

20.03.2023


Junior to counsel for the appellant present.


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

Former made a request for adjournment as senior counsel for appellant is busy before another Bench of this Tribunal. Adjourned.

To come up for arguments on 30.03.2023 before D.B. Parcha Peshi given to the parties.

SCANNED  
KPST  
Peshawar

  
(Muhammad Akbar Khan)  
Member (E)


  
(Rozina Rehman)  
Member (J)

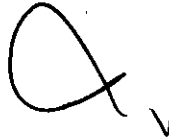
30<sup>th</sup> Mar, 2023

Appellant alongwith Mr. Mir Zaman Safi, Advocate present and filed Wakalatnama. Mr. Muhammad Jan, District Attorney for the respondents present.

Learned counsel for the appellant seeks adjournment on the ground that he has been newly engaged in the instant appeal and has not gone through the brief of the appeal. To come up for arguments on 26.05.2023 before D.B. P.P given to the parties.

SCANNED  
KPST  
Peshawar

  
(Salah Ud Din)  
Member (Judicial)

  
(Kalim Arshad Khan)  
Chairman

27.09.2022

Junior to counsel for appellant present.

Muhammad Jan, learned District Attorney for respondents present.

Due to general strike of the bar, case is adjourned to 21.11.2022 for hearing before D.B.


  
(Fareeha Paul)  
Member (E)


  
(Rozina Rehman)  
Member (J)

21<sup>st</sup> Nov, 2022

Lawyers on general strike today.

To come up for arguments on 06.01.2023 before D.B. Office is directed to notify the next date on the notice board as well as the website of the Tribunal.

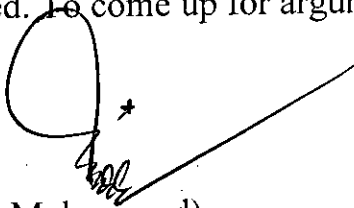
  
(Fareeha Paul)  
Member (E)

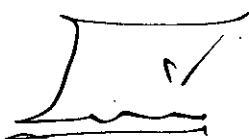
  
(Kalim Arshad Khan)  
Chairman

06.01.2023

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

Learned counsel for the appellant requested for adjournment on the ground that he has not made preparation for arguments. Adjourned. To come up for arguments on 20.03.2023 before the D.B.

  
(Mian Muhammad)  
Member (E)

  
(Salah-Ud-Din)  
Member (J)

SCANNED  
KPST  
Peshawar

WAKALAT NAMA

BEFORE THE Khyber Pakhtunkhwa Service Tribunal,  
Peshawar

316/17 OF 2023

Anjum Akhtav

(APPELLANT)  
(PLAINTIFF)  
(PETITIONER)

VERSUS

EDO & Others

(RESPONDENT)  
(DEFENDANT)

I/We Anjum Akhtav

Do hereby appoint and constitute **MIR ZAMAN SAFI**,  
Advocate, High Court, 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. 30 / 03 / 2023

Client

ACCEPTED

**MIR ZAMAN SAFI**  
ADVOCATE

**OFFICE:**

Room No.6-E, 5<sup>th</sup> Floor,  
Rahim Medical Centre, G.T Road,  
Hashtnagri, Peshawar.  
Mobile No.0333-9991564  
0317-9743003

01.02.2022

Counsel for the appellant present. Mr. Noor Zaman, District Attorney for the respondents present.

Due to paucity of time arguments could not be heard. To come up for arguments on 25.05.2022 before the D.B.



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



Chairman

25<sup>th</sup> May, 2022

Counsel for the appellant present. Mr. Muhammad Rashid, Deputy District Attorney for the respondents present.

Counsel for the appellant requested for adjournment on the ground that he has not prepared the brief. Adjourned. To come up for arguments on 21.07.2022 before D.B.



(Fareeha Paul)  
Member(E)



(Kalim Arshad Khan)  
Chairman

21.07.2022

Junior to counsel for appellant present.

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

Former requested for adjournment as senior counsel for appellant is busy before the august Supreme Court of Pakistan. Adjourned. To come up for arguments on 27.09.2022 before D.B.



(Fareeha Paul)  
Member(E)



(Rozina Rehman)  
Member (J)

14.06.2021

Nemo for appellant.

Muhammad Adeel Butt learned A.A.G alongwith Sajid ADEO for respondents present.

Appellant/counsel be put on notice for 18.10.2021 for arguments, before D.B.

Hina  
Nabeed  
18-6-21



(Rozina Rehman)  
Member (J)

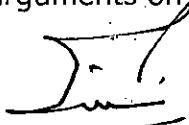


Chairman

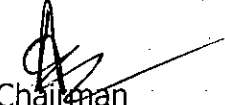
18.10.2021

Clerk of counsel for the appellant and Mr. Kabirullah Khattak, Addl. AG for the respondents present.

Due to general strike of the bar, learned counsel for the appellant is not in attendance. Case to come up for arguments on 31.01.2022 before the D.B.



(Salah-ud-Din)  
Member(J)



Chairman

31.01.2022

Counsel for the appellant present. Mr. Muhammad Adeel Butt, Addl. AG for the respondents present.

Due to paucity of time, arguments could not be heard. To come up for arguments on 01.02.2022 before the D.B.

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

Chairman

16

20.08.2020

Due to summer vacation, the case is adjourned to 22.10.2020 before D.B.

  
Reader

22.10.2020

Junior to counsel for the appellant and Addl. AG for the respondents present.

The Bar is observing general strike today, therefore, the matter is adjourned to 15.12.2020 for hearing before the D.B.

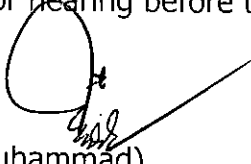
  
(Mian Muhammad)  
Member

  
Chairman

15.12.2020

Miss Rabia Muzaffar, Advocate on behalf of counsel for the appellant and Addl. AG for the respondents present.

Former requests for adjournment as learned senior counsel for the appellant is engaged before the Honourable High Court today. Adjourned to 08.03.2021 for hearing before the D.B.

  
(Mian Muhammad)  
Member(E)

  
Chairman

08.03.2021

Counsel for the appellant and Mr. Asif Masood Ali Shah, DDA for the respondents present.

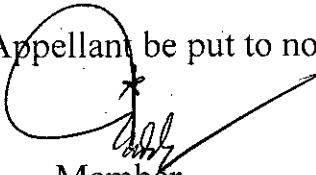
Due to paucity of time, the matter is adjourned to 14.06.2021 before hearing before the D.B.


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

  
Chairman

11.02.2020

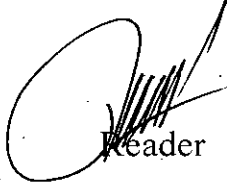
Appellant absent. Learned counsel for the appellant absent. However junior to counsel for the appellant present and seeks adjournment. Mr. Usman Ghani learned District Attorney for the respondents present. Adjourn. To come up for arguments on 25.03.2020 before D.B. Appellant be put to notice for the date fixed.

  
Member

  
Member

25.03.2020

Due to public holidays on account of Covid-19, the case is adjourned. To come up for the same on 09.06.2020 before D.B.

  
Reader

09.06.2020

Bench is incomplete as one learned Member (J) is on leave. Therefore, the case is adjourned. To come up for the same on 20.08.2020 before D.B.

  
Reader

14.06.2019

Junior to counsel for the appellant and Mr. Muhammad Riaz Khan Paindakhel, Asstt. AG for the respondents present.

Due to general strike on the call of the Khyber Pakhtunkhwa Bar Council, the matter is adjourned to 08.8.2019 for arguments before the D.B.

  
Member

  
Chairman

08.08.2019 Clerk to counsel for the appellant present. Mr. Muhammad Jan, DDA for respondents present. Clerk to counsel for the appellant seeks adjournment due to general strike on the call of Pakistan Bar council. Adjourn. To come up for arguments on 31.10.2019 before D.B.

  
Member

  
Member

31.10.2019

Appellant absent. Learned counsel for the appellant absent. Junior to counsel for the appellant and Mr. Zia Ullah learned Deputy District Attorney for the respondents present. Junior to counsel for the appellant seeks adjournment as senior counsel for the appellant is not in attendance. Adjourn. To come up for arguments on 06.12.2019 before D.B. Appellant be put to notice for the date fixed.

  
Member

  
Member

6.12.19

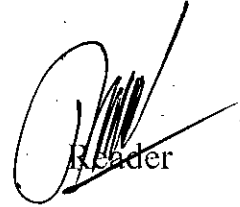
The Bench is incomplete therefore  
case is adjourned to 11-2-2020

Reada



23.10.2018

Due to retirement of Hon'ble Chairman, the Tribunal is defunct. Therefore, the case is adjourned. To come up on 07.12.2018.



Reader

07.12.2018

Counsel for the appellant present. Mr. Riaz Ahmad Paindakheil, Assistant AG for the respondents present. Learned counsel for the appellant requested for adjournment. Adjourned. To come up for arguments on 23.01.2019 before D.B.




(Ahmad Hassan)  
Member



(Muhammad Amin Khan Kundi)  
Member

23.01.2019

Clerk of counsel for the appellant present. Mr. Kabirullah Khattak, Additional AG for the respondents present. Clerk of counsel for the appellant requested for adjournment on the ground that learned senior counsel for the appellant is busy before the august Supreme Court of Pakistan and cannot attend the Tribunal today. Adjourned to 28.03.2019 for arguments before D.B.



(HUSSAIN SHAH)  
MEMBER



(MUHAMMAD AMIN KHAN KUNDI)  
MEMBER

28.03.2019

Due to general strike of the bar, the case is adjourn. To come up for arguments on 14.06.2019 before D.B.



Member



Member

25.04.2018

Counsel for the appellant and Addl: AG alongwith Mr. Attaullah, Assistant Secretary and Mr. Ali Akbar, ADK for respondents present. Due to retirement of the worthy Chairman, the Tribunal is incomplete, therefore the case is adjourned. To come up for same on 10.07.2018 before D.B




Chairman

10.07.2018

Counsel for the appellant present. Mr. Muhammad Jan, DDA for respondents present. Counsel for the appellant seeks adjournment. Adjourned. To come up final hearing on 03.09.2018 before D.B.



(Ahmad Hassan)  
Member



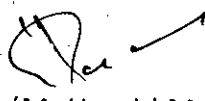
(Muhammad Hamid Mughal)  
Member

03.09.2018

Appellant absent. Learned counsel for the appellant and Mr. Ziaullah, Deputy District Attorney for the respondents present. Learned counsel for the appellant seeks adjournment. Adjourned. To come up for arguments on 23.10.2018 before D.B.



(M. Amin Khan Kundi)  
Member



(M. Hamid Mughal)  
Member

04.07.2017

None for the appellant present. Addl: AG alongwith Mr. Abdul Jalil, Legal Advisor for respondents present. Written reply submitted. To come up for rejoinder and arguments on 15.9.2017.

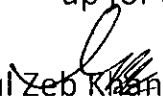
  
(Ahmad Hassan)  
Member


15.09.2017

Clerk to counsel for the appellant and Addl: AG alongwith Mr. Abdul Jamil, Legal Advisor for respondents present. Rejoinder submitted which is placed on file. Clerk to counsel for the appellant seeks adjournment as counsel for the appellant has gone for Hajj. Adjourned. To come up for arguments on 13.12.2017 before D.B.

13.12.2017

Learned counsel for the appellant present. Mr. Kabir Ullah Khattak, Member (Executive), Learned AAG for the respondents present. Member (Judicial), learned counsel for the appellant seeks adjournment. Adjourned. To come up for arguments on 20.02.2018 before D.B.

  
(Gul Zeb Khan)  
MEMBER

  
(Muhammad Hamid Mughal)  
MEMBER

20.02.2018

Due to non availability of D.B. Adjourned. To come up on 25.04.2018 before D.B.

  
(Gul Zeb Khan)  
Member

13.04.2017

Learned counsel for the appellant argued that the appellant as serving as Senior Arabic Teacher. That she was not paid salary for 43 months commencing from 1996 to 2002. That despite efforts the same was not paid to the appellant constraining her to prefer departmental appeal on 30.11.2016 which was not responded and hence the instant service appeal on 30.03.2017.

That the appellant is entitled to the salary of 43 months withheld by the respondents without lawful justification.

Appellant Deposited  
Security & Process Fee

Points urged need consideration. Admt. Subject to deposit of security and process fee within 10 days, notices be issued to the respondents for written reply/comments for 15.05.2017 before S.B.

Chairman

15.05.2017

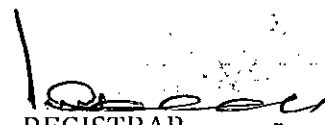

Counsel for the appellant and Addl. AG for the respondents present. Written reply not submitted. Request for adjournment. Request accepted. To come up for written reply/comments on 04.07.2017 before S.B.

(Ahmad Hassan)  
Member

Form- A  
FORM OF ORDER SHEET

Court of \_\_\_\_\_

Case No. 316/2017


S.No.	Date of order proceedings	Order or other proceedings with signature of judge or Magistrate
1	2	3
1	07/04/2017	The appeal of Mst. Anjum Akhtar resubmitted today by Mr. Fazal Shah Mohmand Advocate, may be entered in the Institution Register and put up to the Worthy Chairman for proper order please.  REGISTRAR
2-	11-04-2017	This case is entrusted to S. Bench for preliminary hearing to be put up there on <u>13-04-2017</u>  CHAIRMAN

The appeal of Mst. Anjum Akhtar Senior Arabic Teacher Govt. Girls Higher Secondary School Bakhshali Distt. Mardan received today i.e on 30.03.2017 is incomplete on the following score which is returned to the counsel for the appellant for completion and resubmission within 15 days.

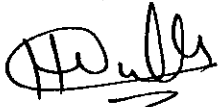
- 1- Memorandum of appeal may be got signed by the appellant.
- 2- Annexures-A to D referred to in memo of appeal are not attached with the appeal which may be placed on it.
- 3- Affidavit may be got attested by the Oath Commissioner.
- 4- Annexures of the appeal may be flagged.
- 5- Five more copies/sets of the appeal along with annexures i.e. complete in all respect may also be submitted with the appeal.

No. 650 /S.T,

Dt. 31/3 /2017

  
REGISTRAR  
SERVICE TRIBUNAL  
KHYBER PAKHTUNKHWA  
PESHAWAR.

Mr. Fazal Shah Mohmand Adv. Pesh.

Resubmitter aff compliance-  
  
2/4/17

**BEFORE THE SERVICE TRIBUNAL KPK PESHAWAR**

Service Appeal No 316 /2017.

Mst Anjum Akhtar.....Appellant

**V E R S U S**

DEO & others.....Respondents

**I N D E X**

S.No	Description of Documents	Annexure	Pages
1.	Service appeal with affidavit		1-4
2.	Application for condonation of delay with affidavit		5-6
3.	Copies of the Orders	A	7-13
4.	Copy of application	B	14-
5.	Copy of Departmental appeal, application & Order dated 11-09-05	C	15-23
6.	Copy of letter dated 02-08-2005 & memory report	D, E	24-26
7.	Wakalat Nama		27

Dated:-30-03-2017.

*Anjum Akhtar*  
Appellant

Through

*Fazal Shah Mohmand*  
Fazal Shah Mohmand  
Advocate Peshawar.

**OFFICE:-** Cantonment Plaza Flat 3/B Khyber Bazar Peshawar  
Cell# 0301 8804841

①

BEFORE THE SERVICE TRIBUNAL KPK PESHAWAR

Service Appeal No 316 /2017.

Mst Anjum Akhtar, Senior Arabic Teacher, Govt. Girls Higher Secondary School Bakhshali District Mardan.

.....Appellant

Khyber Pakhtunkhwa  
Service Tribunal

V E R S U S

Entry No. 307

Dated 30-3-2017

1. District Education Officer (Female) Mardan.
2. Director Elementary and Secondary Education, Govt. of KPK Peshawar.
3. Secretary, Elementary and Secondary Education, Govt. of KPK Peshawar.

.....Respondents

APPEAL U/S 4 OF THE KPK SERVICE TRIBUNAL ACT 1974 FOR DIRECTING THE RESPONDENTS TO PAY/RELEASE 43 MONTHLY SALARIES OF THE APPELLANT FOR WHICH THE DEPARTMENTAL APPEAL OF THE APPELLANT HAS NOT BEEN RESPONDED DESPITE THE LAPSE OF THE STATUTORY PERIOD OF NINETY DAYS.

PRAYER:-

On acceptance of this appeal respondents may kindly be directed to pay/release 43 monthly salaries of the appellant declaring the nonpayment of the same to the appellant as illegal, unlawful without lawful authority and of no legal effect.

Respectfully Submitted:-

1. That the appellant joined the respondent Department as Drawing Master on 05-10-1995 and was posted to Govt. Girls Middle School Alo District Mardan. It is pertinent to mention here that the appellant was appointed as Arabic Teacher on 23-06-1997 and since then she performed her duties with honesty and full devotion and to the entire satisfaction of her superior officers. (Copies of the Orders are enclosed as Annexure A).

Filed to-day

Registrar

30/3/17

2. That in the year 1997 and onwards due to political intervention the appellant was transferred time and again and was made a rolling stone due to which salaries of 43 months was not paid to the appellant despite the fact that the appellant duly performed the duties. The details of the months the salaries of which were not paid to the appellant is as under:-

Month of August 1996	(one month)
From February 1997 to September 1997	(8 Months)
Month of February 1998	(one Month)
From April 1998 to July 1998	(4 Months)
From October 1999 to February 2002	(17 Months)

Registrar

7/4/17



- 3. That the salaries as such were not paid to the appellant and the appellant was told that her service Book has been lost and after the preparation of new one, salaries will be paid to her, the appellant even made request for issuance of Certificate degrading new Service. **(Copy of application is enclosed as Annexure B)**
- 4. That the appellant time and again approached respondents for payment of the above mentioned salaries to her but of no use, where after she filed civil suit and then filed Writ Petition before the August Peshawar High Court Peshawar which were dismissed due to lake of jurisdiction in the matter, where after the appellant filed departmental appeal on 30-11-2016 which has not been responded so far despite the lapse of more than the statutory period of ninety days. **(Copy of Departmental appeal along with receipt is enclosed as Annexure C)** *while copy of application order dated 10-4-15 is Annexure C(I)*
- 5. That this action of the respondents of not paying/releasing the 43 monthly salaries of the appellant is against the law, facts and principles of justice on grounds inter alia as follows:-

**G R O U N D S :-**

- A. That the omissions and commissions of the respondents are impugned orders are illegal and void abinitio.
- B. That mandatory provisions of law and rules have badly been violated by the respondents and the appellant has not been treated according to law and rules and the appellant despite performing are not paid her salaries in violation of law and rules on the subject.
- C. That this action of the respondent's amounts to forced labor besides exploitation which is against the teachings of Islam and Constitution of the land as well.
- D. That the salaries of the appellant have been denied to her without any omission or commission on her part and as such too the appellant is entitled to the salaries of the mentioned period.
- E. That the law as well as the relevant rules is badly violated by the respondents who are bent upon to deprive the appellant of her earned rights.
- F. That even as per letter dated 02-08-2005 and inquiry report the appellant is entitled to the salaries and that she has suffered a lot for the same. **(Copy of letter dated 02-08-2005 is enclosed as Annexure D)** *while copy of inquiry report is Annexure E)*

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- G. That ex parte action has been taken against the appellant and he has been condemned unheard in violation of the principles of natural justice..
- H. That no inquiry was conducted to find out the true facts and circumstances.
- I. That the appellant has about 22 years of service with unblemished service record.
- J. That the appellant seeks the permission of this honorable tribunal for further/additional grounds at the time of arguments.

It is therefore prayed that appeal of the appellant may kindly be accepted as prayed for in the heading of the appeal.

Dated:-30-03-2017.

*Ajmal Akber*  
Appellant

Through

*Fazal Shah Mohmand*  
Fazal Shah Mohmand  
Advocate, Peshawar

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**BEFORE THE SERVICE TRIBUNAL KPK PESHAWAR**

Service Appeal No \_\_\_\_\_/2017.

Mst Anjum Akhtar.....Appellant

**V E R S U S**

DEO & others.....Respondents



**AFFIDAVIT**

I, Mst Anjum Akhtar, Senior Arabic Teacher, Govt. Girls Higher Secondary School Bakhshali District Mardan do hereby solemnly affirm and declare on oath that the contents of this **Appeal** are true and correct to the best of my knowledge and belief and nothing has been concealed from this honorable Tribunal.

Identified by

  
Fazal Shah Mohmand  
Advocate Peshawar

  
DEPONENT

  
  
2017-4-17

(5)

**BEFORE THE SERVICE TRIBUNAL KPK PESHAWAR**

Service Appeal No \_\_\_\_\_/2017.

Mst Anjum Akhtar.....Appellant

**V E R S U S**

DEO & others.....Respondents

**Application for the condonation of delay if any.**

**Respectfully submitted:-**

1. That the accompanying appeal is being filed today in which no date of hearing has been fixed so far.
2. That the grounds of appeal may be considered as integral Part of this application.
3. That the impugned order being void ab initio, illegal and time factor becomes irrelevant in such cases, furthermore the appellant consistently took the issue at various forums and as such the appeal is within time.
4. That the law as well as the dictums of the superior Courts also favors decisions of cases on merit besides the matter is money matter and the appellant as such has continuous cause of action.

**It is therefore prayed that on acceptance of this application, the delay if any in filing of appeal may kindly be condoned.**

**Dated:-30-03-2017.**

*Anjum Akhtar*  
**Appellant**

**Through**

*Fazal Shah Mohmand*

**Fazal Shah Mohmand,  
Advocate, Peshawar**

6

BEFORE THE SERVICE TRIBUNAL KPK PESHAWAR

Service Appeal No \_\_\_\_\_ /2017.

Mst Anjum Akhtar.....Appellant

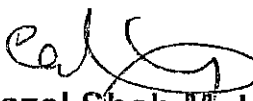
V E R S U S

DEO & others.....Respondents

AFFIDAVIT

I, Mst Anjum Akhtar, Senior Arabic Teacher, Govt. Girls Higher Secondary School Bakhshali District Mardan, do hereby solemnly affirm and declare on oath that the contents of this **Application** are true and correct to the best of my knowledge and belief and nothing has been concealed from this honorable Tribunal.

Identified by

  
Fazal Shah Mohmand  
Advocate Peshawar

  
DEPONENT



**OFFICE OF THE DIVISIONAL DIRECTOR SECONDARY EDUCATION MARDAN**  
**DIVISION MARDAN**

(7)

**Appointment / Adjustment.**

Appointment of the following persons (s) is hereby ordered against the post of D.M on temporary and adhoc basis at Rs.1605/- fixed plus usual allowances and admissible under the rules in BPS-9 Rs.(1605-97-3060) at the institution noted against each name.

S. No.	Name/Qualification & Address	Posted at	Remarks
1.	Mrs. Anjum Akhtar D/o Niamat Ullah Village Sawal Dher District Mardan.	GGMS Alo	Against the vacant post of D.M

**Terms & Conditions:**

1. His / Her appointment is purely temporary and liable to termination at any time without assigning reasons or notice.
2. In case of resignation he/she will have to submit one months more notice to the Department or foreiet one month's pay in lieu thereof to the Government.
3. He / She is required to produce health and age certificate from the Medical authority concerned before taking over charge, provide he/she is not in Government Service.
4. He/She should not be allowed to take over charge if his /her age is less than 18 years or above 25+2 years.
5. His/her appointment is subject to further condition that he/she is domiciled of NWFP.
6. All original educational, character and domicile certificate should be thoroughly checked before handing over charge, if necessary if should be verified from the institutions concerned.
7. If he/she fails to take over charge of the post within a month of the receipt of this order the offer of appointment shall stand cancelled.
8. Charge report should be submitted to all concerned.
9. No TA/DA etc is allowed.
10. He/She should be given test in Nizira Quran and Pakistan studies and result intimated to this office.

(Muhammad Zaman Khan)  
Divisional Director Secondary Education  
Mardan Division Mardan

No. 6160-62 /

Dated Mardan the 5-10-1995

Copy forwarded to the:-

1. District Accounts Officer Mardan.
2. Principal/Headmaster/Headmasteress GGMS Alo.
3. District Education Officer Female Secondary Mardan.
4. Supdt: Establishment.
5. Candidate.

(Muhammad Zaman Khan)  
Divisional Director Secondary Education  
Mardan Division Mardan.

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OFFICE OF THE DIVISIONAL DIRECTOR SECONDARY  
EDUCATION MARDAN DIVISION MARDAN.

APPOINTMENT/ADJUSTMENT

Appointment of the following persons(s) is hereby ordered against the post of D.M on temporary and adhoc basis at Rs. 1605/- fixed plus usual allowances and admissible under the rules in BPS 9 Rs. (1605-97-3060) at the institution noted against each name.

S.No.	Name/Qualification & Adress	Posted at	Remarks.
1.	Mrs. Anjum Akhter D/O Niamatullah village Sawal Dher District Mardan.	GCMS A10.	Against the vacant post of D.M.

TERMS & CONTITIONS:

1. His/Her appointment is purely temporary and liable to termination at any time without assigning reasons or notice.
2. In case of resignation he/she will have to submit one months more notice to the Department or foreiet one month, s pay in lieu thereof to the Government.
3. He/She is required to produce health and age certificate from the Medical authority concerned before taking over charge, provide he/she is not in Government Service.
4. He/She should not be allowed to take over charge if his /her age is less than 18 years or above 25+2 years.
5. His/Her appointment is subject to further condition that he/she is domiciled of NWFP.
6. All original educational, charcter and domicile certificate should be thoroughly checked before handing over charge, if necessary if should be verified from the Institutions concerned.
7. If he/she fails to take over charge of the post within a month of the receipt of this order the offer of appointment shall stand cancelled.
8. Charge report should be submitted to all concerned.
9. No TA/DA etc is allowed.
10. He/She should be given test in Nizira Quran and Pakistan studies and result intimated to this office.

(MUHAMMAD ZAMAN KHAN)  
Divisinal Director Secondary Education  
Mardan Division Mardan.

No. 6160-62

Dated Mardan the 5-10-1995

Copy forwarded to the:-

1. District Accounts Officer Mardan. GCMS A10.
2. Principal/Headmaster/Headmistress GCMS A10.
3. Distict Education Officer Female Secondary Mardan.
4. Supdt: Establishment.
5. Candidate.

(MUHAMMAD ZAMAN KHAN)  
Divisinal Director Secondary Education  
Mardan Division Mardan.

C.T.C.

ABYS...  
E-42  
[Handwritten signatures and stamps]

+

NOTIFICATION:

Consequent upon their selection by the Departmental Selection Committee. The Divisional Director Secondary Education Mardan Division Mardan has been pleased to against the following trained P.T (Female) at the schools noted against their names in BPS-9 (Rs.1605-97-3060) plus usual allowances as admissible under the rules with immediate effect.

Subject to the existing terms and conditions:-

S. No.	Name/parentage/ Address	D.O.B No. of meriti/marks.	Remarks
1.	Nargis Nourin D/O Noorul Hakam Par Baghada Mardan.	10.5.69 1/95	GGMS. Naseer Killin Vice Miraj Begum at terminated & not selected on
2.	Aneesa Begum D/O Amir Bahadar R/O Marghuz Swabi	16.9.73 2/86	GGHS Marghuz Already occupied by her.
3.	Farida Gul D/O Saeed Gul R/o Hoti Mardan.	15.4.74 3/78	GGMS Babaini -do- Mardan
4.	Baswar Hayat D/O Mohammad Hayat Iram Colomy Mardan.	1.1.75 4/74	GGMS Akbar Abad Vice Gul Rukh AT terminated and not selected on merit.
5.	Dilshad Begum D/O Kirtaz Ali R/O Kalu Khan Swabi.	12.1.74 5/64	GGHS Tordher vice Farkhanda Darwaish AT terminated & not selected on merit.
6.	Dilshad D/O Azizullah R/O Bakshali.	8.10.73 6/62	GGMS Kata Khat Already occupied by her.
7.	Nancy Gul D/O Fazal Mohammad Kas Koroonaa Mardan.	1.1.77 7/62	GGMS Shankar Mahal -do-
8.	Kaloom D/O Sher Bahadar R/O Sharif Abad Shamsi Road, Mardan.	5.2.71 8/62	GGMS Kot T. Bhai vice nails AT terminated & not selected on merit.
9.	Yasmeen D/O Zainullah R/O Said Abad T. Bhai Mardan.	15.2.76 9/62	GMS Kot Jungara vice nusrat Gul AT terminated and not selected on merit.
10.	Nighat Begum D/O Said Raheem Muqam Mandi Baghdada Mardan.	10.4.73 10/60	GGHS Katlang. Already occupier by her.
11.	Faheem Akhtar D/O Shad Mohammad R/O Muqam Mandi Baghdad Mdn.	2.4.73 11/60	GGHSS Shahdand -do- Baba Mardan
12.	Jabeena Gul D/O Shafaras Khan R/O Gulbahar Swabi.	28.2.70 12/60	GGHS Jehangira. -do-
13.	Saeeda Shafqat Sultanani D/O Saifur Rahman Adina Swabi.	16.2.70 13/59	GGHS Ismaila vice Safia Afsar AT terminated and not selected on merit.
14.	Anjum Akhtar D/O Niamat Shah R/O Sawal Dher Mardan	5.5.70 14/59	GGMS Mian Khan Mardan vice Tilawat Khan AT terminated and not selected on merit.
15.	Najma D/O Sher Bahadar R/O Sharif Abad Shamsi Road, Mdn.	1.3.73 15/58	GGMS. Bakshali Mardan vice Parveen AT terminated & not selected on not.
16.	Shahzia Kiran D/O Ihsan Mohammad R/O Bijlighar Mardan.	1.1.75 16/58	GGMS. Ghala vice Nargas AT terminated and not selected in merit.
17.	Najma Shaheen D/o Ghareeb Gul R/O Kala Swabi.	11.8.75 17/58	GGMS. Takail (G) Swabi vice Nadra Noor AT terminated & not selected on merit.



S. No.	Name/parentage/ Address	D.O.B No. of mert/mark.	Remarks
18.	Shahzia Begum D/O Wasal Khan R/O Pir Abad Takhat Bhai.	11.4.75 18/58	GGMS. Mari Kalo Shah vice Ifsat AT terminated & not selected on merit.
19.	Mehrun Nisa D/O Mohammad Hassan Garden Moh: Mardan.	15.4.72 19/56	GGMS. Khazana Dheri Already Mardan. Occupied by her.
20.	Sabzia Rani D/O Taj Mohammad R/O Cham Dheri Mardan.	8.2.76 20/55	GGMS. Pehur Hamlet vice Raziā Shaheen AT terminated & not selected on merit.
21.	Umme Kalsoom D/O Khalilur Rahman R/O Ram Bagh Mardan.	15.1.75 21/54	GGHS. Bicket Gunj Already Mardan. Occupied by her.
22.	Mehrin D/O Misar Mohammad R/O Sikandari Mardan.	16.9.74 22/53	GGMS. Babuzai. Vice Faheem Naz AT terminated and not selected on merit.
23.	Shagufta Anjum D/O Asghar Ali Shah Bicket Gunj Mardan.	9.3.68 23/52	GGMS. Machi. Already occupied by her.
24.	Nasreen Begum D/O Nosher R/O Asota Sharif Swabi.	8.5.71 24/51	GGMS. Yaqoobi -do-
25.	Safia Naz D/O Azmar Ali R/O Maneri Bala Swabi.	1.3.73 25/51	GGMS. Marghuz. -do-
26.	Ishrat D/O Mohammad Saqib R/O Haji Abad Dubai Adda Mardan.	7.3.78 26/45	GGMS Mohibullah Banda Mardan. -do-
27.	Mehnaz Nourin D/O Noor Habib R/O Dhobian Swabi.	8.7.78 27/42	GGMS. Sard China vice Mahi Tillat AT terminated & not selected on merit.
28.	Ismat D/O Mohammad Hassan R/O Garden Mohallah Mardan.	1.5.85 28/41	GGMS. Ganjai. Already occupied by her.
29.	Gohar Sultana D/O Sardar Mohammad Nawaz R/O Zaida.	21.5.73 29/41	GGMS. Daulat -do-
29A.	Naveeda Akhtar D/O Ihsan Ullah R/O Sher Garh Mardan.	2.12.76 29A/41	GGHS. Hathian. -do-
30.	Zakia naz D/O Mohamamd Shaffi R/O Kala Distt: Swabi.	2.1.78 30/39	GGMS. Manki vice Nada AT terminated & not selected on merit.
31.	Khairul Wara D/O Ibrahim Khan R/O Ikram Pur Mardan.	16.10.76 31/37	GGHS. Ikram Pur. Already occupied by her
32.	Afsari Begum D/O Rasool Khan R/O Dagai Swabi.	12.4.60 32/33	GGHS. Kas Koroona vice Nelofar AT terminated not selected on merit.
33.	Robina Bibi D/O Darul Mohammad R/O Dheri Lekpani. Mardan.	10.5.73 33/32	GGMS. Dheri Lakpani. Vice Sarwat AT terminated & not selected on merit.

TERMS AND CONDITIONS:

1. They will be governed by such rules and regulations as may be prescribed by the Govt. from time to time from the category of the Govt. Servant to which they belong.
2. Their services will be liable to termination on one month notice from either side. In case of resignation without notice one month pay will be forfeited in lieu thereof.

3. They should join the posts within one month of the issue of this notification.
4. Their inter-se-seniority will be determined in accordance with the merit of Departmental Selection Committee.
5. Charge report should be submitted to all concerned.
6. They shall be on probation for a period of two years and will have to pass Departmental Examination. In case a candidate fails to qualify the Departmental Examination, he will be given one more chance. If fails again, then his / her services will be terminated. One arrival / eye liability of trained teachers the services of untrained teacher occupies the post will be terminated.
7. Their original Certificates / Degrees should be checked and verified from the concerned University / BISE/RDE and Islamic Madrassas concerned before handing over charge.
8. Service books of the teacher must be prepared complete in all respect before handing over charge.
9. The declaration of assets should be obtained from them immediately and places on record.
10. They are required to produce Health and Age certificate from Medical Authorities concerned before taking over charge.
11. Charge should not be given to the over age candidate. Her case for age relaxation be sent to the concerned quarter.
12. Efforts for transfer before the completion of the tenure will disqualify her from the service.
13. No TA/DA is allowed.
14. An undertaking shall be obtained from Master and degree holders PTC/CT etc. that they will service the department for at least five years unless she is selected by the Public Service Commission.
15. In case of person appointed as an untrained teacher, he will have to pass the requisite training examination within a period of 4-years failing which her services will be terminated.

NOTE: Complete information of each category (separately) in consolidated lists on the prescribed proforma (attached) alongwith charge report should be submitted by the lower offices to the Divil: Director Secondary Education Mardan Division Mardan with in a week positively.

(WIQAR AHMAD)  
 DIVIL: DIRECTOR SECY: EDUCATION  
 MARDAN DIVIN: MARDAN.

Enlst: No. 9782-9860 / AT Apptt: AE-V

Dated Mardan the, 23.6/97

Copy forwarded to the:-

1. Director Secondary Education NWFP, Peshawar.
- 2-3. Distt: Education Officer (Female) Secondary Mardan and Swabi.
- 4-5. Distt: Accounts Officer Mardan and Swabi.
- 6-40. Principal / Headmistress concerned.
41. P/S to Secretary to Govt. of NWFP Education Deptt: Peshawar.
- 41-75. Candidate concerned.
76. F. Files.
77. M. File

DIVIL: DIRECTOR SECY: EDUCATION  
 MARDAN DIVIN: MARDAN.

Qamar/  
rif /



12

Consequent upon their selection by the Departmental Selection Committee, The Divisional Director Secondary Education Mardan Division has been pleased to appoint the following trained A.T (Female) at the schools noted against their names in BPS-9 (Rs. 1605-97-3060) plus usual allowances as admissible under the rules with immediate effect subject to the existing terms and conditions:-

No.	Name/Parentage/Address	D.O.B.	No. of merit/marks	School	Remarks.
1.	Nargis Nourin D/O Noorul Hakam Far Baghdada Mardan.	10.5.69	1/95	GGMS.Naseer Killi	vice Mirad Begum AT terminated & not selected on merit.
2.	Aneesa Begum D/O Amir Bahadur R/O Marghuz Swabi.	16.9.73	2/86	GGHS.Marghuz	Already occupied by her.
3.	Farida Gul D/O Saeed Gul R/O Hoti Mardan.	45.4.74	3/78	GGMS.Babaini Mardan.	-do-
4.	Baswar Hayat D/O Mohammad Hayat Iram Colony Mardan.	1.1.75	4/74	GGMS.Akbar Abad	vice Gul Fakhri AT terminated and not selected on merit.
5.	Dilshad Begum D/O Kirtaz Ali R/O Kalu Khan Swabi.	12.1.74	5/64	GGHS.Tordher	vice Farkhanda Darwaish AT terminated & not selected on merit.
6.	Dilshad D/O Azizullah R/O Bakshali.	8.10.73	6/62	GGMS.Kata Khat	Already occupied by her.
7.	Nancy Gul D/O Fazal Mohammad Kes Koroonia Mardan.	1.1.77	7/62	GGMS.Shankar Mahal.	-do-
8.	Falsoon D/O Sher Bahadar R/O Sharif Abad Shamsi Road Mardan.	5.2.71	8/62	GGMS.Kot T.Bhai.	vice Naila AT terminated & not selected on merit.
9.	Yasmeen D/O Zainullah R/O Said Abad T.Bhai Mardan.	15.2.76	9/62	GGMS.Kot Jungara	vice Nusrat Gul AT terminated and not selected on merit.
10.	Nighat Begum D/O Said Raheem Mugam Mandi Baghdada Mardan.	10.4.73	10/60	GGHS.Kattlang.	Already occupied by her.
11.	Faheem Akhtar D/O Shad Mohammad R/O Mugam Mandi Baghdada Mdn.	2.4.73	11/60	GGHSS.Shahdand Baba Mardan.	-do-
12.	Jabeena Gul D/O Shafaras Khan R/O Gulshahar Swabi.	28.2.70	12/60	GGHS.Jehangira.	-do-
13.	Saeeda Shafqat Sultana D/O Saifur Rahman Adina Swabi.	16.2.70	13/59	GGHS.Ismaila	vice Safia Afser AT terminated and not selected on merit.
14.	Anjum Akhtar D/O Miran Khan R/O Said Abad Shamsi Road Mardan.	5.5.70	14/59	GGMS.Miran Khan Mardan	vice Dilawar Khan AT terminated and not selected on merit.
15.	Najma D/O Sher Bahadar R/O Sharif Abad Shamsi Road Mdn.	1.3.73	15/58	GGMS.Bakshali Mardan	vice Farveen AT terminated & not selected on merit.
16.	Shahzia Kiran D/O Ihsan, Mohammad R/O Bijligar Mardan.	1.1.75	16/58	GGMS.Ghala	vice Nargas AT terminated and not selected on merit.
17.	Najma Shaheen D/O Ghansab Gul R/O Kala Swabi.	11.8.75	17/58	GGMS.Takail(G) Swabi	vice Nadra Noor AT terminated & not selected on merit.

c.t.c.  
by

ABVO  
Liaison  
B. J. Khan  
Director

Cont....2....

f

S.No.	Name/parentage/address.	D.O.B.	No. of merit/marks.	School	Remarks.
18-	Shakzia Begum D/O Wasal Khan R/O Pir Abad Takhat Bhai.	11.4.75	18/58	GGMS.Nari Kalo Shah	vice Ifsat AT terminated & not selected on merit.
19-	Mehrun Nisa D/O Mohammad Hassan Garden Moh:Mardan.	15.4.72	19/56	GGMS.Khazana Dheri Mardan.	Already occupied by her.
20-	Sabzia Rani D/O Taj Mohammad R/O Cham Dheri Mardan.	8.2.76	20/55	GGMS.Pehur Hamlet	vice Reza Shaheen AT terminated & not selected on merit.
21-	Umme Kalsoom D/O Khalilur Rahman R/O Ram Bagh Mardan.	15.1.75	21/54	GGHS.Bicket Gunj Mardan.	Already occupied by her.
22-	Mehrin D/O Nisar Mohammad R/O Sikandari Mardan.	16.9.74	22/53	GGMS.Babuzai.	vice Fa heem AT terminated and not selected on merit.
23-	Shagufta Anjum D/O Asghar Ali Shah R.Gunj Mardan.	9.3.68	23/52	GGMS.Machi.	Already occupied by her.
24-	Nasreen Begum D/O Noshur R/O Asota Sharif Swabi.	8.5.71	24/51	GGMS.Yaqoobi.	-do-
25-	Safia Naz D/O Azmar Ali R/O Maneri Bala Swabi.	1.5.73	25/51	GGMS.Marghuz.	-do-
26-	Ishrat D/O Mohammad Saqib R/O Haji Abad Dubai Adda Mardan.	7.3.78	26/45	GGMS.Mohibullah Banda Mardan.	-do-
27-	Mehnaz Nourin D/O Neor Habib R/O Dhobian Swabi.	8.7.78	27/42	GGMS.Sard China	vice Mahi Tillat AT terminated & not selected on merit.
28-	Ismat D/O Mohammad Hassan R/O Gardey Mohallah Mardan.	1.5.85	28/41	GGMS.Ganjai.	Already occupied by her.
29-	Gohar Sultana D/O Sardar Mohammad Nawaz R/O Zaida.	21.5.73	29/41	GGMS.Daulat	-do-
29-A.	Naveeda Akhtar D/O Ihsan -ullah R/O Sher Garh Mardan.	2.12.76	29-A/41	GGHS.Hathian.	-do-
30-	Zakia Naz D/O Mohammad Shaffi R/O Kala Distt;Swabi.	2.1.78	30/39	GGMS.Manki	vice Nada AT terminated & not selected on merit.
31-	Khairul Wara D/O Ibrahim Khan R/O Ikram Pur Mardan.	16.10.76	31/37	GGHS.Ikram pur.	Already occupied by her.
32-	Afsari Begum D/O Rasool Khan R/O Dagai Swabi.	12.4.60	32/33	GGHS.Kas Korona	vice Nelca AT terminated and not selected on merit.
33-	Robina Bibi D/O Darul Mohammad R/O Dheri Lekpani. Marda.	10.5.73	33/32	GGMS.Dheri lekpani.	vice Sarwat AT terminated & not selected on merit.

TERMS AND CONDITIONS:

- They will be governed by such rules and regulations as may be prescribed by the Govt:from time to time from the category of the Govt:Servant to which they belong.
- Their services will be liable to termination on one month's notice from either side. In case of resignation without notice one month pay will be provided in lieu thereof.

They should join the posts within one month of the notification.

13

- 4- Their inter-se-seniority will be determined in accordance with the merit of Departmental Selection Committee.
- 5- Charge report should be submitted to all concerned.
- 6- They shall be on probation for a period of two years and will have to pass Departmental Examination. In case a candidate fails to qualify the Departmental Examination, he will be given one more chance. If he fails again, then his/her services will be terminated. On arrival/availability of trained teachers the services of untrained teacher occupies the post will be terminated.
- 7- Their original Certificates/Degrees should be checked and verified from the concerned University/BISE/RDE and Islamic Madrassas concerned before handing over charge.
- 8- Service books of the teachers must be prepared complete in all respect before handing over charge.
- 9- The declaration of assets should be obtained from them immediately and places on record.
- 10- They are required to produce Health and Age certificate from Medical Authorities concerned before taking over charge.
- 11- Charge should not be given to the over age candidate. Her case for age relaxation be sent to the concerned quarter.
- 12- Efforts for transfer before the completion of the tenure will disqualify her from the service.
- 13- No TA/DA is allowed.
- 14- An undertaking shall be obtained from Master and degree holders PTC/CT etc. that they will service the department for at least five years unless she is selected by the Public Service Commission.
- 15- In case of person appointed as an untrained teacher, he will have to pass the requisite training examination within a period of 4-years failing which her services will be terminated.

NOTE: Complete information of each category (separately) in consolidated lists on the prescribed proforma (attached) along with charge report should be submitted by the lower offices to the Divl: Director Secondary Education Mardan Division Mardan within a week positively

(WIQAR AHMAD)  
DIVL: DIRECTOR SECY: EDUCATION  
MARDAN DIVN: MARDAN.

Enst: No. 9782-9860 / AT Apptt: AE-V Dated Mardan the, 23.6. / 97

Copy forwarded to the:-

- 1- Director Secondary Education NWFP, Peshawar.
- 2-3. Distt: Education Officer (Female) Secondary Mardan and Swabi,
- 4-5. Distt: Accounts Officer Mardan and Swabi.
- 6-40, Principal/Headmistress concerned.
- 41- P/S to Secretary to Govt: of NWFP Education Deptt: Peshawar.
- 41-75, Candidate concerned.
- 76. F. Files.
- 78. M. file.

DIVL: DIRECTOR SECY: EDUCATION  
MARDAN DIVN: MARDAN.

Qamar/  
RIT/

(14)

The Honourable Executive Distt. Officer,  
Schools & Literacy,  
Distt. Mandla.

DO(F)  
For immediate  
disposal  
[Signature]

Sub:- Application for issuance of Certificate  
regarding new duplicate service book

Respected Sir,

with due regards and humble submission,  
It is stated that the applicant is  
serving as A.T teacher at G.G.H.S Sawaikhera.  
The department has prepared a new service  
book.

According to AG Office directions there is  
a need of issuance of Certificate that  
the new service is the duplicate one, and  
it may be considered as original.

Therefore, It is kindly prayed and requested  
for the issuance of the subject Certificate.

Thanks & oblige.

Date 05/05/07

Yours Sincerely,  
Anjum Akhtar  
Anjum Akhtar

A.T  
G.G.H.S Sawaikhera  
Personel No. 00123 (85)

[Signature]

(15)

4/11/93

To

The District Education Officer (F)  
Mardan.

Subject:- REQUEST FOR THE RELEASE OF 43  
MONTHS SALARIES.

*Respected Madam:-*

*It is humbly stated as under:-*

1. *That the appellant was appointed as D.M in the year 1995 and in the year 1997 her cadre was changed and nowadays working as A.T (Arabic Teacher) at BPS-16 Govt. Girls Higher Secondary School Bakhshali District Mardan.*

2. *That monthly salaries of the appellant have illegally been stopped. The detail is as under:-*

*8/96, 2/97,—6/97, 7/97, 9/97, 2/98, 4/98, 7/98 and 10/99,—2/2002 (43 months)*

3. *That an inquiry was also conducted to ascertain the fact regarding the said matter (Stoppage of salaries), wherein it was found and recommended by the Inquiry Officer/Budget and Account Officer of the D.E.O Mardan, that the appellant is totally innocent and the concerned authorities are responsible for the said illegality. It was also recommended that "the appellant may be paid for*

*f*

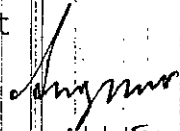
(16)

*the claimed period. Service book of the appellant be completed and sever action under E&D rules be taken against the dealing hands with recovery of the embezzled amount.*

*It is, therefore, most humbly requested that the monthly salaries of the appellant as per given detail may kindly be released.*

dated:- 30/11/2016

Appellant



Mrs. Anjum Akhtar  
A.T (Arabic Teacher)  
Govt: Girls Higher Secondary  
School Bakhshali  
District Mardan





Rs. Ps. (17)

(18)

91

... see reverse. ... in case of ... of not more than ... prescribed in the ... Guide or on which no ... is due.

Date-Stamp

Write here "letter", "post card", "packet" or "parcel" with the word "insured" before it when necessary (in words)

Weight } Kilo  
Ps. (in words) } Grams

(11)

Mr. (F. Male) ... Mardan.

... in different schools and ...

To your kind notice that

I have been serving in the education department w.e.f. 5-10-1995 in different posts. The detail of which is mentioned in the following lines.

1. I was appointed as D.M. Dated 5-10-1995 vide order No. 6160-62 at G.B.M.S. A.G. Mardan and took over charge on 11-10-1995
2. I remained there upto Feb. 1997.
3. The pay on D.M. post did not draw on w.e.f. 1-8-1996 to 31/8/1996 = one month  
" 1-2-1997 to 28/2/1997 = do  
" 1-3-1997 to 30/6/1997 = Four months.

C.T.C.

High Court ... Mardan

4. Then I was appointed as A.T (Trained) at G.B.M.S. Mian Khan (Mardan) vide Director of edu. Schools Mardan vide order No. 9282-9860 dated 23/6/1997 and took over charge on 1/7/1997.

5. The remaining pay is as under.  
w.e.f. 1/7/1997 to 30/9/1997 = 3 months  
" 1/2/1998 to 28/2/1998 = 1 month  
" 1/4/1998 to 31/7/1998 = 4 months.

Handwritten notes and signatures on the left margin.

I was transferred from from G.B.M.S. Mian Khan to Sarwal Dher Mardan & then Fatima (Mardan) but the pay of the cited above duration still pending as under.  
w.e.f. 1-10-1999 to Feb. 2002 = 29 months.

So, it is requested that the dues of pay cited above may be drawn please.

Shabir in advance.  
Date 17/1/2004.

Yours obediently,  
Anjum Akhtar  
G.B.M.S. Fatima  
(Mardan)

Handwritten signature at the bottom center.

19

To

The Distt: Officer (Female)  
Literacy & Schools Mardan.

Subject: Due of pay in different schools and dues of increments.

Sir,

It is brought to your kind notice that I have been serving in the education department w.e.f 5-10-1995 on different posts. The detail of which is mentioned in the following lines.

1. I was appointed as D.M dated 5-10-1995 vide order No.EI 60-62 at G.G.M.S Alo Mardan and tack over charge on 11-10-1995.
2. I remained there upto Feb 1997
3. The pay on D.M post did not drawn  
w.e.f 1-8-1996 to 31-8-1996 = one month.  
// 1-2-1997 to 28-2-1997 = -do-  
// 1-3-1997 to 30-6-1997 = four months
4. Then I was appointed as A.T (Trained) at G.G.M.S Mian Khan (Mardan) vide Director of Edu: Schools Mardan vide order No.9282-9860 dated 23-6-1997 and tack over charge on 1-7-1997.  
The remaining pay is as under:  
W.e.f 1-7-1997 to 30-9-1997 = 3 months  
// 1-2-1998 to 28-2-1998 = 1 month  
// 1-4-1998 to 31-7-1998 = 4 months
6. I was transferred from G.G.M.S Mian Khan to Sawal Dher Mardan & then Fatma (Mdn) but the pay of the cited above duration still pending as under:  
w.e.f. 1-10-1999 to Feb 2002 = 29 months

So, it is requested that the dues of pay cited above may be drawn please.

Thanking in advance.

Yours obediently,

*Sd*

Anjum Akhtar  
GGMS Fatma  
(Mardan)

Dated: 17-1-2004

*f*

c.t.c.

h.

E.A.

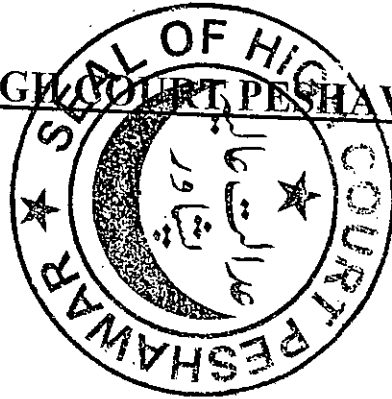
A.A.

BY ORDER

Director of Education

20

**BEFORE THE PESHAWAR HIGH COURT, PESHAWAR**



W.P No. 2891-P /2014

Mrs. Anjum Akhtar A.T (Arabic Teacher) Govt. Girls Middle School Gaddar,  
Tehsil and District Mardan.

Versus

(Petitioner)

1. District Education Officer (Female) Mardan.
2. The Director Education K.P.K Peshawar.
3. The Secretary Education K.P.K Peshawar.
4. The Govt. of K.P.K through the Chief Secretary K.P.K

(Respondents)

Subject: Writ petition under article 199 of the constitution of Pakistan against the respondents wherein they (the respondents) have illegally stopped the monthly salaries (43 months) of the petitioner which is illegal, against the law and facts and without any adverse order against the petitioner.

Respectfully Sheweth:

The petitioner humbly states as under:

1. That the petitioner was appointed as D.M (Drawing Master) in the year 1995 and in the year 1997 her cadre was changed and nowadays the petitioner is working as A.T (Arabic Teacher) at Govt. Girls Middle School Gaddar, Tehsil & District Mardan.

FILED TODAY  
Deputy Registrar  
23 SEP 2014

ATTESTED  
EXAMINER  
Peshawar High Court  
01 APR 2017

(21)

# PESHAWAR HIGH COURT, PESHAWAR

## FORM OF ORDER SHEET

Date of Order of Proceedings	Order or other Proceedings with Signature of Judge.
1	2
10.4.2015	<p><b><u>W.P. No. 2891-P/2014</u></b></p> <p><b><u>Present :</u></b> Mr.Khanzada Khan, advocate, for petitioner.</p> <p style="text-align: center;">_____</p> <p><b><u>NISAR HUSSAIN KHAN, J.-</u></b> <i>Petitioner seeks</i></p> <p><i>issuance of an appropriate writ for direction to the respondents to release her 43 months' salary and also to make necessary verification to update her service book.</i></p> <p>2. <i>We have heard learned counsel for petitioner and have also gone through the record appended with the petition.</i></p> <p>3. <i>In essence case of the petitioner is that she was appointed as Drawing Master in the year 1995 and in 1997, her cadre was changed and nowadays she is performing her duty as Arabic Teacher in Government Girls Middle School Gaddar, district Mardan. She averred that number of unpaid salaries for certain months in the years 1996, 1997, 1998, 1999 till 2002 comes to 43 . She filed representation before the competent authority but no adverse order has been passed against her.</i></p>

**ATTESTED**  
 EXAMINER  
 Peshawar High Court  
 01 APR 2017

4. Respondents in their comments emphatically denied the contention of petitioner. It is averred in the comments that petitioner is serving as Arabic Teacher in BPS-9 in Government Girls Middle School Mian Khan, Mardan, since 1.7.1997, according to her service record and that was her fresh appointment order. Regarding stoppage of salaries since October, 1999 to February, 2002, it is contended in the comments that there was litigation between petitioner and another female teacher holding the same post, after upgradation of Government Girls Middle School Sawal Dher before the Service Tribunal which was decided against her. However, as per record all the salaries have been paid to her by cash as the same practice was in vogue, by then.

5. It is apparent from the divergent stance of the parties that the payment of salaries or otherwise is a factual controversy which cannot be resolved without recording evidence and such practice cannot be embarked upon in exercise of Constitutional jurisdiction. Beside that petitioner is admittedly a civil servant and her grievance relates to the terms and conditions of service which can better be pursued before the Service Tribunal which is a proper forum while this court, by virtue of constitutional bar enshrined in Article 212 of the Constitution of Islamic Republic of Pakistan, 1973, cannot interfere in its constitutional jurisdiction.

ATTESTED  
EXAMINER  
Peshawar High Court  
01 APR 2007

23

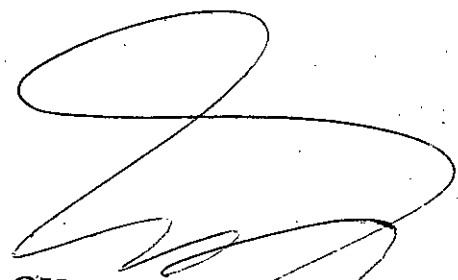
6. For what has been discussed above, we  
 without dilating upon merits of the case, dismiss this petition  
 in limine for want of maintainability.

*sd/-*  
*sd/-*

Announced on  
 10<sup>th</sup> April, 2015.

*sd/-*  
 21/04/15

(SHAH)\*



CERTIFIED TO BE TRUE COPY

Examiner  
Peshawar High Court, Peshawar  
Authorized Under Article 87 of  
The Qanun-e-shahadat Order 1984

01 APR 2017

20377

No. ----- 20377

Date of Presentation of Application -----

No of Pages ----- 4

Copying fee -----

Urgent Fee -----

Total -----

Date of Preparation of Copy ----- 01/04/17

Date Given For Delivery ----- 01/04/17

Date of Delivery of Copy ----- 01/04/17

Received By -----

DISTRICT OFFICER (FEMALE)  
SCHOOLS & LITERACY MARDAN  
No. \_\_\_\_\_  
Dated Mardan, the. 21/8 /2005

709  
2

24

To  
ADDC(B&AO),  
Mardan.

Subject:- PROVIDING OF SERVICE BOOK/DRAWL OF PAY  
Memo:-

Ms. Anjum Akhtar was appointed as DM with effect from 11.10.1995 whose Service Book was maintained and is available on the record of this office. Then she was terminated from DM post and reappointed as AT with effect from 1.7.1997 at GGHS Mian Khan but no Service Book is available on the record of this office while pay has been drawn for the whole period.

You are therefore, directed to ask your Accountant who was working during the period 1997 to provide the Service Book if available within three days after the receipt of this letter as the Service Book might have been prepared for the drawal of pay and to make pay/salary active on source from the DAO Mardan. Due importance be given to the job matter as the applicant has already suffered and a claim for at least 2-3 years salary is pending as per enquiry report of the enquiry officer.

Encls: No. 8770-71

- 1. Copy forwarded to the:- P.A. of DC O Mardan.
- 2. Ms. Anjum Akhtar, AT GGHS, Sawalddher for information.

DISTRICT OFFICER (FEMALE)  
SCHOOLS & LIT. MARDAN  
Dated Mardan, the. \_\_\_\_\_ 2005.

Received on  
24/9/05 through  
Liakat Khatun  
at 1.10 PM  
Ms. S. B. B. B.  
24/9/05

DISTRICT OFFICER (FEMALE)  
SCHOOLS & LIT. MARDAN

Office of the EOO (S&L) Mardan

Encls. no 10224-26 dated 26/9/05

Copy to Mr. Navraj Khan & claim (Ex Acct.) to comply with the directive of DDO(F) as the case is abnormal delayed and so many time correspondence has been made with you but with no response from your side. The case is urgently reviewed by DDO(F).

Ms. S. B. B. B.

DATE  
1995  
26/9/05

f

E

25

20/11/04

ENQUIRY REPORT ABOUT NON-PAYMENT TO MST. ANJUM AKHTAR A.T GGMS FATHMA.

In compliance with the D.O (F) Mardan order No.4500-G dated 3-11-04, investigation into the above case were stated, as it is a very old case and relates to various schools different categories as well as non availability of relevant record it took a long time, to report as under:-

1. Anjum Akhtar was appointed as D.M at GGMS, Alo and later on appointed as A.T.
2. Her S/Book is not completed after 1995 and still it is lying incomplete.
3. She has not been paid for the following period.  
8/96, 2/97 to 6/97  
7/97 to 9/97  
12/98, 4/98 to 7/98  
10/99 to 2/2002  
After 3/2002 she is regularly paid.
4. After studying her P/file, it to notice that during 1999 when there came the transfer order between Anjum Akhtar and Tabasum they both were reluctant to hand over charge and as such tug of war was started which resulted into stoppage of her pay. At past there was a habit of detailment to other schools at the sweet well of employees, therefore proper attendance cannot be ascertained.  
During 3/2002 there came end of tug of war between these two A.Ts and pay regularly started, but the disputed period under appeal is yet not cleared.  
As there is nothing available for the action taken against here if she was not taken the case seriously and kept her S/Book incomplete and her pay stopped without cogent action.
6. During investigations it was also found that her pay for 2/98, 4/98 to 8/98 (6 month) drawn but not paid to her and she is still claiming for it.

RECOMMENDATIONS

As nothing of any action against her about stoppage of her pay exist on the record. Also her S/Book is lying incomplete since 1995, whereas she is regularly paid since 3/2002 and also paid for various intervening months, as well as her pay drawn, for 2/98, 4/98 to 8/98, but not paid to her, prove that this fault lies with the office hands and not with Anjum Akhtar A.T.

Therefore she may be paid for the claimed period under reference, her S/Book completed and sever action under (E&D) rules be taken against the dealing hands with recovery of embezzled amount.

Sd-

BUDGET AND ACCOUNT OFFICER  
LOCAL OFFICE.

Copy to District Officer (F) Local Office w/r to her No. referred to above please.

Sd-

BUDGET AND ACCOUNT OFFICER  
AT, E.D.O (S&L) MARDAN.

CTC.  
H  
En-AL

ADVOCATE  
Inayat Ali  
High Court Peshawar  
Distt. Court Mardan

f



ENQUIRY REPORT ABOUT NON-PAYMENT TO MIST. ANJUM AKHTAR A.T. GMS, PATINA.

In Compliance with the D.O. (P) Morden order No. 4500-6 dated 27/11/04, investigation into the above case was started, as it is a very old case and relates to various schools different categories as well as non availability of relevant record it took a long time, to report as under:-

1. Anjum Akhtar was appointed as D.M at GMS, Ato and later on appointed as A.T.
2. Her B/Book is not completed after 1995 and still it is lying incomplete.
3. She has not been paid for the following period:-

3/96 to 2/97 to 6/97  
 7/97 to 9/97  
 2/98, 4/98 to 7/98  
 10/99 to 2/2002.

After 3/2002 She is regularly paid.

4. After studying her P/File, it came to notice that during 1995 when there came the transfer order between Anjum Akhtar and Tabasum they both were reluctant to hand over charge and as such tug of war was started which resulted into stoppage of her pay. At past there was a habit of detailment to other schools of the sweet wall of employees, therefore proper attendance cannot be ascertained.

During 3/2002 there came end of tug of war between these two A.T.s and pay regularly started, but the disputed period under appeal is yet not cleared.

5. As there is nothing available for the action taken against her as the end of the case is not clear etc or not obeying transfer order which prove that the office hands here did not taken the case seriously and kept her B/Book incomplete and her pay stopped without cogent action.

6. During investigations it was also found that her pay for 2/98, 4/98 to 7/98 (month) drawn but not paid to her and she is still claiming for it.

RECOMMENDATIONS

As nothing of any action against her about stoppage of her pay exist on the record. Also her B/Book is lying incomplete since 1995, whereas she is regularly paid since 3/2002 and also paid for various interlocking months, as well as her pay drawn, for 2/98, 4/98 to 8/98, but not paid to her, hence that the fault lies with the office hands and not with Anjum Akhtar A.T.

Therefore She may be paid for the claimed period under reference, her B/Book completed and never action under (ESD) unless be taken against the delinquent hands with recovery of accumulated amount.

Copy to District Officer (P) Local office w/r to her No. referred to above pl:-

RECEIVED AND ACCOUNTS OFFICE LOCAL OFFICE.

BY OFFICE ACCOUNTS OFFICE AT, M.D.A. (S.P.) PATINA.

1024  
25/05

30  
14/08

Refused to  
due copy

A.C.  
4  
ADVOCATE  
District Court Patna

# **FAZAL SHAH MOHMAND**

**ADVOCATE SUPREME COURT, ISLAMABAD**

# **SALEEM ULLAH KHAN ROGHANI**

**ADVOCATE HIGH COURT, ISLAMABAD**

# **SHAMS UL AKBAR SADIQ**

**ADVOCATE HIGH COURT, ISLAMABAD**

27

## **POWER OF ATTORNEY**

Before the: **KHYBER PAKHTUNKHAW SERVICE TRIBUNAL, PESHAWAR**

Appellant: **MST. ANJUM AKHTAR** Verses **SECRETARY EDUCATION** Respondent:

Nature of Case: **SERVICE MATTER**

Know all to whom these presents shall come that I the undersigned appointed.

1. To be advocate for the above mentioned case to act, appear plead or to present appeals, writs, revisions, reviews, compromise, bails or any other application in the interest of client, conduct trial, examine, cross objections or other petitions or to withdraw, promise or other petitions as shall be deemed necessary or advisable for the prosecution / defense of the said cause at all its stages in the above mentioned case in the court.
2. He is authorized to employ, authorize any other legal practitioner to assist or exercise the power and authority hereby conferred on the Advocate whenever he may things to do so.

**AND I hereby agree to ratify whatever the Advocate or his substitute shall do in this behalf.**

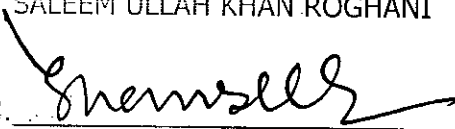
**AND I hereby agree not to hold Advocate or his substitute responsible for the result of the said case in consequence of his absence from the court when the said case is called up for hearing, as I will personally or through attorney appear in court at the time of call on each and every date of hearing and will also inform the Advocate.**

**AND I hereby agree that the event of whole or any part of the fee agreed by me to be paid to Advocate remaining unpaid dues; he will be entitled to withdraw from the prosecution / defense of the said case until the same is paid.**

Accepted subject to the above terms & payment of settled fee.

1.   
\_\_\_\_\_  
FAZAL SHAH MOHMAND

2.   
\_\_\_\_\_  
SALEEM ULLAH KHAN ROGHANI

3.   
\_\_\_\_\_  
SHAMS UL AKBAR SADIQ

**Signature of Counsel**

  
**Signature / thumb impression of client**

BEFORE THE KHYBER PAKHTUNKHWA SERVICE TRIBUNAL PESHAWAR

Appeal No. 316/2017

Mst Anjum Akhtar------(Appellant)

**VERSUS**

Secretary Education & Others ----- (Respondents)

**INDEX**

S.NO	DESCRIPTION OF DOCUMENTS	ANNEXURE	PAGES	
1.	Para wise Comments		1	4
2.	Copy of Service book	"A"	5	8
3.	Copy of Acquaintance Roll	"B"	9	9

Respondents

Through:

  
District Education Officer(F)

Mardan

Dated: 23-05-2017

BEFORE THE KHYBER PAKHTUNKHWA SERVICE TRIBUNAL PESHAWAR

Appeal No. 316/2017

Mst Anjum Akhtar------(Appellant)

**VERSUS**

Secretary Education & Others ----- (Respondents)

**Parawise Comments on behalf of Respondents**

Respectfully Sheweth,

Preliminary Objections:-

1. That the Appellant has got no cause of action and locus standi to file the instant appeal.
2. That the instant appeal is bad in its present form, hence incompetent and liable to be dismissed.
3. That the instant appeal is not maintainable in the eye of law.
4. That the instant appeal is hopelessly time barred.
5. That the appellant concealed the material facts and kept this Honourable Tribunal in dark.
6. That the appellant has not come to this Honourable Tribunal with clean hands.
7. That the appellant is estopped by her own conduct to file the instant appeal.
8. That the instant appeal is liable to be dismissed on account of non-joinder and mis-joinder of unnecessary parties.

## ON FACTS

1. Para 1 is incorrect, baseless and according to service book record, the appellant is serving in Education Department on A.T Post BPS-09 in GGMS Mian Khan Mardan since 01-07-1997, hence denied. (Copy of service Book record is attached as Annex A)
2. Para 2 is incorrect, baseless and according to the service book record, the appellant was freshly appointed at AT post BPS-09 at GGMS Main Khan/ Mardan in 01-07-1997, hence the claim of the appellant for the salaries of month i.e. August 1996 (01, Month) & February to June 1997 (05 Months) total (06 months) is totally wrong, illegal, baseless and without logic. That the period mentioned for the non-payment of salaries after joining service in Education Department on A.T post i.e July, August, September 1997 (03 months) and the period claiming in the year 1998 i.e. February , April, May , June and July (05 months). So total (08 months) is paid to the appellant according to the acquaintance record on which the signature of the appellant is present. (Copy is attached a Annex "B")

That the period mentioned for the non-payment of salaries from October 1999 to February 2002 total (29 months) was stopped by the then competent authority due to tug of war started on transfer between the appellant and another female teaching having some post and of same locality after up-gradation of GGMS Sawal Dher and a courses of litigation also took place in between them in service tribunal and that two was decided against the appellant on seniority basis. At past there was a practice of detailment and to other schools at the sweet will of the employees, so due to detailment and tussle between the appellant and another teacher, proper attendance of the appellant from October 1999 to Feb 2002 cannot be ascertained due to frequent transfers, hence denied.

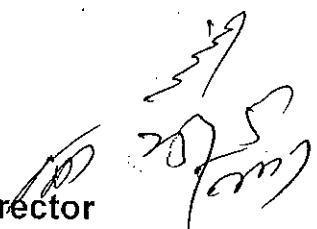
3. Para 3 is incorrect and according to budget & accounts record, the salaries of the above mentioned different periods of the appellant was drawn from accounts office and at that time, there was manual system of payment i.e through center Incharge by hand, in cash to different teachers of different schools, the record of which of is impossible to trace out due to a lot of time has been passed and non-availability of the then dealing hands, hence denied.
4. Para 4 pertains to record to the extent of moving judiciary however the appellant showed negligence and carelessness on her part and the subject matter is hopelessly time barred, hence denied.
5. Para 5 is incorrect, baseless, against law and facts, hence denied.

### GROUNDS


- A. Para A is incorrect, baseless, against law and facts, hence denied.
- B. Para B is incorrect, baseless and thoroughly explained supra in Para No.2 & 3, hence denied.
- C. Para C is incorrect, baseless, against law and facts, hence denied.
- D. Para D is incorrect, baseless, and thoroughly explained in para No.2, hence denied.
- E. Para E is incorrect and the answering respondent being a responsible Government official has not violated any law or rules, hence denied.
- F. Para F pertains to record but according to B.& AO Officer of the then DEO (School & Literacy) Mardan, the salaries of the appellant has been properly and regularly drawn from the account office, hence denied.
- G. Para G is incorrect, baseless, against law & facts, hence denied.
- H. Para H is incorrect and the instant appeal being devoid of merit is liable to be dismissed.
- I. Para I pertains to record, hence denied.

J. The respondent seek permission to raise additional grounds at the time of arguments.


Therefore it is humbly prayed that keeping in view the above mentioned facts, the instant appeal may kindly be dismissed with cost.



Director  
(Ele.&Sec) Education  
Department KPK Peshawar



Secretary  
(Ele.&Sec) Education  
Department KPK Peshawar



District Education Officer (F)  
Mardan

SSC

Annex. A

(5)

(For use in Police Department only).

1. Passes SSC(A) Examination, 1992, from BISE, Peshawar under R/No. 2904 and recovered 463/850 marks in 2nd Division.

2. M. Nahid  
D. E. O. (Female)  
Mardan (Sec.)

3.

Verification Roll No. FA dated \_\_\_\_\_ received back \_\_\_\_\_

Passes FA (S) Examination, 1994, from BISE, Peshawar under R/No. 5324 and recovered 530/1100 marks in 2nd Div.

Left Thumb Impression

M. Nahid  
D. E. O. (Female)  
Mardan (Sec.)

Hon. in Arabic

Passes Oriental Languages Examination (A) 1995 from BISE, Peshawar under R/No. 169 and recovered 231/600 marks in 3rd Division.

English \_\_\_\_\_ First Arts \_\_\_\_\_

Passed Hon. in Arabic (A) Examination, 1995 from BISE Peshawar under Roll No. 169 and secured 231/600 marks in 3rd Division.

M. Nahid  
D. E. O. (Female)  
B.L. or B.A. Mardan (Sec.)

Urdu Already signed at S.No. 3

280/600  
Sec. Mardan.

Pleadership examination \_\_\_\_\_

Plan-drawing Passed BA from University of Peshawar

Training School Final examination \_\_\_\_\_

Finger Print Passed BA (A) Exam 1989 from University of Peshawar 241/500 2nd Division

Other qualifications  
P. T. C. P. A. B.  
CGSS - Lower D.D. M.  
Mardan

Drill Instructing Passed B.I.E.D Exam Sorhad University of Peshawar

Court Duties Under Roll No. 09 SP 2590 608/900 Result declared 12/4/2010

Reserve Duties Attested by Magsud

CGSS - Lower D.D. M.  
Mardan

N.B. - Line to be drawn under the qualification possessed.

any record regarding payment of salaries of the disputed period to



1	2	3	4	5	6	7	8	9
Name of post	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 attesting the correctness of the entries in columns 1 to 8
AT, EGMS, MIANKHAN MARDAN		R. BPS, 7 (C.P.S. = 1605-97-3060)	Rs. = 1605/- pm			17/1997	Abkhar	J. No. E.O. (Mardan)
do		Rs. = 1605/- pm				12/97	Abkhar	J. No. E.O. (Mardan)
do		Rs. = 1702/- pm				12/98	Abkhar	J. No. E.O. (Mardan)
do		Rs. = 1799/- pm				12/99	Abkhar	J. No. E.O. (Mardan)
do		Rs. = 1896/- pm				12/2000	Abkhar	J. No. E.O. (Mardan)
do	Attended Magistrate	Rs. = 1993/-				12/2001	Abkhar	J. No. E.O. (Mardan)

Mardan (Secy)

admitted that they are not in possession of ...  
 ... is also contradictory.  
 ... payment of salaries of the dis...

9	10	11	12	13		14	15
				Leave			
				Nature and duration of leave taken	Allocation of period of leave on average pay upto four months for which leave salary is debitable to another Government		
Signature and Designation of 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.	Period	Government to which debitable	Signature of the head of the office or other attesting officer	Reference to any recorded punishment or censure, or reward or praise of the Government Servant
P. ... D.E.O. (Female) Mardan (Sec.)	30/11/98	Ann. Ine.	P. ... D.E.O. (Female) Mardan (Sec.)				
P. ... D.E.O. (Female) Mardan (Sec.)	30/11/99	Ann. Ine.	P. ... D.E.O. (Female) Mardan (Sec.)				
S. ... D.E.O. (Female) Mardan (Sec.)	30/11/2000	Ann. Ine.	S. ... D.E.O. (Female) Mardan (Sec.)				Service Verified w.e.f. 1-7-97 to 30-11-97 from The Acq: Roll & other record of this office.
S. ... D.E.O. (Female) Mardan (Sec.)	30/11/2001	Ann. Ine.	S. ... D.E.O. (FEMALE) (S & I) Mardan.				Service Verified w.e.f. 1-12-97 to 30-11-98 from The Acq: Roll & other record of this office.
District Officer, (S & I) Mardan	30/11/2001	Revision of Scale	District Officer, (Admin. & Dev.) (S & I) Mardan				Service Verified w.e.f. 1-12-98 to 30-11-99 from The Acq: Roll & other record of this office.

... admitted that they are not in possession of ... regarding payment of salaries of the disputed period



**BEFORE THE SERVICE TRIBUNAL KPK PESHAWAR.**

Service Appeal No 316/2017

Anjum Akhtar.....**Appellant.**

**V E R S U S**

Secretary & Others.....**Respondents**

**REPLICATION ON BEHALF OF THE APPELLANT.**

**REPLY TO PRELIMINARY OBJECTIONS.**

All the preliminary objections raised by the respondents are incorrect and as such denied. The appellant has got a valid cause of action and locus standi to file instant appeal, which is maintainable and competent in its present form. Instant appeal is well within time as monetary benefits are involved so fresh cause of action accrues to the appellant every month and the appellant is not estopped by his conduct to file instant appeal. Appellant has come to this honorable Tribunal with clean hands and he has concealed nothing from this honorable Tribunal and all necessary parties have been impleaded.

**RELY TO FACTS/GROUNDS.**


Comments of the respondents are full of contradictions and are based on malafide. Respondents have failed to show that the appellant did anything that would amount to misconduct. The comments amount to admissions on part of the respondents, as they have failed to deny the plea of the appellant. Respondents have admitted that the salary of 29 months was not paid to the appellant and that too for no fault on her part. The version of the respondents regarding appointment of the appellant is also contradictory. Respondents have also admitted that they are not in possession of any records regarding payment of salaries of the disputed period to

The appellant, thus the version of the respondents is based on surmises and conjectures which is not tenable in the eyes of law. Respondents have also not denied the plea of the appellant that she was held entitled for the salaries of the claimed period by the inquiry report and as per letter dated 02-08-2005. The appellant never received the salaries of the mentioned period for which she is entitled.

In the circumstances the appellant has been punished without any omission or commission on his part and she has not committed any misconduct. The appellant could not be punished for the fault of the respondents. The appellant has been punished without any omission or commission on her part. The respondents have failed to substantiate their version and bring anything on record in support of their version; as such the appellant is entitled to the salaries of the claimed period.

**It is therefore prayed that appeal of the appellant may kindly be accepted as prayed for in the heading of the appeal.**

Dated:- 02.08-17

  
Appellant

Through

  
Fazal Shah Mohmand

Advocate Peshawar

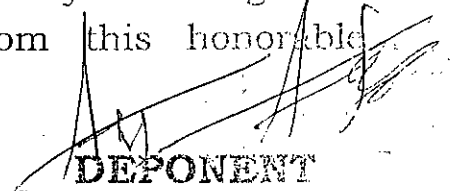
## AFFIDAVIT

I, Anjum Akhtar Senior Arabic Teacher, Govt. Girls Higher Secondary School Bakhshali District Mardan, (The Appellant), do hereby solemnly affirm and declare on oath that the contents of this **Replication** are true and correct to the best of my knowledge and belief and nothing has been concealed from this honorable Tribunal.

Identified by

  
Fazal Shah Mohmand

Advocate Peshawar.

  
DEPONENT

