


# FORM OF ORDER SHEET

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

**Appeal No. 1473/2023**

S.No.	Date of order proceedings	Order or other proceedings with signature of judge
1	2	3
1-	17/07/2023	<p>The appeal of Mr. Muhammad Tahir presented today by Mr. Muhammad Amin Khattak Iachi Advocate. It is fixed for preliminary hearing before Single Bench at Peshawar on</p> <p>By the order of Chairman</p> <p> REGISTRAR</p>

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

Service Appeal No. 1473 /2023

Muhammad Tahir Senior Clerk D.E.O Male Kohat.

**VERSUS**

The District Education Officer (DEO) Male, Kohat & others.

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Dated 17-07-2023.

*Muhammad Amin*  
Appellant

Through:

**Muhammad Amin Khattak Lachi**  
Advocate, Supreme Court.

& *Muhammad Yaseen*  
**Muhammad Yaseen Hassan Khelvi**  
Advocate, High Court.

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

Service Appeal No. 1473 /2023.

Muhammad Tahir Senior Clerk Dist. Education office Male Kohat.

..... APPELLANT.

**VERSUS**

1. The District Education Officer (DEO) Male, Kohat.
2. The Director Elementary & Secondary Education, Khyber Pakhtunkhwa Peshawar.
3. The Secretary Elementary & Secondary Education, Khyber Pakhtunkhwa, Peshawar.
4. Mr. Fazal Rehman Senior Clerk G.H.S.S Muslim Abad, Kohat.

..... RESPONDENTS.

**APPEAL UNDER SECTION 04 OF THE KHYBER  
PAKHTUNKHWA, SERVICE TRIBUNAL ACT 1974,  
AGAINST THE NOTIFICATION/ OFFICE ORDER DATED  
11-04-2023 WHEREBY APPELLANT WAS TRANSFERRED  
FROM THE OFFICE OF DISTRICT EDUCATION OFFICER  
(D.E.O) Male KOHAT TO G.H.S.S MUSLIM ABAD KOHAT,  
& ALL THE SUBSEQUENT ORDERS DATED 17-04-2023, 28-  
04-2023, 15-05-2023, 20-06-2023 & 04-07-2023.**

**Prayer:**

By accepting the instant appeal, the impugned order dated 11-04-2023 and all the subsequent orders may be declared illegal and may be struck down.

It is Further requested that the appellant may be allowed to serve in the post in question in district education office (male) Kohat, and the salary may be released which is unlawfully stopped by the Respondents.

Any other relief, which this Honorable Court deems fit and appropriate may also be granted to the Appellant for the ends of justice.

**Respectfully Sheweth:**

Brief facts of the matter which lead to the present Appeal are as under!

**F A C T S**

1. That Appellant belongs to respectable family of the locality and belongs to Kohat and serving as a senior clerk in the office of District Education Office (Male) Kohat.,
2. That appellant was appointed is a clerk in BP- 07, on 17-03-1991 in the Office of District Education Kohat Male.
3. That Appellant performed his duty regularly up to the entire satisfaction of Respondents Department with zeal and zest and was promoted is a Senior Clerk on 30-05-2017 in BPS-14 in the Office of Respondent No. 01 and from time to time appellant was transferred to different Schools in district Kohat.
4. That on 04-03-2021 through mutual transfer No. 1227-29, the appellant was transferred in the office of Respondent No. 01 as a Senior Clerk and since then is serving for the best interest of public. **(Relieving Certificate & Mutual Transfer Order is Attached as A & A1)**
5. That on 11-04-2023 all of sudden the services of the appellant were struck off from the office of Respondent No. 01 and were handed over to G.H.S.S Muslim Abad, Kohat. **(Copy of Impugned order dated 11-04-2023 & it's better Copy is annexed as B & B1)**
6. That being aggrieved from the Impugned order 11-04-2023 filed departmental appeal but that was not responded and appellant then filed Writ Petition No. 1580-P/2023, before the Honorable High Court, Peshawar, and on 03-05-2023, Respondents were directed to dispose off the departmental appeal within 10 days but in spite of the directions departmental appeal was not replied. **(Copy of departmental Appeal & W.P No 1580-P/2023 along with orders of Honorable Peshawar High Court are annexed as C & C1)**
7. That in the meantime due to the malafide intention of the respondents and at the behest of local M.N.A/ other political figures the appellant transfer order dated 11-04-2023 was reverted through in other corrigendum order Endorsement No 5495-98 dated 17-04-2023. **(copy of Corrigendum dated 17-04-2023 D)**
8. That on 19-04-2023 the Appellant approached Respondents & took charge as a Computer Operator in the Respondent No. 01 office then again on 28-04-2023 Endorsement. No.1371-75 the corrigendum order was cancelled. **(Copy of Certificate of transfer of Charge dated 19-04-2023 & Office Order dated 28-04-2023 and its better copy is annexed as E, F & F1)**

9. That when the appellant approached the concerned school for taking charge then on 15-05-2023, endorsement No. 4222-25 the corrigendum order was again restored. **(Copy of Office Order dated 15-05-2023 and its better Copy is annexed as G & G1)**
10. That when the Appellant approached the Education Department for charge then again on 20-06-2023, previous order of 15-05-2023 was canceled and appellant was directed to approach the concerned school. **(Copy of Cancellation order dated 20-06-2023 is annexed as H)**
11. That when the appellant approached the concerned school again the impugned order 11-04-2023 was restored on 04-07-2023. **(Copy of Office order dated 04-07-2023 and its better Copy is annexed as I & I1)**
12. That within a span of Three (03) months the appellant was transferred 06 times, which is highly condemnable, against the public interest as well as the appellant is mentally tortured, dishearted and become an inefficient and a rolling stone, finding no alternative, hence this appeal is filed on the following grounds.

#### GROUND S

- A. That the Impugned Notifications/Office Orders dated 11-04-2023, 17-04-2023, 28-04-2023, 15-05-2023, 20-06-2023 & 04-07-2023 of Respondents are wrong, illegal, unfounded, unconstitutional, based on nepotism and favoritism, hence, are liable to be set aside.
- B. That the original Notification / Office order dated 11-04-2023 is pre-mature and normal tenure of posting three years is not yet completed.
- C. That post in question is District Cadre Post and according to **District Education Office (Male) Job Description and Competencies** its posting and transfers is within the domain of District Education Officers, and Director Elementary & Secondary Education has got no power to pass any posting order, and all the impugned orders are passed by the director elementary and secondary education without law full authority.
- D.- That presently the Appellant is on leave, and Respondents has got no power to make any transfer order or to direct to take a charge anywhere within specified time which is against the law. **(Copy of Sanctioned leave is annexed as J)**
- E. That the respondents stopped the salary of appellant which is illegal, and is liable to be set aside.
- F. That Impugned Notifications/ Office Orders/ repeated transfers are not only incorrect, against the law, but also discouraged by

the Superior Court and the land mark judgment reported as PLD 1995 Supreme Court 530.

- G. That the impugned Notifications/ office orders issued by Respondents are in sheer violation of the Fundamental Rights guaranteed to the Appellant as envisaged under the Constitution of Islamic Republic of Pakistan 1973.
- H. That the whole proceedings took place on malafide, ill will intentions and just to harass the appellant, which is violation of fundamental rights guaranteed by Constitution of Islamic Republic of Pakistan 1973.
- I. That any other ground will be taken at the time of arguments with the kind permission of this Honorable Court.

In wake of above submissions, it is therefore, most humbly prayed that the instant appeal may kindly be accepted as prayed for.

*[Handwritten Signature]*  
Appellant

Through:

**Muhammad Amin Khattak Lachi**

**Advocate, Supreme Court.**

& *[Handwritten Signature]*

**Muhammad Yaseen Hassan Khelvi**

**Advocate, High Court.**

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

**Service Appeal No. \_\_\_\_\_/2023.**

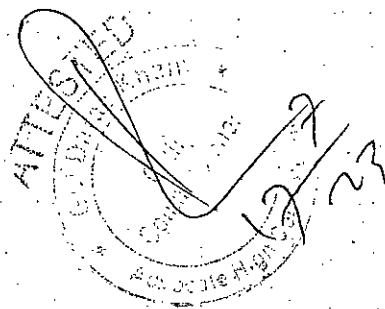
**Muhammad Tahir Senior Clerk D.E.O male Kohat**

**VERSUS**

**The District Education Officer (DEO) Male, Kohat & others.**

**AFFIDAVIT**

I **Muhammad Tahir S/o Usman Ghani** R/o Muslim Town University Road Tappi, Tehsil & District Kohat, do hereby solemnly affirm and declare that the contents stated in my accompanying appeal are true and correct to the best of my knowledge and belief, and nothing has been concealed from this Honorable Court. Moreover, I have not filed any other appeal, except the present appeal, for the same cause of action, or other matter connected with my terms and conditions of service.



*[Handwritten Signature]*  
**DEPONENT**

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

C.M No. \_\_\_\_\_/2023

In

Service Appeal No. \_\_\_\_\_/2023

Muhammad Tahir Senior Clerk D.E.O Male Kohat.

**VERSUS**

The District Education Officer (DEO) Male, Kohat & others.

**APPLICATION FOR GRANT OF INTERIM RELIEF TO THE EXTENT  
THAT THE RESPONDENTS MAY KINDLY BE DIRECTED TO RELEASE  
SALARY OF APPELLANT AND THE OPERATION OF IMPUGNED  
ORDERS DATED 11-04-2023 AND ALL THE SUBSEQUENT ORDERS  
DATED 17-04-2023, 28-04-2023, 15-05-2023, 20-06-2023 & 04-07-  
2023 RESPECTIVELY MAY KINDLY BE SUSPENDED TILL THE FINAL  
DECISION OF THE APPEAL**

*Respectfully Sheweth,*

1. That the above noted appeal has been filed before this Hon'ble Court which has not been fixed.
2. That the instant application may kindly considered as part and parcel of the main appeal.
3. That Appellant has got good prima facie case and balance of convenience also lies in favour of the Applicant/Appellant.
4. That for each transfer order Applicant/ Appellant complied and approached the concerned station but due to the subsequent orders the same was not done.

It is, therefore, most humbly prayed that on acceptance of this application, interim relief as prayed for in heading of the application may kindly be granted in favour of Applicant against the Respondents till the final decision of the case.

**Applicant/ Appellant**

**Through:**

**Muhammad Amin Khattak Lachi**

**Advocate, Supreme Court.**

**& Muhammad Yaseen Hassan Khelvi  
Advocate, High Court.**



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

C.M No. \_\_\_\_\_/2023

In

Service Appeal No. \_\_\_\_\_/2023

Muhammad Tahir Senior Clerk D.E.O Male Kohat.

**VERSUS**

The District Education Officer (DEO) Male, Kohat & others.

**AFFIDAVIT**

I **Muhammad Tahir S/o Usman Ghani R/o Muslim Town University**

Road Tappi, Tehsil & District Kohat, do hereby solemnly declare and affirm

that the contents of the application are true and correct to the best of my knowledge

and belief and nothing has been concealed from this Hon'ble Tribunal.

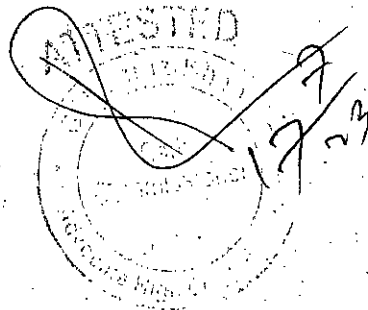
**DEPONENT.**

**CNIC#14301-9404812-3.**

**Cell No#0333-9622491.**

Identified By

*M. Yaseen*  
**M. Yaseen Hassan Khelvi**  
Advocate High Court, Peshawar



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

**Service Appeal No. \_\_\_\_\_/2023.**

**Muhammad Tahir Senior Clerk D.E.O Male Kohat.**

**VERSUS**

**The District Education Officer (DEO) Male, Kohat & others.**

**Appellant:**

**Muhammad Tahir Senior Clerk D.E.O Male Kohat**

**R/O Muslim Town University Road Tappi, Tehsil & District Kohat.**

**Respondents:**

**A. The District Education Officer (DEO) Male, Kohat.**

**B. The Director Elementary & Secondary Education, Khyber  
Pakhtunkhwa Peshawar.**

**C. The Secretary Elementary & Secondary Education, Khyber  
Pakhtunkhwa, Peshawar.**

**D. Mr. Fazal Rehman Senior Clerk G.H.S.S Muslim Abad, Kohat.**

**Through:**

*(Signature)*  
**Appellant**

**Muhammad Amin Khattak Lachi**

**Advocate, Supreme Court.**

**&** *(Signature)*

**Muhammad Yaseen Hassan Khelvi**

**Advocates, High Courts.**



Annex-A

OFFICE OF THE PRINCIPAL GOVT HIGHER SECONDARY SCHOOL

(09)

NO.1 KOHAT

RELIEVING CERTIFICATE

You Mr. Muhammad Tahir Senior Clerk GHSS No.1 Kohat o is hereby relieved from duty on 04-03-2021 (FN) vide this office transfer order No.1227-29 dated 04-03-2021.

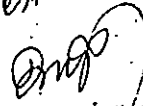
He is further directed to report to DEO (M) Kohat for joining duty.


Dated 04-03-2021

Station: Kohat

AV  
PRINCIPAL  
GOVT HIGHER SECONDARY SCHOOL  
NO.1 KOHAT

Attested

  
Principal  
Govt Higher Secondary School  
No.1 Kohat

  
ATTESTED



Annex-A1

10

OFFICE OF THE DISTRICT EDUCATION OFFICER (MALE) KOHAT

MUTUAL TRANSFER

Exchange of posts between Mr. Mujeeb ur Rehman S/C O/O DEO(M) Kohat and Mr. Muhammad Tahir S/C GHSS No.1 Kohat is hereby ordered on their own pay and grade with immediate effect in the interest of public service.

Charge report should be submitted to all concerned.

No TA/DA is allowed.

(ABDU SALAM MARWAT)  
DISTRICT EDUCATION OFFICER  
(MALE) KOHAT

Endst.No. 1227-29  
Copy to the:-

Dated Kohat the 04 / 03 /2021

1. Director E&SE Khyber Pakhtunkhwa Peshawar.
2. Deputy Commissioner Kohat
3. Principal GHSS No.1 Kohat

Attested

DISTRICT EDUCATION OFFICER  
(MALE) KOHAT

ATTESTED

Annex-B

11



DIRECTORATE OF ELEMENTARY & SECONDARY EDUCATION,  
KHYBER PAKHTUNKHWA PESHAWAR.  
Phone: 091-9225444  
Email: ddadmin.eso@gmail.com

OFFICE ORDER

The Posting/transfer in respect of the following Ministerial Staff is hereby ordered on their own pay and UPS in the interest of public service with effect from the date of their taking over charge.

S. #	Name/Design:	Present Posting	Adjusted at	Remarks
1	Mr. Tahir Mehmood Senior Clerk	DEO (M) Kohat	GHSS Muslimabad KOHAT	V.S No 2
2	Mr. Fazal Rehman Senior Clerk	GHSS Muslimabad Kohat	DEO (M) Kohat	V.S No 1

Note:-

1. Compliance report should be submitted to all concerned.
2. No TA/DA etc is allowed

DIRECTOR

Elementary & Secondary Education  
Khyber Pakhtunkhwa, Peshawar

Master No. 3765-8 F.No. /A-23/MS/Posting transfer/2021/Vol-I

Dated Peshawar the 22 / 11 / 2023

Copy forwarded to the:-

1. District Education Officer (Male) Kohat.
2. District Accounts Officer concerned.
3. Principal Concerned.
4. Officials concerned.
5. PA to Director Elementary & Secondary Education Khyber Pakhtunkhwa Peshawar.
6. Master File.

ATTEST

Assistant Director (Admin)  
Directorate E& Secondary Education  
Khyber Pakhtunkhwa, Peshawar

Better copy.

Annex-B1,

(12)

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

Phone: 091-9225344

Email: [ddadmn.ese@gmail.com](mailto:ddadmn.ese@gmail.com)

**OFFICE ORDER**

The posting/transfer in respect of the following ministerial staff is hereby ordered their own pay and BPS in the interest of public service with effect from the date of their taking over charge.

S. #	Name/Design	Present posting	Adjusted at	Remarks
1	Mr. Tahir Mehmood Senior Clerk	DEO(M) Kohat	GHSS Muslim Abad, Kohat	V.S No. 2
2	Mr. Fazal Rehman Senior Clerk	GHSS Muslim Abad, Kohat	DEO(M) Kohat	V.S No. 1

Note: -

1. Compliance report should be submitted to all concerned.
2. No TA/DA etc. is allowed.

**DIRECTOR**


Elementary & Secondary Education  
Khyber Pakhtunkhwa, Peshawar.

Ends No. 3905-8 F.No./ A-23/MS/ Posting transfer/2021/Vol-1

Dated Peshawar the 11-04-2023.

Copy Forwarded to the:-

1. District Education Officer (Male) Kohat.
2. District Accounts Officer Concerned.
3. Principal Concerned.
4. Officials Concerned.
5. PA to Director Elementary & Secondary Education Khyber Pakhtunkhwa, Peshawar.
6. Master File.

  
ATTEST

**Assistant Director (Admn)**  
Directorate E & Secondary Education  
Khyber Pakhtunkhwa, Peshawar.

محکمہ تعلیم و ترقی، ڈیپارٹمنٹ آف ایجوکیشن، گورنمنٹ آف سندھ

محکمہ تعلیم و ترقی، ڈیپارٹمنٹ آف ایجوکیشن، گورنمنٹ آف سندھ

عنوان: - ایف اے -

خاتون صاحبہ - مورخانہ ایف اے - ایف اے ایجوکیشن سیکرٹری، ایف اے ایجوکیشن ڈیویژن، گورنمنٹ آف سندھ

ایف اے ایجوکیشن سیکرٹری، مورخانہ ایف اے، 04-3-2021 سے خدمات سرانجام دیئے گئے۔

مقامی ایف اے ایجوکیشن ڈیویژن، ایف اے ایجوکیشن سیکرٹری، ایف اے ایجوکیشن ڈیویژن، گورنمنٹ آف سندھ

تاریخ: 04-3-2023، ایف اے ایجوکیشن سیکرٹری، ایف اے ایجوکیشن ڈیویژن، گورنمنٹ آف سندھ

کل ایف اے ایجوکیشن ڈیویژن (مقامی ایف اے ایجوکیشن ڈیویژن، Issue 191)

مقامی ایف اے ایجوکیشن ڈیویژن، ایف اے ایجوکیشن سیکرٹری، ایف اے ایجوکیشن ڈیویژن، گورنمنٹ آف سندھ

ایف اے ایجوکیشن سیکرٹری (ایف اے ایجوکیشن ڈیویژن، ایف اے ایجوکیشن ڈیویژن، گورنمنٹ آف سندھ)

12/4/2023 سے

Attested  
District Education Officer  
12/4/2023

Forwarded to Director  
E-PSE for further necessary  
action please @muc

DISTRICT EDUCATION OFFICER

ATTES

**BEFORE THE PESHAWAR HIGH COURT, PESHAWAR.**

Writ Petition No. \_\_\_\_/2023

Muhammad Tahir Senior Clerk District Education Office Male Kohat..... **PETITIONER**

**VERSUS**

1. District Education Officer (male) Kohat.
2. Director Elementary & Secondary KP, Peshawar.
3. Secretary Elementary & Secondary KP, Peshawar.

.....**RESPONDENTS.**



**WRIT PETITION UNDER ARTICLE 199 OF THE CONSTITUTION OF ISLAMIC REPUBLIC OF PAKISTAN 1973.**

**Respectfully Sheweth:**

**BRIEF FACTS:**

1. That is petitioner is a law abiding citizen and serving as a senior clerk in district education office Kohat
2. That petitioner was appointed as a clerk in BPS-7 on 17.03.1991 in the office of the district education officer male Kohat
3. That petitioner was promoted as a senior clerk on 30.05.2017 in BPS-14 and serving in the office of the respondent no.01 and time to time was transfer to other schools in Kohat district
4. That on 04.03.2021 through mutual transfer no 1227-29, the petitioner was transfer in the office of the respondent no.01 as a senior clerk and since then was serving there for the best interest of public.
5. That there is no complaint against the petitioner and petitioner is serving with zeal and zest to the entire satisfaction of their superior.

**ATTESTED**  
EXAMINER  
Peshawar High Court



6. That there is no single stigma on the entire career of the service of the petitioner and all the superior are satisfied of the services of the petitioner.
7. That on 11.04.2023 all of sudden the services of the petitioner were struck off from the office of the respondent no.01 and were handed over to GHSS Muslim Abad Kohat.
8. That petitioner being seriously aggrieved from the impugned order dated 11.04.2023 filed departmental appeal but petitioner was not redressed, finding no alternative this writ petition is filed on the following grounds.

**GROUND:**

- A. That the impugned order dated 11.004.2023 end no.3905-8 is illegal against the law and facts and are liable to be strut down.
- B. That the respondent No.02 pass the impugned order without law full authority because the senior clerk as in BPS-14 which is district cadre post and within the ambit of district education officer Kohat and director elementary and secondary education has got no concerned with the post in question
- C. That since impugned order is passed without law full authority and this honorable court can interfere when any order is passed by any authority having no power.
- D. That it is a settle law a think is to be done in a way as stated by the law not otherwise.

**ATTESTED**  
EXAMINER  
Peshawar High Court,

- E. That the transfer of the petitioner is also pre mature because petitioner has not yet completed normal tenure of 3 years on the post in question.
- F. That departmental appeal of the petitioner is still pendeing and is not yet decided by the authority.
- G. That some other grounds may be raised at the time of arguments with the permission of this honorable court.

*It is there prayed that on the acceptance of this writ petition, the impugned order dated 11.04.2023 order number 3905-8 may be declare illegal and may be struck down.*

*It is further requested that petitioner may be allowed to serve on the post in question in district education office Kohat with zeal and zest*

*Any other relief which is not specifically asked for may also be granted in favour of the petitioner against the respondent.*

Petitioner

Through

Date: 19/04/2023

*Muhammad Amin Khattak*  
*Lachi*  
Advocate,  
Supreme Court of Pakistan

ATTESTED  
EXAMINER  
Peshawar High Court.

INTERIM RELIEF

That operation of impugned Order may be suspended till the final disposal of instant writ petition.

CERTIFICATE:

Certified that no such like Writ Petition has earlier been filed in this Hon'ble Court as per instruction of my client.

  
ADVOCATE

LIST OF BOOKS:

1. Constitution of Pakistan, 1973.
2. Case law according to need.

  
ATTESTED  
EXAMINER  
Peshawar High Court,

**BEFORE THE PESHAWAR HIGH COURT, PESHAWAR.**

Writ Petition No. \_\_\_\_\_/2023

Muhammad Tahir Senior Clerk District Education office male  
Kohat

.....PETITIONER

**VERSUS**

1. District education officer male Kohat & Others

.....RESPONDENTS

**AFFIDAVIT**

I, Muhammad Tahir S/O Usman Ghani R/o Muslim Town University Road, Tappi, Tehsil And District Kohat, do hereby solemnly affirm and declare, that the contents of this *Writ Petition* are true and correct to the best of my knowledge and belief and nothing has been concealed from this honorable Court.

IDENTIFY BY

Muhammed Anis Khattak  
Lathi Advocate Supreme  
Court, Pakistan.

DEPONENT

CNIC# 14301-9404812-3  
Cell# 03339622491.

36375

April 23  
Usman Ghani

Mr. Tahir  
Kohat  
self

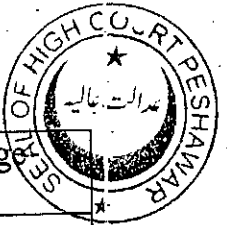
CERTIFIED TO BE TRUE COPY  
Peshawar High Court, Peshawar  
Authorised Under Article 7 of  
the 1973 Constitution Order 1984

08 MAY 2023

08 MAY 2023  
Peshawar High Court, Peshawar

PESHAWAR HIGH COURT, PESHAWAR.

FORM OF ORDER SHEET




Date of Order or Proceeding	Order or other proceedings with Signature of Judge
2	3
03.05.2023.	<p><b><u>W.P No. 1580-P of 2023 with IR.</u></b></p> <p><u>Present: -</u> Mr. Muhammad Amin Khattak Lachi, Advocate for petitioner.</p> <p style="text-align: center;">***</p> <p><b><u>MOHAMMAD IBRAHIM KHAN, J.-</u></b> Through the petition in hand filed under Article 199 of the Constitution of Islamic Republic of Pakistan, 1973, the petitioner, Muhammad Tahir, Senior Clerk, District Education Office (Male), Kohat, seeks the following relief: -</p> <p style="text-align: center;"><i>“It is therefore prayed that on acceptance of this writ petition, the impugned order dated 11.04.2023 order No. 3905-8 may be declared illegal and may be struck down.</i></p> <p style="text-align: center;"><i>It is further requested that petitioner may be allowed to serve on the post in question in district education office Kohat with zeal and zest.</i></p> <p style="text-align: center;"><i>Any other relief which is not specifically asked for may also be granted in favour of the petitioner against the respondent”</i></p> <p>2. At the very outset of arguments when learned</p>

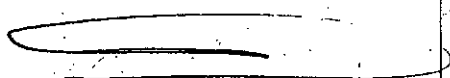
ATTESTED  
EXAMINER  
Peshawar High Court,

counsel for petitioner was confronted with the fact that the petitioner is a civil servant and posting/transfer is one of the terms and conditions of his service for which the jurisdiction of this Court to interfere in such like matters is exclusively barred under Article 212 of the Constitution, he candidly consented the same. However, requested for issuing direction to the respondents to decide the departmental representation/ appeal of the petitioner dated 12.04.2023 which is pending adjudication before the respondent No. 2, within a specified time.

3. In view of above, we, without dismissing this petition, dispose of the same in terms of directing the respondent No.2 to decide the departmental representation/ appeal of the petitioner dated 12.04.2023 within 10 days to be reckoned from receipt of copy of this order. Thereafter, if the petitioner is aggrieved from the order so passed on his departmental representation/ appeal, he may approach the proper forum, if so advised.

Announced:  
03.05.2023.

  
*Senior Puisne Judge*

  
**JUDGE**

Zia/\*

\*D.B\* Hon'ble Mr. Justice Mohammad Ibrahim Khan, J.  
Hon'ble Mr. Justice SM Attique Shah, J.

CERTIFIED TO BE TRUE COPY

Examiner  
Peshawar High Court, Peshawar  
Authorized Under Article 37 of  
The Constitution of Pakistan Order 1999

08 MAY 2023



Annex- D

21

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

Phone: 091-9225344

Email: ddadmn.es@gmail.com

**CORRIGENDUM**

“please read as DEO(M) Kohat against the computer operator post instead of GHSS Muslim Abad Kohat” against the Name of Mr. Muhammad Tahir SC at S.No.01 vide office order issued under Ends No.3905-8 dated 11/04/2023.

Note:-

1. Compliance report should be submitted to all concerned.
2. No TA/DA etc is allowed.

**DIRECTOR**

Elementary & Secondary Education  
Khyber Pakhtunkhwa, Peshawar

Endst: No. 5495-98 F.No/A-23/MS/Transfer 2023

Dated Peshawar the 17-4/2023

Copy forwarded to the: -

1. District Education Officer Concerned.
2. District Account Officer concerned.
3. Principal concerned.
4. Official concerned.
5. PA to Director Elementary & Secondary Education Khyber Pakhtunkhwa Peshawar.
6. Master File.

**Assistant Director (Admn)**

Directorate E& Secondary Education  
Khyber Pakhtunkhwa, Peshawar

Incl order

ATTESTED



Annex-E

22

OFFICE OF THE DISTRICT EDUCATION OFFICER (MALE) KOHAT

CERTIFICATE OF TRANSFER OF CHARGE

Certified that I have on the forenoon/afternoon of this day 19/04/2023 (F.N) respectively made overcharge the charge against the post of Computer operator (BPS-16) vide Endst.No.5495-98/F.No./A-23/MS/Transfer 2023 dated 17-04-2023 at office of the District Education Officer (Male) Kohat, vide Director (E&SE) Peshawar

Vacant

Signature of relieved Govt: Servant

Station Kohat

Muhammad Tahir  
Signature of relieving Govt: Servant.  
Muhammad Tahir, Computer operator.

Endst.No. 3109-13

Dated Kohat the 19/04/2023

Copy to the:-

1. PA to Director E&SE Peshawar.
2. District Accounts Officer, Kohat
3. EMISE Local Office.
4. Official concerned.
5. Accountant Local Office

Muhammad Tahir  
DISTRICT EDUCATION OFFICER  
(MALE) KOHAT  
DISTRICT EDUCATION OFFICER  
(MALE) KOHAT

ATTESTED





DIRECTORATE OF ELEMENTARY & SECONDARY EDUCATION  
 KHYBER PAKHTUNKHWA PESHAWAR  
 Phone: 091-9225311  
 Email: dd@dmecsk@gmail.com

**OFFICE ORDER**

The corrigendum order issued vide this Office Endst: No. 5495-08 dated 11/07/2023 is hereby cancelled and the office order issued vide Endst: No.3905-08 dated 11/07/2023 in the name of Muhammad Talib SC at S.No.1 is hereby restored with effect from the date of issuance of the said order.

- Notes: 1. Compliance report should be submitted to all concerned.  
 2. No T.A./D.A etc is allowed.

**DIRECTOR**  
 Elementary & Secondary Education  
 Khyber Pakhtunkhwa, Peshawar

Endst: No. 1371-75 A-23 MIS Transfer (G) 2023

Dated Peshawar the 27/11 /2023

Copy of the above is forwarded to the:-

1. District Education Officer (M) Kohat.
2. District Account Officer Kohat.
3. Principal GHSS concerned.
4. Official concerned.
5. PA to Director Elementary & Secondary Education Khyber Pakhtunkhwa Peshawar.
6. Muster File

*[Signature]*  
 Deputy Director (F&A)  
 Directorate E& Secondary Education  
 Khyber Pakhtunkhwa, Peshawar

*[Handwritten signature]*

*[Handwritten signature]*  
 ATTESTED

Better copy

Annex - F<sub>1</sub>

(24)

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

Phone: 091-9225344

Email: [ddadm.e@gmail.com](mailto:ddadm.e@gmail.com)

**OFFICE ORDER**

The corrigendum order issued vide this office Endst No. 5495-98 dated 17-04-2023 is hereby cancelled and the office order issued vide Endst: No. 3905-08 dated 11/4/2023 in r/o Muhammad Tahir SC at S.No 1 is hereby restored with effect from the date of issuance of the said order.

Note: -

1. Compliance report should be submitted to all concerned.
2. No TA/DA etc. is allowed.

**DIRECTOR**

Elementary & Secondary Education  
Khyber Pakhtunkhwa, Peshawar.

Ends No. 1371-75/A-23/MS/ Transfer(G) 2023

Dated Peshawar the **28-04-2023.**

Copy Forwarded to the:-

1. District Education Officer (M) Kohat.
2. District Accounts Officer Concerned.
3. Principal GHSS Concerned.
4. Officials Concerned.
5. PA to Director Elementary & Secondary Education Khyber Pakhtunkhwa, Peshawar.
6. Master File.

  
ATTN: \_\_\_\_\_

**Deputy Director (F&A)**  
Directorate E & Secondary Education  
Khyber Pakhtunkhwa, Peshawar.



DIRECTORATE OF ELEMENTARY & SECONDARY EDUCATION  
KHYBER PAKHTUNKHWA PESHAWAR  
Phone: 091-9225344 Email: ddadmn@ecg.gov.pk

**OFFICE ORDER**

The Compendium order issued vides this office Endst: No. 5453/26 dated 17-04-2023 in r/o Mr. Muhammad Tahir S/Clerk is hereby **Restored**.

**DIRECTOR**  
Elementary & Secondary Education  
Khyber Pakhtunkhwa, Peshawar

Endst: No. 41022-25 /F.No./A-23/MS/transfer(G)/2023  
Dated Peshawar the 25 / 1 / 2023

Copy forwarded to the: -

1. District Education Officer concerned
2. District Account Officer Concerned
3. Principal concerned.
4. Official Concerned.
5. PA to Director Elementary & Secondary Education Khyber Pakhtunkhwa, Peshawar.
6. Master file.

*[Signature]*  
**Assistant Director (Admn)**  
Directorate E& Secondary Education  
Khyber Pakhtunkhwa Peshawar

*[Signature]*  
**ATTESTED**

Better copy

Annex - G1

(26)

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

Phone: 091-9225344

Email: [ddadmn.ese@gmail.com](mailto:ddadmn.ese@gmail.com)

**OFFICE ORDER**

The corrigendum order issued vides this office Endst. No.5495-98 dated 17.04.2023 in r/o Muhammad Tahir S/Clerk is hereby Restored.

**DIRECTOR**

Elementary & Secondary Education  
Khyber Pakhtunkhwa, Peshawar.


Endst: No. 4222-25 /F.No./ A-23/MS/ Posting transfer(G)/2023

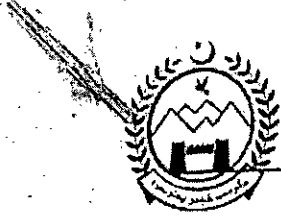
Dated Peshawar the 15-05-2023.

Copy Forwarded to the:-

1. District Education Officer Concerned.
2. District Accounts Officer Concerned.
3. Principal Concerned.
4. Officials Concerned.
5. PA to Director Elementary & Secondary Education Khyber Pakhtunkhwa, Peshawar.
6. Master File.

**Assistant Director (Admn)**  
Directorate E & Secondary Education  
Khyber Pakhtunkhwa, Peshawar.

  
ATTESTED



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

Phone: 091-9225344

Email: ddadm.ee@gmail.com

**Cancellation**

The Office order issued vide this office Endst: No. 3905-08 dated 11.04.2023 in respect of Muhammad Tahir Senior Clerk to DEO (M) Office Kohat is hereby cancelled.

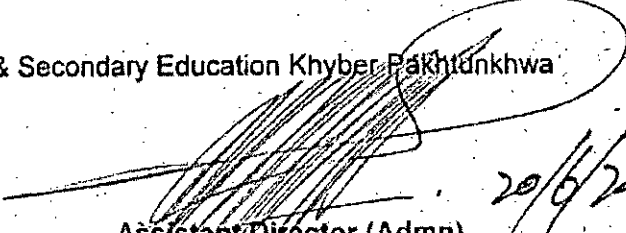
**DIRECTOR**  
Elementary & Secondary Education  
Khyber Pakhtunkhwa, Peshawar.

Endst: No. 3008-11 /F.No./A-23/MS/Transfer (Gen) 2023

Dated Peshawar the 20/6/2023


Copy of the above is forwarded to the: -

1. District Education Officer concerned. کوہاٹ (M)
2. District Account Officer concerned
3. Principal Concerned.
4. Officials concerned.
5. PA to Director Elementary & Secondary Education Khyber Pakhtunkhwa Peshawar.
6. Master File

  
Assistant Director (Admin)  
Directorate E&SE Khyber Pakhtunkhwa  
Peshawar.

20/6/2023

Estab/DA-1  
A  
DEDUM/MS  
26/6/23  
1347

  
ATTES

Annex- 1

28

TO BE SUBSTITUTED BY EVEM NO & DATE

DIRECTORATE OF ELEMENTARY & SECONDARY EDUCATION  
KHYBER PAKHTUNKHWA PESHAWAR.  
Phone: 091-9225344 Email: dcdadm.es@gmail.com

OFFICE ORDER

The Posting/Transfer order issued under this Office Enst: No. 2905-8 dated 11/4/2023 in r/o. Muhammad Tahir S/Clerk and Mr. Fazal Rehman is hereby restored.

DIRECTOR  
Elementary & Secondary Education  
Khyber Pakhtunkhwa Peshawar

IA-23/MS/Transfer (G) 2023

Dated 11/7/2023

Copy of the above is forwarded to the:-

- District Education Officer Kohat.
- District Account Officer Kohat.
- Muzamil HA Concerned
- Accounts concerned
- Principal Elementary & Secondary Education Khyber Pakhtunkhwa Peshawar
- Principal
- Principal

Attested - 11/7/2023

Deputy District Education Officer  
(Male) Kohat

Assistant Director (Admin)  
Elementary & Secondary Education  
Khyber Pakhtunkhwa Peshawar

4/7/2023  
13/1/23

ATTESTED

Better copy

Annex-42

(29)

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

Phone: 091-9225344

Email: [ddadmn.ese@gmail.com](mailto:ddadmn.ese@gmail.com)

**OFFICE ORDER**

The Posting/ Transfer order issued under this Office Endst. No.3905-8 dated 11.04.2023 in r/o Muhammad Tahir S/Clerk and Mr. Fazal Rehman S/Clerk is hereby Restored.

**DIRECTOR**

Elementary & Secondary Education  
Khyber Pakhtunkhwa, Peshawar.

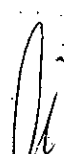
Endst: No. \_\_\_\_\_ / A-23/MS/ Transfer(G)/2023

Dated Peshawar the 04-07-2023.

Copy of the above is Forwarded to the:-

1. District Education Officer Kohat.
2. District Accounts Officer Kohat.
3. Principal/ HM Concerned.
4. Officials Concerned.
5. PA to Director Elementary & Secondary Education Khyber Pakhtunkhwa, Peshawar.
6. Master File.

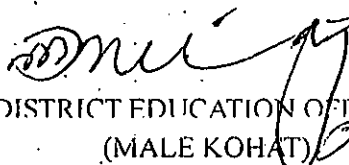
**Assistant Director (Admn)**  
Directorate E & Secondary Education  
Khyber Pakhtunkhwa, Peshawar.

  
ATTESTED

**OFFICE OF THE DISTRICT EDUCATION OFFICER (MALE) KOHAT****SANCTION:**

Under the provision of revised leave rules 1981, earned leave sanctioned vide this office endst No 3114-17 dated 19/04/2023 in respect of Mr. Muhammad Tahir SC working against Computer Operator is here by extended w.e.f 03/07/2023 to 08/08/2023 (37 days) with full pay as due and admissible to him under to rules.

Necessary entry to this effect should be made in his service book accordingly

 27/6/2023  
DISTRICT EDUCATION OFFICER  
(MALE KOHAT)

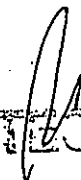
Endst No 5160-62

Dated 27-06-2023

Copy to:

1. DAO Kohat
2. EMISE Local Office
3. Accountant Local Office.

  
DISTRICT EDUCATION OFFICER  
(MALE KOHAT)

  
ATTN



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

**WAKALATNAMA**

**Muhammad Tahir Senior Clerk D.E.O Male Kohat.**

(Applicant)  
(Appellant)

**VERSUS**

**The District Education Officer (D.E.O) Male Kohat & Others**

(Respondents)  
(Defendants)

I, Appellant (Muhammad Tahir) in the above noted Appeal, do hereby appoint and constitute, Muhammad Amin Khattak Lachi ASC & M. Yaseen HassanKhelvi Advocate High Court, to appear, plead, act, compromise, withdraw or refer to arbitration to me/us as my/our Counsel in the above noted matter, without any liability for their default and with the authority to engage/ appoint any other Advocate/Counsel at my/our matter.

ACCEPTED

Muhammad Amin Khattak Lachi.

Advocate, Supreme Court of Pakistan.

CLIENT(S)

14301-94001812-3

M. Yaseen HassanKhelvi

Advocate High Court.  
0345-4949553.

Yaseenhasankhelvi6@gmail.com.