

BEFORE THE HONORABLE SERVICE TRIBUNAL PESHAWAR

Service appeal No.1719/2022.

Suhaila Hakim.....Petitioner.

Versus

Secretary E & SE Department & others.....Respondents

Diary No. 5865

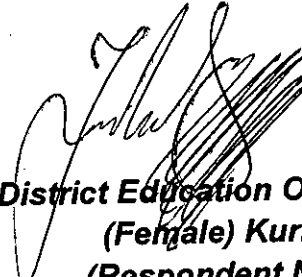
Dated 06-06-23

INDEX

S. NO	Description of Documents	Annexure	Pages
1	Comments / Affidavit	-----	1-2
2	Authority letter	-----	3
3	Corrigendum order Copy	A	4

Next date = 08-06-2023

Place of Hearing = Peshawar


District Education Officer
(Female) Kurram
(Respondent No.2)

BEFORE THE HONORABLE SERVICE TRIBUNAL PESHAWAR

Service appeal No.1719/2022.

Suhaila Hakim.....Petitioner.

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Secretary E & SE Department & others..... Respondents

Comments on behalf of Respondent No. 1 -4.

Preliminary objections.

- *That the appellant have got no cause of action, locus standi to file the instant appeal.*
- *That the appellant has not come to this Hon'ble Tribunal with clean hands.*
- *That the appeal is not maintainable in the present form.*
- *That the appellant is estopped by his own conduct to bring the instant appeal.*
- *That the appeal is badly time barred.*
- *That the appellant has concealed material facts from the Honorable Service Tribunal.*
- *That the corrigendum order in respect of the appellant is based on merit and according to the rules and policy.*

ONFACTS.

1. *That para-1 pertains to the residential record of the appellant.*
2. *That para-1 pertains to the academic record of the appellant.*
3. *That para-3 pertains to record.*
4. *That para- 4 pertains to record.*
5. *That the appellant was wrongly adjusted at GGPS Pir Qayum, in order to maintain the ~~criteria~~ of merit and adjust the deserving teacher according to the merit, the appellant has been transferred/ adjusted against the vacant post of PST at GGPS Hassanzai and adjusted the meritorious teacher Bibi Zakia (Respondent No.5) at GGPS Pir Qayum on merit base through corrigendum vide No. 3175-78/Edu dated 30-6-2022 (Attached as Annexure-A).*
6. *That detail reply has already been submitted under para-5 above.*
7. *Legal, the respondent also submits on following grounds inter alia.*

[Signature]
 Dy: District Education Officer
 (F) Lower & Central Kurram

[Signature]

GROUNDS.

- A. Incorrect and denied the responded department has acted according to the Law / Policy.
- B. Incorrect and denied, the respondent department has acted to the rules, policy and merit based.
- C. Incorrect and denied, respondent department has issued the corrigendum on merit based, further no Union Council is existing and the Sub-Division (Tehsil) is defining Unit for PST.
- D. Incorrect and denied, detail reply has already been submitted above under para 5 on facts above.
- E. Incorrect and denied, the responded department has acted according to the Law / Policy.
- F. Respondents also seek permission of Honorable Tribunal to raise additional grounds at time of hearing.

Prayer:

In the light of the above stated facts, it is requested to dismiss the case of the appellant.

Respondent No.1
Education

Secretary
Elementary & Secondary
Khyber Pakhtunkhwa

Respondent No.2-4

District Education Officer
(Female) Kurram

AFFIDAVIT

I Yasmin Parveen Deputy District Education Officer (Female) Lower & Central Kurram, the above respondent No.4 do hereby declare and affirm that the above comments are true and correct to the best of my knowledge and thereof noting has been concealed from this Honorable Tribunal. It is further stated on oath, that in this appeal the answering respondents have neither been placed ex-parte nor defence has been struck off.

Deponent

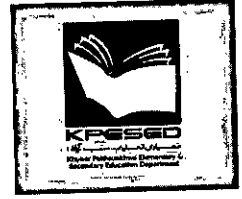


Yasmin Parveen
Deputy D.E.O. (F) L&C Kurram
CNIC# 21803-2180302-8
Contact # 03029342484

3



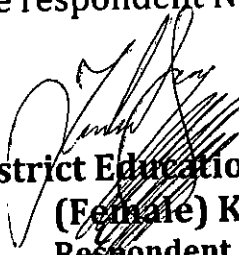
**OFFICE OF THE DISTRICT EDUCATION OFFICER
(FEMALE) KURRAM**



Email: deofkurram110@gmail.com Ph No: 0926-311399

Authority Letter

Mr. Mohammad Shah SCT focal person for Litigation of this office is hereby authorized to submit reply and represent this office in the instant Service appeal No.1719/2023 on behalf of the respondent No.5.


**District Education Officer
(Female) Kurram
Respondent No.2**



(1)

(4)

OFFICE OF THE DEPUTY DISTRICT EDUCATION OFFICER,
(FEMALE) LOWER & CENTRAL KURRAM, SADDA.
No _____ / Edu Dated _____ / 2022
E-Mail: deputydeofemalesadda@gmail.com

CORRIGENDUM

Consequent upon the direction of Director Education Elementary & Secondary Education KPK Peshawar partial modification in this office. Endst No 1986-2002 dated 19/04/22.

S/N	NAME OF THE OFFICIAL	FATHER	FROM	TO
1	Bibi Zahin	Muhammad Umar	GGPS Hamrazai	GGPS Purgayam No.3
2	Sahiba Hakim	Lal Hakim	GGPS Purgayam No.2	GGPS Hamrazai

Note: Charge report should be submitted to all concern.

Dy. District Education Officer,
(F) Lower & Central Kurram, Satta.

Endst No 3175-78 / Edu Dated 31 / 06 / 2022

Copy forwarded to the:

- Director Education Elementary & Secondary Education KPK Peshawar.
- District Education Officer Lower and Central Kurram.
- ASDEO Lower Kurram.
- Teacher concern.

*Attestd
Muhammad Ali*


Dy. District Education Officer,
(F) Lower & Central Kurram, Satta.

4-A

BETTER /LEGIBLE COPY

OFFICE OF THE DEPUTY DISTRICT EDUCATION
(FEMALE) LOWER & CENTRAL KURRAM,SADDA

CORRIGENDUM

Consequent upon the Director of Education Elementary & Secondary
Education KPK Peshawar partial modification in this office Endst No 1986-2002 dated 19/4/22.

S.No	Name of the Official	Father Name	From	To
1.	Bibi Zakia	Muhammad Umar	GGPS Hassanzai	GGPS Pirqayum No.2
2.	Sohila Hakim	Lal Hakim	GGPS Pirqayum No. 2	GGPS Hassanzai

Note: Charge report should be submitted to all concerned.

Dy: District Education Officer
(F) Lower & Central Kurram Sadda

Sadda

Endst:No. 3175-78. /Edu Dated. 30/06/2022.

Copy forwarded to the.

Director E& SE KPK Peshawar.

District Education Officer Lower & Central Kurram.

ASDEO Lower Kurram.

Teacher Concerned.

*Attested
M*