


11<sup>th</sup> July, 2023

1. Nobody is present on behalf of the appellant. Mr. Fazal Shah Mohmand, Additional Advocate General for the respondents present.

2. This case pertains to Camp Court, Swat. Therefore, it be fixed on 03.10.2023 for arguments before D.B at Camp Court, Swat. Notice be issued to the appellant and his counsel for the date fixed. P.P given to the respondents.

SCANNED  
KPST  
Peshawar  
\*Mulazem Shah\*


  
(Fareeha Paul)  
Member (E)

  
(Kalim Arshad Khan)  
Chairman

RECEIVED  
11/07/2023  
11:00 AM

11<sup>th</sup> May, 2023 1. The matter was fixed for 21.03.2023 but on that date because of non-availability of Bench it was adjourned on Note Reader. Thereafter, the office had not placed file before the Bench, therefore, we direct that let the parties be issued notices to argue it on 31.05.2023 before D.B.

SCANNED  
KPST  
Peshawar

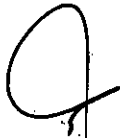
  
(Kalim Arshad Khan)  
Chairman

*\*Adnan Shah, P.A.\**

31<sup>th</sup> May, 2023 1. Learned counsel for the appellant present. Mr. Fazal Shah Mohmand, Additional Advocate General for the respondents present.

SCANNED  
KPST  
Peshawar

2. Learned counsel for the appellant requested for a short adjournment in order to prepare the brief. Adjourned. To come up for arguments tomorrow i.e 01.06.2023 before D.B. P.P given to the parties.

  
(Muhammad Akbar Khan)  
Member (E)


(Kalim Arshad Khan)  
Chairman


*\*Kaleem Ullah*

1<sup>st</sup> June, 2023 1. Learned counsel for appellant present. Mr. Fazal Shah Mohmand, Additional Advocate General for respondents present.

SCANNED  
KPST  
Peshawar

2. Learned counsel for appellant made a request for adjournment in order to prepare the brief. Adjourned. To come up for arguments on 11.07.2023 before D.B. P.P given to the parties.

  
(Salah-Ud-Din)  
Member (J)

  
(Kalim Arshad Khan)  
Chairman


*\*Mutazem Shah \**

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

Learned counsel for the appellant present. Mr. Naseer Ud Din Shah, Assistant Advocate General alongwith Eid Muhammad Assistant for respondents present.

Arguments heard. To come up for order by tomorrow i.e. 09.03.2023 before D.B. PP given to the parties.

(Salah Ud Din)  
Member (J)

  
(Kalim Arshad Khan)  
Chairman

09<sup>th</sup> March, 2023

Learned counsel for the appellant present. Mr. Muhammad Riaz Khan Paindakhel, Assistant Advocate General for the respondents present.


Due to paucity of time, order could not be announced. Adjourned. To come up for order on 21.03.2023 before the D.B. Parcha Peshi given to the parties.

(Salah-ud-Din)  
Member (J)

  
(Kalim Arshad Khan)  
Chairman

21-3-23

proper DB is on tour therefore,  
case is adjourned to 14-4-23

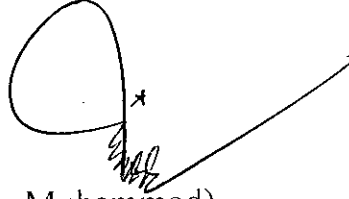
  
Reader

29.11.2022

Junior of learned counsel for the appellant present. Mr. Naseer-ud-Din Shah, Assistant Advocate General for the respondents present.

To come up for arguments alongwith Service Appeal bearing No. 743/2017 titled "Bibi Shahnaz Versus Government of Khyber Pakhtunkhwa through Secretary Elementary & Secondary Education at Peshawar and 02 others", on 16.12.2022 before D.B.

SCANNED  
KPST  
Peshawar



(Mian Muhammad)  
Member (E)



(Salah-ud-Din)  
Member (J)

16<sup>th</sup> Dec. 2022

Counsel for the appellant present. Mr. Muhammad Jan, District Attorney alongwith Eid Muhammad, Assistant for the respondents present. Mrs. Rozina Rehman, learned Member (J) is on leave, therefore, D.B is incomplete. The case is adjourned to 08.03.2023 for arguments before the D.B.

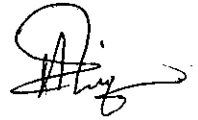
SCANNED  
KPST  
Peshawar



(Fareeha Paul)  
Member(E)

15-03-2022

Due to retirement of the Honble  
Chairman the case is adjourned to come  
up for the same as before on 28/6/22



Reader

28.06.2022

Learned counsel for the appellant present. Mr. Eid Muhammad Assistant alongwith Mr. Kabir Ullah Khattak learned Additional Advocate General for respondents present.

File to come up alongwith connected Service Appeal bearing No.743/2017 titled "Bibi Shehnaz Vs. Government of Khyber Pakhtunkhwa" on 13.09.2022 before the D.B.



(Rozina Rehman)  
Member (J)

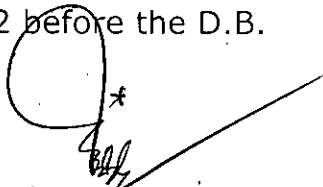


(Salah Ud Din)  
Member (J)

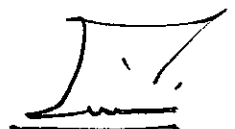
13.09.2022

Clerk of learned counsel for the appellant present. Mr. Muhammad Riaz Khan Paindakhel, Assistant Advocate General for the respondents present.

To come up for arguments alongwith Service Appeal bearing No. 743/2017 titled "Bibi Shahnaz Versus Government of Khyber Pakhtunkhwa through Secretary Elementary & Secondary Education at Peshawar and two others", on 29.11.2022 before the D.B.



(Mian Muhammad)  
Member (Executive)




(Salah-Ud-Din)  
Member (Judicial)

02.07.2021 Mr. Nouman, Advocate, for the appellant present. Mr. Eid Muhammad, Senior Clerk alongwith Muhammad Rasheed Khan, Deputy District Attorney present.


Learned counsel for the appellant requested for adjournment on the ground that he has not met preparation for arguments today. Adjourned. To come up for arguments before the D.B on 28.07.2021. Learned counsel for the appellant is directed to provide a second Member copy of the appeal on or before the date fixed.


  
(ATIQ UR REHMAN WAZIR)  
MEMBER (EXECUTIVE)

  
(SALAH-UD-DIN)  
MEMBER (JUDICIAL)

28.07.2021 Clerk of counsel for the appellant present. Mr. Eid Muhammad alongwith Muhammad Rasheed, Deputy District Attorney for the respondents present.

Clerk of counsel for the appellant stated that learned counsel for the appellant is unable to attend the Tribunal today due to strike of Lawyers. Adjourned. To come up for arguments before the D.B. on 20.09.2021.

  
(ATIQ-UR-REHMAN WAZIR)  
MEMBER (EXECUTIVE)

  
(SALAH-UD-DIN)  
MEMBER (JUDICIAL)

20.09.2021 Counsel for appellant present.

Kabir Ullah Khattak learned A.A.G for respondents present.

File to come up alongwith connected appeal No. 743/2017 titled Bibi Shehnaz Vs. Government, on 01.12.2021 before D.B.

  
(Rozina Rehman)  
Member (J)

  
Chairman

01.12.2021 Due to non-availability of DB, the case is adjourned to 15-03-2022.

  
Reader

19.01.2021

Mr. Muhammad Noman, Advocate, for appellant is present. Mr. Riaz Ahmad Paindakheil, Assistant Advocate General and Mr. Eid Muhammad, Senior Clerk, for the respondents are also present.

According to the learned counsel his senior is indisposed of today and requested for adjournment. Request is acceded to, the appeal is adjourned to 05.04.2021 on which date file to come up for arguments before D.B.

The perusal of record reveals that Member copy is not available with the appeal, the learned counsel for appellant is directed to submit the Member copy on or before the date fixed of hearing.



(ATIQ-UR-REHMAN WAZIR)  
MEMBER (EXECUTIVE)



(MUHAMMAD JAMAL KHAN)  
MEMBER (JUDICIAL)

05.04.2021

Junior to counsel for appellant present.

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

File to come up alongwith connected service appeal No.743/2017 on 2 / 7 / 2021 before D.B.



(Atiq ur Rehman Wazir)  
Member (E)



(Rozina Rehman)  
Member (J)

18.09.2020

Counsel for appellant present.

Mr. Kabirullah Khattak learned Additional Advocate General alongwith Eid Muhammad Senior Clerk for respondents present.

Former requests for adjournment. Adjourned. Adjourned. To come up for arguments on 11.11.2020 before D.B.



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



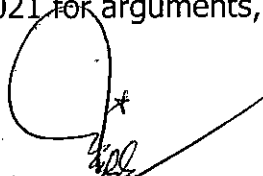
(Rozina Rehman)  
Member (J)

11.11.2020

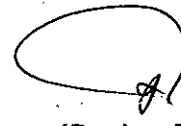
Nemo for appellant.

Kabir Ullah Khattak learned Additional Advocate General alongwith Eid Muhammad ADEO for respondents present.

Lawyers are on general strike, therefore, case is adjourned to 19.01.2021 for arguments, before D.B.



(Mian Muhammad)  
Member (E)

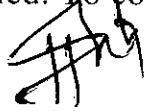


(Rozina Rehman)  
Member (J)



18.02.2020


Learned counsel for the appellant present. Mr. Kabirullah Khattak Additional AG alongwith Mr. Eid Muhammad Senior Clerk for the respondent No. 3 present. Representative of the respondents department submitted promotion order dated 26.12.2012 and inquiry report dated 12.01.2017, which is placed on file. Copy of the same is handed over to the learned counsel for the appellant. Learned Additional AG seeks adjournment. Adjourned. To come up for arguments on 07.04.2020 before D.B.

  
(Hussain Shah)  
Member

  
(M. Amin Khan Kundi)  
Member

07.04.2020


Due to public holiday on account of COVID-19, the case is adjourned to 11.06.2020 for same as before.

  
Reader

11.06.2020

None present on behalf of the appellant. Mr. Muhammad Jan, Deputy District Attorney for the respondents present. Notices be issued to appellant and her counsel for attendance and arguments for 21.08.2020 before D.B.

  
(Mian Muhammad)  
Member

  
(M. Amin Khan Kundi)  
Member


21.08.2020


Due to summer vacation case to come up for the same on 18.09.2020 before D.B.

  
Reader

24.10.2019

Junior counsel for the appellant and Mr. Ziaullah, Deputy District Attorney for the respondents present. Junior counsel for the appellant requested for adjournment on the ground that learned senior counsel for the appellant is not available today. Case to come up for arguments on 03.01.2020 before D.B.

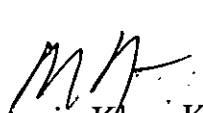
  
(Hussain Shah)  
Member

  
(M. Amin Khan Kundi)  
Member

03.01.2020

Learned counsel for the appellant present. Mr. Riaz Paindakhel learned Assistant Advocate General alongwith Mr. Eid Muhammad Senior Clerk for the respondents present. Record reveals that the appellant was imposed major penalty of removal from service vide order dated 24.08.2016 on the allegation of absence. The appellant filed departmental appeal which was partially accepted and the removal order was converted into other major penalty of reversion from PSHT BPS-15 to SPST BPS-14 with effect from the date of her promotion but the promotion order of the appellant of SPST BPS-14 to the post of PSHT BPS-15 is not available on record. Therefore the representative of the respondent department is strictly directed to furnish the copy of promotion order of the appellant as well as inquiry report dated 12.01.2017 if any alongwith all the relevant inquiry record. Adjourned. To come up for record and arguments on 18.02.2020 before D.B.

  
(Hussain Shah)  
Member

  
(M. Amin Khan Kundi)  
Member

26.03.2019

Junior to counsel for the appellant and Mr. Muhammad Jan learned Assistant Advocate General alongwith Mr. Eid Muhammad Senior Clerk for the respondents present. Junior to counsel for the appellant request for adjournment as senior counsel for the appellant is not in attendance. Adjourned. To come up for arguments on 27.05.2019 before D.B.

  
(Hussain Shah)  
Member

  
(Muhammad Amin Khan khudi)  
Member

27.05.2019

Clerk to counsel for the appellant and Mr. Kabir Ullah Khattak learned Additional Advocate General alongwith Eid Muhammad S.C present. Due to general strike of the bar, the case is adjourned. To come up for arguments on 30.07.2019 before D.B.

  
Member

  
Member

30.07.2019


Hassan Advocate junior to counsel for the appellant present. Mr. Zia Ullah learned Deputy District Attorney alongwith Eid Muhammad S.C present. Junior to counsel for the appellant seeks adjournment as senior learned counsel for the appellant is not in attendance. Adjourn. To come up for arguments on 24.10.2019 before D.B.

  
Member

  
Member

28.08.2018

Counsel for the appellant and Mr. Kabirullah Khattak AAG alongwith Eid Muhammad Senior Clerk DEO (F) for the respondents. Written reply submitted on behalf of the respondents. To come up for rejoinder and arguments on 29.10.2018 before D.B.

  
(Muhammad Amin Kundi)  
Member


29.10.2018

Due to retirement of Hon'ble Chairman, the Tribunal is defunct. Therefore, the case is adjourned. To come up on 14.12.2018.

  
Reader

14.12.2018

Junior to counsel for the appellant and Mr. Kabirullah Khattak learned AAG present. Junior to counsel for the appellant seeks adjournment as senior counsel is not in attendance. Adjourn. To come up for arguments on 07.02.2019 before D.B.

  
Member

  
Member

07.02.2019

Counsel for the appellant present. Mr. Muhammad Jan, Deputy District Attorney alongwith Mr. Eid Muhammad, Senior Clerk for the respondents present. Learned counsel for the appellant requested for adjournment. Adjourned to 26.03.2019 for arguments before D.B.

  
(AHMAD HASSAN)  
MEMBER

  
(MUHAMMAD AMIN KHAN KUNDI)  
MEMBER

29.03.2018

Clerk of the counsel and Mr. Kabir Ullah Khattak, Additional AG alongwith Mr. Hameed-ur-Rahman, AD (Lit) for the respondent present. Written reply not submitted. Requested for adjournment. Adjourned. Last opportunity is granted. To come up for written reply/comments on 03.05.2018 before S.B.

  
Chairman

03.05.2018

The Tribunal is non functional due to retirement of the Honorable Chairman. Therefore, the case is adjourned. To come up for the same on 28.06.2018 before S.B.

  
Reader

28.06.2018

Counsel for the appellant present. Mr. Muhammad Jan, DDA for the respondents presents. None present on behalf of respondents. Therefore, fresh notices be issued to the respondents department to attend the court positively. ~~on 28.8.2018 before S.B.~~

  
Member

29.01.2018

Counsel for the appellant and Asst: AG alongwith Mr. Zakiullah, Senior Auditor for respondents present. Written reply not submitted. Requested for adjournment. Adjourned. To come up for written reply on 12.02.2018 before S.B.



(Ahmad Hassan)  
Member(E)

12.02.2018

Clerk of the counsel for appellant present. Mr. Kabirullah Khattak, Additional AG for the respondents also present. Written reply not submitted. Learned Additional AG requested for further adjournment. Adjourned. To come up for written reply/comments on 27.02.2018 before S.B.



(Muhammad Amin Khan Kundi)  
Member (J)

27.02.2018

Counsel for the appellant and Addl: AG for respondents present. Written reply not submitted. Requested for adjournment. Adjourned. Notices be also issued to the respondents. To come up for written reply/comments on 29.03.2018 before S.B.



(Ahmad Hassan)  
Member (E)

06.12.2017

~~Learned counsel for the appellant present. Preliminary arguments heard and case file perused.~~

~~(Junior counsel for the appellant present and made outpourment due to non-availability of his senior counsel.)~~

~~A Learned counsel for the appellant argued that the appellant is was serving as PST Teacher in GGPS Bakarabad, Chitral. That the said posts was upgraded vide notification dated 26.12.2012 and the appellant was promoted as PST Head Teacher (BPS-15). Further argued that the posts of PST Teachers were required to be rationalized and upgraded and before making promotions in accordance with the formula and guidelines laid down in the policy dated 18.01.2013. That respondent No. 3 was required to adopt and follow the proper rationalization Policy before making any transfer or adjustment orders. That since the promotion/adjustment order was not received well in time, therefore appellant could not report arrival at GGPS Asper Domel within the stipulated period of 14 days and that, on this account an enquiry was ordered, which culminated in removal from service of the appellant vide order dated 24.08.2016. That on a departmental appeal dated 18.11.2016 this punishment has been converted vide order dated 06.03.2017 into minor penalty of reversion from PSHT (BPS-15) to SPST as well as recovery of the benefit of promotion. Further argued that the appellant never remained absent from her original station of duty as she was actually and physically performing her duty in the school of her respective Union Council which is duly confirmed by the Independent Monitoring Unit. That the impugned order is illegal order based on malafide and personal grudges due to the fact that respondents are annoyed from appellant's previous Writ Petition in Peshawar High Court and a service appeal lying pending in the Khyber Pakhtunkhwa Service Tribunal. That the delay in submission of the appeal is due to the fact that the appellant belongs to a far flung /remote area of District Chitral and could not make preparation in time.~~

Points raised need consideration. Admitted for regular hearing subject to all legal objections including limitation. Appellant is also directed to deposit security and process fee within (10) days, whereafter notice be issued to the respondents department for written reply/comments on 29.01.2018 before S.B.

  
(Gul Zeb Khan)  
Member

Appellant Deposited  
Security & Process Fee

18/8/2017

Counsel for the appellant present and seeks adjournment.

Adjourned. To come up <sup>for</sup> arguments according to order sheet dated 31/7/2017 on 26/9/2017.

  
(GUL ZEB KHAN)  
MEMBER

26.09.2017

Counsel for the appellant present and requested for adjournment. Adjourned. To come up for arguments according to order sheet dated 31.07.2017 on 18.10.2017 before S.B.

  
(Muhammad Amin Khan Kundi)  
Member

18/10/2017

Clerk of counsel for the appellant present and seeks adjournment. To come up for arguments according to order sheet dated 31/7/2017 on 9/11/2017 before SB.

  
(GUL ZEB KHAN)  
MEMBER

09.11.2017




Junior to counsel for the appellant present and seeks adjournment as senior counsel is not in attendance. Adjourned. To come up for preliminary hearing on 06.12.2017 before S.B.

  
(AHMAD HASSAN)  
MEMBER



Form- A  
FORM OF ORDER SHEET

Court of \_\_\_\_\_  
Case No. 747/2017

S.No.	Date of order proceedings	Order or other proceedings with signature of judge
1	2	3
1	14/07/2017	<p>The appeal of Mst. Shahida Akhtar resubmitted today by Mr. Hamza Amir Gulab Advocate, may be entered in the Institution Register and put up to the Worthy Chairman for proper order please.</p> <p style="text-align: right;"> REGISTRAR</p>
2-	24-7-2017	<p>This case is entrusted to S. Bench for preliminary hearing to be put up there on <u>31-7-2017</u></p> <p style="text-align: right;"> CHAIRMAN</p>
	31.07.2017	<p>Counsel for he appellant present. Preliminary arguments partly heard. Counsel for the appellant seeks adjournment. To come up for arguments on the point of limitation alongwith connected service appeal No. 773/2017 on 18.08.2017 before this S.B.</p> <p style="text-align: right;"> Chairman</p>

The appeal of Mst. Shahida Akhtar Primary School Head Teacher Government Girls Primary School Bakerabad Tehsil and Distt. Chitral received today on 23.06.2017 is incomplete on the following score which is returned to the counsel for the appellatant for completion and resubmission within 15 days.

- ① Memorandum of appeal may be got signed by the appellatant.
- 2- Annexures of the appeal may be flagged.
- 3- Approved file cover is not used.
- ④ Copies of charge sheet, statement of allegations, show cause notice, enquiry report and replies thereto are not attached with the appeal which may be placed on it.
- ⑤ Affidavit may be got attested by the Oath Commissioner.
- ⑥ Copy of order passed by respondent no. 2 on the departmental appeal mentioned in the memo of appeal in respect of appellatant is not attached with the appeal which may be placed on it.

No. 1606/S.T,

Dt. 29/6 /2017

*[Signature]*  
REGISTRAR  
SERVICE TRIBUNAL  
KHYBER PAKHTUNKHWA  
PESHAWAR.

Mr. Amir Gulab Khan Ad. Pesh.

*objections removed. Place before court please.  
charge sheet will be provided later. [Signature] 14/7/17*

BEFORE THE SERVICE TRIBUNAL KHYBER PAKHTUNKHWA,  
PESHAWAR

Service Appeal No 747 of 2017

Shahida Akhtar .... **Versus** .....Government of KPK through Sec: Elementary  
and Secondary Education at Peshawar & Others

INDEX OF DOCUMENTS

S No	Description of Documents	Annexure	Pages
1.	Appeal with certificate		1-4
2.	Application for condonation of delay with affidavit		5-6
3.	Addresses of parties		7
4.	Copy of Order of Respondent No 2 dated 24.08.2016	A	8-9
5.	Copy of Departmental Appeal dated 09.09.2016	B	10
6.	Copy of Order of Respondent No 2 dated 06.03.2017	C	11
7.	Copy of Order of this Honourable Court dated 08.12.2016 and Restoration Application	D and E	12-16
8.	Wakalat Nama		17

  
Appellant

Through

  
Amir Gulab Khan

&

  
Hamza Amir Gulab  
Advocates

46 c Cantonment Plaza Saddar  
Cantt Peshawar.

Cell # 03005936155

# BEFORE THE SERVICE TRIBUNAL KHYBER PAKHTUNKHWA, PESHAWAR

Khyber Pakhtukhwa  
Service Tribunal

Diary No. 725

Service Appeal No 747 of 2017

Dated 23/6/2017

Shahida Akhtar Primary School Head Teacher Government Girls Primary  
School Bakerabad Tehsil and District Chitral

..... Appellant

VERSUS

1. Government of KPK through Sec: Elementary and Secondary Education at Peshawar
2. Director Elementary and Secondary Education at Peshawar
3. District Education Officer (female) District Chitral.

..... Respondents

APPEAL U/S 4 OF THE SERVICE TRIBUNAL ACT  
1974 AGAINST ORDERS OF RESPONDENT NO 3  
DATED 24.08.2016 AND THAT OF RESPONDENT  
NO 2 DATED 06.03.2017 VIDE WHICH THE  
SERVICES OF APPELLANTS WERE TERMINATED  
AS MAJOR PENALTY BY RESPONDENT NO 3 AND  
MODIFIED AND SUBSTITUTED BY MINOR  
PENALTY BY RESPONDENT NO 2

Filed to-day  
23/6/17  
Registrar

**PRAYER:**

By accepting this appeal the order passed by Respondent No 2 in Departmental appeal substituting the major penalty by minor penalty may graciously be modified and the appellant be restored in their service and position as stood on 24.08.2016

Re-submitted to-day  
and filed.

Registrar  
14/7/17

**FACTS**

**Respectfully Sheweth,**

1. That the Appellant was serving as Primary School Teacher in the School situated in her respective Union Council. Through notification endorsed vide No 21023-27 dated 26.12.2012, the posts of the Appellant was upgraded and She was promoted as Primary School Head Teacher in BPS 15
  
2. That the posts of Primary School Teachers were directed to upgraded and rationalized after such upgradation and promotion in accordance with the formula and guidelines laid down in the policy bearing No 2412-254-A/Promotion/Estab dated Peshawar the 18.01.2013 issued and endorsed by Deputy Director (Estab) Elementary and Secondary School Education Khyber Pakhtunkhwa vide Endorsement No 1/A-88/KC/S.List dated Peshawar the 18.1.2013. Respondent No 3 DEO Female Chitral was required to adopt and follow the rationalization Policy before making any transfer or adjustment order immediately after the promotion and before the transfer/adjustment but the matter was willfully delayed with ulterior motive and ultimately the impugned transfer and adjustment orders dated 26.07.2014 and 21.08.2014 endorsed on 22.11.2014 was issued after the delay of almost two years
  
3. That the Appellant filed Appeal before the Higher Forum and also filed a Writ Petition before the Peshawar High Court Mingora Bench. Prior to Writ Petition the matter was agitated before the Civil Court.
  
4. That the Honourable High Court vide order dated 16.05.2016 dismissed the Writ Petition on point of jurisdiction hence the Appellant approached this Hoonourale Tribunal.

5. That the Respondent No 3 on 24.8.2016 imposed major penalty on appellant for remained absent from duty.

**(Copy of Order of Respondent No 3 dated 24.8.2016 is annexed as Annexure A)**

6. That against said Order Appellant preferred Departmental Appeal to Respondent No 2 which was partially accepted as the major penalty is converted into minor penalty.

**(Copy of Departmental Appeal dated 09.09.2016 and Order of Respondent No 2 dated 06.03.2017 is annexed as Annexure B and C)**

7. That having no other alternate remedy the Appellant is constrained to approach this Honourable Tribunal on the following grounds inter alia :

**GROUNDS**

A. That the Order of the Respondent No 2 is against law, facts of the case and against the norms of justice and liable to be modified.

B. That previous case of Appellant for posting and transfer was pending before this Honorable Court and Respondent No 3 without considering such point of Appellant terminated the services of Appellant.

C. That the previous case of Appellant was dismissed for non prosecution on 08.12.2016 and application for restoration of the same is pending before this Court in which next date of hearing is 10.08.2017.

**(Copy of Order dated 08.12.2016 and Restoration Application is annexed as Annexure D and E)**

D. That the Appellant never remained absent from her original station of duty as she was performing her duty in her respective Union Council School

- E. That nothing available on record which shows that the Appellant did not perform her duty and remained absent.
- F. That further grounds, with leave of this Honorable Court, would be raised at the time of arguments before this Honorable Court.

On acceptance of the factual and legal grounds It is therefore prayed that:

- i. order passed by Respondent No 2 in Departmental appeal substituting the major penalty by minor penalty may graciously be modified and the appellant be restored in their service and position as stood on 24.08.2016  
OR
- ii. Any other relief which this Honorable Tribunal deems fit and proper in the circumstances may graciously be granted to the Appellant.

Appellant

Shahida Akhter

Through

Amir Gulab Khan

&

Hamza Amir Gulab

Advocates,

**CERTIFICATE**

Certified that no such like appeal earlier has been filed by the Appellant on the subject matter before this Honorable Court.

Advocate

**BEFORE THE SERVICE TRIBUNAL KHYBER PAKHTUNKHWA,  
PESHAWAR**

C. M No...../2017

**In**

**Service Appeal No \_\_\_\_\_ of 2017**

Shahida Akhtar .... **Versus** ....Government of KPK through Sec: Elementary  
and Secondary Education at Peshawar & Others

**APPLICATION FOR CONDONATION OF DELAY**

Respectfully Submitted,

- 1) That the captioned Service Appeal along with instant application is being filed before this Hon'ble Court, wherein no date of hearing has yet been fixed.
- 2) That the Appellant prays for the condonation of delay in the instant Appeal on the following grounds:

**GROUND**

- A. That the Appellant is a female School Teacher serving in remote area of Chitral District and do not have the convenient and easy access to legal consultation and assistance to file Appeal.
- B. That the delay if any was beyond the control of Appellant.


It is therefore prayed that on acceptance of this application the delay if any may graciously be condoned.

  
Appellant/Applicant

Through

**Amir Gulab Khan**

&

  
**Hamza Amir Gulab**  
Advocates,



**BEFORE THE SERVICE TRIBUNAL KHYBER PAKHTUNKHWA,  
PESHAWAR**

C. M No...../2017



**In**

**Service Appeal No \_\_\_\_\_ of 2017**

Shahida Akhtar .... **Versus** ....Government of KPK through Sec: Elementary  
and Secondary Education at Peshawar & Others

**AFFIDAVIT**

I Hamza Amir Gulab Advocate as per instruction of my client do hereby solemnly  
declare and affirm on oath that the contents of the instant Application are true and  
correct to the best of my knowledge and belief and nothing has been concealed  
from this Hon'ble Court

  
Hamza Amir Gulab  
Advocate  


**BEFORE THE SERVICE TRIBUNAL KHYBER PAKHTUNKHWA,  
PESHAWAR**

Service Appeal No \_\_\_\_\_ of 2017

Shahida Akhtar .... **Versus** ....Government of KPK through Sec: Elementary  
and Secondary Education at Peshawar & Others

**ADDRESSES OF PARTIES**

**Appellant:**

Shahida Akhtar Primary School Head Teacher Government Girls Primary  
School Bakerabad Tehsil and District Chitral

**Respondents:**

1. Government of KPK through Sec: Elementary and Secondary Education at Peshawar
2. Director Elementary and Secondary Education at Peshawar
3. District Education Officer (female) District Chitral.




Appellant

Through

**Amir Gulab Khan**

&



**Hamza Amir Gulab**  
Advocates,

OFFICE OF THE DISTRICT EDUCATION OFFICER (FEMALE) CHITRALNOTIFICATION,

WHEREAS Mst SHAHIDA AKHTAR PSHT B-15 GGPS KUSHUM PAYEEN District Chitral was remained absent from her original duty station with effect from 22/11/2014 after up gradation adjustment order vide letter No. 8308-88 dated 22/11/2014 issued from Office of DEO (Female) Chitral

2. AND WHEREAS the concerned SDEO (F) Mastuj at Booni has issued an explanation letter to her on 12-3-2015 Vide letter No. 288-89 due to her absenteeism from duty at her original station. The Office of District Education Officer (F) Chitral has also issued explanation letter No. 1558-89 dated Chitral 24/4/2015 to resume her duty at her original station. However, the absent PSHT Mst SHAHIDA AKHATR neither joined her original duty station GGPS KUSHUM PAYEEN nor replied to the explanation letter and continued her duty at previous school GGPS BAKERABAD where her service was not legal anymore, because there was another PSHTB-15 at the said School as per policy. In spite of taking over charge in her original duty station, she has filed Civil Suit against the department. After dismissal of her appeal from Court of Civil Judge/ Elaqa Qazi-1 Chitral the DEO (F) Chitral issued Final Notice No. 1919-33 dated 27-7-2015 to join her duty at her original duty station. Again she approached to District Judge/ Zila Qazi and status quo was imposed. The honorable District Judge/ Zila Qazi also constituted an enquiry and in the light of enquiry the Honorable District Judge/ Zila Qazi dismissed her case on 6/10/2015. Based on the decision of District Judge the undersigned has served 1<sup>st</sup> Show Cause Notice upon her on 16-10-15 Vide letter No. 3271-80.
3. Upon the reception of unconvincing reply from her the undersigned issued Charge Sheet along with statement of allegations upon her on 3/12/2015 Vide letter No. 4227-35. However, she has approached to High Court Mingora Bench Darul- Qaza Swat. The honorable High Court Mingora Bench Darul-Qaza has given decree in favor of the Education Department on 16-5-2016.
4. The concerned SDEOs; SDEO (F) Chitral and SDEO (F) Mastuj at Booni has also submitted their recommendation to take strict disciplinary action against the absent PSHTs under their jurisdictions in order to avoid from public agitation and in the best interest of students.
5. The DEO (F) Chitral Served 2<sup>nd</sup> Show Cause Vide letter No. 1125-31 dated 10/8/2016. However, she has neither took over Charge in her original duty station nor replied to the 2<sup>nd</sup> Show Cause Notice within stipulated time. Also a resolution was received from the community on 14-8-2016. The Deputy Commissioner Chitral has also recommended her removal from service vide letter No. 1998/DCC dated 18-8-2016.
6. The undersigned published a Notice in News Paper Daily Mashriq Peshawar dated 19/8/2016 with the direction to resume duty within three days of the publication of the

*J. J. J.*

Notice, failing which an Ex-parte decision will be taken against her. But no response has been received from her in due course of time.

- 7. AND WHEREAS on the expiry of the stipulated period given in the Show Cause Notice the competent authority impose major penalty of removal from Service upon Mst. SHAHIDAA AKHTAR PSHT GGPS KUSHUM PAYEEN District Chitral.
- 8. NOWTHEREFORE, the competent authority after having considered the charges, evidence on record, the reply / explanation of the accused teacher and exercising her power under Section 3 of the-NWFP (Now Khyber Pakhtunkhwa) removal from service special power ordinance 2011 as amended has been pleased to impose the major penalty of removal from service upon Mst. SHAHIDA AKHTAR PSHT GGPS KUSHUM PAYEEN District Chitral with immediate effect.

(Competent Authority)

ZEHRA JALAL  
DISTRICT EDUCATION OFFICE  
(F) CHITRAL

12257-63  
Endst: \_\_\_\_\_ Date: 24/1/8 /2016

Copy of the above is forwarded to the:

- 1. Director.E& S Education Khyber Pakhtunkhwa Peshawar
- 2. Deputy Commissioner Chitral
- 3. District Account Office Chitral
- 4. District Monitoring Officer Chitral
- 5. SDEO (F) Chitral
- 6. SDEO (F) Mastuj at Booni
- 7. Mst: Shahida Akhtar GGPS Kushum Payeen
- 8. Chairperson GGPS Kushum Payeen

DISTRICT EDUCATION OFFICE  
(F) CHITRAL

The Director Elementary & Secondary Education,  
Khybar Pakhtumkhaw.

Ameriwe - B

(10)

Sub: DEPARTMENTAL APPEAL

Sir,

Kindly refer to DEO E&S (Female) Chitral office notification vide dispatch No 12252/56 dated 24-08-2016 in which I have been removed from service under E&D rules 2011. Using my right of departmental appeal in this regard, I request your honour to withdraw the said office order and reinstate my service on the following grounds;

1. This is incorrect that I am not performing my duties at the original station of posting. School records and reports of Independent Monitoring Teams show that I am on duty at the original position of my posting. I did not vacant the position for the blue eyed staff because her order was unlawful in the light of rationalization and regularization policy.
2. This is wrong that I did not submit response to your call of explanation and show cause notices. I submitted my response through registered Post No. 258, Dated 01-02-2016 and registered post No 117 dated 17-08-2016 and Registered No. 117 Dated 16-08-2016 respectively.
3. I am party in the case Naseem Akhtar etc versus DEO E&S (F) Chitral before the learned court of Khyber Pakhtunkhaw Service Tribunal, which has been fixed for next hearing on 08-09-2016. Copies of order sheet have been submitted to DEO E&S (Female) Chitral 2 days before the unlawful notification was issued; thus your said notification warrants another case for contempt of court.
4. DEO E&S (Female) Chitral advertisement in Newspaper was published on 19<sup>th</sup> August 2016 whereas my case was heard before the service tribunal on 18<sup>th</sup> August 2016 and copies of order sheet were submitted to the "competent authority" within 3 days of the notice on.
5. The wordings and phrases used in the notification clearly show that Miss Zuhra Jalal DEO E&S (Female) Chitral has personal grudges against me, this is why she is pleased to remove me from the service, which is not a matter of pleasure at all.
6. In light of the above the removal of service letter stands invalid and violation of E&D rules and thus it is not a lawful order.

It is therefore requested that the impugned order may kindly be withdrawn and my service may please be reinstated under the rules.

Most humbly I beg to remain your most obedient servant.



Shahida Akhtar,  
PSHT, BPS-15 (GGPS, Bakerabad)



Copy;

1. District Education Office, E&S (Female) Chitral.
2. Deputy Commissioner Chitral.
3. District Account Office Chitral.
4. District Monitoring Officer Chitral.

Dated: 10-09-2016

**DIRECTORATE OF ELEMENTARY & SECONDARY EDUCATION KHYBER  
PAKHTUNKHWA, PESHAWAR**

**NOTIFICATION**

1. WHEREAS, the departmental appeal of Mst. Bibi Shehnaz PSHT GGPS Bakerabad Chitral has been sent to DEO (F) Chitral for detail report/comments vide letter No.3511 dated 18/11/2016.
2. WHEREAS, the detail report received from DEO (F) Chitral vide her letter No.15157 dated 6/12/2016.
3. WHEREAS, this Directorate has inquire the departmental appeal of Mst. Bibi Shehnaz Bibi. PSHT B-15 GGPS Asper Domel Chitral, Shahida Akhtar PSHT B-15 GGPS Khushum Payeen Chitral, Nasim Akhtar PSHT B-15 GGPS Ursoon Chitral, Bait-ul-Jamal PSHT GGPS Sahat Mulkhov Chitral and Mst. Bibi Saqeda Naz PSHT B-15 GGPS Khushum Bala Chitral vide No.4738-42 dated 30/12/2016.
4. WHEREAS, the inquiry officer inquired the departmental appeals of the five PSHT B-15 as mentioned in para-3 and submit detail inquiry report vide his letter No.1/Inquiry File/ GHSS Ayun dated 12/1/2017.
5. NOW THEREFORE, the Director Elementary & Secondary Education Khyber Pakhtunkhwa (competent authority) after thoroughly examined the whole case as well as inquiry report, the appeal of the applicants have been accepted and have been re-instated and the major penalty of removal from service imposed by the DEO (F) Chitral has been converted to minor penalty that reverted them from PSHT BS-15 to SPST BS-14 w.e.f the date of their promotion and the benefits of promotion may be recovered from the concerned teachers.

**DIRECTOR  
ELEMENTARY & SECY; EDUCATION  
KHYBER PAKHTUNKHWA**

Dated the 6/3/2017

Endst: No./F.No. 218-21 KC/F/ Chitral

Copy of the above is to the:-

1. District Education Officer (F) Chitral for necessary action please.
2. SDEO (F) Chitral.
3. Teacher concerned.
4. PA to Director (E&SE) Khyber Pakhtunkhwa, Peshawar.
5. M/File.

*[Signature]*  
Deputy Director (Female)  
Elementary & Secondary Education  
Khyber Pakhtunkhwa, Peshawar

6/3/17

**BEFORE THE SERVICE TRIBUNAL KHYBER PAKHTUNKHWA,  
PESHAWAR**

In matter of

Service Appeal.No.806/2016

Shahida Akhtar.....**Applicant/Appellant**

**VERSUS**

Govt of KPK through Sec: Elementary and Secondary  
Education at Peshawar & others.....**Respondents**

**I N D E X**

S.No	Description of Documents	Annex	Pages
1.	Application for restoration along with Affidavit		1-2
2.	Copy of the order of this Hon'ble Court dated 08.12.2016	A	3-4

Applicant/Appellant

Through

*Hamza Amir Gulab*  
**Hamza Amir Gulab**

Advocate, Peshawar

**Dated:- 27.12.2016**

*Hamza Amir Gulab*

**BEFORE THE SERVICE TRIBUNAL KHYBER  
PAKHTUNKHWA, PESHAWAR**

In matter of

Service Appeal No 806 of 2016

Shahida Akhter

..... Applicant/Appellant

**VERSUS**

Government of KPK through Sec: Elementary and Secondary Education at Peshawar and others

..... Respondents

**APPLICATION FOR RESTORATION OF THE ABOVE  
CAPTIONED CASE WHICH WAS DISMISSED DUE TO  
NON PROSECUTION ON 08.12.2016.**

Respectfully Sheweth,

1. That the above titled case was pending adjudication before this Hon'ble Court.
2. That the case was dismissed by this Honourable Court on 08.12.2016 for want of prosecution.
3. That absence of the Appellant/Applicant was not intentional
4. That the counsel of Applicant/Appellant was busy in Peshawar High Court Darulqaza Bench hence, could not reached on time on the date fixed, whereas the Attorney of Appellant/Applicant due to snowfall stuck in traffic and reached after court hours



BEFORE THE SERVICE TRIBUNAL KHYBER  
PAKHTUNKHWA, PESHAWAR

Service Appeal No 806 of 2016



Shahida Akhtar Primary School Head Teacher Government Girls Primary  
School Bakerabad Tehsil and District Chitral

..... Appellant


VERSUS

1. Government of KPK through Sec: Elementary and Secondary Education at Peshawar
2. Director Elementary and Secondary Education at Peshawar
3. District Education Officer (female) District Chitral.

..... Respondents


APPEAL U/S 4 OF THE SERVICE TRIBUNAL ACT  
1974 AGAINST THE POSTING/TRANSFER ORDER  
NO 4640 PRIMARY REGULARIZATION 20145  
DATED 21.08.2014 ENDORSED VIDE NO 8308-88  
DATED 22.11.2014.

Resubmitted to -day  
and filed.

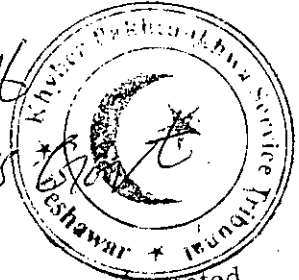
  
Registrar

PRAYER: 20/8/16

On acceptance of this Appeal the impugned Transfer and adjustment order dated 21.08.2014 and 22.11.2014 may graciously be ordered to be cancelled and strict compliance of rationalization formula be directed to be followed and thereafter adjustment should be made in accordance with the seniority existing on the date of promotion/upgradation i.e. 26.12.2012

  
Registrar  
Khyber Pakhtunkhwa Service Tribunal  
Peshawar

Appeal No. 806/2016  
Shahida Akhtar vs Govt



08.12.2016

None present for the appellant despite repeated calls. The court time is about to over. Mr. Muhammad Zubair, Sr.GP for the respondents present.

Dismissed for want of prosecution. File be consigned to the record room.

Announced self-  
08.12.2016 Chairman  
Camp Court Swat

Certified to be true copy  
Shahida Akhtar  
District Service Tribunal  
Quetta

Handwritten initials

Date of Presentation of Application: 09-12-16

Number of Words: 806

Copying Fee: 6/-

Urgent: /

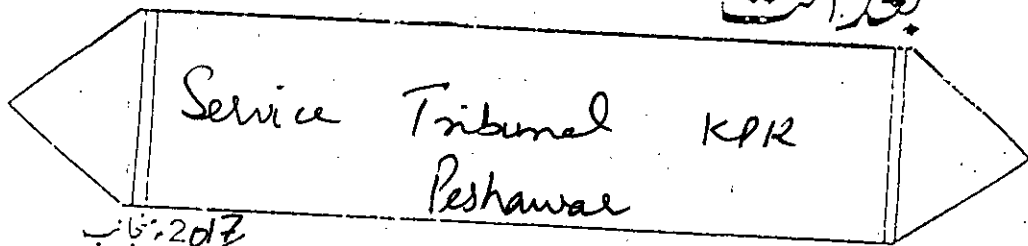
Title: /

Name of Copyist: JMD

Date of Completion of Copy: 23-12-16

Date of Delivery of Copy: 23-12-16

بعدالت



شاہدہ افضلہ بیگم حکومت پنجاب 2017

مورخہ  
مقدمہ  
دعوی  
جرم

اپیل نمبر 77/2017/747

باعث تحریر آنکے

مقدمہ بندرجہ عنوان بالا میں اپنی طرف سے واسطے پیردی وجواب دہی وکل کارروائی متعلقہ  
آن مقام شاہدہ افضلہ بیگم کے خلاف صاحب کلاب خان کے خلاف صاحب کلاب خان کے خلاف

مقرر کر کے اقرار کیا جاتا ہے۔ کہ صاحب مرسوف کو مقدمہ کی کل کارروائی کا کمال اختیار دیا گیا۔ نیز  
دکیل صاحب کو راضی نامہ کرنے و تقرر مانت، فیصلہ برحلف دینے جواب دہی اور اقبال دعویٰ اور  
بصورت ڈگری کرنے اجراء اور سولی چیک در پیدار عرضی دعویٰ اور درخواست ہر قسم کی تندی  
ذرائع پر دستخط کرانے کا اختیار ہوگا۔ نیز بصورت عدم پیردی یا ڈگری کی طرف یا اپیل کی برادگی اور  
نیز دائر کرنے اپیل نگرانی و نظر ثانی و پیردی کرنے کا اختیار ہوگا۔ از بصورت ضرورت مقدمہ مذکور  
کے کل یا جزوی کارروائی کے واسطے اور دکیل یا مختار قانونی کو اپنے ہمراہ یا اپنے بجائے اقرار کا اختیار  
ہوگا۔ اور صاحب مقرر شدہ کو بھی وہی جملہ مذکورہ بنا اختیار حاصل ہوں گے اور اس کا ساخت  
پر واختہ منظور قبول ہوگا۔ دوران مقدمہ میں جو خرچہ ہر جانہ التوائے مقدمہ کے سبب سے وہ ہوگا۔  
کوئی تاریخ پیشی مقام دورہ پر ہو یا حد سے باہر ہو تو دکیل صاحب پابند ہوں گے۔ کہ پیردی  
مذکور کریں۔ لہذا بعدالت نامہ سمجھدیا کہ سند ہے۔

المرقوم \_\_\_\_\_ ماہ \_\_\_\_\_ 2017

العبد \_\_\_\_\_  
شاور مقام کے لئے منظور ہے۔

Attested & Accepted

Jalal Ahmad Khan

**BEFORE THE SERVICE TRIBUNAL KHYBER PAKHTUNKHWA PESHAWAR.**

Appeal No. 747 of 2017

Shahida Akhtar..... Appellant/Petitioner

Versus

Government of Khyber Pakhtunkhwa through Secretary E&SE..... Respondent

**JOINT PARAWISE COMMENTS ON BEHALF OF RESPONDENTS NO.1 TO 3.**

Respectfully Sheweth.

**Preliminary Objections.**

1. That the appellant is not aggrieved persons with the meaning of article 199 of the constitution of Islamic Republic of Pakistan, 1973.
2. That the appellant has no cause of action / Locus standi to file the instant service appeal.
3. That the appellant has not come to this honorable tribunal with clean hands.
4. That the appellant is estopped by their own conduct.
5. That the instant appeal is not maintainable in the present circumstances because the same is founded on the terms & conditions of service.
6. That the instant appeal is already barred by time.

**ON FACTS.**

1. Correct, but the appellant had been removed from service due to absence from her duty place and then after acceptance of appeal she was re-instated in her service by the Director E&SE Khyber Pakhtunkhwa and removal from service imposed by DEO(F)Chitral converted to minor penalty reverted her from PSHT B-15 to SPST B-14 vide Notification No. 1218-21/KC/F/Chitral dated 06/03/2017.(Copy of the Notification is attached herewith as annexure-A)
2. Denied, that the post of PST BPS-12 is initially recruited on the basis of hundred percent union council wise and up gradation from BPS-12 to BPS-14 and BPS-15, be adjusted at any available post of SPST B-14 and PSHT B-15 in the District. So, the appellant after getting up gradation, her posting was made by the respondent No.3 to the School where such post of her cadre was available and was not posted in the school where she was already working in her previous grade due to non availability of the post, because it was already filled. Therefore, feeling aggrieved from such posting order of the respondent No. 3 the appellant approached this tribunal.
3. That, the answer of Para No.3 has already mentioned in Para No.2 with details.

4. That Para No.4 is not related.
5. That Para No. 5 is correct.
6. That Para No. 6is correct.
7. That Para No. 7 is not related.

**GROUNDS.**

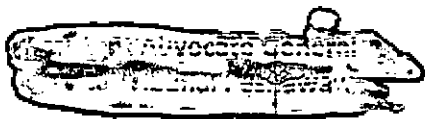
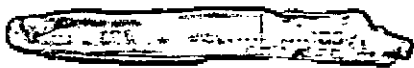
- A. Denied, that respondent No.3 has done all these process according to the Service Rules.
- B. Denied, that the previous case was dismissed by this honorable tribunal for want of jurisdiction.
- C. Denied, that the case was dismissed for want of jurisdiction.
- D. Denied, that the appellant after getting promotion from SPST B-14 to PSHT B-15 she remained absent in her adjusted station of duty and removed from service on the basis of absenteeism and according to the service rules.
- E. Denied, that the appellant had been absent at the adjusted posting station after getting promotion.
- F. Denied, that the Para F is not related.

It is therefore, prayed that on acceptance of the above humble submission the instant appeal of the appellant may graciously be dismissed in favor of the answering respondent No.3., please.

*Sir, The instant Service Appeal is Identical and Same nature case with Service Appeal No, 747/2017 already vetted.*



Dated 18/02/2018.



District Education Officer,  
(Female) Chitral.

*Eidh*  
Distt: Education Officer  
(Female) Chitral

Director,  
E&SE Deptt: KPK Peshawar.



Secretary,  
E&SE Department Khyber Pakhtunkhwa.

**BEFORE THE PESHAWAR HIGH COURT MINGORA BENCH DARUL QAZA SWAT**

**Appeal No. 747 of 2017.**

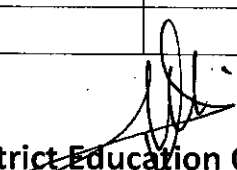
**Mst: Shahida Akhtar.....(Petitioner)**

**Versus:**

**Government of Khyber Pakhtunkhwa and others.....(Respondents)**

**INDEX**

<b>S#</b>	<b>Description of Documents</b>	<b>Annexure</b>	<b>Page NO.</b>
1	Para wise comments & affidavit	-	1-3
2	Re-instatement order	A	4
3	Explanation, Enquiry Report, Show Cause Advertisement and Removal from Service order.	C	5-9

  
**District Education Officer,  
(Female) Chitral.  
Distt: Education Officer  
(Female) Chitral**

3



**GOVERNMENT OF KHYBER PAKHTUNKHWA ELEMENTARY AND  
SECONDARY EDUCATION DEPARTMENT FEMALE CHITRAL.  
PHONE NO.0943412047 EMIAL deofchitral@gmail.com**

**BEFORE THE SERVICE TRIBUNAL KHYBER PKHTUKHWA, PESHAWAR.**

**Appeal No. 747 of 2017.**

**Shahida Akhtar \_\_\_\_\_ Petitioner.**

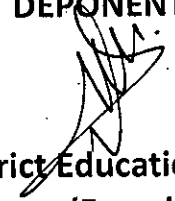
**Versus**

**Government of Khyber Pakhtunkhwa Through Secretary E&SE \_\_\_ Respondents.**

**(Affidavit)**

**I DEO (F) Chitral I do hereby solemnly affirm and state on oath that the above statement is true and correct to the best of my knowledge and belief and nothing has been concealed from this honorable court**

**DEPONENT**

  
**District Education Officer  
(Female) Chitral.  
Distt: Education Officer  
(Female) Chitral**



**OFFICE OF THE DISTRICT EDUCATION OFFICER (FEMALE) CHITRAL.**

**AUTHORITY LETTER.**


Mr. Mohammad Ayub Khan ADEO(P&D)/(Litigation)local office is hereby authorized to appear before the honorable Court of Service Tribunal Khyber Pakhtunkhwa, Peshawar in the case of Appeal No.747 of 2017 Shahida Akhtar Versus Govt; of Khyber Pakhtunkhwa, Through Secretary Education on behalf of the undersigned.

**District Education Officer,  
(Female) Chitral.**

Endst: No \_\_\_\_\_/File No.CC-21/P&D (F) Dated Chitral, the \_\_\_\_/\_\_\_\_/2017.

Copy forwarded for information & necessary action to the:-

1. The Honorable, Judge of Service Tribunal Khyber Pakhtunkhwa, Peshawar, please.

  
**District Education Officer,  
(Female) Chitral.  
Distt: Education Officer  
(Female) Chitral.**



(4)

Annexure 'A'

**DIRECTORATE OF ELEMENTARY & SECONDARY EDUCATION KHYBER PAKHTUNKHWA, PESHAWAR**

**NOTIFICATION**

1. WHEREAS, the departmental appeal of Mst. Bibi Shehnaz PSHT GGPS Bakerabad Chitral has been sent to DEO (F) Chitral for detail report/comments vide letter No.3511 dated 18/11/2016.
2. WHEREAS, the detail report received from DEO (F) Chitral vide her letter No.15157 dated 6/12/2016.
3. WHEREAS, this Directorate has inquire the departmental appeal of Mst. Bibi Shehnaz Bibi PSHT B-15 GGPS Asper Domel Chitral, Shahida Akhtar PSHT B-15 GGPS Khushum Payeen Chitral, Nasim Akhtar PSHT B-15 GGPS Ursoon Chitral, Bait-ul-Jamal PSHT GGPS Sahat Mulkhov Chitral and Mst. Bibi Saeeda Naz PSHT B-15 GGPS Khushum Bala Chitral vide No.4738-42 dated 30/12/2016.
4. WHEREAS, the inquiry officer inquired the departmental appeals of the five PSHT B-15 as mentioned in para-3 and submit detail inquiry report vide his letter No.1/Inquiry File/GHSS Ayun dated 12/1/2017.
5. NOW THEREFORE, the Director Elementary & Secondary Education Khyber Pakhtunkhwa (competent authority) after thoroughly examined the whole case as well as inquiry report, the appeal of the applicants have been accepted and have been re-instated and the major penalty of removal from service imposed by the DEO (F) Chitral has been converted to minor penalty that reverted them from PSHT BS-15 to SPST BS-14 w.e.f the date of their promotion and the benefits of promotion may be recovered from the concerned teachers.

*Amir*  
*[Signature]*  
 Asstt Distt. Education Office  
 P & D (Female) Chitral

**DIRECTOR**  
**ELEMENTARY & SECY; EDUCATION**  
**KHYBER PAKHTUNKHWA**

Endst: No./F.No. 1218-21 KC/F/ Chitral  
 Copy of the above is to the:-

Dated the 6/03/2017

1. District Education Officer (F) Chitral for necessary action please.
2. SDEO (F) Chitral.
3. Teacher concerned.
4. PA to Director (E&SE) Khyber Pakhtunkhwa, Peshawar.
5. M/File.

*EPB*  
*[Signature]*  
 Process as per rules  
*[Signature]*

*[Signature]*  
 Deputy Director (Female)  
 Elementary & Secondary Education  
 Khyber Pakhtunkhwa, Peshawar

DEO (F) Chitral  
 No. 5078  
 09/03/17

*[Signature]*  
 6/3/17

Appeal No. 806/2016  
Shahida Akhtar vs



08.12.2016

None present for the appellant despite repeated calls. The court time is about to over. Mr. Muhammad Zubair, Sr.GP for the respondents present.

Dismissed for want of prosscution. File be consigned to the record room.

Announced 806  
08.12.2016  
Chairman  
Court Swat

Received by the true copy  
[Signature]

[Signature]

Date of Presentation of Application	09-12-16
Number of Words	800
Copying Fee	6/-
Legal	
Total	6/-
Name of Applicant	[Signature]
Date of Completion of Work	23-12-16
Date of Delivery of Copy	23-12-16

"B"

KHYBER PAKHTUNKHWA SERVICE TRIBUNAL, PESHAWAR.  
JUDICIAL COMPLEX (OLD), KHYBER ROAD,  
PESHAWAR.

*Regr*

No.

Appeal No. 747 of 2017.

*Mst. Shauzila Akhtar* Appellant/Petitioner

Versus

*Govt of KP through Secy. P&S Dept.* Respondent  
Respondent No. 3

Notice to:

*- Distt. Education Officer,  
Peshawar, Distt. Chitral*

WHEREAS an appeal/petition under the provision of the North-West Frontier Province Service Tribunal Act, 1974, has been presented/registered for consideration, in the above case by the petitioner in this Court and notice has been ordered to issue. You are hereby informed that the said appeal/petition is fixed for hearing before the Tribunal \*on 29-1-2018 at 8.00 A.M. If you wish to urge anything against the appellant/petitioner you are at liberty to do so on the date fixed, or any other day to which the case may be postponed either in person or by authorised representative or by any Advocate, duly supported by your power of Attorney. You are, therefore, required to file in this Court at least seven days before the date of hearing 4 copies of written statement alongwith any other documents upon which you rely. Please also take notice that in default of your appearance on the date fixed and in the manner aforementioned, the appeal/petition will be heard and decided in your absence.

Notice of any alteration in the date fixed for hearing of this appeal/petition will be given to you by registered post. You should inform the Registrar of any change in your address. If you fail to furnish such address your address contained in this notice which the address given in the appeal/petition will be deemed to be your correct address, and further notice posted to this address by registered post will be deemed sufficient for the purpose of this appeal/petition.

Copy of appeal is attached. ~~Copy of appeal has already been sent to you vide this office Notice No. .... dated.....~~

Given under my hand and the seal of this Court, at Peshawar this 17th.....

Day of July 2017

*[Signature]*  
Registrar,  
Khyber Pakhtunkhwa Service Tribunal,  
Peshawar.

Note: 1. The hours of attendance in the court are the same that of the High Court except Sunday and Gazetted Holidays.  
2. Always quote Case No. While making any correspondence.

RECEIVED