dir Upper
		Pay lowered BPS# 12 (7000-500-22000) to 13 (4000-100-28555)						
Dun G.H.S.S Barawal	temp	temp	9055			7 2015		 Principal G.H.S.S Barawal Distt. Dir Upper
							ATTESTED	ADHOC
			ATTESTED					
								T.No. Paid Rs. 2 Allowance and pay @ 1764

15


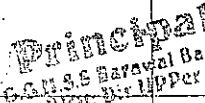
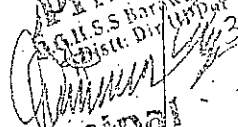
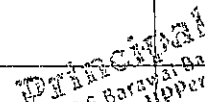

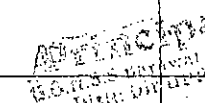
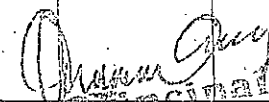
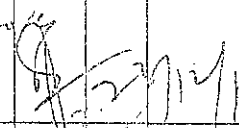
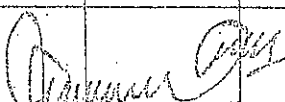
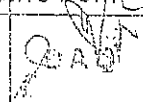
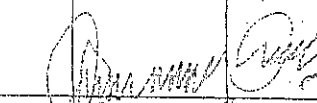
22

5

8	9	10	11	12	13 Leave		14	15	
Signature of Government servant	Signature and Designation of the head of the office or other attesting officer in attestation of columns 1 to 8	Date of termination or appointment	Reason of termination (such as promotion, transfer, dismissal, etc.).	Signature of the head of the office or other attesting officer	Nature and duration of leave taken	Allocation of period of leave on average pay upto four months for which leave is debitable to an officer of Government	Signature of the head of the office or other attesting officer.	Reference to any recorded punishment or award of Government servant	
						Period	Government to which debitable		
	 Principal G.S.S. Barawal Band Distt. Dir Upper	30/6/14	Pay withheld	 Principal G.S.S. Barawal Band Distt. Dir Upper	Approved against vacant post, vide District Education Officer (Female) Dir Upper, No. 2029-36/PN	Approved against vacant post, vide District Education Officer (Female) Dir Upper, No. 2029-36/PN Date 30/4/2014	 Principal G.S.S. Barawal Band Distt. Dir Upper	ADHOC APPT FOR 1 YEAR	
	 Principal G.S.S. Barawal Band Distt. Dir Upper			 Principal G.S.S. Barawal Band Distt. Dir Upper			 Principal G.S.S. Barawal Band Distt. Dir Upper	Pay released vide District Education Officer (Female) Dir Upper, No. [blank] Date [blank] from the date of taking over charge.	
	ATTESTED 	Paid Rs. 134230/- on/1c of amount of pay roll up to 03.08.2014 to 30.11.2014 & pay @ Rs. 7000/- per mth 1.12.2014 1578 dt. 10/11/14					 Principal G.S.S. Barawal Band Distt. Dir Upper		
	ATTESTED 	T.No. 345 Date 12/8/15 Paid Rs. 20142/- as arrears of pay & Allowance from 15/15 to 31/12/14 and pay @ Rs. 7000/- effective from 1/1/15		 Principal G.S.S. Barawal Band Distt. Dir Upper			Being Verified vide [blank] 3/5/2015  Principal G.S.S. Barawal Band Distt. Dir Upper		

16

20

8	9	10	11	12	13 Leave		14	15
Signature of Government servant	Signature and Designation of the head of the office or other attesting officer in attestation of columns 1 to 8	Date of termination or appointment	Reason of termination (such as promotion, transfer, dismissal, etc.)	Signature of the head of the office or other attesting officer	Nature and duration of leave taken	Allocation of period of leave on average pay upto four months for which leave is debitable to Government	Signature of the head of the office or other attesting officer	Reference to recorded punishment, or revocation of award of Government servant
						Period	Government to which debitable	
	 Principal G.M.S.S Barawal Bandi Distt: Dir Upper			 Principal G.M.S.S Barawal Bandi Distt: Dir Upper		Approved against vacant post, vide District Education Officer (Female) Dir Upper, No. 8089-36/P-1		
	 Principal G.M.S.S Barawal Bandi Distt: Dir Upper	30/6/15	Pay direct	 Principal G.M.S.S Barawal Bandi Distt: Dir Upper		Dir/APPT/D EO (F) SEB & Date 30/4/2014		
	 Principal G.M.S.S Barawal Bandi Distt: Dir Upper			 Principal G.M.S.S Barawal Bandi Distt: Dir Upper		 Principal G.M.S.S Barawal Bandi Distt: Dir Upper		
						my released vide District Education Officer (Female) Dir Upper, No. Date from the date of taking over charge		
	ATTESTED	<u>ADHOC APPT FOR 1 YEAR</u>						
			1578 dt- 10/10/14					
	ATTESTED	Paid Rs 134230/- on ac of ames of payroll up to 03.05.2014 to 30.11.2014 & Pay active @ Rs 7000/- PM up to 1.12.2014						 Principal G.M.S.S Barawal Bandi Distt: Dir Upper
	ATTESTED	T.No. 345 Date 10/10/15				Service Verified w.r.f. 3/5/2014 to 30/11/2015 from acq. Rtdt & other Record of this office.		
		Paid Rs 201427 as arrears of pay & Allowance from 15/15 to 31/15 and pay @ Rs 7000/- active from 1/6/15						 Principal G.M.S.S Barawal Bandi Distt: Dir Upper

E-17



OFFICE OF THE
DISTRICT EDUCATION OFFICER

OFFICE OF THE DISTRICT EDUCATION OFFICER (F) UPPER DIR

OFFICE ORDER. / *Special Leave*

As approved by the Director (E&SE) Khyber Pakhtunkhwa Pesawar, Mst
Khudeja Begum Qaria GGHS Barawal Dir is hereby directed to resume her duties at
GGHS Sheringal with immediate effect till further order.

District Education Officer
Dir Upper.

Endorsement No. 2938-41 / Dated 12 / 09 / 2014.

Copy of the above is forwarded for information and necessary action to the:-

1. District Accounts Officer Dir (U).
2. Principal/Head Mistress concerned.
3. Official concerned.
4. Accountant (L).

[Signature]
District Education Officer
Dir Upper.

ATTESTED

[Signature]

ATTESTED

[Signature] *[Signature]*

F-18

رجسٹر حاضری مدارس سین

2015

بابت ماہ مئی

کلی			خدمت ملی			لسمین ماہ			تصرت جبین		
T.T			Q.T			D.M			P.A.T		
روز	دستخط	آمد	روز	دستخط	آمد	روز	دستخط	آمد	روز	دستخط	آمد
19	1:30	7:30	19	1:30	7:30	19	1:30	7:30	19	1:30	7:30
SUNDAY											
20	1:30	7:30	20	1:30	7:30	20	1:30	7:30	20	1:30	7:30
21	1:30	7:30	21	1:30	7:30	21	1:30	7:30	21	1:30	7:30
22	1:30	7:30	22	1:30	7:30	22	1:30	7:30	22	1:30	7:30
23	1:30	7:30	23	1:30	7:30	23	1:30	7:30	23	1:30	7:30
24	1:30	7:30	24	1:30	7:30	24	1:30	7:30	24	1:30	7:30
25	1:30	7:30	25	1:30	7:30	25	1:30	7:30	25	1:30	7:30
26	1:30	7:30	26	1:30	7:30	26	1:30	7:30	26	1:30	7:30
27	1:30	7:30	27	1:30	7:30	27	1:30	7:30	27	1:30	7:30
28	1:30	7:30	28	1:30	7:30	28	1:30	7:30	28	1:30	7:30
29	1:30	7:30	29	1:30	7:30	29	1:30	7:30	29	1:30	7:30
30	1:30	7:30	30	1:30	7:30	30	1:30	7:30	30	1:30	7:30
SUNDAY											
31	1:30	7:30	31	1:30	7:30	31	1:30	7:30	31	1:30	7:30
1	1:30	7:30	1	1:30	7:30	1	1:30	7:30	1	1:30	7:30
2	1:30	7:30	2	1:30	7:30	2	1:30	7:30	2	1:30	7:30
3	1:30	7:30	3	1:30	7:30	3	1:30	7:30	3	1:30	7:30
4	1:30	7:30	4	1:30	7:30	4	1:30	7:30	4	1:30	7:30
5	1:30	7:30	5	1:30	7:30	5	1:30	7:30	5	1:30	7:30
6	1:30	7:30	6	1:30	7:30	6	1:30	7:30	6	1:30	7:30
7	1:30	7:30	7	1:30	7:30	7	1:30	7:30	7	1:30	7:30
8	1:30	7:30	8	1:30	7:30	8	1:30	7:30	8	1:30	7:30
9	1:30	7:30	9	1:30	7:30	9	1:30	7:30	9	1:30	7:30
10	1:30	7:30	10	1:30	7:30	10	1:30	7:30	10	1:30	7:30
11	1:30	7:30	11	1:30	7:30	11	1:30	7:30	11	1:30	7:30
12	1:30	7:30	12	1:30	7:30	12	1:30	7:30	12	1:30	7:30
13	1:30	7:30	13	1:30	7:30	13	1:30	7:30	13	1:30	7:30
14	1:30	7:30	14	1:30	7:30	14	1:30	7:30	14	1:30	7:30
15	1:30	7:30	15	1:30	7:30	15	1:30	7:30	15	1:30	7:30
16	1:30	7:30	16	1:30	7:30	16	1:30	7:30	16	1:30	7:30
17	1:30	7:30	17	1:30	7:30	17	1:30	7:30	17	1:30	7:30
18	1:30	7:30	18	1:30	7:30	18	1:30	7:30	18	1:30	7:30
19	1:30	7:30	19	1:30	7:30	19	1:30	7:30	19	1:30	7:30
20	1:30	7:30	20	1:30	7:30	20	1:30	7:30	20	1:30	7:30
21	1:30	7:30	21	1:30	7:30	21	1:30	7:30	21	1:30	7:30
22	1:30	7:30	22	1:30	7:30	22	1:30	7:30	22	1:30	7:30
23	1:30	7:30	23	1:30	7:30	23	1:30	7:30	23	1:30	7:30
24	1:30	7:30	24	1:30	7:30	24	1:30	7:30	24	1:30	7:30
25	1:30	7:30	25	1:30	7:30	25	1:30	7:30	25	1:30	7:30
26	1:30	7:30	26	1:30	7:30	26	1:30	7:30	26	1:30	7:30
27	1:30	7:30	27	1:30	7:30	27	1:30	7:30	27	1:30	7:30
28	1:30	7:30	28	1:30	7:30	28	1:30	7:30	28	1:30	7:30
29	1:30	7:30	29	1:30	7:30	29	1:30	7:30	29	1:30	7:30
30	1:30	7:30	30	1:30	7:30	30	1:30	7:30	30	1:30	7:30
31	1:30	7:30	31	1:30	7:30	31	1:30	7:30	31	1:30	7:30

4	2	3	2	1	3	2	1	2	1	1	ارخصت
ATTESTED ATTESTED											اتقائے
ATTESTED ATTESTED											تعمان
ATTESTED ATTESTED											باری
ATTESTED ATTESTED											بیران

رجسٹر حاضری مدرسین

2015

بابت ماہ

J.C		Qari		D.T		C.T	
دستخط	رواگی	دستخط	آد	دستخط	آد	دستخط	آد
C	LEAVE	7:30	7:30	A.H	1:35	A.H	7:30
23	1:35	23	7:30	on duty	A.H	1:35	A.H
23	1:35	23	7:30	do	A.H	1:35	A.H
23	1:35	23	7:30	do	A.H	1:15	A.H
23	1:35	23	7:30	do	A.H	1:35	A.H
SUNDAY							
27	1:35	27	7:30	on duty	A.H	1:35	A.H
27	1:35	27	7:30	do	A.H	1:35	A.H
27	1:35	27	7:30	do	A.H	1:35	A.H
27	1:35	27	7:30	do	A.H	1:35	A.H
27	1:35	27	7:30	do	A.H	1:35	A.H
28	1:35	28	7:30	do	A.H	1:35	A.H
28	1:35	28	7:30	do	A.H	1:15	A.H
28	1:35	28	7:30	do	A.H	1:35	A.H
SUNDAY							
28	1:35	28	7:35	do	A.H	1:35	A.H
28	1:35	28	7:35	do	A.H	1:35	A.H
28	1:35	28	7:35	do	A.H	1:35	A.H
28	1:35	28	7:35	do	A.H	1:35	A.H
28	1:35	28	7:35	do	A.H	1:35	A.H
29	1:35	29	7:35	do	A.H	1:15	A.H
29	1:35	29	7:35	do	A.H	1:35	A.H
SUNDAY							
29	1:35	29	7:35	do	A.H	1:35	A.H
29	1:35	29	7:35	do	A.H	1:35	A.H
29	1:35	29	7:35	do	A.H	1:35	A.H
29	1:35	29	7:35	do	A.H	1:35	A.H
29	1:35	29	7:35	do	A.H	1:35	A.H
29	1:35	29	7:35	do	A.H	1:35	A.H
Eid Holidays							
SUNDAY							
on duty	C leave	A.H	1:35	A.H	7:30	A.H	1:35
do	do	A.H	1:35	A.H	7:30	A.H	1:35
29	1:35	29	7:30	do	A.H	1:00	A.H

میزان	سابقہ	مال	میزان	سابقہ	مال	میزان	سابقہ	مال	میزان	سابقہ	مال
14	2	-	9	5	4	-	-	-	-	-	-
ATTESTED						ATTESTED					

دستخط

25

رجسٹر حاضری مدارس سین

2015

ابیت

اسلام الہدی				خدیجہ بی بی				ایلیزبتہ بی بی				علی بانو			
J.C				Qari				C.T				C.T			
دستخط	رواگی	دستخط	آمد	دستخط	رواگی	دستخط	آمد	دستخط	رواگی	دستخط	آمد	دستخط	رواگی	دستخط	آمد
		C leave	7:30				7:30	A.H	1:35	A.H	7:30				1:35
23	1:35	23	7:30	On duty				A.H	1:35	A.H	7:30				1:35
24	1:35	24	7:30	do				A.H	1:35	A.H	7:30				1:35
25	1:35	25	7:30	do				A.H	11:15	A.H	7:30				11:25
26	1:35	26	7:30	do				A.H	1:35	A.H	7:30				1:35
Sunday															
27	1:35	27	7:30	On duty				A.H	1:35	A.H	7:30				1:35
28	1:35	28	7:30	do				A.H	1:35	A.H	7:30				1:35
29	1:35	29	7:30	do				A.H	1:35	A.H	7:30				1:35
30	1:35	30	7:30	do				A.H	1:35	A.H	7:30				1:35
Sunday															
31	1:35	31	7:30	do				A.H	1:35	A.H	7:30				1:35
1	1:35	1	7:30	do				A.H	1:35	A.H	7:30				1:35
2	1:35	2	7:30	do				A.H	1:35	A.H	7:30				1:35
Sunday															
3	1:35	3	7:30	do				A.H	11:15	A.H	7:30				11:00
4	1:35	4	7:30	do				A.H	1:35	A.H	7:30				1:35
Sunday															
5	1:35	5	7:30	do				A.H	1:35	A.H	7:30				1:35
6	1:35	6	7:30	do				A.H	1:35	A.H	7:30				1:35
7	1:35	7	7:30	do				A.H	11:00	A.H	7:30				11:00
Eid Holidays															
Sunday															
8	1:35	8	7:30	do				A.H	1:35	A.H	7:30				1:35
9	1:35	9	7:30	do				A.H	1:35	A.H	7:30				1:35
10	1:35	10	7:30	do				A.H	11:00	A.H	7:30				11:00

میزان	سابقہ	حال	میزان	سابقہ	حال	میزان	سابقہ	حال	میزان	سابقہ	حال
14	2	-	2	9	5	4	-	-	-	-	-

ATTESTED

2015

رجسٹر حاضری مدرسین

2015ء

بابت ماہ اکتوبر

فاضل بانو C.T	ایبٹینہ بیگم C.T	خریدگیانی Qari	اسلام آباد-20 Clerck
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روز	وقت	روز	وقت	روز	وقت	روز	وقت	روز	وقت	روز	وقت	روز	وقت
1	2:00	2	8:15	3	2:00	4	8:15	A.H	2:00	A.H	8:15	5	2:00
do				11:30	8:15	A.H	11:30	A.H	8:15	6	2:00	7	2:00
9	2:00	10	8:15	11	2:00	12	8:15	A.H	2:00	A.H	8:15	13	2:00
SUNDAY													
14	2:00	15	8:15	16	2:00	17	8:15	C	leave	18	2:00	19	2:00
20	2:00	21	8:15	22	2:00	23	8:15	A.H	2:00	A.H	8:15	24	2:00
25	2:00	26	8:15	27	2:00	28	8:15	A.H	2:00	A.H	8:15	29	2:00
30	2:00	31	8:15	1	2:00	2	8:15	A.H	2:00	A.H	8:15	3	2:00
4	2:00	5	8:15	6	2:00	7	8:15	A.H	2:00	A.H	8:15	8	2:00
9	2:00	10	8:15	11	2:00	12	8:15	A.H	2:00	A.H	8:15	13	2:00
14	2:00	15	8:15	16	2:00	17	8:15	A.H	2:00	A.H	8:15	18	2:00
19	2:00	20	8:15	21	2:00	22	8:15	A.H	2:00	A.H	8:15	23	2:00
24	2:00	25	8:15	26	2:00	27	8:15	A.H	2:00	A.H	8:15	28	2:00
29	2:00	30	8:15	31	2:00	1	8:15	A.H	2:00	A.H	8:15	2	2:00
3	2:00	4	8:15	5	2:00	6	8:15	A.H	2:00	A.H	8:15	7	2:00
8	2:00	9	8:15	10	2:00	11	8:15	A.H	2:00	A.H	8:15	12	2:00
13	2:00	14	8:15	15	2:00	16	8:15	A.H	2:00	A.H	8:15	17	2:00
18	2:00	19	8:15	20	2:00	21	8:15	A.H	2:00	A.H	8:15	22	2:00
23	2:00	24	8:15	25	2:00	26	8:15	A.H	2:00	A.H	8:15	27	2:00
28	2:00	29	8:15	30	2:00	31	8:15	A.H	2:00	A.H	8:15	1	2:00
2	2:00	3	8:15	4	2:00	5	8:15	A.H	2:00	A.H	8:15	6	2:00
7	2:00	8	8:15	9	2:00	10	8:15	A.H	2:00	A.H	8:15	11	2:00
12	2:00	13	8:15	14	2:00	15	8:15	A.H	2:00	A.H	8:15	16	2:00
17	2:00	18	8:15	19	2:00	20	8:15	A.H	2:00	A.H	8:15	21	2:00
22	2:00	23	8:15	24	2:00	25	8:15	A.H	2:00	A.H	8:15	26	2:00
27	2:00	28	8:15	29	2:00	30	8:15	A.H	2:00	A.H	8:15	31	2:00
SUNDAY													
1	2:00	2	8:15	3	2:00	4	8:15	A.H	2:00	A.H	8:15	5	2:00

with Quake

میزان	سابقہ	حال	میزان	سابقہ	حال	میزان	سابقہ	حال	میزان	سابقہ	حال
2	10	9	1	4	0	4	2	0	2	0	2

ATTESTED

BETTER COPY OF PAGE NO. ~~23~~ (30)

OFFICE OF THE DISTRICT OFFICER (FEMALE) DISTRICT DIR UPPER

OFFICE ORDER:

Reginald

The Services of the following teachers are not more retired to this Department so the contract is hereby withdraw/cancelled due to long absence from their duties with immediate in interest of public service.

01. Khadija Qari, Govt: Girls High School Barawal Bandi.
02. Shabnam, DM, Govt: Girls Middle School Trapatar.

DISTRICT EDUCATION OFFICER
(FEMALE DISTRICT DIR UPPER)

Endst: No. 1533-36/ENTS/Apointment/(Female) Dated Dir Upper the 01/12/2015

Copy forwarded to all concerned.

ATTESTED

[Signature]

ATTESTED

[Signature]

G-30 (30) (30)

OFFICE OF THE DISTRICT EDUCATION OFFICER (FEMALE) DISTRICT DIR UPPER.

OFFICE ORDER

The Services of the following teachers are not more required to this Department, so contract is hereby withdrawn/cancelled due to long absence from their duties with immediate interest of public service.

- 01 Khadija Qari, Govt. Girls High School Barawal Bandi.
- 02 Shabnam, DM, Govt. Girls Middle School Trapatar.

DISTRICT EDUCATION OFFICER
(FEMALE) DISTRICT DIR UPPER.

Order No. 1533-36 J.F.N.T.S./Accountant (Female) Dated Dir Upper the: 01/12/2015

Copy forwarded to

- 01 District Accounts Officer Dir Upper
- 02 Head Mistresses GGHS Barawal Bandi/GGMS Trapatar.
- 03 Mistresses concerned.
- 04 Accountant (Female) Middle Schools local office.

DISTRICT EDUCATION OFFICER
(FEMALE) DISTRICT DIR UPPER.

ATTESTED

ATTESTED

بہتر جذبہ ڈائریکٹر ایگزیکیوٹو ایڈمنسٹریشن ایجوکیشن ضلع خٹونخواہ

31-4

محمد اسحاق

(31)

ضلع عالی
سورہ زارا میں کہ فوڈم بکوار قائم 30 اپریل 2014 کو NTS
کے ذریعے فوڈم بکوار ہوئی۔ اور گورنمنٹ ٹریننگ ہاؤس سکول
سراجام کے رہی تھی۔ 10/19/2014 فوڈم کو ڈسٹرکٹ ایجوکیشن
(زبانہ) ڈیپارٹمنٹ نے فراہم کرنے کے احکامات صادر فرمائے گورنمنٹ ٹریننگ ہاؤس سکول
سراجام میں فراہم کرے گا۔ جہاں پر فوڈم نے ایذا کا جرح اور جرح جمع کر کے ڈیوٹی
شروع کی۔

فوڈم سکول بیا میں ایجوکیشن ڈیپارٹمنٹ کے سرانجام دہ رہی تھی۔ کہ ڈسٹرکٹ ایجوکیشن
آفیسر (زبانہ) ڈیپارٹمنٹ فوڈم کے سرورس بکوار 11/12/2015 بخیرگی
ڈیپارٹمنٹ فوڈم کے۔ جگہ فوڈم نے اشتہار ایڈوارٹس کے ساتھ ایجوکیشن ڈیپارٹمنٹ کے۔

گذاشتہ ہے کہ فوڈم کو واپس سرورس بکوار کے احکامات
صادر فرمائے گورنمنٹ کے۔

27/11/2016

محمد اسحاق

ATTESTED

[Signature]

فوڈم بکوار، 12-12-13
گورنمنٹ ہاؤس سکول، سراجام
ڈیپارٹمنٹ

ATTESTED

[Signature]

ATTESTED

[Signature]

OFFICE OF THE

DISTRICT EDUCATION OFFICER

(FEMALE) DISTRICT DIR UPPER

No.255/ Dated: 11/02/2016

To,

The Director,

Elementary & Secondary Education,

Khyber Pakhtunkhwa, Peshawar.

Subject: DETAILED REPORT/COMMENTS IN RESPECT OF JHUDIJA BIBI EX-QARIA

GGHSS BARAWAL BANDI DIR (UPPER)

Memo:

Reference your remarks on the body of application of Mst: Khudija Bibi Ex-Qaria GGHSS Barawal Bandi Dir Upper on 03/02/2016 on the subject cited above.

Para wise comments/detailed report of the case is as under:-

1- Correct that the appellant was performed her duty as Qaria at Govt: Girls Higher Secondary School Barawal Bandi Dir Upper.

2- That she was facilities from GGHSS Barawal Bandi (Initial School) to GHS Sharningal by the Ex-DEO(F) Ageela Naz vide this Office No: 2938-41 Dated 10/09/2014 (as annexure B) As she belong to the same village and the Qaria post which seems that Ex-DEO(F) facilitated only the teacher not the students as the Qaria post was already occupied by another teacher.

3- That mst Ageela Naz Ex DEO(F) called back all those teachers appointed through NTS/Detailled to other schools directed them (including the appellant) to join their original schools/posts vide this office Endst No: 721-26-26 Dated 01.04/2015 but she did not join her duty in the school as (Annexure-C).

4- That letter was addressed to the applicant vide this office No.996-99 dated 7/11/2015 directed her to resume her duty in original school otherwise disciplinary action will be initiated against her but she did not join her duty in original school.

ATTESTED

ATTESTED

- 5- That another letter was issued vide this office 1074-77 dated 10/11/2015 addressed to all heads of institutions with the directions that all kinds of detainment/adjustment of NTS appointees has been cancelled and concerned teachers are directed to report into their original posts/schools hut she failed to do so.
- 6- The District Monitoring Officer constantly shown her as absent in each visits to the school it is worth mentioning to say that she was founds absent in the month of December 10.12.2015.

Inspite of repeated directions the applicant failed to join her original school/station, thus her contract was withdrawn on the basis of long absence from her original school vide this office No.17-20 dated 01/12/2015.

After cancellation of her contact submission of arrival report/joining of duties in such belated stage is under question. Further the Head Mistress contacted through official cell that the undersigned refrain the Head Mistress to not allow her for duty as she has been terminated, but she recorded signatures by force and such action on the part of appellatant is under question.

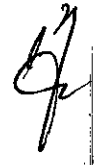
Being next appellatant authority the detailed reports/comments is hereby submitted to your good self for further necessary action please.

DISTRICT EDUCATION OFFICER
FEMALE DISTRICT DIR UPPER

ATTESTED



ATTESTED



OFFICE OF THE
 DISTRICT EDUCATION OFFICER
 (FEMALE) DISTRICT DIR UPPER,
 No. 255 / Dated: 11/09/2015

The Director,
 Elementary & Secondary Education,
 Khyber Pakhtunkhwa Peshawar

Subject: - BARAWAL BANDI DIR (UPPER)
DETAILED REPORT/COMMENTS IN RESPECT OF KHUDDIA BIBI EX-OARIA GHSS

Memo: Reference your remarks on the body of application of Mst. Khudja Bibi Ex-Oaria GHSS Barawal Bandi Dir Upper on 03/02/2016 on the subject cited above. (Annexure: A)

1- Para wise comments/detailed report of the case is as under:
 Correct that the appellant was performed her duty as Central Govt. Girls Higher Secondary School Barawal Bandi Dir Upper.

2- That she was facilitated from GHSS Barawal Bandi (initial school) to GHSS Shariqal by the Ex-DEO(F) Ageela Naz vide this Office No: 2938-41 Dated: 10/09/2014 (as annexure B). As she belong to the same village and the Qaria post which seems that Ex-DEO(F) facilitated only, the teacher not the students as the Qaria post was already occupied by another teacher (Annexure: B).

3- That Mst Ageela Naz Ex DEO(F) called back all those teachers appointed through NTS/Detailed to other schools directed them (including the appellant) to join their original schools/posts vide this office Endst No: 721-26 Dated: 01/04/2015 but she did not join her duty in the school as (annexure: C).

3- That a letter was addressed to the applicant vide this office No: 996-99 Dated: 7/11/2015 directed her to resume her duty in original school otherwise disciplinary action will be initiated against her but she did not join her duty in original school. (Annexure: D)

4- That another letter was issued vide this office No 1074-77 Dated: 10/11/2015, addressed to all Heads of Institutions with the directions that all kinds of detainment/adjustment of NTS appointees has been cancelled and concerned teachers are directed to report into their original posts/schools, but she failed to do so. (as annexure: E)

5- The District Monitoring Officer constantly shown her as absent in each visit to the school. It is worth mentioning to say that she was founds absent in the month of December 10/12/2015 (monitoring reports are attached as annexure: F)

In spite of repeated directions the applicant failed to join her original school/station, thus her contract was withdrawn on the basis of long absence from her original school vide this office No 17-20 Dated: 01/12/2015. (as annexure-G).

After cancellation of her contact submission of arrival report/joining of duties in such belated stage is under question. Further the Head Mistress contacted through official Cell that the undersigned refrain the Head Mistress to not allow her for duty as she has been terminated, but she recorded signatures by force and such action on the part of appellant is under question.

Being next appellant authority the detailed reports/comments is hereby submitted to your good self for further necessary action please.

ATTESTED
 DISTRICT EDUCATION OFFICER
 (FEMALE) DISTRICT DIR UPPER

(Handwritten signatures and dates)
 11/09/15

I - 32

Copy to the:

(60)
J-33

DIRECTORATE OF ELEMENTARY & SECONDART EDUCATION
KHYBER PAKHTUNKHWA, PESHAWAR

OFFICE ORDER.

1. WHEREAS, Mst. Khadeja Bibi was appointed as Qaria (B-12) on adhoc basis at GGHS Barawal Dir Upper (School Biased).
2. WHEREAS, Mst. Khadeja Bibi Ex-Qaria GGHS Barawal Dir Upper were found absent from her original place of posting.
3. WHEREAS, District Education Officer (Female) Dir Upper with drawn/cancelled the appointment order of Mst. Khadeja Bibi Ex-Qaria GGHS Barawal Dir Upper,
4. WHEREAS, Mst. Khadeja Bibi Ex-Qaria GGHS Barawal Dir Upper, lodged an appeal before the appellate authority vide dated 03-02-2016
5. WHEREAS, the appellate authority has sent the appeal to DEO (F) concerned for detail report vide dated 27-1-2016 & 03-02-2016.
6. WHEREAS, the DEO (F) concerned has submitted detail report vide No.255 dated 11-2-2016.
7. AND WHEREAS the competent authority examine the report of the District Education Officer (F) Dir Upper and other available documents on record
8. AND WHEREAS the competent authority has also inquire the case through Mst. Naghmana Sardar District Education Officer (F) Swabi vide this office No.4345-47 dated 22-03-2016.
9. AND WHEREAS the inquiry officer has submitted the inquiry report vide No.1648 dated 19-04-2016. During the course of enquiry it was revealed that the appeal was found baseless and recommended that the appeal should be filed.
10. NOW THEREFORE, the appellate authority has rejected the appeal of Mst. Khadeja Bibi Ex-Qaria GGHS Barawal Dir Upper.
11. Therefore the withdrawal/cancellation order of the appointment issue vide No.1533-36 dated 1-12-2015 by DEO(F) Dir Upper is stand.

Director
Elementary & Secondary
Education Khyber Pakhtunkhwa

Endst: No. 1891-94 /F.No.28/(Female)/Appeal Dir Dated Peshawar the 21/7 2016

Copy forwarded for information to the:-

1. District Education Officer (Female) Dir Upper
2. District Account Officer Dir Upper
3. Sub Divisional Education Officer (Female) concerned.
4. Teachers concerned.
5. PA to Director Elementary & Secondary Education Khyber Pakhtunkhwa.
6. M/File.

ATTESTED

Deputy Director (Female)
Elementary & Secondary Education
Khyber Pakhtunkhwa,
17/7/16

K - 34

~~34~~

~~34~~

BEFORE THE PESHAWAR HIGH COURT BENCH DAR-UL-QAZA
SWAT AT MINGORA

WRIT PETITION NO. 518 /2016

Mst: Khadija Bibi, Qaria (BPS-12),
GGHSS Barawal, District Dir Upper **PETITIONER**



VERSUS

- 1- The Government of Khyber Pakhtunkhwa through Secretary (E&SE) Department, Khyber Pakhtunkhwa, Peshawar.
- 2- The Director (E&SE) Department, Khyber Pakhtunkhwa, Peshawar.
- 3- The District Education Officer (F), District Dir Upper.
- 4- The District Accounts Officer, District Dir Upper.

.....**RESPONDENTS**

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

R/SHEWETH:
ON FACTS:

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

- 1- That petitioner was appointed as Qaria (BPS-12) in the respondent Department on adhoc/school based basis on the proper recommendation of Departmental Selection Committee vide Notification dated 30.4.2014. That in response the petitioner submitted her medical certificate along with charge report and started performing her duty quite efficiently and up to the entire satisfaction of her superiors. Copies of the Notification, medical certificate, charge report and service book are attached as annexure **A, B, C & D.**
- 2- That during the course of service the respondent No.3 issued the order dated 10.9.2014 whereby the petitioner was transferred from GGHSS Barawal to GGHS Sheringal. That petitioner in response to the said order dated 10.9.2014 submitted her arrival report and started her duty at the concerned station quite efficiently and up to the entire satisfaction of her superiors. Copies of the order and attendance register are attached as annexure..... **E and F.**

06 AUG 2016

ATTESTED

PESHAWAR HIGH COURT, MINGORA BENCH/
DAR UL QAZA, SWAT

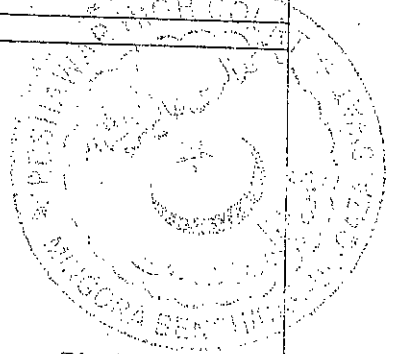
35

FORM OF ORDER SHEET

Court of
Case No. of

~~35~~

Serial No. of order or proceeding	Date of Order or Proceedings	Order or other Proceedings with Signature of Judge or Magistrate and that of parties or counsel where necessary.
1	10.04.2017	<p data-bbox="446 630 760 693"><u>WP No.518-M/2016.</u></p> <p data-bbox="446 718 995 781">Present: Nemo for the petitioner.</p> <p data-bbox="807 819 980 856">*****</p> <p data-bbox="446 894 1324 1121"><u>IKRAMULLAH KHAN, J.-</u> Petitioner has filed instant Constitutional petition for issuance of an appropriate writ with the following prayer:-</p> <p data-bbox="713 1159 1254 1562">“On acceptance of this writ petition the impugned order dated 1.12.2015 and 21.7.2016 may be declared as illegal, unconstitutional and ineffective upon the rights of the petitioner. That the respondents may further please directed to re-instate the petitioner with all back benefits.</p> <p data-bbox="431 1625 1317 2205">2. Despite personal service of petitioner, nobody turned up to pursue the case on her behalf. However, it appears from the contents of writ petition that petitioner was appointed as Qaria on the recommendation of Departmental Selection Committee vide Notification dated 30.4.2014. On 10.9.2014 petitioner was transferred from GGSS Barawal to GGHS Sheringal and accordingly, she</p>



ATTESTED

[Signature]

[Faint text]

36

assumed the charge of her new assignment. During course of performing duty as Qaria at GGHS Sheringal, respondent No.3 issued an office order dated 1.12.2015, whereby, the appointment of petitioner was withdrawn / cancelled on the ground of long absence from the duty with immediate effect. Feeling aggrieved from the same, petitioner filed a departmental appeal, which was also rejected by the Appellate Authority on 21.7.2016. Hence, petitioner has filed instant writ petitioner.

3. The departmental appeal of the petitioner has already been rejected by the Appellate Authority vide impugned order dated 21.7.2016, which is a final order against which writ petition is not maintainable. However, the proper remedy available to the petitioner is to approach the Service Tribunal for redressal of her aforesaid grievances.

4. In these circumstances, instant petition is not maintainable, hence, dismissed in limine. However, petition would be at liberty to approach the proper forum, if so advised.

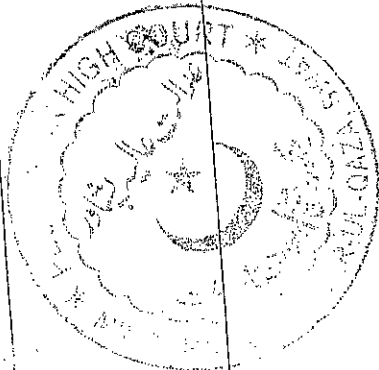
Sd. Ikramullah Khan

Sd. Abdur Shakoor J

JU

Announced.
Dated: 10.04.2017

S.No. 2735
 Name of Applicant M. Jalal
 Date of Presentation of Applicant 28-4-17
 Date of Completion of Copies 28-4-17
 No of Copies 031
 Origin Fee
 Fee Charged 06
 Date of Delivery of Copies 28-4-17
 11/4



Certified to be true copy

EXAMINER

Peshawar High Court, Mingora/Dera Ismail Khan
 Authenticated Under Article 177 of the Constitution of Pakistan

ATTESTED

**BEFORE THE PESHAWAR HIGH COURT MINGORA BENCH/
DAR-UL-QAZA, SWAT**

REVIEW PETITION NO. 12

IN WRIT PETITION NO. 518-M/2016

Mst. KHADIJA BIBI, QARIA (BPS-12),
GGHSS Barawal, District Dir Upper.



PETITIONER

VERSUS

- 1- The Government of Khyber Pakhtunkhwa through Secretary (E&SE) Department, Khyber Pakhtunkhwa, Peshawar.
- 2- The Director (E&SE) Department, Khyber Pakhtunkhwa, Peshawar.
- 3- The District Education Officer (F), District Dir Upper.
- 4- The District Accounts Officer, District Dir Upper

RESPONDENTS

**REVIEW PETITION AGAINST THE JUDGMENT
DATED 10-04-2017**

R.SHEWETH:

Petitioner respectfully submitted as under:

- 1- That, the applicant/petitioner has filed writ petition No. 518-M/2016 in this august Court by challenging the withdrawal of her appointment issued vide order dated 01-12-2015. Copies of Memo of Writ Petition along with record is attached as **Annexure A.**
- 2- That the said writ petition was fixed on 10-04-2017 before the Honorable Bench comprising of Honorable Judges Mr. Justice Ikram Ullah Khan and Mr. Justice Abdul Shakoor.
- 3- That the said writ petition was dismissed by the Honorable bench vide Judgment dated 10-04-2017 on the issue that the petitioner is civil servant and the matter of the petitioner is fall within the terms and conditions of civil servant for which the proper forum is Service Tribunal and not this august Court. That unfortunately on the said date neither the Counsel for petitioner was present before this august Court nor petitioner. Copy of Judgment/order dated 10-04-2017 is attached as **Annexure B.**

ATTESTED

FILED TODAY

08 MAY 2017

Additional Registrar

1

PESHAWAR HIGH COURT, MINGORA BENCH (DAR-UL-QAZA),
SWAT.

FORM "A"

FORM OF ORDER SHEET.

38

Serial No of order or proceeding	Date of Order or Proceeding	Order or other proceedings with Signature of judge or Magistrate and that of parties or counsel where necessary
1	2	3
	03.04.2018	<p><u>Rev Pett No. 12-M/2017 in W.P No. 518/2016</u></p> <p><u>Present:-</u> Mr. Noor Muhammad Khattak Advocate for the petitioner.</p> <p style="text-align: center;">*****</p> <p><u>MUHAMMAD NASIR MAHFOOZ, J:-</u> Through this review petition the petitioner has sought indulgence of this court in an order passed on 10.04.2017, in <u>W.P No. 518-M/2016</u>, vide which the same was dismissed in limine being not maintainable.</p> <p>2. Brief facts of the case are that the petitioner had filed a writ petition No. 518-M/2016 in this court by challenging the withdrawal of her appointment issued vide order dated 01.12.2015, which was dismissed being not maintainable vide judgment and order dated 10.04.2017, hence this petition.</p> <p>3. Valuable arguments of learned counsel for the petitioner heard and record is gone through.</p> <p>4. Perusal of record reveals that the impugned order has been passed on 10.04.2017, whereas the application for attested copies was submitted on 28.04.2017 and on the same day, the attested copies were obtained but the instant review petition has been filed on</p>



[Handwritten signature]



08.05.2017, after period of about 28 whereas the limitation for filing of review petition as provided by Article 162 of Limitation Act, is 20 days. Furthermore, there is no application for condonation of delay in filing this review petition, therefore, the detail merits of the case could not be discussed.

4. Besides above legal aspects of the case, the petitioner in this review petition wanted to re-open the case which had already been decided. Furthermore, the learned counsel for the petitioner failed to point out any floating error worth consideration for review and the instant petition is also barred by time.

In view of above as no case is made out, hence the instant review petition is dismissed with no order as to costs.

Announced:
03.04.2018

[Signature]
JUDGE

S No. 4
Name of Applicant. MIN ZAMAN
Date of Presentation of Application. 26.4.18
Date of Completion of Copies. -
No of Copies. 3 P
Urgent Fee.
Fee Charged. 6/-
Date of Delivery of Copies. 26.4.18

[Signature]
JUDGE

Certified to be true copy

[Signature]
EXAMINER

(Sanullah) *D-8*

Hon'ble Mr. Justice Muhammad Ghazanfar Khan
Hon'ble Mr. Justice Muhammad Nasir Mahboob

Peshawar High Court, Mingora Bench, Dar-ul-Qaza
Authorized Under Article 17 of the Constitution of Pakistan 1973

514

26/4/18

VAKALATNAMA

IN THE COURT OF KPK Service Tribunal Peshawar

OF 2018

Khadija Bibi

(APPELLANT)
(PLAINTIFF)
(PETITIONER)

VERSUS

Education Deptt.

(RESPONDENT)
(DEFENDANT)

I/We Khadija Bibi

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

Dated. ___/___/2018

Muhammad Zub
Azub.
06/12/2022.

[Signature]

CLIENT

[Signature]

**ACCEPTED
KAMRAN KHAN**

[Signature]

**SHAHZULLAH YOUSAFZAI
ADVOCATES**

OFFICE:

Room No.1, Upper Floor,
Islamia Club Building, Khyber Bazar,
Peshawar City.

Phone: 091-2211391

Mobile No.0345-9090737, 03339-9313113

4

BEFORE THE KHYBER PAKHTUNKHWA SERVICE TRIBUNAL PESHAWAR

SERVICE APPEAL NO-----620/2018

Mst. Khudija Bibi BPS-12 Government Girls High School Barawal

..... Appellant.

Versus.

- 1 The Govt. of Khyber Pakhtunkhwa through Secretary E&SE: KP Peshawar .
- 2 The Director Elementary & Secondary Education Khyber Pakhtunkhwa Peshawar.
- 3 The District Education Officer Female Upper Dir.
- 4 The District Accounts Officer Upper Dir ----- Respondents

INDEX.

S#	DESCRIPTION OF DOCUMENTS	ANNEXTURE	PAGE
1	Pera Wise Comments		1-2
2	Cancellation order	A	3
3	Cancellation of Detailments	B	4
5	Order to resume duty	C	5
6	Inquiry Report	D	6
	Affidavit	--	7
	Authority	--	8


Deponent

BEFORE KHYBER PAKHTUNKHWA SERVICE TRIBUNAL PESHAWAR.

APPEAL NO.....620/2018.

Mst: Khadija Bibi, Qaria(BPS-12)
GGHS Barawal, District Dir Upper.....Appellant.

VERSUS

1. The Govt. of Khyber Pakhtunkhwa through Secretary (E&SE) Department Khyber Pakhtunhwa, Peshawar.
2. The Director (E&SE) Department Khyber Pakhtunkhwa Peshawar.
3. The District Education Officer (Female) Dir Upper.
4. The District Accounts Officer Distt. Dir Upper.....Repondents.

Joint Para wise comments on the behalf of respondant No.1 to 4.

RESPECTFULLY SHEWETH

PRELIMINARY OBJECTS.

- 1- The appellant has not come to the Tribunal with clean hands.
- 2- The appellant has no cause of action/locus standi.
- 3- That the appeal is not maintainable under the law and rules.
- 4- That the appeal is bad due to non joinder or misjoinder of necessary parties.
- 5- That the appeal is barred by time and liable to be dismissed.
- 6- That the Honourable Service Tribunal has no jurisdiction to adjudicate the matter as the appellant is ad hoc employee and not a civil servant.

OBJECTIONS ON FACTS.

- 1- Correct to the extent of appointment in GGHS Barawal on 30-04-2014 against the Qaria Post but the rest of the para is denied, as she was temporarily adjusted in GGHS Sharingal and her adjustment order was cancelled by DEO (F) Dir upper vide her office order No.721-26 dated 1-4-2015 but she did not resume her duty in her original duty station I,e GGHS Barawal. (copy of the cancellation order is attached as **annexure A**)
- 2- Incorrect as already stated in para 1 that her temporary adjustment order in GGHS Sharingal was cancelled by the DEO(F) Dir Upper on 1-4-2015. An other letter was issued to the Appellant along with other adhoc and school based appointees vide DEO female office order No.996-99 dated 7-11-2015(copy enclosed as **annexure B**) to resume duties in their original schools. Similarly a letter was issued to the principals/Head Mistresses of GGHSS/GGHS/GGMS to relieve the adhoc/NTS appointees and directed them to join duties in their original schools.(copy enclosed as **annxure C**) but the appelland failed to obey the orders.
- 3- Incorrect. The appllant was directed time and again to resume her duty at her original station GGHS Barawal but the appellant refused to obey the orders of the competent authority and remained absent from her original duty station.
- 4- Correct to the extent of submitting departmental appeal but the rest of the para is denied because the appeal was rejected in the light of record available in the office and having no weight.
- 5- This para pertains to the court record, hence no comments.
- 6- No comments; however the instant appeal is badly time barred.
- 7- No Comments.

OBJECTIONS ON GROUNDS.

- (A). Incorrect. The impugned order dated 1/12/2015 is according to law, facts, norms and natural justice and is laible to be maintained.
- (B). Incorrect. The appellant has been treated by the respondents in accordance with law and there is no violation of the constituion of the Islaimic Republic of Pakistan, 1973 but it was the appellant who behaved in unprofessional manners and violated the rules regulations and it comes under the ambit of misconduct.
- (C). Incorrect. As already mentioned in para No.1 and 2 above that the temporary adjustment order in GGHS Sharingal was cancelled by DEO (F) Dir but the appellant did not resume her duty in her original duty station while she delibrately refused to obey the orders of the competent authority.
- (D). Incorrect. The respondent department has acted in accordance with law, rules and policy.
- (E). Incorrect, the respondent department issued the impugned order according to rules and policy.
- (F). Incorrect. The inquiry was conducted by the department on 1-12-2015 and the inquiry officer submitted her findings against the appellant. (Copy of the inquiry report is **annexed as D**)
- (G). Incorrect. There was no discrimination in passing of the impugned order. All the absent adhoc school based teachers who were not joining their original duty stations were terminated and there is no blue eyed chap person in the department!
- (H). Incorrect. The respondent has acted in accordance with law and rules and there is no violation of principles
- (G). The respondents also seek permission to advance other grounds and proofs at the time of urguments.

PRAYER.

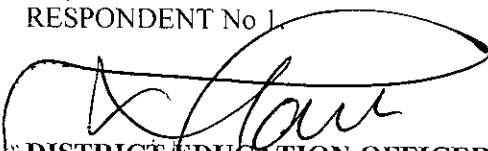
In the light of the above mentioned facts, it is most humbly prayed that the appeal of the appellant may kindly be dismissed with the cost please.



SECRETARY (E&SE),

Khyber Pakhtunkhwa Peshawar.
RESPONDENT No 1.


DIRECTOR (E&SE),

Khyber Pakhtunkhwa Peshawar.
RESPONDENT No 2.


DISTRICT EDUCATION OFFICER,
FEMALE DIR UPPER.
RESPONDENT No 3.


DISTRICT ACCOUNTS OFFICER,
DIR UPPER.
RESPONDENT No 4.



OFFICE OF THE DISTRICT EDUCATION OFFICER (FEMALE) DISTRICT DIR UPPER.

OFFICE ORDER.

All the transfers/adjustments of NTS ~~ISSUED~~ of various teachers (Female) District Dir Upper issued by the undersigned /this office is hereby cancelled with immediate effect. All the NTS teachers whos were transferred are directed to report their original stations and submit compliance report otherwise they will be considered as absent and they will be also held responsible for the consequences.

DISTRICT EDUCATION OFFICER,
(FEMALE) DISTRICT DIR UPPER.

Endst No 721-26 /F; Dated Dir Upper the:- 01/04 /2015.

Copy to:

- 01- Director EASE Khyber Pakhtunkhwa Peshawar.
- 02- District Accounts Officer Dir Upper.
- 03- SDEOs (Female) Dir/Wari for strict compliance.
- 04- All Head Mistresses/incharges GGSS/GGHS/GGMS Dir Upper for informa
- 05- Accountant local office.

DISTRICT EDUCATION OFFICER,
(FEMALE) DISTRICT DIR UPPER.

Accepted
K.
ADEO PED (F)
Distt; Dir Upper

02/03/15

①

page-4 (B)

OFFICE OF THE
DISTRICT EDUCATION OFFICER
(FEMALE) DISTRICT DIR UPPER.
No 996-99 Dated: 02/11/2015

To

- 1-Bakht Pari.SAT GGHS Sundal detailed to GGMS Daskore(B).
- 2-Khadija,Qari,GGHS Barawal Detailed to GGHS Sharingal.
- 3-Jurhat Bibi,DM,GGMS Duru,Detailed to GGMS Chapper.
- 4-Hajira Qari GGHS Goyal detailed to GGMS Duru.
- 5-Ghazala L/Assistant GGHS Dir detailed to GGMS Kakad.


Subject: - CANCELLATION OF DETAILEMENT.

Memo: - With reference to the subject cited above.

As all kinds of detailement have been cancelled, but you are still performing duty in other schools instead of your original schools which is against the office discipline and amounts to misconduct

mis conduct In view of the above you are hereby directed to resume your duties in your original school within three days positively, otherwise disciplinary proceedings will also be initiated against you under Khyber Pakhtunkhwa Efficiency & Discipline Rules 2011.

school under



DISTRICT EDUCATION OFFICER
(FEMALE) DISTRICT DIR UPPER.


Cc

Copy forwarded to the:

- 1- District Accounts Officer Dir Upper with the request to stop the pay of the teacher till further orders.
- 2- Head Mistress/DDO concerned to stop the pay of the above mentioned teacher till further order
- 3- Accountant Middle schools local office for similar action as above.
- 4- District Monitoring Officer Dir Upper for information and w/r his memo No:-Dir Upper/admin/150/2015 Dated:02/11/2015.

1-
on
2-
sub


DISTRICT EDUCATION OFFICER
(FEMALE) DISTRICT DIR UPPER.


ADEO P&D (F)
Distt; Dir Upper



Better copy of page No.

OFFICE OF THE
DISTRICT EDUCATION OFFICER
(FEMALE) DISTRICT DIR LOWER
NO.996-99 DATED 02/11/2015.

To

- 1- Bakht Pari. SAT GGHS Sundal detailed to GGMS Daskore(B)
- 2- Khadija, Qari, GHHS Barawal Detailed to GHHS Sharingal
- 3- Jurhat Bibi, DM, GGMS Duru, Detailed to GMMS Chapper.
- 4- Hajira Qari GGHS Gogyal detailed to GGMS Duru.
- 5- Ghazala L./Assistant GGHS Dir detailed to GMMS Kakad.

Subject: CANCELLATION OF DETAILEMENT.

Memo: with reference to the subject cited above.

As all kinds of detailement have been cancelled, but you are still performing duty in other schools instead of your original schools which is against the office discipline and amount to misconduct.

In view of the above you are hereby directed to resume your duties in your original school within three days positively, otherwise disciplinary proceedings will also be initiated against you under Khyber Pakhtunkhwa Efficiency & Discipline Rules 2011.

DISTRICT EDUCATION OFFICER
(FEMALE) DISTRICT DIR UPPER.

Cc

Copy forwarded to the:

- 1- District Accounts Officer Dir Upper with the request to stop the pay of the teacher till further orders.
- 2- Head Mistress/DDO concerned to stop the pay of the above mentioned teacher till further order.
- 3- Accountant Middle schools local office for similar action as above.
- 4- District Monitoring office Dir Upper for information and w/r his memo No:- Dir Upper/Admin/150/2015 Dated:02/11/2015.

Handwritten signature and initials

DISTRICT EDUCATION OFFICER
(FEMALE) DISTRICT DIR UPPER.

Inquiry Report Against Miss Khadija Qaria GGHS Barawal Bandi

In compliance with the DEO order No.1500-03 dated 24/11/2015. The undersigned along with ASDEO F Miss Bibi Aisha-conducted an inquiry against Miss Khadija Qaria GGHS Barawal Bandi on 01-12-15. She was informed previously about the inquiry.

Findings:

- Miss Khadija Qaria was directed to resume her duties at GGHS Shiringal on need base wide DEO order No.2938-41 dated 10/09/2014.
- From the date of taking over charge at GGHS Shiringal she was performing her duty regularly. The incharge /H mistress fully satisfied from her duty.
- Addressing all principals , Head Mistresses GGHS/GGHS and GGMS Dir Upper all detailments have been cancelled wide DEO order No. 721-26 dated 01/04/15. But some teachers including Miss Khadija Qaria GGHS Barawal Bandi did not resume their duties at their original stations.
- Once again they were directed to resume their duties at their original stations wide DEO order No. 1074-77 dated 10/11/15.
- The in charge H/Mistress GGHS Shiringal received her on 07/11/15 before the issuance of this order.
- She did not resume her duty at her original station i.e., GGHS Barawal Bandi and is thoroughly absent.
- Miss Khadija is a NTS appointee.

Recommendations:

The committee is of the opinion that:

Miss Khadija has performed her duty at GGHS Shiringal in compliance with DEO order No.2938-41 dated 10/09/15.

She did not comply DEO 2nd order wide 1074-77 dated 1-11-15 and is thoroughly absent since 7/11/15, So,

- Show cause may be served to her.
- Pay of the absent period may be deducted.
- All kinds of detailments may be avoided in future.

1. Hussan Ara
SDEO F Dir (U)
Chairerson

Hussan Ara

2. Bibi Aisha
ASDEO F Dir (U)

Bibi Aisha

BEFORE THE KHYBER PAKHTUNKHWA SERVICE TRIBUNAL PESHAWAR

SERVICE APPEAL NO-----620/2018

Mst. Khudija Bibi BPS-13 Government Girls High School Barawal


..... Appellant.

Versus.

- 1 The Govt. of Khyber Pakhtunkhwa through Secretary E&SE KP Peshawar .
- 2 The Director Elementary & Secondary Education Khyber Pakhtunkhwa Peshawar .
- 3 The District Education Officer Female Upper Dir.
- 4 The District Accounts Officer Upper Dir ----- Respondents

AFFIDAVIT

I Mr.Hazrat Wahab Assistant on the instruction of District Education (F) Dir Upper do here by solemnly affirm and declare on oath that the contents of the accompanying Pera Wise Comments submitted by respondent No 3 are through and correct to the best of my knowledge and belief and nothing has been concealed from this honorable Tribunal.


 DEPONENT
 CNIC No 1570112289299

BEFORE THE KHYBER PAKHTUNKHWA SERVICE TRIBUNAL PESHAWAR

SERVICE APPEAL NO-----620/2018

Mst. Khudija Bibi BPS-13 Government Girls High School Barawal

..... Appellant.

Versus.

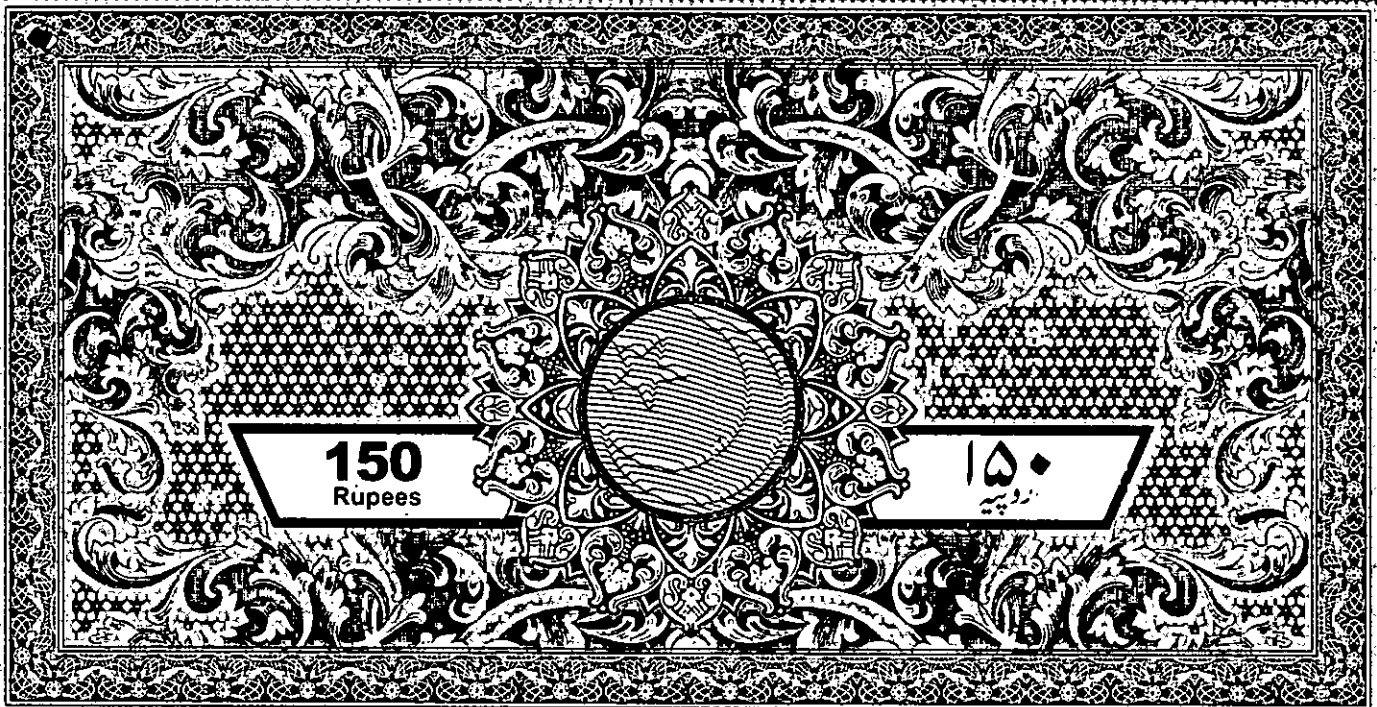
- 1 The Govt. of Khyber Pakhtunkhwa through Secretary E&SE KP Peshawar .
- 2 The Director Elementary & Secondary Education Khyber Pakhtunkhwa Peshawar.
- 3 The District Education Officer Female Upper Dir.
- 4 The District Accounts Officer Upper Dir ----- Respondents

AUTHORITY.

Mr.Hazrat Wahab Assistant office of the District Education Officer Female, Dir Upper is hereby authorised to submit joint para wise comments in Khyber Pakhtunkhwa Service Tribunal Peshawar in Service Appeal No.620/2018 of Mst Khadija Bibi Qaria BPS12 GGHSS Barawal Dir



**District Education Officer,
Female, Dir Upper.**



**BEFORE THE KHYBER PAKHTUNKHWA SERVICE TRIBUNAL
PESHAWAR**

Khadija Bibi v/s Education Deptt.

That vide order sheet dated 08-06-2021 and dated 16-09-2021 the appellant was directed to provide on affidavit to the extent of issue No. 4;

Issue No. 4. *Whether the educational testimonials of the appellant considered for the appointment are valid being genuinely procured?*

Statement of Appellant, namely, Khadija Bibi d/o Ghulam Sadiq, Ex-Qaria (BPS-12).

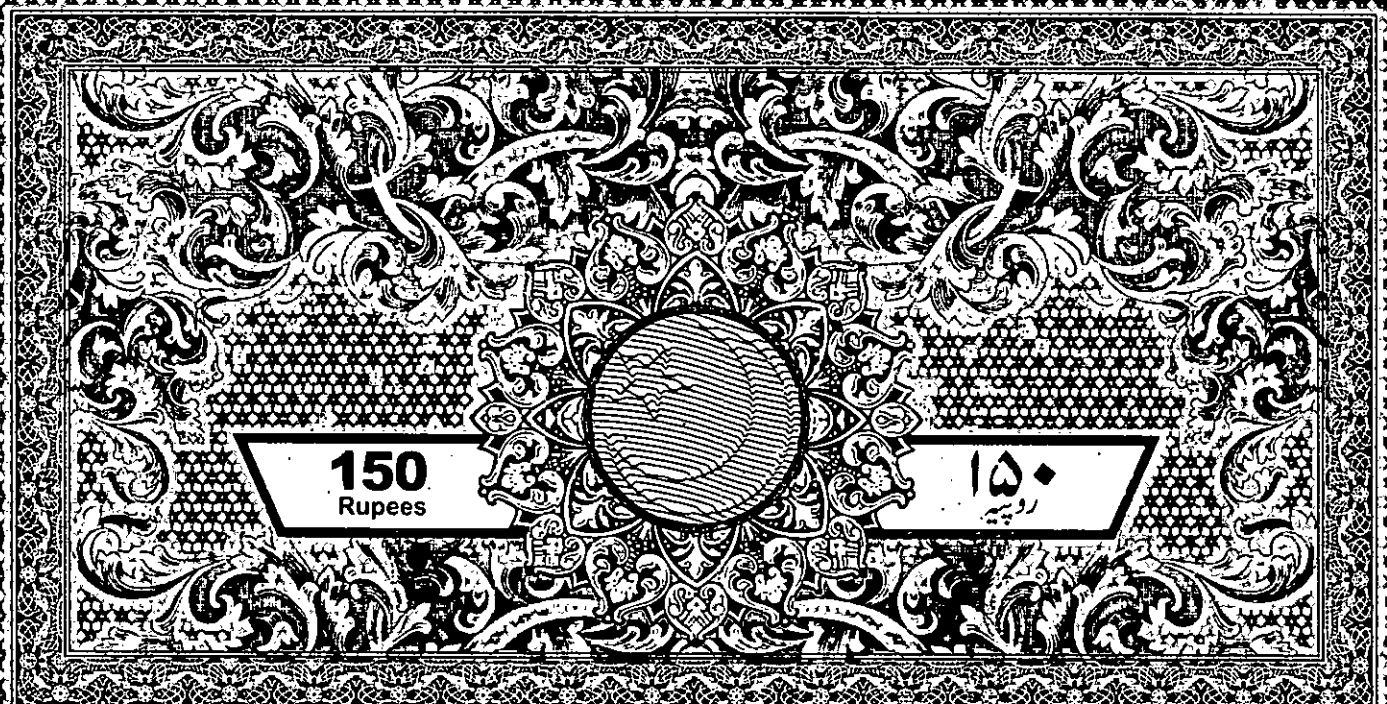
Stated on oath that all the educational testimonials mentioned below in this statement and exhibit with it are genuine as obtained after properly appearing in the examination for the mentioned certificate/ degrees from the recognized institutions/ Boards. That all my educational documents are true, correct and genuine, and there is no bogus document preferred through which the appellant has obtained his job/ appointment. All the testimonials of the appellant are exhibit:

- 1) SSC: Roll No: 50925. Total Marks:- 900/544
Board Intermediate Secondary Education, Malakand. (*EX-AW 1/1*)
- 2) Shahadatul Sania, Wal amma Al Arabia Islamia, Dir 2008 (*EX-AW 1/2*)
- 3) Shahada tul Tanfeez Ul Quran ul Kareem, 2008, Jankot (*EX-AW 1/3*)
- 4) Shahadatul Sania, Wal Aabia Al Islamia, Dir (F.A)2010 (*EX-AW 1/4*)
- 5) Shahadat Iqra Al Quran ul Kareem Waltajweed.2011 (*EX-AW 1/5*)
- 6) HSSC: Roll No: 50431. Total Marks: 1100/638
Board Intermediate Secondary Education, Malakand (*EX-AW 1/6*)
- 7) Shahadat ul Aalia Fil Uloom Al Arabia walislamia (B.A) 2012.
(*EX-AW 1/7*)

EX APW
Judicial Member
Semi Final
21/11/2022



25 APR 2022



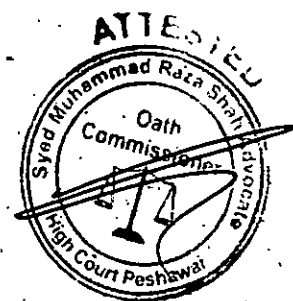
8) Shāhada tul Aalamia Wa Islamia (M.A) 2013 (**Ex-AW 1/8**)

9) B.A. Roll No: 07817 Total Marks: 550/385 Shaheed Benazir Bhutto University Sheringal 2016. (**Ex-AW 1/9**)

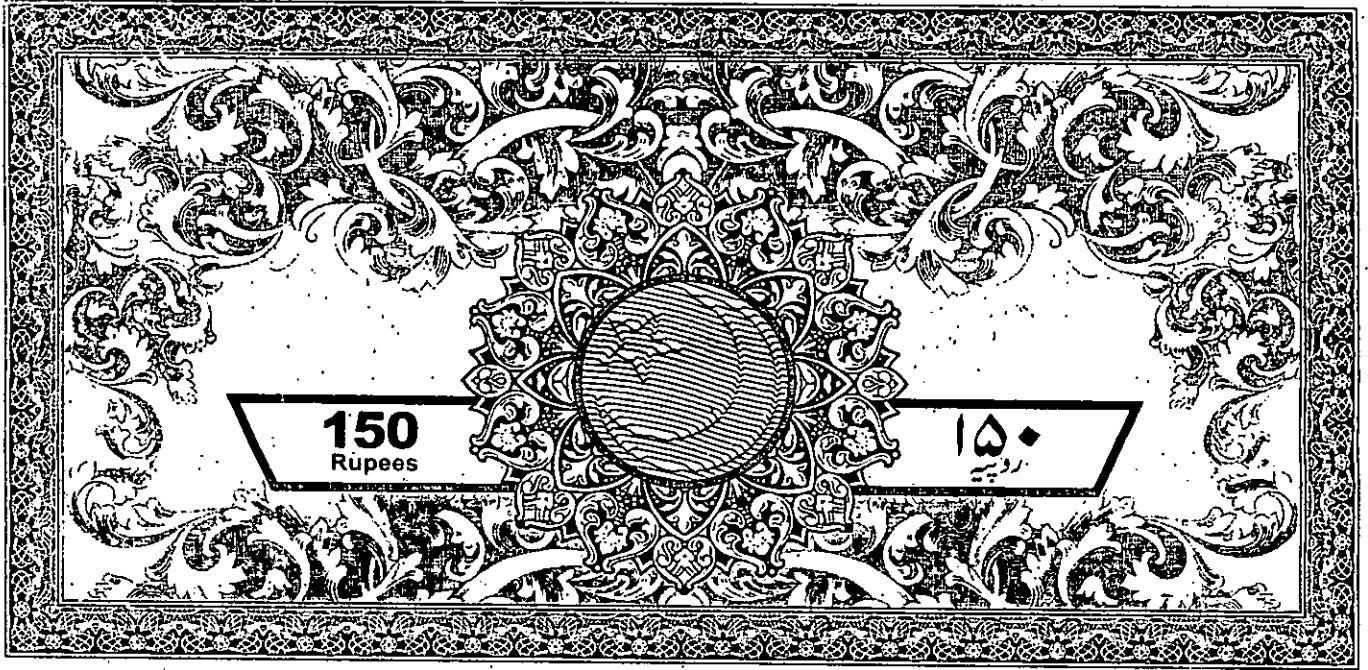
M.A: Roll No: 02853 Total Marks: 1100/770 Shaheed Benazir Bhutto University Sheringal 2018 (**Ex-AW 1/10**)

XX- Reserved: *Ka Ja*

R.O & AC



25 APR 2022



**BEFORE THE KHYBER PAKHTUNKHWA SERVICE TRIBUNAL
PESHAWAR**

Khadija Bibi v/ Education

That vide order sheet dated 08-06-2021 and dated 16-09-2021 the appellant was directed to provide on affidavit to the extent of issue No. 4;

Issue No. 4. *Whether the educational testimonials of the appellant considered for the appointment are valid being genuinely procured?*

Statement of Appellant, namely, Khadija Bibi d/o Ghulam Sadiq, Ex-Qaria (BPS-12).

Stated on oath that all the educational testimonials mentioned below in this statement and exhibit with it are genuine as obtained after properly appearing in the examination for the mentioned certificate/ degrees from the recognized institutions/ Boards. That all my educational documents are true, correct and genuine, and there is no bogus document preferred through which the appellant has obtained his job/ appointment. All the testimonials of the appellant are exhibit:

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- 4) Shahadatul Sania, Wal Aabia Al Islamia, Dir (F.A)2010 (*Ex-AW 1/4*)
- 5) Shahadat Iqra Al Quran ul Kareem. Waltajweed 2011 (*Ex-AW 1/5*)
- 6) HSSC: Roll No: 50431. Total Marks: 1100/638
Board Intermediate Secondary Education, Malakand (*Ex-AW 1/6*)
- 7) Shahadat ul Aalia Fil Uloom Al Arabia walislamia (B.A). 2012.
(*Ex-AW 1/7*)




25 APR 2022

Ex AW 1/1

00000

BOARD OF INTERMEDIATE & SECONDARY EDUCATION MALAKAND



SECONDARY SCHOOL CERTIFICATE EXAMINATION

Session 2008 (Annual) Roll No. 50925
 Group Humanities

 Daughter of Ghulam Sadiq

has secured the marks shown against each subject in the Secondary School Certificate Examination held in the month of April as Private candidate.

Subject Name	Marks		MARKS OBTAINED			
	TH / A	PR / B	Theory / Paper-A	Practical / Paper-B	Total	In Words
1. English	75	75	30	30	60	Sixty Only
2. Urdu	75	75	49	59	108	One Hundred Eight
3. Pakistan Studies	75		41		41	Forty-One
4. Islamic Education	75		31		31	Thirty-One
5. General Science	100		74		74	Seventy-Four
6. Islamic Studies	100		68		68	Sixty-Eight
7. Arabic	100		63		63	Sixty-Three
8. Mathematics	75	75	49	50	99	Ninety-Nine


Total = 900 Marks 544-B Five Hundred Forty-Four

Date of Birth (In Figures) 01 January, 1991 Remarks
 (In Words) First, January, One Thousand Nine Hundred Ninety-One

Checked By
 Corrected By

1. Errors/omissions excepted Any mistake in
 P.C.G. & Names etc must be intimated within
 30 days after receiving the above certificate
 Computer Cell BISE Malakand
 15/07/2008, 10:43 AM

Ex AW 1/1


 Controller of Examinations
 BISE Malakand

٢٠١٤٠٢
٢٠١٤٠٢
٢٠١٤٠٢



شهادة تحفيظ القرآن الكريم

المرتب: بنت غلام صادق

فوت شهد بان اذنت خديجة بي بي بنت غلام صادق
من سكان ويراالا باكستان من صيت مدرس صراط الجنة للبنات جكرت تاريخ التحاقها ١٤٢٧
قد حصلت على شهادة تحفيظ القرآن الكريم حيث انها اتمت ثمانى سنوات فى الدراسة وتمت حفظ القرآن الكريم بظهور
الغيب . وبعثت بتقدير ممتاز فى الاختبار المعقد بشرف الرضا مدرس لاسلام باكستان
فى رجب ١٤٢٩ الهجرى الموافق اگست ٢٠٠٨ الميلادى برقم التسجيل ٢٧/٣٦٩/٢٠٠٨ و برقم اجازة ٤٥٤ عدد
اذنتها ٨٠/١٠٠ ونحتما انسال الله عز وجل ان يسكب سبيلنا لعلنا نصالحين

Ex Am 1/3



تاريخ اصدار الشهادة: ١٩/٩/٢٠٠٨
رقم التسجيل: ٢٧/٣٦٩/٢٠٠٨
رقم الاجازة: ٤٥٤
مدرسة: المنصورة لاهور



شهادة إتمام الدراسة المتوسطة

يعني

أنا، مدير التعليم في ولاية الكويت، إذني بذلك

فإننا نشهد بأن الاخ / الافت خديجه بي بي بنت غلام صادق نونود
من سكان دير بالا، باكستان من طلبة جامعات تعليم القرآن الكريم في
قد حصل على شهادة قراءة القرآن الكريم والشجوية على رتبة الامام مخصص عن الامام عصم الكوفي حيث انه
كل ربع سنوات في الدراسة بعد المتوسطة ونجح بتقدير ممتاز في الاختبار المنعقد بشرف
بطلة تدرس لاسلامية بباكستان في رجب ١٤٣٢ هجري الموافق ٢٠١١ ميلادي برتبة شجيرة
وبرتبة تجنوس ٥٠٣٤ عند درجاته ٩٠٪
وختاماً نسال الله عز وجل ان يسلكه سبيل من يرضى

EX A2/5

توقيع مدير التعليم

توقيع مدير التعليم

توقيع مدير التعليم

توقيع مدير التعليم

توقيع مدير التعليم

٥١٤٣٢/٩/٢٠
٢٣/١١/٨/٢١
٥١٤٣٢/٩/٢٣
٢٣/١١/٨/٢٤

توقيع مدير التعليم

مدير التعليم المنصور

EX AW / 6

**BOARD OF INTERMEDIATE AND SECONDARY EDUCATION
MALAKAND (CHARDARA) KHYBER PAKHTUNKHWA PAKISTAN**



DETAILED MARKS & PROVISIONAL CERTIFICATE

S.No.MB _____

INTERMEDIATE (PART-II ANNUAL) EXAMINATION 2011

Roll No. 50431
Group Humanities

Name A. B. B. Designation of Ghulam Saliq


appeared as Private Candidate of District Dir (Upper)

has secured the marks shown against each subject in the Higher Secondary School Certificate

Examination held in the month of April May The Examination was taken in parts.

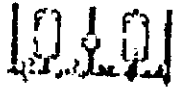
Subject	Marks	Marks Obtained				Total	Marks in Words
		Part-I		Part-II			
		Theory	Pract	Theory	Pract		
English	200	38	--	42	--	80	Eighty Only
Urdu	200	56	--	67	--	123	One Hundred Twenty-Three
Islamic Education	50	32	--	--	--	32	Thirty-Two
Pakistan Studies	50	--	--	24	--	24	Twenty-Four
Islamic History	200	54	--	36	--	90	Ninety Only
Islamic Studies	200	60	--	68	--	128	One Hundred Twenty-Eight
Arabic	200	84	--	77	--	161	One Hundred Sixty-One
Total		1100		Marks :		638-C	Six Hundred Thirty-Eight Only
				Remarks :			

Note: This certificate is valid for 10 days after the date of issue. Any mistake in the marks shown here will be corrected within 10 days after the date of issue.


Controller of Examinations
B I S.E., Malakand

ش.م ۰۰۲۷۶۱

الرقم التعاقب



۰۰۰۷۶۱



شهادة العالمية في اللغة العربية والاسلام

الرقم ١٠٠٠

المرکز العام للدراسات والبحوث الإسلامية والاسلامية في باكستان

باسم الله تعالى
 فإنا نشهد بان **خديجة بي بي** بنت **غلام صادق** المولودة ۱/۱/۱۹۹۱
 من سكان **ديرا بھر - پاکستان** من تدرست مدرسة **صراط الحق** للغات بکوشه در تاريخ ۱۴۳۳ هـ
 فحصلت على شهادة العالمية في العلوم العربية والاسلامية حيث انها اكدت شمال سنوات في الدراسة بعد
 المتوسطة ونجحت بتقدير ممتاز في الاختبار المنعقد باشراف اللجنة لدراس الاسلاميه بباكستان
 في رجب ۱۴۳۵ الهجرى الموافق مايو ۲۰۱۴ الميلادي برقم التسجيل ۲۶۴-۱۴۳۳۰ وبقول الجلوس ۱۱۱ - عدد
 درجاته ۴۹۵/۶ ونحتما انشأ الله عز وجل ان يسكنها سبيل العلم الصالحين .

تاريخ إعلان النتيجة ۱۴۳۵/۹/۷
 توقيع رئيس اللجنة ۲۲/۱۴/۷/۶
 تاريخ هذه الشهادة ۱۴۳۵/۹/۱۰
 ۲۲-۱۴/۷/۹
 مدير المعهد المنصور لاهور
 توقيع مدير الامتحان
 توقيع مدير رئيس لبحر معتمد
 توقيع نائب الرئيس من رابط
 ختم اللجنة

8 / 1 / 2014

Serial No 90945



Shaheed Benazir Bhutto University, Sheringal

Dir Upper, Khyber Pakhtunkhwa, Pakistan

Detailed Marks Certificate

Name : Khadeja Bibi

Father's Name : Ghulam Sadiq

Class : BA Part-II Examination : Annual, 2016

Roll No : 07817 Registration No : 2014-028941

Status : Private Candidate

From : District Dir Upper

S U B J E C T S	TOTAL MARKS	OBTAINED MARKS	
		In figures	In words
Part-I Marks	285	199	ONE HUNDRED NINETY-NINE
ENGLISH (C)	75	34	THIRTY-FOUR
PAKISTAN STUDIES	40	32	THIRTY-TWO
ISLAMIC STUDIES	75	62	SIXTY-TWO
ARABIC	75	58	FIFTY-EIGHT
TOTAL	550	385	THREE HUNDRED EIGHTY-FIVE

Percentage : 70.00
 Division : FIRST

Examination conducted : May 17 to June 20, 2016
 Result Declared : September 02, 2016
 DMC issued : 02-02-2017
 Prepared by : NASIR

CONTROLLER OF EXAMINATIONS
 SBBU, SHERINGAL

Errors and omissions are subject to subsequent rectification.

EX AW / 9

06th Dec, 2022

JOINT STATEMENTS OF APPELLANT KHADIJA BIBI
AND MR. NASEER-UD-DIN SHAH, ASSISTANT ADVOCATE
GENERAL SERVICE TRIBUNAL PESHAWAR IN SERVICE
APPEAL NO. 620/2018.

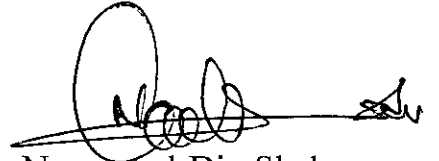
Stated that the abovementioned service appeal was fixed for arguments before this Tribunal but the same was fixed for evidence. As there is no need of any evidence in the instant case for the reason that all the necessary documents has already been provided by the parties, therefore, it is very humbly requested that the case may kindly be fixed for arguments.

RO & AC

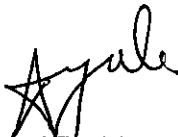
06th December, 2022



Appellant Khadija Bibi



Naseer-ud-Din Shah
Assistant Advocate General



Appellant Identified by Counsel
Muhammad Ayub, Advocate

