


20.04.2023

Appellant present through counsel.

Asif Masood Ali Shah learned Deputy District Attorney for respondents present.

Former made a request for adjournment in order to prepare the brief. Adjourned. To come up for arguments on 19.06.2023 before D.B at Camp Court, D.I.Khan. Parcha Peshi given to the parties.



(Muhammad Akbar Khan)
Member (E)
Camp Court, D.I.Khan



(Rozina Rehman)
Member (J)
Camp Court, D.I.Khan

Mutazem Shah

13.02.2023

Learned counsel for the appellant present. Mr. Asif Masood Ali Shah, Deputy District Attorney alongwith Mr. Rasool Khan, ADEO for the respondents present.

Reply/comments on behalf of respondents have already been submitted. Preliminary arguments heard.

Points raised need consideration. The appeal is admitted to full hearing subject to all just and legal objections by the other side. The appellant is directed to deposit security fee within ten days. To come up for arguments on 20.03.2023 before D.B at camp court D.I. Khan.

Rs-100/-
Appellant Deposited
Security & Process Fee

A. Masood Ali
21/2/23



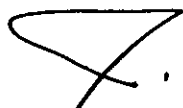
(Muhammad Akbar Khan)
Member (E)
Camp Court D.I. Khan

20th Mar, 2023

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

Learned counsel for the appellant seeks adjournment on the ground that he has not prepared the case. To come up for arguments on 20.04.2023 before D.B at camp court D.I.Khan. P.P given to the parties.

SCANNED
KPST
Peshawar



(Salah Ud Din)
Member (E)



(Kalim Arshad Khan)
Chairman
Camp Court D.I.Khan

22.11.2022 Tour to camp court D.I Khan has been cancelled therefore, to come up for the same on 17.01.2023.


READER

17th Jan, 2023 Nemo for the appellant. Mr. Muhammad Riaz Khan Paindakhel, Assistant Advocate General for the respondents presnet.

Counsel are on strike, therefore, the case is adjourned for preliminary hearing on 24.01.2023 before S.B at camp court D.I.Khan. Office is directed to notify the next date on notice board as well as on the Website of Khyber Pakhtunkhwa Service Tribunal.



(Kalim Arshad Khan)
Chairman
Camp Court D.I Khan

24th Jan, 2023 Appellant alongwith his counsel present. Mr. Rasool Khan, ADEO for the respondents present. Law officer is absent today, therefore, notice be issued to Additional Advocate General. To come up for preliminary hearing on 13.02.2023 before S.B at camp court D.I Khan.



(Kalim Arshad Khan)
Chairman
Camp Court D.I Khan

SCANNED
KPST
Peshawar

18.01.2022

Tour to D.I.Khan has been cancelled, therefore, case to come up on 29.09.2022 for the same as before.


Reader

29th September, 2022

Learned counsel for the appellant present.

Let pre-admission notice be issued to other sides for submission of reply. To come up for reply/preliminary hearing on 27.10.2022 before the S.B at Camp Court D.I.Khan.



(Kalim Arshad Khan)
Chairman

27th Oct 2022

Learned counsel for the appellant present. Mr. Kabirullah Khattak, Addl: AG alongwith Mr. Rasool Khan, ADEO for respondents present.

Written reply/comments on behalf of the respondents has been submitted which is placed on file. To come up for preliminary hearing on 22.11.2022 before S.B at camp court D.I.Khan. P.P given to the parties.

**SCANNED
KPST
Peshawar**



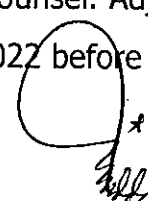

(Kalim Arshad Khan)
Chairman
Camp Court D.I.Khan

Form- A

FORM OF ORDER SHEET

Court of _____

Case No.- 7492 /2021

S.No.	Date of order proceedings	Order or other proceedings with signature of judge
1	2	3
1-	04/10/2021	<p>The appeal of Mr. Atiq ur Rehman submitted today by Mr. Sheikh Iftikhar ul Haq Advocate may be entered in the Institution Register and put up to the Worthy Chairman for proper order please.</p> <p> REGISTRAR</p>
2-		<p>This case is entrusted to S. Bench at Peshawar. Notice be issued to appellant/counsel for preliminary hearing to be put up there on <u>30/11/21</u>.</p> <p> CHAIRMAN</p>
	30.11.2021	<p>None for the appellant present.</p> <p>Notices be issued to the appellant and his counsel. Adjourned. To come up for preliminary hearing on 18.01.2022 before S.B.</p> <p> (MIAN MUHAMMAD) MEMBER (E)</p>

BEFORE THE KHYBER PAKHTUNKHWA SERVICE
TRIBUNAL PESHAWAR CAMP COURT DERA ISMAIL KHAN

Service Appeal No. 7492 2021

AttiquarRehman Versus Govt. of KPK etc

INDEX

S. No.	Particulars of documents	Annexure	Page
1.	Grounds of service appeal	-	1-5
2.	Affidavit	-	-6-
3.	Copies of Educational testimonials and experience certificate of petitioner	A	7-13
4.	Copy of order dated 02/04/2018	B	14-15
5.	Copies of the medical certificate, charge report and attendance register of GPS No.1 Tank	C	16-21
6.	Copy of transfer order	D	-22-
7.	Copy of the duty performance certificate	E	-23-
8.	Copy of application to DC Tank	F	-24-
9.	Copy of application dated 28/02/2019	G	-25-
10.	Copies of letter dated 12/09/2019 and charge report dated 13/09/2019	H	26-27
11.	Copies of the letter dated 14/10/2019 & 16/10/2020	I	28-29
12.	Copies of attendance register GHS No. 3	J	30-32
13.	Copies of the appointment order dated 28/12/2019	K	33-34
14.	Copies of writ petition and order dated 18/05/2021 + Departmental appeal	L + M + M/1	35-47
15.	Vakalatnama	-	-48-

Dated: 30/08/2021

Attiquar Rehman

Humble Appellant

Through Counsel

Attiquar Rehman

(1)

**BEFORE THE KHYBER PAKHTUNKHWA SERVICE
TRIBUNAL PESHAWAR CAMP COURT DERA ISMAIL KHAN**

Service Appeal No. _____ / 2021

AttiquurRehmanson of Sher Muhammad caste Kundi r/o
village Pai Tehsil & District Tank. Cell#0300-9097291

(PETITIONER)

VERSUS

1. Government of Khyber Pakhtunkhwa through Secretary Education Department Khyber Pakhtunkhwa Peshawar.
2. Director Elementary and Secondary Education, Khyber Pakhtunkhwa, Peshawar.
3. District Education Officer (Male) Tank.

(RESPONDENTS)

**SERVICE APPEAL U/S 4 OF KHYBER PAKHTUNKHWA
SERVICE TRIBUNAL ACT, 1974.**

Respectfully Sheweth:

Appellant humbly submits and requests as under:-

1. That the appellant is a permanent resident village Pai Tehsil and District Tank having شهادة الفراغ من تجويد القرآن beside this the appellant is a Hafiz-e-Quran. Appellant is an experience in teaching as Qari at Kundi Model School Pai and DarulUloomIslamiaPai Tank. Copies of Educational testimonials and experience certificate of appellant are jointly annexed as **Annexure-A.**
2. That the appellant being qualified for the post of Chowkidar, appointed as Chowkidar in Govt. Primary School#1 in Tank City, Education Department Tank vide order Endst: No. 1392-

2

98/Ministerial Staff/2018 dated 02/04/2018. Copy of order dated 02/04/2018 is annexed as **Annexure-B**.

3. That thereafter the appellant submitted medical certificate and charge report and joined the duties and has performed his duties with great zeal and zest. Copies of the medical certificate, charge report and attendance register of GPS No.1 Tank are jointly annexed as **Annexure-C**.
4. That thereafter the appellant was transferred from GPS No.1 Tank to GPS KirriTooti Tank. Copy of transfer order is annexed as **Annexure-D**.
5. That it is pertinent to mention here that respondents did not pay even a single monthly drop of life (salary) to the appellant up-till now despite the fact that appellant is performing his duties regularly and punctually. Copy of the duty performance certificate is annexed as **Annexure-E**.
6. That thereafter the appellant submitted an application to the Deputy Commissioner Tank with the request that the appellant is the only earned person for his family there is no other source of income to feed the family, therefore, salaries of the petitioner be released and grievance of the petitioner may be redressed. Copy of application to DC Tank is annexed as **Annexure-F**.
7. That thereafter the appellant along with colleagues personally appeared on 28/02/2019 before the Director Education Khyber Pakhtunkhwa and made an application with the request to release the salaries of petitioner from 03/04/2018 till 13/02/2019 which application was entertained by the Direction Education and sent the same back to the District Education Office (M) Tank with directions in shape of foot note, "**DEO (M) Tank release their pay if they are performing duties regularly**" signed dated 28/02/2019. Copy of application dated 28/02/2019 with remarks is annexed as **Annexure-G**.
8. That thereafter the appellant was again adjusted against the vacant post of Chowkidarin GPS No. 1 Mullazai District Tank

with immediate effect vide order Endst No. 4462-67/DEO-M dated 12/09/2019. Appellant joined the duty by submitting the charge report. Copies of letter dated 12/09/2019 and charge report dated 13/09/2019 are annexed as **Annexure-H**.

9. That the appellant was again directed by the respondent#3 to perform his duties at GHS No. 3 Tank for the next three months vide order Endst No. 5081-86 dated 14/10/2019 and joining report was marked on the same order vide foot note dated 16/10/2019. Copies of the letter dated 14/10/2019 & 16/10/2020 are annexed as **Annexure-I**.

10. That the appellant performed his duties at GHS No. 3 Tank. In this respect attendance register is very much evident. Copies of attendance register GHS No. 3 are annexed as **Annexure-J**.

11. That ironically the appointment order of the appellant was issued vide Endst No. 8254-62 dated 28/12/2019 and appellant once again asked to submit medical report at Govt. Middle School Tank Cantt:, which appellant submitted accordingly to obey the orders of high-ups on 30/12/2019. Copies of the appointment order dated 28/12/2019 and medical report are annexed as **Annexure-K**.

12. That the respondents authorities have been made rolling stone and escape goat from the appellant and are reluctant to adjust the appellant and allowed the appellant at any appropriate post, meaning thereby refusal of the order of themselves and clear cut violation of rules and regulations.

13. That now the respondents are intending to deprive appellant from his valuable rights just to benefit their blue eyed candidates, therefore, appellant filed a writ petition No. 614-D/2020 before the Peshawar High Court Bench Dera Ismail Khan, wherein the Honourable Peshawar High Court Bench Dera Ismail Khan was pleased that the matter in question comes within the ambits of terms and condition of service and the jurisdiction of this court is barred as the appellant is civil

(9)

servant. Copies of the writ petition and the order dated 18/05/2021 are annexed as **Annexure-L & M.**

14. That the appellant submitted a departmental appeal on 09/06/2021 in the light of judgment of Honourable Peshawar High Court Bench Dera Ismail Khan which was not accepted within the stipulated period. Now the appellant being aggrieved from the acts of respondents vide afore mentioned impugned orders and omissions of respondents, hence, the instant appeal, inter alia, the following grounds. *The same*

Dep: App is enclosed as M/1
GROUNDS: -

- A. That, the impugned actions and omission of the respondents/authority are against law, facts and circumstances of the case and depriving the appellant besides his competency, eligibility and high merit, amounts deprivation of appellant of her fundamental, legal and Constitutional rights.
- B. That it is the fundamental right of the appellant that after appointment the respondents/authority was required to adjust the appellant at proper and competent post and release the salaries of appellant as envisaged from the verdicts of the superior courts.
- C. That the respondent#3 (District Education Officer Male Tank) is not obeying the clear cut directions of the respondents#2 (Director Education), thus, the acts of the respondents are clear cut violation of service rules and policy.
- D. That the acts and omissions of the respondents authority by not obeying their own orders and directions of superiors are highly condemnable and gross violation of principle of natural justice.
- E. That the behavior of the respondents is not in commence of ESTA Code. Hence, not tenable in the eye of law.
- F. That the acts and omissions of the respondents/authority are against the principle of law, service acts & rules, and also against the natural justice.

(5)

G. That counsel for the appellant may please be allowed to raise additional grounds at the time of arguments.

It is therefore humbly prayed that on acceptance of instant service appeal with the following prayers;

- i. **To direct the respondents to release the salaries of appellant from the first appointment order i.e. 02/04/2018 up-till now.**
- ii. **To direct the respondents to act upon on their own initial appointment order dated 02/04/2018.**
- iii. **To direct the respondents to adjust the appellant against the vacant, competent and proper post of Class-IV at anywhere in the whole district/province.**
- iv. **To direct the respondents to take the duty from the appellant by resuming proper stationed place without any dispute in the District or in the Province.**

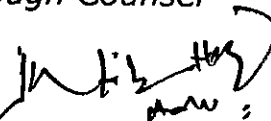
Any other appropriate relief, which this Honourable Court deems fit in the circumstances of case, may also be granted to the petitioner.

Dated: ___/08/2021

Humble Appellant



Attiqur Rehman
Through Counsel



Sheikh Iftikharul Haq
Advocate High Court

(7)

**BEFORE THE KHYBER PAKHTUNKHWA SERVICE
TRIBUNAL PESHAWAR CAMP COURT DERA ISMAIL KHAN**

Service Appeal No. _____ / 2021

AttiqureAhman Versus Govt. of KPK etc.

SERVICE APPEAL

CERTIFICATE

Certified that no service appeal on the subject has earlier been filed before this Hon'ble Tribunal.


Appellant
Through Counsel

AFFIDAVIT:

I, **AttiqureAhman** son of Sher Muhammad caste Kundi r/o village Pai Tehsil & District Tank, the appellant, do hereby solemnly affirm and declare on Oath that contents of the service appeal are true and correct to the best of our knowledge and belief; and nothing has been deliberately concealed from this Hon'ble Tribunal.

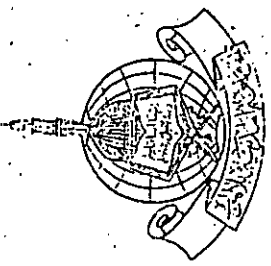
Dated: 30/08/2021


DEPONENT



CNIC# 1220118685727

Identified by Counsel



تذكرة الإمام الخميني

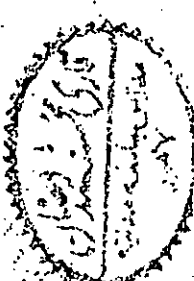
الجناب محمدرضا الخميني

كتاب الحجة على الجاهل
كتاب الجهاد
كتاب الفتن

الحسين بن علي الذي ارتضا كتابه وحافظ قلبه من اجله...
 والصلاة والسنة على سيدنا محمد مهبط الوحي والدرر...
 الذين حملوا القرآن فوعوا وجاهدوا في حفظه وعلمه...
 الذين اذعانوا بكفاهته في تحصيله ووضعه...
 عندنا القرآن حقا حقا وسبح طرقا طرقا وتعلموا التجارب...
 بطريق الامام الرازي الشاطبي جازاهم الله بفضله...
 ومقدمة لحيته وزيه الاضواء ونجح في الاختبار والنهائي...
 بالشرط المتعدد عند علماء فناء الاثر وصفت له هذه الشها...
 في صالح دعواته وانجس ذكره من ان الله سبحانه وتعالى...

ترجم السيد

ترجم الشيخ



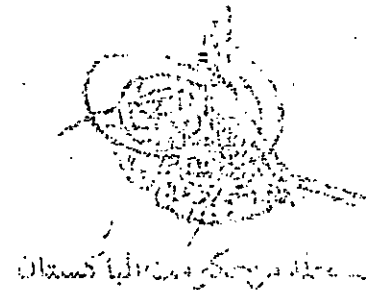
Attached to be
 Annex
 مرفق

بِسْمِ اللَّهِ الرَّحْمَنِ الرَّحِيمِ



الشهادة

للمركز العربي لتشهدان القرآن الكريم



العميد/أرب العلمين والصلوة (العلامة) علي سيد المرسلين (س) (السنيق) وعلي (الرواح) صاحب (مجمع) (مأبهر)

فان رئاسة (تعماد) (السراي) (العربية) (باكستان) تشهدان القاري/القارية _____
 من _____ **دينه اسعيل خان** _____ المولود/المولودة في عام ١٩٧٧/٢٨/٢٢ قد امتحن /قد امتحت
 في مركز **جامعة قاسميه دينه اسعيل خان** ونجح/وتجحت في الامتحان النهائي المنعقد تحت اشراف اتحاد المدارس
 العربية في شهر **رجب ١٤٢٣** بتقدير **ممتاز** وبناء على ذلك استحق/استحقت الشهادة الفراغ من تجويد القرآن الكريم
 ورئيس الاتحاد اذا يمنحه/يمنحها هذه الشهادة يوصيه/يوصيها بتقوى الله وان يتعاهد القرآن الكريم بتلاوته اثناء الليل واطراف النهار
 وان يعمل/تعمل بتاليمة

8

Attested to be true copy
مستحق

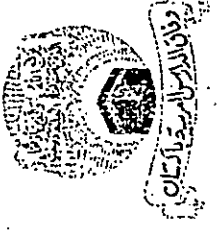
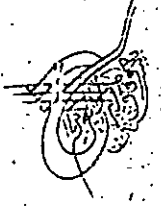
اتحاد اتحادات
 اتحاد المدارس العربية باكستان
 فيش آف انجريس اسلام آباد
 قسطنطينية
 توقيت

رقم التسجيل ٦٢١٩
 رقم الجلوس ٢٩١
 الدرجات ٩٨ / ١٠٠
 تاريخ الاجراء ٢٠٠٣ / ٩ / ٢٠
 توقيع رئيس الاتحاد
 توقيع امين العام
 توقيع مدير المركز

٢٠٠٣-٢٠٠٤
 ٩١١٥٩٦٦
 ٩١١٥٩٦٦
 ٩١١٥٩٦٦
 ٩١١٥٩٦٦

بِسْمِ اللَّهِ الرَّحْمَنِ الرَّحِيمِ

شهادة التخرُّج



الحمد لله رب العالمين، والصلاة والسلام على محمد وعلى آله وصحبه أجمعين - وبعد :-
 تشهد رئاسة "فاج الراجزى للدراسات والبحوث" عتيق الخريف
 من مير اسماعيل خان المولود في عام 1394هـ/1974م

قد حفظ القرآن الكريم كاملاً بظهر الغيب في دار التوحيد عثمانية، مولانا مير اسماعيل خان عام 1410هـ/1990م ونجح في اختبار
 الحفظ المنقذ، تحت إشراف ورفاق الدرس العربية بتقدير ممتاز وبناء على ذلك قفز مجلس الوفاق منحة شهادة
 حفظ القرآن الكريم ورئيس الوفاق أذ يمنحه هذه الشهادة بوصفه بتقوى الله عز وجل، وإن يشاء هذا القرآن الكريم بتلاوته
 آداء الليل وطواف النهار، وإن يعمل بتفانيه، وإتباع معلمه غيره، والله الموفق -

مير اسماعيل خان
 مدير الوفاق
 مير اسماعيل خان
 مدير الوفاق
 مير اسماعيل خان
 مدير الوفاق
 مير اسماعيل خان
 مدير الوفاق

تاريخ التخرج: 1410هـ
 رقم الشهادة: 8/225

التاريخ: 16/10/1990م

Attached to be
 true copy
 مير اسماعيل خان

بِسْمِ اللَّهِ الرَّحْمَنِ الرَّحِيمِ

الجماعة الإسلامية



مجلس المدینة العلمیة - پاکستان

فان رئاسة (جمهورية باكستان) تشهد بان اخـ عتيق الرحمن بن بنت شير محمد
 من _____ مولود/المولودة في عام ٢٨/٢/١٩٤٤ قد امتحن /قد امتحنت
 في مركز _____ جامع قاسميه ذرية اسماعيل خان ونجح /ونجحت في الامتحان النهائي المنعقد تحت اشراف
 اتحاد المدارس العربية في شهر _____ بتقدير جيد جداً وبناء على ذلك استحق /استحقت الشهادة تحت اشراف
 ورئيس الاتحاد اذا منحه /يمنحها هذه الشهادة يوصيه /يوصيها بتقوى الله تعالى ويستال الله عز وجل ان يسلك به /بها
 وسبل العلماء العاملين والله الموفق.

رقم التسجيل	٨٩٩	توقيع	رئيس الاتحاد
رقم الجلوس	٢١٥	امين العام	_____
الدرجات	٦٠٠ / ١٠٢	التوقيع	_____
تاريخ الترخيص	٢٠٠٤ - ١٠ - ١٠	الموقع	_____

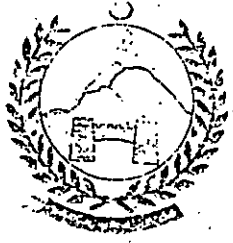
مفتي جمهورية مصر العربية
 الدكتور محمد صالح المنجد

Attested to be
 true copy
 محمد صالح المنجد

13

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16436



CERTIFICATE OF DOMICILE

The Pakistan Citizenship Act, 1951 (Act, II of 1951)
Rules made thereunder (vide Rule No. 23)

Aliq ur Rehman S/O, D/O, W/O Sher Muhammad

Declare that I was born of parents who are permanently domiciled in Khyber Pakhtunkhwa Province having belonged to it by birth/settled in it.

I belong by birth to Mohallah Ama Khel Pai

Village Pai Tehsil Tank District Tank

Signature/Thumb Impression of Applicant

Dated 11 / 01 / 2018

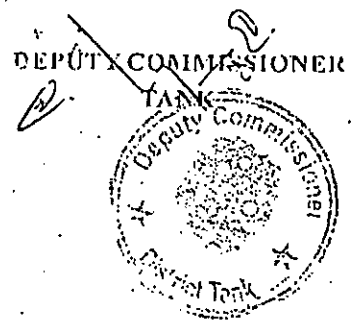
Pursuance to the declaration dated 11-01-2018 filed by
Mr./Mrs./Miss Aliq ur Rehman S/O, D/O, W/O Sher Muhammad

CNIC No. _____ Domiciled in the Khyber Pakhtunkhwa Province. It is hereby certified that the said Aliq ur Rehman is born of parents who are permanent residents of Khyber Pakhtunkhwa Province having belonged to it by birth / settled in it. I have satisfied myself from personally / through my relevant source that the above declaration is true and duly certified overleaf.

This 25 Day of 01 2018 No 269 /DC Tank Dated 25 / 1 / 2018

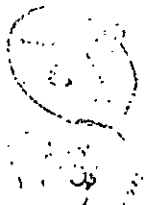
25-01-2018
ASSISTANT COMMISSIONER

COUNTER SIGNED



Attested to be
True copy
Aliq ur Rehman

12



یہ اس بات کی تصدیق کرنا ہے کہ اس سے پہلے میں نے کسی بھی دستخط اور کسی بھی امیدوار کی شناخت کا ذمہ نہیں سنبھالا ہے۔

دستخط: عبدالحق الرحمن

عبدالحق الرحمن
رہائش: سید محمد
پتہ: گڈ 15

یہ اس بات کی تصدیق کرنا ہے کہ اس سے پہلے میں نے کسی بھی دستخط اور کسی بھی امیدوار کی شناخت کا ذمہ نہیں سنبھالا ہے۔

دستخط تصدیق کنندہ: محمد

شناختی کارڈ نمبر: 9-7-15-15-15

دستخط تحصیلدار: [Signature]

تاریخ: 2018-1-15

ڈومیسائل سرٹیفکیٹ کے حصول کیلئے ضروری ہدایات

ڈومیسائل سرٹیفکیٹ حاصل کرنے کیلئے عمر کی کوئی قید نہیں بلکہ امیدوار کی بھی وقت اور کسی بھی کام میں زیر تعلیم کیوں نہ ہو ڈومیسائل سرٹیفکیٹ حاصل کر سکتا ہے۔
صاف صاف! تصدیق کی جاتی ہے کہ سید عتیق الرحمن ولد سید محمد سوم کندی سکند ہائی تحصیل ذمہ دار کے ہاں مستقل طور سے رہا ہے اور اس کے پاس رہائش گاہ ہے۔

امیدواروں کے پاس ایک سے زیادہ ڈومیسائل سرٹیفکیٹ موجود ہوں ان کو چاہئے کہ وہ ذمہ دار کے پاس رہائش گاہ کے نام سے درخواست دیں۔
تعلق ہوا کسی ضلع کا وہ ڈومیسائل سرٹیفکیٹ اپنے پاس رکھنے کا مجاز ہے۔
تعلق ہوا کسی ضلع کا وہ ڈومیسائل سرٹیفکیٹ اپنے پاس رکھنے کا مجاز ہے۔

- (1) نوکری توئی اسٹیبل (حافظین اے) _____ ضلع _____
- (2) صوبائی اسٹیبل (حافظین اے) _____ ضلع _____
- (3) گریڈ آفیسر (BPS-16/BPS-17) (5) سیکریٹری یونین کونسل (6) جنرل کونسلر (7) مستند مغلدار (8) مستند مغلدار

یہ اس بات کی تصدیق کرنا ہے کہ اس سے پہلے میں نے کسی بھی دستخط اور کسی بھی امیدوار کی شناخت کا ذمہ نہیں سنبھالا ہے۔

Attested to be
true copy
[Signature]


(15) (13)

KUNDI MODEL SCHOOL FAI TEHSIL & DISTRICT TANK.

Ref:No. 10 / dated. 24/5 /1997.

TO WHOM IT MAY CONCERN.

CERTIFIED THAT MR. ATIQ-UR-REHMAN S/O
SHER MUHAMMAD WORKED IN THIS INSTITUTION AS QARI
FROM 26.09.1995 TO 06.02.1997. HE SHOWED GREAT
EXCELLENCY IN PERFORMANCE OF HIS DUTY.


PRINCIPAL
Kundi Model School,
Fai(Tank).

Attested to be
true copy
عبدالله الرحمن

14 Ann-B

Appointment order Class-IV (BPS-03)



OFFICE OF THE DISTRICT EDUCATION OFFICER-M TANK

Phone: 0963-510356, 0963-510381

Email address: emistank@yahoo.com

APPOINTMENT ORDER:

Consequent upon the recommendations/approval of the Departmental Selection Committee, as contained in its minutes of the meeting, held on 19-03-2017 the undersigned is pleased to appoint the following 03 candidates against the vacant posts of Class-IV (BPS-3) @Rs. (9610-390-21310) plus all usual allowances under open merit, on the terms and condition given below from the date of their taking over charge.

Open Merit

S#	Name of Candidate	Father's Name	CNIC No	Address	Desig:	Proposed Place of Posting
1.	Asmat Ullah Jan	Ghazi Marjan	3740582872735	Village Mani Khel, Tank	Chowkidar	GPS Mani Khan, Kor. Tank
2.	Ishaq Ahmad	Abdul Razaq	1220135062769	Moh. Qasaban Tank	Water Carrier	GSSNCMHS # 1 Tank
3.	Atiq Ur Rehman	Sher Muhammad	1220118685727	Village Pai, Tank	Chowkidar	GPS No. 1 Tank

TERMS & CONDITIONS

1. No TA/DA etc is allowed.
2. Charge reports should be submitted to all concerned in duplicate.
3. They should not be handed over charge if exceed 40 years or below 18 years of age, except that appointee to whom age relaxation is granted by the competent authority.
4. Appointment is subject to the condition that the domicile certificate & CNIC must be verified from the concerned authorities by the DEO. In case of fake / bogus domicile certificate/CNIC their appointment orders would be automatically cancelled from the date of appointment and will be reported to the law enforcing agencies for further action.
5. Their services are liable to terminate on one month's notice from either side. In case of resignation without notice their one-month pay / allowances shall be forfeited to the Government.
6. Pay will not be drawn until and unless a certificate regarding verification of their domicile certificate / CNIC is issued by this office.
7. They should join their posts within 15 days of the issuance of this notification. In case of failure to join the post within stipulated period, their appointment will stand expired automatically and subsequent no appeal etc shall be entertained.
8. Health and Age certificate should be produced from the Medical Superintendent concerned before taking over charge.
9. They will be governed by such rules and regulations as may be issued from time to time by the Govt. of Elementary & Secondary Education Khyber Pakhtunkhwa Peshawar.

Affected to be five copy

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- 10. The appointment is made subject to the condition that the candidate is permanent Domicile holder of District Tank.
- 11. Before handing over charge, once again their domicile certificate / CNIC may be checked by the DDO concerned.

--Sd--

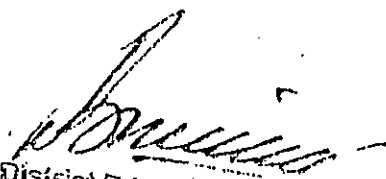
(BAKITULLAH SHAH)
District Education Officer
(Male) Tank

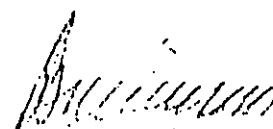
Endst. No. 1392-98 / Ministerial Staff/2018

Dated Tank the 02/04/2018

Copy forwarded for information & necessary action to:-

- 1. The District Accounts Officer, Tank.
- 2. The District Monitoring Officer (IMU) Tank.
- 3. The Principal Schools Concerned.
- 4. The Sub-Divisional Education Officer (Male) Tank
- 5. The Assistant Sub-Divisional Education Officer Circle Concerned.
- 6. The Head Teacher Schools Concerned.
- 7. The Official Concerned.
- 8. Office File.


District Education Officer
(Male) Tank


District Education Officer
(Male) Tank

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true copy
عینی کاپی

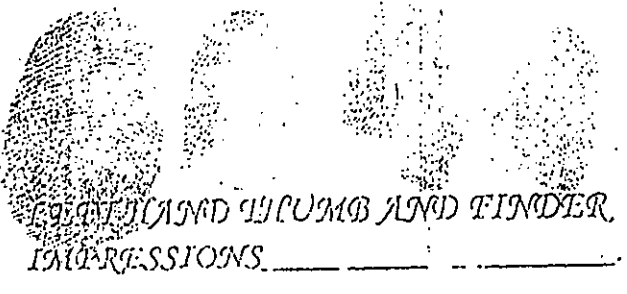
MEDICAL CERTIFICATE

16

Name of Official Atiq Uro Rehman
 Caste or Race Muslim
 Father's Name Chad Muhammad
 Residence M.H. Government Panchayat District Tank
 Date of Birth 29/09/1977 / N.I.C. Number 129 of 1069572-7
 Height 5'3"
 Personal marks of Identification Nil
 Signature of the Official [Signature]
 Signature of _____
 Head of Office _____

Seal of Office _____

I do hereby certify that I have examined Mr. Atiq Uro Rehman
 A candidate for employment in the Office of
 the District Education Officer (Male) Tank
 And cannot discover that he had any disease communicable or other constitutional affection or heredity
 infertility expect Nil I do not consider this as disqualification for employment
 in the office of the District Education Officer (Male) Tank
 His age according to his own statement 29-09-1977 year and by appearance about
 Years 41/2/2018



[Signature]
 Medical Superintendent
 D.H.Q Hospital Tank

Dated 3/2/2018
[Signature]

Attested to be
 true copy
 of the

17

پانچ روپے

عائشہ البرحمن نے شہیہ تجربہ دار ڈالیاں

تبدیل کی تاریخ مورخہ 2018-04-03 قبل بعد از وہ پیدہ ہو جب حکم نمبری 99-1392
..... 2018-04-02 آمد از دفتر ڈی - ای - ای (سٹیٹ)

تبدیل ہوا ہے پوسٹ پانچ روپے سفالی ہے
مقام گورنمنٹ ہائی اسکول پرائمری سکول نئے بازار

مورخہ 2018-04-03

دہانہ

پانچ روپے

Heard Pancher
G.P. No. 12021

Attested to be
true copy
عائشہ البرحمن

(18)

مدرسه حاضرین دبیرستان ...

ردیف	نام و نام خانوادگی	تاریخ تولد	تاریخ استخدام	مدرک تحصیلی	مدرک تخصصی	مدرک زبان	مدرک دیگر	توضیحات
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توضیحات: ...

SDP ...

AD ...

Head Teacher ...

ردیف	نام	تاریخ تولد	تاریخ استخدام	مدرک تحصیلی	مدرک تخصصی	مدرک زبان	مدرک دیگر	توضیحات
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JAN	FEB	MAR	APR
MAY	JUN	JUL	AUG
SEP	OCT	NOV	DEC

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رجسٹر حاضری تدریس

مدرسه

بازو

روز		دوشنبه		سردوشنبه		پنجشنبه		شنبه		یکشنبه	
صبح	عصر	صبح	عصر	صبح	عصر	صبح	عصر	صبح	عصر	صبح	عصر
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Head Teacher
G.P.S No 1 Tank
09/07/20

لکھنؤ

بازو	صبح	عصر	بازو	صبح	عصر	بازو	صبح	عصر	بازو	صبح	عصر	بازو	صبح	عصر
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02						NIL			03					

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NOV 2018

بابت جون، جولائی، اگست 2018

روز	اتوار	پنجشنبہ	جمعہ	ہفت روزہ	اتوار	پنجشنبہ	جمعہ	ہفت روزہ	اتوار	پنجشنبہ	جمعہ	ہفت روزہ	اتوار	پنجشنبہ	جمعہ	ہفت روزہ	اتوار	پنجشنبہ	جمعہ	ہفت روزہ
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<p>حاضر</p> <p>غائب</p>																			
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Head Teacher
 G.P.S No 1 Tank
 09/07/20

روزانہ

حاضر	غائب	مہران	حاضر	غائب	مہران	حاضر	غائب	مہران	حاضر	غائب	مہران	حاضر	غائب	مہران	حاضر	غائب	مہران	حاضر	غائب	مہران
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Affected to be
 true copy

عشق الہیہ	صبر و حیا	حسن رضا	فت
جوگندا	جوگندا	PST	عہدہ

تفصیلات کے لیے دیکھیں

1/1	7/1	8:00 - 12:30	8:00 - 11:00	7/1	8:00 - 11:00	7/1	8:00 - 11:00	12/30	12/30	12/30	12/30
1/1	7/1	8:00 - 11:00	8:00 - 11:00	7/1	8:00 - 11:00	7/1	8:00 - 11:00	12/30	12/30	12/30	12/30
1/1	7/1	8:00 - 11:00	8:00 - 11:00	7/1	8:00 - 11:00	7/1	8:00 - 11:00	12/30	12/30	12/30	12/30
1/1	7/1	8:00 - 11:00	8:00 - 11:00	7/1	8:00 - 11:00	7/1	8:00 - 11:00	12/30	12/30	12/30	12/30
1/1	7/1	8:00 - 11:00	8:00 - 11:00	7/1	8:00 - 11:00	7/1	8:00 - 11:00	12/30	12/30	12/30	12/30
1/1	7/1	8:00 - 11:00	8:00 - 11:00	7/1	8:00 - 11:00	7/1	8:00 - 11:00	12/30	12/30	12/30	12/30

Head teacher
G.P.S No 1 Tank
09/07/20

حالت	سابقہ	میزان	حالت	سابقہ	میزان	حالت	سابقہ	میزان	حالت	سابقہ	میزان	حالت	سابقہ	میزان	حالت
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		02						01							

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Part "D"

22

OFFICE OF THE DISTRICT EDUCATION OFFICER
(MALE), TANK

and modification in this order is hereby made. In the best interest of public...

Name of Official with Desig:	Previous School	Read As	Order No.
Sajid Ali Chowkidar	GPS No. 2 Tank City (Branch)	GPS Kirri Ahmad Shah	No. 1836-42/Ministerial Staff/2016 Dated: 26-03-2018.
Amir Ullah Chowkidar	GPS Tank Cantt.	GPS Kirri Ashraf	-do-
Ali Ullah Rehman Chowkidar	GPS No. 1 Tank	GPS Kirri Tooti	No. 1392-98/Ministerial Staff/2018 Dated: 02-04-2018

- 1. This order is allowed.
- 2. This report should be submitted to all concerned.
- 3. This previous charge report will remain intact.

Sd
District Education Officer
(Male), Tank

Attested to be
true copy

Duty Performance Certificate

مستحق الرضوان جو سردار سید محمد

ڈانک ٹی ٹی سے 03/04/18 سے اپنی ڈیوٹی

کھولی G.P.S. ڈانک میں سرانجام دے

رہے ہیں۔ یہ بیانات ہی ریکورڈر - اہلکار

اور ڈیوٹی کے دوران - تمام امور اور

کو کوئی شکایت نہیں ہے۔

رپورٹ میں صرف ہے۔

Head Teacher
G.P.S. No 1 Tank
24/04/18

Forwarded (to SDPO) Tank, the original certificate of HT of the said school, with for further info please, with the remarks that a Chowkdar employed already working there. Report is submitted for information please.

Agreed with the report of HT and ASDEO.

25/4/18
ASDEO Tank
will thank you

Attended to be true copy
/P/

H
25/04/18

خدمتِ خدا دینی خدمتِ صلبِ نانا

گزارش ہے کہ سنہ ۱۹۱۵ء کو محمد
 ایجوکیشن میں آیا۔ جبکہ سنہ ۱۹۱۷ء میں ہے کہ اور سنہ ۱۹۱۸ء
 آرڈر ہائیڈری سکول بناؤنگ میں ہوئے۔ اور جو کچھ اس میں
 ڈیوٹی سدا انجام دیا ہے۔ اور ایجاٹنگ سنہ ۱۹۱۹ء کو کوئی سید
 وغیرہ نہ ملے ہے۔ جبکہ ۱۹۲۰ء میں کہ کہنے پر کوئی لوٹ
 وغیرہ نہ ملے ہے۔ جبکہ ۱۹۲۱ء میں نے فوج اٹھانے میں
 کو ویکٹوریٹ لوٹ دینے کے بعد ۱۹۲۲ء کو لگا ہے کہ
 ۱۹۲۳ء میں نام نہ نام دس ہے۔ صدمہ سنہ ۱۹۲۴ء میں
 غریب خاندان میں ملے ہے اور جو کہ وہ کہنے ہے
 اور کوئی ذریعہ حاصل نہ ہے۔ میں یہ کہتا ہوں
 سے درخواست ہے کہ اس آرڈر کو فرسٹ ہے۔

زائد خدمتِ نانا کے خدمتِ خدا کے لئے اور ۱۹۲۵ء
 میں اس باب میں جواب طلب کیا ہے

Dr. 13/1/25

عشقِ حقیقی سے دل چسپ رہنا دینی خدمتِ خدا کے لئے

محمد علی

Attached to be
 the copy

بخدمت جناب ڈائریکٹر ایجوکیشن خیبر پختونخواہ پشاور

برآمد کرنے کی تاریخ 03-04-2018 تا 13-02-2019

درخواست بمراد

جناب عالی!

من سائل ہے کہ (1) حمید اللہ، (2) عصمت اللہ، (3) ساجد علی، (4) عتیق الرحمان مورخہ 03-04-2018 کو بطور کلاس فور چوکیدار ضلع ٹانک میں بھرتی کئے ہیں سلطان بدستور اپنی اپنی ڈیوٹی سرانجام دیتے ہیں مگر کسی کو تنخواہ نہیں ملتی ہے بال بچے ایڑس سخت مشکلات کا سامنا ہے روز سلطان اپنے اپنے تنخواہ کا مطالبہ کرتے ہیں۔ جناب والا شان بذریعہ درخواست استدعا ہے کہ من سلطان کو تنخواہ برآمد کرنے کا حکم صادر فرمائیں۔

عرضے

حمید اللہ، عصمت اللہ، ساجد علی، عتیق الرحمان سلطان بذریعہ عتیق الرحمان ولد شیر محمد قوم کنڈی

بریم نیل سکھ پائی ملازم چوکیدار محکمہ تعلیم تحصیل و ضلع ٹانک

شناختی کارڈ نمبر 7-1868572-12201

موبائل نمبر 9097291-0300

نام	ولدیت	شناختی کارڈ نمبر	دستخط
عتیق الرحمان	شیر محمد	12201-1868572-7	
ساجد علی	غلام قمر	12201-8295584-5	
حمید اللہ	ولی محمد	12201-9956161-3	
عصمت اللہ	ہجیت محل خان	12201-5018273-9	

DEO (M) Tank.

Release their pay
if they are performing duties
regularly.

Director
Elementary & Secondary Education
District Peshawar

Attached to be
the copy

19

26 Anx: "H"

OFFICE OF THE DISTRICT EDUCATION OFFICER
(MALE) TANK

OFFICE ORDER / ADJUSTMENT

Consequent upon the review consideration of appointment order vide the then District Education Officer (Male) Tank No. 1392-98/Ministerial Staff/2018 Dated: 02-04-2018.

Mr. Attiq Ur Rehman is adjusted against the vacant post of Chowkidar GPS No. 1 Mullazai with immediate effect.

- a) WHEREAS, said official performed duties at GPS No. 1 Tank, while post was occupied and salaries not drawn due to the reason above.
- b) WHEREAS, these posts exist in budget book against appointment where issued but DDO refused to draw salaries.
- c) WHEREAS, charge report signed, Medical Certificate attached.

District Education Officer
(Male) Tank

Endst. No. 4462-67 /DEO-M

Dated Tank the 12/09 /2019.

Copy to the:

- 1. District Accounts Officer, Tank
- 2. District Monitoring Officer (IMU) Tank.
- 3. Sub-Divisional Education Officer (Male) Tank.
- 4. Head Teacher GPS Concerned.
- 5. Official Concerned.
- 6. Office File.

District Education Officer
(Male) Tank

Attest to be
true copy
عبد الرحمن

چارچ رپورٹ

میں سہیل علی صاحبی نے سہیل علی صاحبی کو لے کر

تہ جو کہ آج مورخہ 13-9-2019 تک بعد از دوپہر بموجب حکم نمبر

12-9-2019 = Date آج مورخہ 12-9-2019

درمیان میں

تبدیل ہوا ہے۔ چارچ رپورٹ کا چارج سنبھال لیا ہے۔

مقام عدالت گورنمنٹ ہائی اسکول No-I Muzaffargarh

13-09-2019 (FRI) مورخہ

سہیل علی صاحبی
چارچ گیر بندہ

Handed over charge
officially in office
As because protesting
people has no right to
do so.

District Education Officer
Tanka

Attested to be
true copy
سہیل علی صاحبی

OFFICE OF THE
DISTRICT EDUCATION OFFICER
(MALE) TANK

11/10/19
28



<https://www.esetank.web.com>

EMISTank

EMISTank

0963-510356

OFFICE ORDER.

ANZ = 1

Mr. Atiq ur Rehman Chowkidar GPS No.1 Mullazai is hereby directed to perform his duties at GHS No.3 Tank for the next 03 months in the best interest of public service.

He will draw his salaries against the Post of GPS No.1 Mullazai.

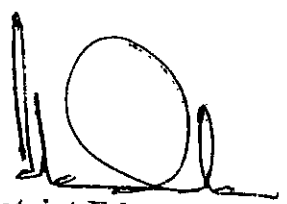
-----Sd-----
(Abdus Salaam)
District Education Officer
(Male) Tank

Endstt; No. 5081-86 /

Dated Tank the 19 /10/2019

Copy to the:-

1. District Accounts Officer, Tank
2. Dy. District Education Officer (M) Tank.
3. DMO (IMU) Tank
4. SDEO (M) Tank.
5. ADEO (Estab) Secy. Local Office Tank.
6. Official Concerned.


District Education Officer
(Male) Tank

Attached to b
for copy
تعلقاً ب

29

OFFICE OF THE
DISTRICT EDUCATION OFFICER
(MALE) TANK



<https://www.esetank.web.com>

EMISTank

.EMISTank

0963-510356

OFFICE ORDER.

Mr. Atiq ur Rehman Chowkidar GPS No.1 Mullazai is hereby directed to perform his duty at GHS No.3 Tank for the next 03 months in the best interest of public service.

He will draw his salaries against the Post of GPS No.1 Mullazai.

-----Sd-----

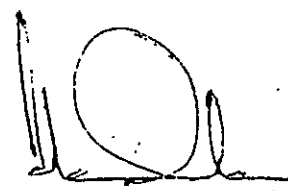
(Abdus Salaam)
District Education Officer
(Male) Tank

Endstt.No. 5081-86 / 1

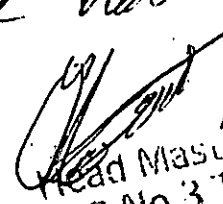
Dated Tank the 16 / 10 / 2019

Copy to the:-

1. District Accounts Officer, Tank
2. Dy. District Education Officer (M) Tank.
3. DMO (IMU) Tank
4. SDEO (M) Tank.
5. ADEO (Estab) Secy. Local Office Tank.
6. Official Concerned.


District Education Officer
(Male) Tank

*The official has arrived
for duty.*


Head Master
G.H.S No.3 Tank
16/10/2019

*Attested to be
true copy
16/10/19*

30

Ann - "J"

روز حاضری ملازمین

روز	نام	وقت	وقت	وقت	وقت	وقت	وقت	وقت	وقت
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Attested to be true copy

Attested
H.S No. 3

H.S No. 3

ITEM CODE	QTY	UNIT	PRICE	TOTAL	REMARKS
31					
30					
29					
28					
27					
26					
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24					
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2					
1					

(31)

0.1201

MS NO. 3 (111)
ROAD MASTER

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[Large handwritten scribbles and markings across the table rows]

SST Liaison

122011868572-7

03009097291

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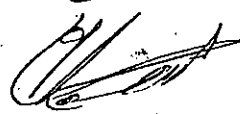
[Large handwritten signature and text at the bottom of the page]

Attested to be true copy

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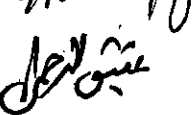
راجسٹر حاضری مدرسہ بین الاقوامی GHS نئی ٹانگہ بابت ماہ نومبر سال 2019

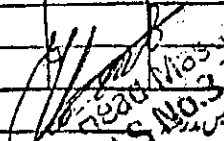
روز		ات		دفعہ		راتی		دفعہ		ات		روز
1		81-		P		2/30		P		2/30		1
2		81-		P		2/30		P		2/30		2
3		81-		P		2/30		P		2/30		3
4		81-		P		2/30		P		2/30		4
5		81-		P		2/30		P		2/30		5
6		81-		P		2/30		P		2/30		6
7		81-		P		2/30		P		2/30		7
8		81-		P		2/30		P		2/30		8
9		81-		P		2/30		P		2/30		9
10		81-		P		2/30		P		2/30		10
11		81-		P		2/30		P		2/30		11
12		81-		P		2/30		P		2/30		12
13		81-		P		2/30		P		2/30		13
14		81-		P		2/30		P		2/30		14
15		81-		P		2/30		P		2/30		15
16		81-		P		2/30		P		2/30		16
17		81-		P		2/30		P		2/30		17
18		81-		P		2/30		P		2/30		18
19		81-		P		2/30		P		2/30		19
20		81-		P		2/30		P		2/30		20
21		81-		P		2/30		P		2/30		21
22		81-		P		2/30		P		2/30		22
23		81-		P		2/30		P		2/30		23
24		81-		P		2/30		P		2/30		24
25		81-		P		2/30		P		2/30		25
26		81-		P		2/30		P		2/30		26
27		81-		P		2/30		P		2/30		27
28		81-		P		2/30		P		2/30		28
29		81-		P		2/30		P		2/30		29
30		81-		P		2/30		P		2/30		30
31		81-		P		2/30		P		2/30		31
32		81-		P		2/30		P		2/30		32

Attested


Head Master
GHS No.3 Tank

Earned Leave
 20-11-2019
 18-11-2019
 17-11-2019
 16-11-2019
 15-11-2019

Attested to be
true copy



Head Master
GHS No.3 Tank

(33) OFFICE OF THE
DISTRICT EDUCATION OFFICER
(MALE) TANK

Arm - K



<https://www.esetank.wcb.com>

EMISTank

EMISTank

0963-510356



APPOINTMENT ORDER:-

Consequent upon the recommendations of the Departmental Selection Committee Tank held on 30/11/2019, the Competent Authority has been pleased to appoint the following candidates against the vacant Posts of Class IVs at Schools, mentioned each their names in BPS-03 (9610-390-21310) plus usual allowances as admissible under the rules with immediate effect under the existing policy on regular basis in the interest of public service.

Open Merit

S#	Name of Candidate	Father's Name	CNIC No	Address	Designation	Place of Posting
1.	Farhad Husain	Muhammad Farid Khan	1220122653101	Tajori Tehsil District Tank	Sweeper	GHS Tajori Tank
2.	Yasir Khan	Wazeer Khan	1220136132513	Village Mulazai	Chowkidar	GPS NO,1 Mulazai
3.	Attiq ur Rehman	Sher Muhammad	1220118685727	Village Pai Tank	N/Qasid	GMS Tank Cantt

25% Retired Sons Quota

4.	Muhammad Zahid	Bahader Khan	1220112597747	Kot Hakim Tehsil District Tank	Lab: Attendent	GHS Kot Hakim
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02% Disable Quota

S#	Name of Candidate	Father's Name	CNIC No	Address	Design:	Place of Posting
5.	Munir Ahmad	Pir Muhammad	1220118703743	Moh. Faiz Ullah Colony Tank	Sweeper	GHS No. 3 Tank

TERMS & CONDITIONS:

1. Their Service will be considered as regular under the Govt: Rules.
2. They will be governed by such rules and regulations as may be prescribed by the Govt: from time to time & category of Govt: servant to which they belong.
3. The appointment of the candidates mentioned above is subject to the condition that have domicile of Tank District.
4. Their Service will be liable to terminate on one month notice or resignation without prior notice their one month pay shall be forfeited.
5. They are required to produce Health and Age certificate from the Medical Superintendent concerned before taking over charge.
6. No overage candidate will be handed over charge provided that he will provide relaxation of from concerned authority.
7. Charge report should be submitted to all concerned.

..... Sd
District Education Off
(Male) Tank

*Attested to be
true copy
محمد علی*

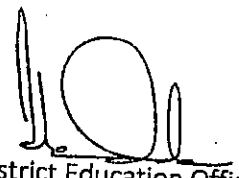
(34)

Distt.No 2254-62

Dated Tank the 28/12/2019.

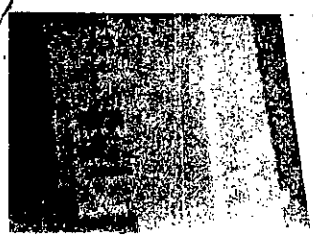
Copy to the:-

1. Director, Elementary & Secondary Education Khyber Pakhtunkhwa Peshawar.
2. Deputy Commissioner Tank.
3. District Accounts Officer, Tank.
4. Dy. District Education Officer (Male) Tank.
5. DMO (IMU) Tank.
6. SDEO (Male) Tank.
7. Principal / Headmaster Concerned.
8. B&AO Local Office, Tank.
9. Officials Concerned.



District Education Officer
(Male) Tank

Attested to be
true copy
المتفق العن



35

BEFORE THE HONOURABLE PESH AWAR HIGH COURT

DERA ISMAIL KHAN BENCH

Writ Petition No. _____ / 2020

Ann-L



Attiq ur Rehman son of Sher Muhammad caste
r/o village Pai Tehsil & District Tank.

(PETITIONER)

VERSUS

1. Government of Khyber Pakhtunkhwa through Secretary Education Department Khyber Pakhtunkhwa Peshawar.
2. Director Elementary and Secondary Education, Khyber Pakhtunkhwa, Peshawar.
3. District Education Officer (Male) Tank.
4. Deputy Commissioner Tank.

(RESPONDENTS)

**WRIT PETITION UNDER ARTICLE 199 OF THE
CONSTITUTION OF ISLAMIC REPUBLIC OF
PAKISATN, 1973.**

Note:

That addresses of the parties are sufficient for the purpose of service.

Respectfully Sheweth;

Petitioner humbly submits and requests as under:-

1. That the Petitioner is a permanent resident village Pai Tehsil and District Tank having شهادة الفراغ من تجويد القرآن beside this the petitioner is a Hafiz-e-Quran. Petitioner is an experience in teaching as Qari at Kundi Model School Pai and Darul Uloom Islamia Pai Tank. Copies of Educational testimonials and

WP No.614-D of 2020 (Grounds)

ATTESTED
EXAMINOR
Peshawar High Court Bench,
Dera Ismail Khan
25/5/2020

experience certificate of petitioner are jointly annexed as Annexure-A.

36

2. That the petitioner being qualified for the post of Chowkidar, appointed as Chowkidar in Govt. Primary School#1 in Tank City, Education Department Tank vide order Endst: No. 1392-98/Ministerial Staff/2018 dated 02/04/2018. Copy of order dated 02/04/2018 is annexed as Annexure-B.
3. That thereafter the petitioner submitted medical certificate and charge report and joined the duties and has performed his duties with great zeal and zest. Copies of the medical certificate, charge report and attendance register of GPS No.1 Tank are jointly annexed as Annexure-C.
4. That thereafter the petitioner was transferred from GPS No.1 Tank to GPS Kirri Tooti Tank. Copy of transfer order is annexed as Annexure-D.
5. That it is pertinent to mention here that respondents did not pay even a single monthly drop of life (salary) to the petitioner up-till now despite the fact that petitioner is performing his duties regularly and punctually. Copy of the duty performance certificate is annexed as Annexure-E.
6. That thereafter the petitioner submitted an application to the Deputy Commissioner Tank with the request that the petitioner is the only earned person for his family there is no other source of income to feed the family, therefore, salaries of the petitioner be released and grievance of the petitioner may be redressed. Copy of application to DC Tank is annexed as Annexure-F.
7. That thereafter the petitioner along with colleagues personally appeared on 28/02/2019 before the Director Education Khyber Pakhtunkhwa and made an application with the request to release the salaries of petitioner from 03/04/2018 till 13/02/2019 which application was entertained by the Direction Education and sent the same back to the District Education Office (M) Tank with directions in shape of foot note, "DEO (M) Tank release their pay if they are

Handwritten signature and initials
Adv:

ATTESTED
EXAMINOR
Peshawar High Court Bench
District Judge
25/5/2021

performing duties regularly" signed dated 28/02/2019.

Copy of application dated 28/02/2019 with remarks is annexed as Annexure-G.

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8. That thereafter the petitioner was again adjusted against the vacant post of Chowkidar in GPS No. 1 Mullazai District Tank with immediate effect vide order Endst No. 4462-67/DEO-M dated 12/09/2019. Petitioner joined the duty by submitting the charge report. Copies of letter dated 12/09/2019 and charge report dated 13/09/2019 are annexed as Annexure-H.

9. That the petitioner was again directed by the respondent#3 to perform his duties at GHS No. 3 Tank for the next three months vide order Endst No. 5081-86 dated 14/10/2019 and joining report was marked on the same order vide foot note dated 16/10/2019. Copies of the letter dated 14/10/2019 & 16/10/2020 are annexed as Annexure-I.

10. That the petitioner performed his duties at GHS No. 3 Tank. In this respect attendance register is very much evident. Copies of attendance register GHS No. 3 are annexed as Annexure-J.

11. That ironically the appointment order of the petitioner was issued vide Endst No. 8254-62 dated 28/12/2019 and petitioner once again asked to submit medical report at Govt. Middle School Tank Cantt:, which petitioner submitted accordingly to obey the orders of high-ups on 30/12/2019. Copies of the appointment order dated 28/12/2019 and medical report are annexed as Annexure-K.

12. That the respondents authorities have been made rolling stone and escape goat from the petitioner and are reluctant to adjust the petitioner and allowed the petitioner at any appropriate post, meaning thereby refusal of the order of themselves and clear cut violation of rules and regulations.

13. That now the respondents are intending to deprive petitioner from his valuable rights just to benefit their blue eyed candidates, therefore, petitioner has been left with no other

TESTED
EXAMINOR
Jalandhar High Court Bench
Dera Ismail Khan

25/5/2021

adequate remedy but to invoke the Constitutional jurisdiction of this Honourable court seeking issuance of direction to respondents to appoint the petitioner on the post of Class-IV on, inter alia, the following grounds.

38

GROUNDS: -

- A. That, depriving the petitioner from appointment besides his competency, eligibility and high merit, amounts deprivation of petitioner of her fundamental, legal and Constitutional rights.
- B. That it is the fundamental right of the petitioner that after appointment the respondents/authority was required to adjust the petitioner at proper and competent post and release the salaries of petitioner as envisaged from the verdicts of the superior courts.
- C. That the respondent#3 (District Education Officer Male Tank) is not obeying the clear cut directions of the respondents#2 (Direct Education), thus, the acts of the respondents are clear cut violation of service rules and policy.
- D. That the acts and omissions of the respondents authority by not obeying their own orders and directions of superiors are highly condemnable and gross violation of principle of natural justice.
- E. That the behavior of the respondents is not in commence of ESTA Code. Hence, not tenable in the eye of law.
- F. That notices are being duly served under the dictates of procedural law of Honourable Peshawar High Court. Copies of the notices alongwith postal receipts are enclosed as **Annexure-L.**
- G. That counsel for the petitioner may please be allowed to raise additional grounds at the time of arguments.

ATTESTEL

EXAMINOR
Peshawar High Court Bench,
Dera Ismail Khan

25/5/21

It is therefore humbly prayed that on acceptance/issuance of the instant writ petition with the following prayers;

39

- i. To direct the respondents to act upon on their own initial appointment order dated 02/04/2018.
- ii. To direct the respondents to adjust the petitioner against the vacant, competent and proper post of Class-IV at anywhere in the whole district/province.
- iii. To direct the respondents to release the salaries of petitioner from the first appointment order i.e. 02/04/2018 up-till now.
- iv. To direct the respondents to take the duty from the petitioner by resuming proper stationed place without any dispute in the District or in the Province.

Any other appropriate relief, which this Honourable Court deems fit in the circumstances of case, may also be granted to the petitioner.

Dated: 8/08/2020

Humble Petitioner

Attiq ur Rehman
Through Counsel

Sheikh Iftikhar ul Haq
Advocate High Court

ATTESTED

EXAMINOR

Kesnawar High Court Bench,
Dera Ismail Khan

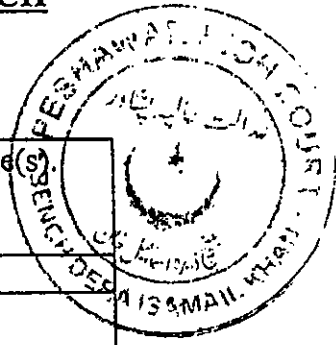
25/5/2021

(40)

Am - 'M'

PESHAWAR HIGH COURT, D.I.KHAN BENCH

FORM OF ORDER SHEET



Date of Order or Proceedings	Order or other proceedings with signature of Judge(s)
(1)	(2)
18.5.2021	<p><u>W.P.No.614-D/2020 with C.M.No.678-D/2020.</u></p> <p><u>Present:</u> Sheikh Iftikhar ul Haq, Advocate for the petitioner.</p> <p style="text-align: center;">***</p> <p>ABDUL SHAKOOR, J.- Through the instant petition under Article 199 of the Constitution of Islamic Republic of Pakistan, 1973, the petitioner Attiq ur Rehman has prayed as under:-</p> <p>“(i) To direct the respondents to act upon on their own initial appointment order dated 02.4.2018.</p> <p>(ii) To direct the respondents to adjust the petitioner against the vacant, competent and proper post of Class-IV at anywhere in the whole district/province.</p> <p>(iii) To direct the respondents to release the salaries of petitioner from the first appointment order i.e. 02.4.2018 up-till now.</p> <p>(iv) To direct the respondents to take the duty from the petitioner by resuming proper stationed place without any dispute in the District or in the Province.”</p> <p>2. The brief facts of the case as mentioned in the petition are that the petitioner was appointed as Chowkidar in GPS No.1, Tank vide orders dated 02.4.2018, where after he submitted medical certificate</p>

②

ATTESTED

EXAMINER
Peshawar High Court Bench
Dera Ismail Khan

and performed his duties; that respondents did not pay salary to the petitioner up-till now despite the fact that he is performing his duties regularly; that thereafter he submitted an application to Deputy Commissioner, Tank for release of salary and thereafter he alongwith other colleagues appeared before respondent No.2 and made an application for release of salary which was sent to respondent No.3 with the direction to release their pay if they are performing duties; that thereafter the petitioner was again adjusted against the vacant post of Chowkidar in GPS No.1 Mullazai, District Tank vide order dated 12.9.2019; that he joined the duties by submitting charge report; that the petitioner was again directed to perform his duties at GHS No.3, Tank for next three months vide order dated 14.10.2019; that appointment order of the petitioner was issued on 28.12.2019 and he was again asked to submit medical report at GMS, Tank Cantt;; that the respondents are intending to deprive the petitioner of his valuable rights just to benefit their blue eyed candidates, hence the instant petition.

3. We have heard the arguments of learned counsel for the petitioner and have gone through the record.

4. Perusal of order dated 28.12.2019 shows that petitioner was appointed as Naib Qasid and posted at GMS Tank Cantt: and thus for all intents and

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TESTED

EXAMINOR

Uttarakhand High Court Bench

Dehradun

25/5/20

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purposes, he is a civil servant. His prayer in the writ petition is for release of salaries which clearly falls within the terms and conditions of service and in such like matters, the jurisdiction of this Court is barred under Article 212 of the Constitution of Islamic Republic of Pakistan, 1973.

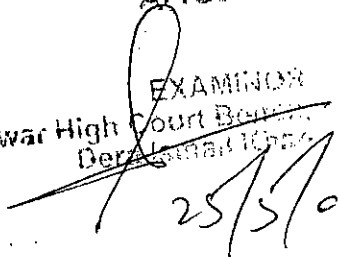
5. For the reason mentioned above, the instant petition is hereby dismissed alongwith C.M.No.678-D/2020 in limine.

Announced.
Dt: 18.5.2021.


JUDGE


JUDGE

Office
19/5

ATTESTED
EXAMINOR
Peshawar High Court Building
Dera Ismail Khan

25/5/21

Habib*

(DB)
Hon'ble Mr. Justice Abdul Shakoor
Hon'ble Mr. Justice Sahibzada Asadullah

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Ann - M/1

**BEFORE THE HONOURABLE DIRECTOR ELEMENTARY AND
SECONDARY EDUCATION, KHYBER PAKHTUNKHWA,
PESHAWAR**

**DEPARTMENTAL APPEAL/REPRESENTATION ON BEHALF OF
APPELLANT**

Respectfully Sheweth;

Appellant humbly submits and requests as under:-

1. That the Appellant is a permanent resident village Pai Tehsil and District Tank having شهادة الفراغ من تجويد القرآن beside this the petitioner is a Hafiz-e-Quran. Petitioner is an experience in teaching as Qari at Kundi Model School Pai and Darul Uloom Islamia Pai Tank.
2. That the Appellant being qualified for the post of Chowkidar. appointed as Chowkidar in Govt. Primary School#1 in Tank City, Education Department Tank vide order Endst: No. 1392-98/Ministerial Staff/2018 dated 02/04/2018.
3. That thereafter the Appellant submitted medical certificate and charge report and joined the duties and has performed his duties with great zeal and zest.
4. That thereafter the Appellant was transferred from GPS No.1 Tank to GPS Kirri Tooti Tank.
5. That it is pertinent to mention here that authorities did not pay even a single monthly drop of life (salary) to the Appellant up-till now despite the fact that Appellant is performing his duties regularly and punctually.
6. That thereafter the Appellant submitted an application to the Deputy Commissioner Tank with the request. that the Appellant is the only earned person for his family there is no other source of income to feed the family, therefore, salaries of the Appellant be released and grievance of the Appellant may be redressed.

Handwritten signature/initials

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7. That thereafter the Appellant along with colleagues personally appeared on 28/02/2019 before the Director Education Khyber Pakhtunkhwa and made an application with the request to release the salaries of Appellant from 03/04/2018 till 13/02/2019 which application was entertained by the Direction Education and sent the same back to the District Education Office (M) Tank with directions in shape of foot note, "DEO (M) Tank release their pay if they are performing duties regularly" signed dated 28/02/2019.
8. That thereafter the Appellant was again adjusted against the vacant post of Chowkidar in GPS No. 1 Mullazai District Tank with immediate effect vide order Endst No. 4462-67/DEO-M dated 12/09/2019. Appellant joined the duty by submitting the charge report.
9. That the Appellant was again directed by the District Education Officer Tank to perform his duties at GHS No. 3 Tank for the next three months vide order Endst No. 5081-86 dated 14/10/2019 and joining report was marked on the same order vide foot note dated 16/10/2019.
10. That the Appellant performed his duties at GHS No. 3 Tank. In this respect attendance register is very much evident.
11. That ironically the appointment order of the Appellant was issued vide Endst No. 8254-62 dated 28/12/2019 and Appellant once again asked to submit medical report at Govt. Middle School Tank Cantt., which Appellant submitted accordingly to obey the orders of high-ups on 30/12/2019.
12. That the authorities have been made rolling stone and escape goat from the Appellant and are reluctant to adjust the Appellant and allowed the Appellant at any appropriate post, meaning thereby refusal of the order of themselves and clear cut violation of rules and regulations.
13. That now the authorities are intending to deprive Appellant from his valuable rights just to benefit their blue eyed candidates, therefore, Appellant has been left with no other

1/11/2019

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adequate remedy but to prefer the instant departmental appeal on, inter alia, the following grounds.

GROUNDS: -

- A. That, depriving the Appellant from appointment besides his competency, eligibility and high merit, amounts deprivation of Appellant of his fundamental, legal and Constitutional rights.
- B. That it is the fundamental right of the Appellant that after appointment the authorities was required to adjust the Appellant at proper and competent post and release the salaries of Appellant as envisaged from the verdicts of the superior courts.
- C. That the (District Education Officer Male Tank) is not obeying the clear cut directions of your Honour, thus, the acts of the respondents are clear cut violation of service rules and policy.
- D. That the acts and omissions of the respondents authority by not obeying their own orders and directions of superiors are highly condemnable and gross violation of principle of natural justice.
- E. That the behavior of the respondents is not in commence of ESTA Code. Hence, not tenable in the eye of law.

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It is therefore humbly prayed that on acceptance of the instant appeal with the following prayers;

- i. **The authorities to act upon on their own initial appointment order dated 02/04/2018.**
- ii. **The authorities to adjust the appellant against the vacant, competent and proper post of Class-IV at anywhere in the whole district/province.**

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- iii. To release the salaries of appellant from the first appointment order i.e. 02/04/2018 up-till now.
- iv. To take/allow the duty from the appellant by resuming proper stationed place without any dispute in the District or in the Province.

Any other appropriate relief, which your good-self deems fit in the circumstances of case, may also be granted to the appellant.

Dated: 09/06/2021



Humble Petitioner

Attiq ur Rehman son
of Sher Muhammad
caste Kundi r/o village
Pai Tehsil & District
Tank.

Mob: 03009097291

ب
فطیل
ی ہونے
وں کے
ہائے
رت مقرر
حکم انشاء
ب موصوف
ورت رتہ
ر اس
ب موصوف
پوری نہ

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No. 63

For Insurance Notices see reverse.
Stamps affixed except in case of
insurance RGL58479822
the Post Office Guide or on which no
acknowledgement is due

Rs. Ps.

68V

Received a registered*
Addressed to

Date-Stamp

*Write here "letter", "postcard", "packet" or "parcel"
with the word "insured" before it when necessary.

Initials of Receiving Officer

If insured

Insured for Rs. (in figures)

Ps.

(in words)

Weight

Kilo

Gram

Name and
address
of sender



وکالت

48

کورٹ
فیس

بعدالت جناب اولڈ فورڈ ہنٹل لمیٹڈ کورس ٹریننگل لمیٹڈ ڈون D.I. Khan

منجانب ایڈووکیٹ
عتیق الرحمن
سروسز ایجیل
K.P.K

دعویٰ یا جرم

تفصیل دعویٰ یا جرم

باعث تحریر آنکہ

D.I. Khan کیلئے

مقدمہ مندرجہ بالا عنوان میں اپنی طرف واسطے بیرونی جواب دہی برائے پیشی یا تصدیق مقدمہ بنام

بینچہ افتخار الحقی ریسولوشن یا ملی خوردن

کو حسب ذیل شرائط پر وکیل مقرر کیا ہے کہ میں پیشی پر خود یا ہذا بذریعہ رو برو عدالت حاضر ہوتا رہوں گا اور ہر وقت پکارے جانے مقدمہ وکیل صاحب موصوف کو اطلاع دے کر حاضر عدالت کروں گا اگر پیشی پر منظر حاضر نہ ہو اور مقدمہ میری غیر حاضری کی وجہ سے کسی طور میرے خلاف ہو گیا تو صاحب موصوف اس کے کسی طرح ذمہ دار نہ ہوں گے نیز وکیل صاحب موصوف صدر مقام پکھری کے علاوہ یا پکھری کے اوقات سے پہلے یا پیچھے یا بروز تعطیل بیرونی کرنے کے ذمہ دار نہ ہوں گے اور مقدمہ صدر پکھری کے علاوہ اور جگہ سماعت ہونے یا بروز تعطیل یا پکھری کے اوقات کے آگے یا پیچھے پیش ہونے پر منظر کوئی نقصان پہنچے تو اس کے ذمہ دار یا اسکے واسطے کسی معاوضہ کے ادا کرنے یا محنت نہ دہانے کرنے کے بھی صاحب موصوف ذمہ دار نہ ہوں گے مجھ کو کل ساختہ پر داخستہ صاحب موصوف مثل کردہ ذات خود منظور قبول ہو گا اور صاحب موصوف کو عرض دعویٰ یا جواب دعویٰ یا درخواست اجراء اسانے ڈگری نظر ثانی پیشگی مگرانی و ہر قسم درخواست ہر قسم کے بیان دینے اور پر تاشی یا راضی نامہ و فیصلہ برطرف کرنے اقبال دعویٰ کا بھی اختیار ہو گا اور بصورت مقرر ہونے تاریخ پیشی مقدمہ مقرر بیرون از پکھری صدر بیرونی مقدمہ مقرر نظر ثانی اپیل و مگرانی و برآمدگی مقدمہ یا منسوخی ڈگری یک طرفہ یا درخواست حکم استثنای یا قرتی یا گرفتاری قبل از فیصلہ اجراء ڈگری بھی صاحب موصوف کو بشرط ادائیگی علیحدہ محتاط بیرونی کا اختیار ہو گا اور تمام ساختہ پر داخستہ صاحب موصوف مثل کردہ از خود منظور و قبول ہو گا اور بصورت ضرورت صاحب موصوف کو یہ بھی اختیار ہو کہ مقدمہ مذکورہ یا اس کے کسی جزو کی کاروائی یا بصورت درخواست نظر ثانی اپیل مگرانی یا دیگر معاملہ و قدمہ مذکورہ کسی دوسرے وکیل یا بیرونی کو اپنے بجائے یا اپنے ہمراہ مقرر کریں اور ایسے مشیر قانون کو بھی ہر امر میں وہی اور دیے اختیارات حاصل ہوں گے جیسے صاحب موصوف کو حاصل ہیں اور دوران مقدمہ میں جو کچھ ہر جانہ التواہ پڑے گا وہ صاحب موصوف کا حق ہو گا مگر صاحب موصوف کو پوری فیس تاریخ پیشی سے پہلے ادا نہ کروں گا تو صاحب موصوف کو پورا اختیار ہو گا کہ مقدمہ کی پروی نہ کریں اور ایسی صورت میں میرا کوئی مطالبہ کسی قسم کا صاحب موصوف کے برخلاف نہیں ہوگا

لہذا وکالت نامہ لکھ دیا ہے تاکہ سند رہے
مورخہ 22 ماہ ستمبر 2021

مضمون وکالت نامہ سن لیا ہے اور اچھی طرح سمجھ لیا ہے اور منظور ہے

عتیق الرحمن

Attest at
Accepted
in this

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