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**IN THE HON'BLE KHYBER PAKHTUNKHWA
SERVICES TRIBUNAL, PESHAWAR**

CM No. _____ -P/2023

In

Service Appeal No. 7869/2021

Khyber Pakhtunkhwa
Services Tribunal

Diary No.

3904

Dated

27/2/2023

Put up to the court with
relevant appeal.

Syed Muhammad, D.D.E.O

Vs.

Government of Khyber Pakhtunkhwa and others

[Signature]

21/2/2023

[Signature]

**APPLICATION FOR SUSPENSION OF TRANSFER
NOTIFICATION DATED 17.02.2023 TO THE EXTENT
OF THE APPLICANT/ APPELLANT MADE IN THE
EXISTENCE OF STATUS QUO GRANTED BY THIS
HON'BLE TRIBUNAL.**

Respectfully Sheweth,

1. That the captioned Service Appeal is fixed for today i.e. 21.02.2023 before this Hon'ble Tribunal.
2. That this Hon'ble Tribunal has already suspended the transfer notification dated 26.11.2021 and thereby the applicant/

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appellant was allowed to perform his duties as D.D.E.O North Waziristan.

3. That despite of the suspension order the appellant was not allowed to join his duties and lastly was allowed to join his duties in compliance to the suspension order passed by this Hon'ble Tribunal somewhere in June, 2022.
4. That recently the respondents quit illegally and in disobedience of this Hon'ble Court, transferred the applicant/ appellant from the Post of D.D.E.O, North Waziristan and posted him as SS at G.H.S.S Eidak, North Waziristan. (Copy of Notification dated 17.02.2023 is attached as Annexure A).
5. That it is pertinent to mention here that the said notification was issued on the instructions of a Minister, hence can easily be turned as politically motivated transfer notification. (Copy of Letter issued by Minister to respondents department dated 29.12.2022 is attached as Annexure B).
6. That it is the consistent view of Apex Court that once stay is granted, the same shall remain in field unless specifically vacated.

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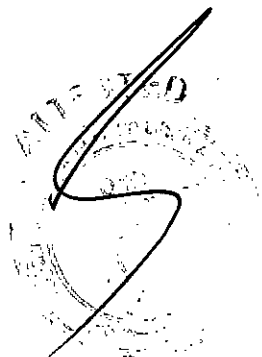
7. That, if the transfer notification dated 17.02.2023 is not suspended, the applicant/ appellant, will suffer irreparable loss and the very purpose of filing of instant Appeal would become infructuous.


It is therefore, very humbly prayed that on acceptance of this application the transfer notification dated 17.02.2023 to the extent of applicant/ appellant may be suspended till the final disposal of instant appeal.

Through
Petitioners
Yasir Saleem
Advocate,
High Court, Peshawar

AFFIDAVIT

Stated on Oath that the contents of this Application are true and correct to the best of my knowledge and belief and that nothing has been kept concealed from this honorable court.




Deponent



GOVERNMENT OF KHYBER PAKHTUNKHWA
ELEMENTARY & SECONDARY EDUCATION
DEPARTMENT

(4)

Dated: 17th February, 2023

NOTIFICATION

NO.SO/MC/E&SED/2-3/2022/Promotion/MC(BS17to18)ACB: In pursuance of this Department's Notification of even number dated 12.12.2022, and subsequent approval from the Election Commission of Pakistan vide their letter No. F.3(1)/2023-Eis dated 10.02.2023, the following posting/adjustment of officers of the Management Cadre are hereby ordered, in the public interest, with immediate effect:-

S#	Name of Officer	From	To	Remarks
1.	Amir-ur-Rehman	SDEO (M) Hasanzai Torghar	Deputy DEO (Male) Battagram	Vice S.No. 22
2.	Lugman Haqim	SDEO(M) Kohat	Deputy DEO (Male) Karak	Vice S.No.18
3.	Malak Khan	SDEO(M) Tank	Deputy DEO (Male) South Waziristan	Vice S.No.15
4.	Shahid Hussain	Deputy DEO (M) Lower Chitral in OPS	Deputy DEO (Male) Lower Chitral	Against the already Occupied Post
5.	Ditawar Khan	SDEO(M) Lachi Kohat	Deputy DEO (Male) North Waziristan	Vice S.No.19
6.	Muqaddas Khan	Deputy DEO (M) Upper Chitral in OPS	Deputy DEO (Male) Upper Chitral	Against the already Occupied Post
7.	Abdul Hamid	SDEO (M) Piry Thal Hangu	Deputy DEO (Male) Kohat	Vice S.No.16
8.	Kiram Shah	SDEO (M) Babozai Swat	Deputy DEO (Male) Swat Upper	Vice S.No.25
9.	Maroof Khan	SDEO (M) Darban Mansehra	Deputy DEO (Male) Mansehra	Vice S.No.17
10.	Naseer Ahmad	Deputy DEO (M) Abbottabad in OPS	Deputy DEO (Male) Abbottabad	Against the already Occupied Post
11.	Ghulam Habib	SDEO (M) Samar Bagh Dir Lower	Deputy DEO (Male) Bajaur	Vice S.No.20
12.	Mehboob Ellahi	SDEO (M) Drosh Lower Chitral	Deputy DEO (Male) Dir Lower	A.V.P
13.	Muhammad Farooq	SDEO (M) Karak	Deputy DEO (Male) Orakzai	Vice S.No.14
Consequential Posting/ Transfer				
14.	Zahid Khan TC BS-18	Deputy DEO (Male) Orakzai	Principal (BS-18) GHS Spin South Waziristan	A.V.P
15.	Khyal Muhammad TC BS-17	Deputy DEO (Male) South Waziristan	HM (BS-17) GHS Shakal South Waziristan	A.V.P
16.	Qaiser Khan MC BS-17	Deputy DEO (Male) Kohat in OPS	SDEO (Male) Lachi Circle Kohat	Vice S.No.5
17.	Shams Ur Rahman MC BS-17	Deputy DEO (Male) Mansehra in OPS	SDEO (Male) Balakot Mansehra	Services of Mr. Ghulam Jilani (MC BS-16) are place at the disposal of DEO (M) Mansehra for further posting.

Shams
17.2.23



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GOVERNMENT OF KHYBER PAKHTUNKHWA
ELEMENTARY & SECONDARY EDUCATION
DEPARTMENT

18	Muhammad Hussain MC BS-17	Deputy DEO (Male) Karak in OPS	SDEO(Male) Karak	V.S.No.13
19	Said Muhammad TC BS-17	Deputy DEO (Male) North Waziristan In OPS	SS (Islamiyat) GHSS Eidak North Waziristan	A.V.P
20	Sher Nawab TC BS-18	Deputy DEO (M) Bajaur	Principal GHS Ghazi, Baba Bajaur.	A.V.P
21	Salah Muhammad MC BS-17	SDEO (M) Chakaiser	SDEO(M) Babozai Swat	A.V.P
22	Mr. Gul Bad Shah TC BS-18	Deputy DEO (Male) Battagram	Principal (BS-18) GHS Bana Ailai Battagram	A.V.P
23	Waji Ur Rehman MC BS-17	SDEO (Male) Kalkot Dir Upper	SDEO (Male) Ailai Battagram	V.S.No.24
24	Zarif Khan MC BS-17	SDEO (Male) Ailai Battagram	SDEO Tank.	V.S.No.3
25	Nazir-Ul Islam Bacha TC BS-17	Deputy DEO Swat Upper in OPS	SS (Islamiyat) BS-17 GHSS Kabal Swat.	A.V.P
26	Mr. Shandi Gul TC BS-17	SDEO (M) Landi Kotal Khyber	SS (Pashto) GHSS Paindi Cheena Khyber	A.V.P
27	Mr. Raees Khan MC BS-17	Asst. Director, E&SE Peshawar	SDEO (M) Landi Kotal Khyber	V.S.No. 26
28	Sardar Irfad Ali MC BS-17	Awaiting Posting	SDEO (M) Darban Mansehra	V.S.No.9
29	Mr. Misn Khan MC BS-18	Awaiting Posting	Deputy Director P&D-II, Directorate of E&SE Peshawar	V.S.No.30
30	Abdul Shakoor TC BS-17	Deputy Director P&D-II, in OPS Directorate of E&SE Peshawar	SS (Urdu) GHSS Dheral (Alpuri) Shangla	A.V.P

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. Section Officer (Schools Male/Female) E&SE Department.
5. District Education Officer (Male) Concerned.
6. District Accounts Officer Concerned.
7. PS to Secretary, E&SE Department, Khyber Pakhtunkhwa.
8. Master file.

Naseer
17-02-23
(NASEER ABBAS KHALIL)
SECTION OFFICER (Management Cadre)

(6)



OFFICE OF THE MINISTER FOR RELIEF
REHABILITATION & SETTLEMENT
KHYBER PAKHTUNKHWA

29/12/2022

To

The Secretary E & ES Department
Khyber Pakhtunkhwa Peshawar.

Subject:

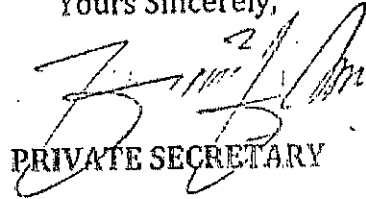
TRANSFER OF MR. SAID MUHAMMAD DDEO (M) NWI.

Memo

Reference the subject noted above and to say that Mr. Said Muhammad khan DDEO (M) is often interfere the developmental works of the undersigned and create problem for me.

Therefore it is very humbly requested to remove/transfer Mr. Said Muhammad DDEO (M) anywhere immediately for the larger interest of public.

Yours Sincerely,


PRIVATE SECRETARY

CHARGE REPORT

It is to certified that I Mr. Mohib ur Rehman DEO (Male) gave the charge to Mr. Said Muhammad DDEO (Male) before non on 17.06.2022 vide service tribunal order sheet dated 23.12.2021 in service appeal No. 7869/2021 and Secretary E&SE Department implementation No.SO(MC) E&SED/4-16/Posting/Transfer/TC dated 25.02.2022.

Since the Ex DEO Mr. Jadoon Khan kept him out of the office due to personal opposition. Hence the Hon'ble Service Tribunal Stay in respect of Mr. Said Muhammad is hereby honored on dated 17.06.2022 in the best public interest.


Mr. Said Muhammad
DDEO (Male) North Waziristan

Endorse No. 31530-36-1/2022

Dated : 17.6.2022

Copy to:

1. Director Elementary Secondary Education KPK Peshawar
2. PS to secretary Elementary Secondary Education KPK Peshawar
3. Deputy Commissioner Tribal District North Waziristan
4. District Account Officer Tribal District North Waziristan
5. The officer Concerned.
6. Office record.


Mr. Mohib Ur Rehman
DO North Waziristan

