


FORM OF ORDERSHEET

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

Misc. application No. 331/2023

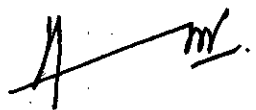
S.No.	Date of order proceedings	Order or other proceedings with signature of judge
1	2	3
1	25/05/2023	<p>The Misc. application in appeal no. 7894/2021 resubmitted today by Mr. yasir Saleem Advocate. It is fixed for hearing before Division Bench at Peshawar on _____ . Original file be requisitioned.</p> <p style="text-align: right;"> REGISTRAR</p>

The Misc. application of Mr. Sameer Ullah Assistant District Education officer N.W received today i.e. 19.5.2023 is incomplete on the following scores which is returned to the counsel for the applicant for completion and resubmission within 10 days.

- 1- Title page of main appeal is not attached with the application.
- 2- Annexures of the petition are unattested.
- ③ Misc. application be supported with an affidavit duly attested by the Oath Commissioner.
- 4- Wakaiat nama is not attached with the application.

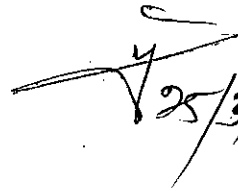
No. 1467 /S.T.

Dt. 22/5 /2023.

  
For REGISTRAR  
KHYBER PAKHTUNKWA  
SERVICE TRIBUNAL  
PESHAWAR

Mr. Yasir Saleem Adv.  
High Court Peshawar.

*R/a* All obj. observation has been removed  
R/a submitted to day

  
25/5/23



05-2023, one Mubarak Shah has been posted vice the appellant i.e. in the office of ADEO (P&D) and the appellant has been transferred to ADEO-Male Circle Razmak, North Waziristan.


5. That it is pertinent to mention that the recent office order dated 18-05-2023 has been issued despite the fact that there was status quo order from this Hon'ble Tribunal.
6. That if the subject notification dated 18-05-2023 is not suspended the very purpose of the instant appeal would become infructuous.

*It is, therefore, most humbly prayed that on acceptance of this application the notification dated 18-05-2023 may kindly be suspended in the best interest of justice, till the final decision of the case.*

Dated:- 19-05-2023

Appellant

Through:-

  
**YASIR SALEEM**  
Advocate High Court  
Peshawar.

**IN THE HON'BLE SERVICE TRIBUNAL KHYBER  
PAKHTUNKHWA PESHAWAR**

CM No. \_\_\_\_\_/2023

In S.A # 7894-P/2021

Sameer Ullah

**Versus**

Government of Khyber Pakhtunkhwa and Others

**AFFIDAVIT**

I, Sameer Ullah Assistant District Education Officer Development (BPS-16) at District Education Office, North Waziristan District, do hereby solemnly affirm and declare on oath that all the contents of the **accompanied application** are true and correct to the best of my knowledge and belief and nothing has been concealed or withheld from this Hon'ble Court.

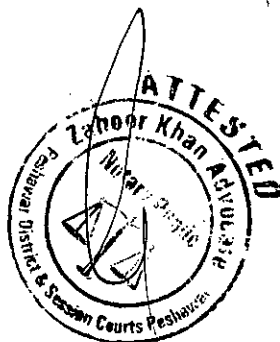
  
DEPONENT

CNIC: 21503-7065184-3  
Cell: 0332-3596777

Identified by:

  
YASIR SALEEM

Advocate High Court  
Peshawar



25 MAY 2023



GOVERNMENT OF KHYBER PAKHTUNKHWA  
ELEMENTARY AND SECONDARY EDUCATION DEPARTMENT  
Block-"A" Opposite MPA's Hostel, Civil Secretariat Peshawar  
Phone No. 091-9210626

Dated 18<sup>th</sup> May 2023

**NOTIFICATION**

**NO.SO(MC)E&SED/4-16/2023/Posting/Transfer/ADEO NW:** The following posts and transfers are hereby ordered with immediate effect in the best public interest.

Sl#	Name of officer	From	To	Remarks
1	Mubarak Shah	ASDEO (Male) Circle Razmak North Waziristan	ADEO (P&D), North Waziristan	15.5.23
2	Mr. Sameer Khan	ADEO (P&D), North Waziristan	ASDEO (Male) Circle Razmak North Waziristan	15.5.23

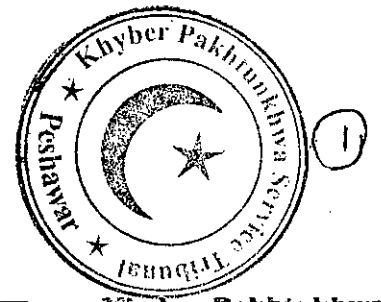
SECRETARY TO GOVT: OF KHYBER PAKHTUNKHWA  
E&SE DEPARTMENT

Endst: of even No. & date:

Copy forwarded for information to the -

1. Accountant General, Khyber Pakhtunkhwa, Peshawar
2. Director, E&SE Khyber Pakhtunkhwa, Peshawar
3. Director EMIS, E&SE Department with the request to upload the same on the official website of the department
4. District Education Officers (Male), Concerned
5. District Accounts Officer Concerned.
6. Additional Director General (Election-1) Election Commission of Pakistan, Islamabad.
7. PS to Advisor to Chief Minister for E&SE Khyber Pakhtunkhwa
8. PS to Secretary, E&SE Department, Khyber Pakhtunkhwa

*[Signature]*  
SECTION OFFICER (Management Control)



**BEFORE THE SERVICE TRIBUNAL KPK PESHAWAR**

Service Appeal No 7894/2021

Diary No. 8056

Dated 20/12/2021

Samir Ullah ADEO, in the office of District Education Officer DDEO in OPS,  
North Waziristan.

.....Appellant

**VERSUS**

1. Government of KPK through Chief Secretary Civil Secretariat Peshawar.
2. Secretary Elementary and Secondary Education, Khyber Pakhtunkhwa, Peshawar.
3. Director, Elementary and Secondary Education, Khyber Pakhtunkhwa, Peshawar.
4. District Education Officer (Male), North Waziristan.

.....Respondents


**APPEAL U/S 4 OF THE KPK SERVICE TRIBUNAL ACT 1974 AGAINST THE ORDER DATED 25.11.2021 VIDE WHICH THE APPELLANT HAS BEEN TRANSFERRED FROM NORTH WAZIRISTAN AND HIS SERVICES HAS BEEN PLACED AT THE DISPOSAL OF DIRECTORATE OF E&SE AGAINST WHICH HIS DEPARTMENTAL APPEAL DATED 26.11.2021 HAS NOT BEEN RESPONDED TILL DATE.**

**PRAYER:-**

ON ACCEPTANCE OF THIS SERVICE APPEAL ORDER 26.11.2021 TO THE EXTENT OF APPELLANT MAY KINDLY BE SET-ASIDE AND THE APPELLANT MAY BE ALLOWED TO CONTINUE HIS DUTIES AS ADEO, NORTH WAZIRISTAN WITH BACK AND CONSEQUENTIAL BENEFITS.

Respectfully Submitted:-

I very humbly submit few lines for your kind and sympathetic consideration.

**ATTESTED**  
  
EXAMINER  
Khyber Pakhtunkhwa  
Service Tribunal  
Peshawar

1. That the appellant has been initially appointed as SST vide order dated 01.01.2009.

21.02.2023

Bench is incomplete, therefore, case is adjourned to 24.03.2023 for the same as before.



1<sup>st</sup> Mar, 2023

The matter was fixed for 24.03.2023 but learned counsel for the appellant submitted an application for extension of interim relief granted by the Tribunal. The case file requisitioned for today, subject to notice to the other side, the operation of the impugned order dated 25.11.2021 is suspended till 08.03.2023 while the date of hearing is also accelerated to 08.03.2023 before D.B, the date given by the learned counsel for the appellant himself. Learned Addl: AG be also put on notice for arguments for the date fixed.

(Kalim Arshad Khan)  
Chairman

ATTESTED

Khyber Pakhtunkhwa  
Service Tribunal  
Peshawar



02 May, 2023

1. Learned counsel for the appellant present. Mr. Asif Masood -Ali Shah, Deputy District Attorney for the respondents present.

2. Learned counsel for the appellant seeks adjournment on the ground that he has not made preparation for arguments. Adjourned. To come up for arguments on 15.05.2023 before the D.B. Parcha Peshi is given to the parties.

SCANNED  
K-10T  
Peshawar

(Salah-ud-Din)  
Member (J)

(Kalim Arshad Khan)  
Chairman

\*Naeem Amin\*

15.05.2023

Clerk of learned counsel for the appellant present. Mr. Asad Ali Khan, Assistant Advocate General for the respondents present.

Clerk of learned counsel for the appellant requested for adjournment on the ground that learned counsel for the appellant is not available today. Adjourned. To come up for arguments on 25.05.2023 before the D.B. Parcha Peshi given to the parties.

(Muhammad Akbar Khan)  
Member (E)

(Salah-ud-Din)  
Member (J)

\*Naeem Amin\*

Certified to be true copy

EXAMINER  
Khyber Pakhtunkhwa  
Service Tribunal  
Peshawar

Date of Presentation of Application 18/5/23  
Number of Words 2 p  
Copying Fee 15/-  
Urgent ✓  
Total 10/-  
Date of Delivery of Copy 18/5/23  
18/5/23

VAKALATNAMA

BEFORE THE KHYBER PAKHTUNKHWA SERVICE TRIBUNAL  
PESHAWAR

\_\_\_\_\_ OF 2023

Samirullah

(APPELLANT)  
(PLAINTIFF)  
(PETITIONER)

VERSUS

Govt of Cap & other

(RESPONDENT)  
(DEFENDANT)

I/We Samirullah

Do hereby appoint and constitute, **Yasir Saleem & Afrasiab Khan, Advocates 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 19/5/2023

\_\_\_\_\_  
CLIENT(S)

Y  
**ACCEPTED**  
**YASIR SALEEM**  
&  
**AFRASIAB KHAN**  
**ADVOCATES HIGH COURT**  
**PESHAWAR**