

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

**Appeal No.7557/2021**

1. **Mst:Noor Shad Beg um**, W/O Ahmad NAwaz, PST,GGPS,Karak  
Sar;Karak City

-----**Appellant**

**VERSUS**

1. The Govt: of Khyber Pakhtunkhwa, Through Chief Secretary, Civil Secretariat, Peshawar.
2. The Secretary Educa tion (E&SE), Govt: of Khyber Pakhtunkhwa; Peshawar.
3. Dir ector Education (E&SE), Govt: of Khyber Pakhtunkhwa; Peshawar
4. Deputy Director (Estt:);Merged Areas, Education Directorate, Peshawar.
5. District Education officer (F), District North Waziristan, Miranshah
6. District Education officer (F), District Karak.

-----**Respondents.**

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**Assistant District Education Officer  
North Waziristan Tribal District**

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

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1. **Mst: Noor Shad Begum**, W/O Ahmad Nawaz, PST, GGPS, Karak Sar; Karak City

-----**Appellant**

**VERSUS**

1. The Govt: of Khyber Pakhtunkhwa, Through Chief Secretary, Civil Secretariat, Peshawar.
2. The Secretary Education (E&SE), Govt: of Khyber Pakhtunkhwa; Peshawar.
3. Director Education (E&SE), Govt: of Khyber Pakhtunkhwa; Peshawar
4. Deputy Director (Estt.); Merged Areas, Education Directorate, Peshawar.
5. District Education officer (F), District North Waziristan, Miranshah
6. District Education officer (F), District Karak.

-----**Respondents.**

**Comments on behalf of respondent No.1 to 4**

**Respectfully Sheweth:**

**Preliminary Objection:**

1. That the appellant has got no cause of action to file the instant appeal.
2. That the appellant has not come to this honorable Tribunal with clean hands.
3. That the appellant has concealed material facts from this Honorable Tribunal.
4. That the appellant has stopped by his own conduct to bring the present appeal.
5. That the appeal is bad due to miss joiners of necessary parties.
6. That the appeal is barred by law and no departmental appeal is made to the competent authority against the impugned order. Hence not maintainable under Section-4 of Service Tribunal Act.
7. That the appellant has already been transferred to District Karak On the basis of section 8 of KPK Civil servants (appointment, promotion & Transfer) rules, 1989, the appellant was placed at the bottom of PST (BPS-12) with an affidavit not to claim seniority.

**On facts:**

- 1) That Para-1 pertains to record, hence no further comments.
- 2) That Para-2 pertains to record, hence no further comments
- 3) That Para-3 is correct to the extent that the appellant was upgraded from BPS 07 to BPS 09 w. e. f 01-10-2007.
- 4) That Para-4 is correct to the extent that the appellant was further upgraded from BPS 09 to BPS 12 w. e. f 01-07-2012.
- 5) That Para-5 is Incorrect. Hence denied. Sixty Seven (67) No of Female PST Teachers were upgraded w.e.f 01/07/2012 from Sr.PST (BPS-14) to PSHT (BPS-15) and Twenty Eight (28) No of Female PST (BPS-12) were upgraded to Sr.PST (BPS-14), in pursuance of the notification no (B&A)1-18/E&SE:2021 11-07-2012 and issued by finance department (Regulation wing), Islamabad vide Endstt: No.(32)R-1/2015-592-2016 dated 28-07-2016 and Directorate of education FATA Endstt: No.8233-60 dated 08-08-2016.

It is pertinent to mention here that the appellant was not included in the list for ~~Promotion~~ issued in the year 2016, because she failed to provide required/relevant documents.

Later on in pursuance of the same notification 191 No of teachers including the appellant at S.No 43, were promoted from PST (BPS-12) and Sr.PST (BPS-14) to PSHT (BPS-15) with immediate effect.

It is also pertinent to mention here that the appellant has already been transferred to District Karak On the basis of section 8 of KPK Civil servants (appointment, promotion & Transfer) rules, 1989, the appellant was placed at the bottom of PST (BPS-12) with an affidavit not to claim seniority.

**(Copy of the Notification Endstt: No 1381-85/ptc/(F) , Notification Endst: 1376/80/ptc (F) dated 05/12/2016, notification Endst: No 13107-13/DEO/NWTD dated 27/12/2018 and transfer order dated 30/06/2020 are Annexure A,B,C & D respectively).**

- 6) Para-6 is correct to the extent of Notification Endstt: No 1381-85/ptc/(F) and Notification Endst: 1376/80/ptc (F) dated 05/12/2016. The appellant was not included in the list as she fail to provide required documents.
- 7) Para-7 is Incorrect. Hence Denied. As elucidated in Para-5 on facts.
- 8) Para-7 is Incorrect. Hence Denied. The promotion order dated 27-12-2018 is according to rules and policy. There is no appeal on part of the respondent department.

Hence keeping in view the above facts, the instant petition may kindly be dismissed on the following grounds

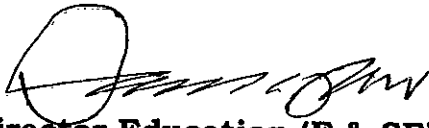
**Grounds:**

- A. Incorrect and Denied,** The respondents are abided by law and rules and have never violated any Article of the constitution of Islamic Republic of Pakistan 1973. The notification no (B&A)1-18/E&SE:2021 dated 11-07-2012 for up gradation/promotion of the post of PST (BPS-12) to the post of SPST (BPS-14) and PSHT (BPS-15) was issued by Provincial Govt: Khyber Pakhtunkhwa E&SED with immediate effect, and the same was adopted by merged district with Endst: No 1381-85/PTC (F) dated 05/12/2016 and Endstt: No 1376-80/PTC (F) dated 05/12/2016.the appellant was not included in both the lists because she fail to provide relevant documents at that time. Later on she was promoted to BPS-15 on the basis of notification Endst: No 13107-13/DEO/NWTD dated 27/12/2018 with immediate effect.  
Moreover, the appellant has already been transferred to District Karak On the basis of section 8 of KPK Civil servants (appointment, promotion & Transfer) rules, 1989, the appellant was placed at the bottom of PST (BPS-12) with an affidavit not to claim seniority.
- B. Incorrect and Denied,** Detail Reply has already been submitted above under Para-5 above on facts.
- C. Incorrect and Denied,** Detail Reply has already been submitted above under Para-5 above on facts.
- D. Incorrect and Denied,** Detail Reply has already been submitted above under Para-5 above on facts.
- E.** Respondents are also seeking permission of the Honorable Tribunal to produce additional grounds and proofs at the time of Hearing.


**Prayer:**

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

**Respondent No. 1**

  
**Director Education (E & SE) KPK**  
**Peshawar**

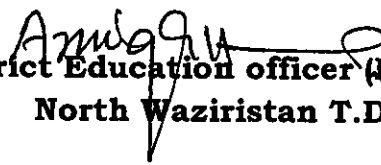
**Respondent No. 2**

  
**Deputy Director(Estt.);**  
**Merged Areas, Education Directorate,**  
**Peshawar**

**Respondent No.3**

  
**District Education officer (F)**  
**Karak**

**Respondent No.4**

  
**District Education officer (M&F)**  
**North Waziristan T.D**

BEFORE THE KHYBER PAKHTUNKHWA SERVICES TRIBUNAL, PESHAWAR

Appeal No.7557/2021

1. **Mst:Noor Shad Beg um**, W/O Ahmad NAWaz, PST,GGPS,Karak  
Sar;Karak City

-----**Appellant**

**VERSUS**

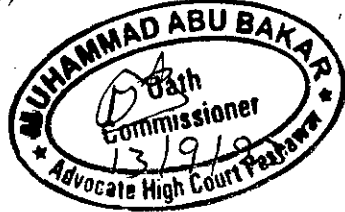
1. The Govt: of Khyber Pakhtunkhwa, Through Chief Secretary, Civil Secretariat,Peshawar.
2. The Secretary Educa tion (E&SE), Govt: of Khyber Pakhtunkhwa; Peshawar.
3. Dire ctor Education (E&SE), Govt: of Khyber Pakhtunkhwa; Peshawar
4. Deputy Director (Estt:);Merged Areas, Education Directorate, Peshawar.
5. District Education officer (F), District North Waziristan, Miranshah
6. District Education officer (F), District Karak.


-----**Respondents.**

**AFFIDAVIT**

I, Muhammad Nisar, Litigation Officer North Waziristan do solemnly affirm and declare that the Comments of Respondent No 4 in the Appeal.NO5797/2021 is true and correct to the best of my knowledge and belief and nothing has been concealed from this Honorable Court.

*The appeal has neither place exists nor their defence struck off /cost.*



  
Muhammad Nisar  
Litigation Officer  
North Waziristan Tribal District

**AUTHORITY LETTER**

This office has the honor to state that Mr. Muhammad Nisar has been serving in the District Edu: Office as an ADEO. He has been given the authority to attend all kinds of court case. So he may be considered as representative of the District Edu: officer, N.W.T.D

*Amir*  
DISTRICT EDUCATION OFFICER  
NORTH WAZIRISTAN Tribal District



Office of the

AGENCY EDUCATION OFFICER, N.W. AGENCY

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**NOTIFICATION:**

In pursuance of the Elementary & Secondary Education Department, Khyber Pakhtunkhwa Notification No.(B&A)/1-10/E&SE 2012 dated 11.7.2012 and issued by Finance Deptt: (Regulation wing) Islamabad vide Endst: No: 1(32)R-1/2015-582-2016 dated 28/07/2016 and Directorate of Edu: (FATA) Endst: No: 8233-60 dated 8/09/2016. Consequent upon the recommendation of Departmental Promotion Committee, the following Female PST B-12 in N.W. Agency are hereby Promoted to the post of Sr. PST (B-14) Rs.(8000-610-26300 ) plus usual allowances as admissible under the rules on regular basis under the existing policy of Provincial Govt. in teaching cadre. They are placed at the disposal of AEO N.W. Agency for further adjustment on the terms & conditions mentioned below with effect from 01/07/2012.

Sr	Name of Teachers	Place of Posting	Remarks
1	Baskhodam	GGPS Mubarak Khan	Promoted to the post of Sr. PST BPS-14 on regular basis with effect 1/07/2012.
2	Farzana	GGPS Toor Ajam Kot	-do-
3	Memooda Saim	GGPS Sultan Mehmood	-do-
4	Asla khatoon	GGPS uqman Kot	-do-
5	Balqis Akhtar	GGPS Sherdad Kot	-do-
6	Chand Gul	GGPS Akbar Khan Kot Shewa	-do-
7	Bibi Razia	GGPS Balasht Kot	-do-
8	Mafza Bibi	GGPS Mohd Nawaz Kot	-do-
9	Gulshan Ara	GGPS: T. J. F. S. Kot :	-do-
10	Musrat Nishad	GGPS Aurangzeb Kot	-do-
11	Samina Raz	GGPS Mohammad Latif Kot	-do-
12	Farzana	GGPS Mir Khatim Kot	-do-
13	Khalida Yasmin	GGPS Samandar Kot	-do-
14	Mariam Jamila	GGPS Zardad Khan Kot	-do-
15	Fahmida Begum	GGPS Mohammad Noor Kot Kashmir Khel	-do-
16	Farzana Nawab	GGPS Inayat Khan Kot	-do-
17	Solama Ubbi	GGPS Sher Nawaz Kot	-do-
18	Tehmina Rauf	GGHS Civil Colony Miramshah	-do-
19	Parveen Begum	GGPS Sher Nawaz Kot	-do-
20	Shabana Naz	GGPS Aurangzeb Kot	-do-
21	Rashida Noorin	GGPS Ahmad Jan Kot	-do-
22	Mehnaz Pari	GGPS Fazal Karim Kot	-do-
23	Nadia Akbar	GGPS Mirhan Kot	-do-
24	Rasul Nara	GGPS Haftrabad Hassu Khel	-do-
25	Sofia Shaheen	GGPS Said Manoor Kot	-do-

TESTED

Date: 14/08/11/12

7

Date: 2nd BPS-14 (F) 29

S#	Name of Teachers	Place of Posting	Remarks
26	Nasreen Begum	GGPS Saida Khan Kot	Promoted to the post of Sr. PST BPS-14 on regular basis with effect 1/07/2012.
27	Rozina Bibi	GGPS Sardar Habibullah Kot	-do-
28	Shakila Naz	GGPS Sayed Hassan Kot	-do-

**Terms and Conditions**

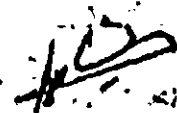
1. They will be on probation for a period of one year extendable for another one year.
2. They will be governed by such rules and regulations issued from time to time by the Government.
3. Their services can be terminated at any time, in case their performance is found unsatisfactory during probation period. In case of misconduct they will be proceeded under the rules framed from time to time.
4. Charge reports should be submitted to all concerned.
5. Their inter seniority on lower post will remain intact.
6. No TADA is allowed for joining his duty.
7. They will give an under taking to be recorded in their service Books to the effect that if any over payment has made to them in the light of this order will be recovered and if they are wrongly promoted they will be reversed.

(AWAL AYAZ KHAN)  
Agency Education Officer  
N.W. Agency.

Endst.No: 1381-85/P/1(F) Dated N.W.A the: 05/12/2018

Copy forwarded to the:-

1. Director Elementary & Secondary Education Khyber Pakhtunkhwa Peshawar.
2. Accountant General Khyber Pakhtunkhwa Peshawar.
3. Director Education (FATA) KP Peshawar.
4. Agency Accounts Officer N.W.A Miran Shah.
5. Official concerned.

  
Agency Education Officer  
N.W. Agency.

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Office of the  
**AGENCY EDUCATION OFFICER, N.W. AGENCY**

at Miranshah

1-7-2012

**NOTIFICATION:**

In pursuance of the Elementary & Secondary Education Department  
Hydr: Pakistankhwa Notification No.(BSAY1-111/3SE 2012, dated: 11.7.2012 and issued  
by Finance Deptt: (Regulation wing) Islamabad vide Endst: No: 1(32)R-1/2015-592-2016  
dated: 23/07/2016 and Directorate of Edu: (FATA) Endst: No: 0233-60, dated: 0/08/2016.  
Consequent upon recommendations of Examinational Promotion Committee, the following  
Sr.PST B 14 (Female) in N.W. Agency are hereby Promoted to the post of PG11 (B-15)  
Rs.(BS 700-29500 ) plus usual allowances as admissible under the rules on regular basis  
under the existing policy of Provincial Govt. in teaching cadre. They are placed at the  
disposal of AEO N.W. Agency for further adjustment on the terms & conditions mentioned  
below with effect from **01/07/2012**

Sl. No.	Name of Teachers	Place of Posting	Remarks
1	<i>Rabiya</i>	GGPS Gohar Kot	Promoted to the post of PG11 B-15 on regular basis with effect 1/07/2012
2	1st Aziz	GGPS Gul Syed Kot	-do-
3	Sofia Gad	GGPS Civil Colony Miranshah	-do-
4	Parvina Akbar	GGPS Dera Gul Kot	-do-
5	Munirah Begum	GGPS Agha Jan Kot Chahed Batta Khet	-do-
6	Farkia Shanon	GGPS Ali Khan Kot	-do-
7	Muhammad Begum	GGPS Mohammad Jamil Kot	-do-
8	Muhammad Nisrat	GGPS Miskal Khan Kot	-do-
9	Mona Jehan	GGPS Hamayoon Kot	-do-
10	Shahida	GGPS Zar Wali Khan Kot	-do-
11	Shahida Begum	GGPS Malik Hassan Kot	-do-
12	Sham Shah Begum	GGPS Gagan Kot	-do-
13	Shauqia Bibi	GGPS Akhtar Zaman Kot	-do-
14	Shahida Begum	GGPS Anwar Khan Kot	-do-
15	Gul Shadia	GGPS Rahim Kot Miranshah	-do-
16	Wajidat Kar	GGPS Helmutullah Kot	-do-
17	Muhammad Akbar	GGPS Marwat Khan Kot	-do-
18	Haveri Arjum	GGPS Metar Miranshah Kot	-do-
19	Farran	GGPS Amir Mohammad Kot	-do-
20	Hudayana	GGPS Amir Khan Kot	-do-

*Beni*  
*Arjum*

**ATTESTED**

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Sr	Name of Teachers	Place of Posting	Remarks
21	Rubina Begum	GGPS Mohd Sadiq Kot	Promoted to the post of PST T BPS-15 on regular basis with effect 1/07/2012.
22	Kausar Begum	GGPS Shehzad Gul Kot	-do-
23	Bibi Saira	GGPS Akhtar Nawaz Kot	-do-
24	Sajida	GGPS Atlas Kot	-do-
25	Nasreen Khan	GGPS Atta Nawaz	-do-
26	Nargis Bibi	GGPS Inayat Khan Kot	-do-
27	Imrana Bibi	GGPS M Jamil Kot	-do-
28	Fahmida Yasmin	GGPS Sherbaz Kot	-do-
29	Kakum Bibi	GGPS Asif Kot Madi Khel	-do-
30	Dil Feroz Bibi	GGPS Mohammad Latif Kot	-do-
31	Shafia Zaman	GGPS Ibrahail Khan	-do-
32	Dil Pari Jann	GGPS Asif Kot Madi Khel	-do-
33	Nasirina Jehan	GGPS Adnan Khan Kot	-do-
34	Wajeeha Anis	GGPS Sahibul Bekhman Kot	-do-
35	Akhtar Sultan	GGPS Mohammad Nawaz Kot	-do-
36	Husan Bibi	GGPS Gul Zary Tal	-do-
37	Muneera Akhtar	GGMS Zardad Kot	-do-
38	Misraat Iqbal	GGPS Mohammad Dhi Kot	-do-
39	Qamar Laila	GGPS Gul Mar Jan	-do-
40	Shabreen Begum	GGMS Ijaz Ahmad Kot	-do-
41	Gul Perveen	GGPS Mohammad Latif Kot	-do-
42	Lusar Zia	GGPS Waliullah Kot	-do-
43	Nasrin	GGPS Adat Khan Kot	-do-
44	Dil Shah Begum	GGPS Hatiz-ud-Din	-do-
45	Fayaz Anjum	GGPS Mohammad Noor Din Darpa Khel	-do-
46	Fauzia Naz	GGPS Lal Jan Kot	-do-
47	Saima	GGMS Mohammad Noor Kot	-do-
48	Bibi Sakina	GGPS Jan Ahmad Kot	-do-
49	Shakila Masah	GGPS Sher Mohammad Kot	-do-
50	Asma Jan	GGPS Dilwar Kot	-do-
51	Shahida Khalid	GGPS Habibul Bekhman Kot	-do-
52	Mawana Gul	GGPS Nek Daraz Kot	-do-
53	Hafiz Begum	GGPS Jan Ahmad Kot	-do-
54	Salma	GGPS Ajab Khan Kot	-do-
55	Tamjeeda	GGPS Abbas Khan Kot	-do-
56	Shahida Bibi	GGPS Akbar Jan Kot	-do-
57	Rubina Akhtar	GGIS Harwah Camp	-do-
58	Shabeena Fakhar	GGPS Inayat Khan Kot	-do-
59	Marghna Ibrahim	GGPS Nasir ud Din Kot	-do-
60	Sajida	GGMS Atta Mohammad Kot	-do-
61	Tahira Yasmin	GGPS Sherbaz Kot	-do-

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Sl. No.	Name of Teachers	Place of Posting	Remarks
62	Asmat Shahen	GGPS Bahhtalai Kot	Promoted to the post of PPS17 DPS-15 on regular basis with effect 1/07/2012.
63	Nazia Begum	GGPS Shad Amin Kot	-do-
64	Zarin Taj	GGPS Jalil Kot	-do-
65	Nazia Begum	GGPS Khanzadai Kot	-do-
66	Rahsana Hanif	GGPS Hasool Janson Maroz Khel	-do-
67	Kausar Shahen	GGPS Khonia Khel	-do-

Terms and Conditions

1. They will be on probation for a period of one year extendable for another one year.
2. They will be governed by such rules and regulations issued from time to time by the Government.
3. Their services can be terminated at any time, in case their performance is found unsatisfactory during probation period. In case of misconduct they will be proceeded under the rules framed from time to time.
4. Charge reports should be submitted to all concerned.
5. Their inter seniority on lower post will remain intact.
6. No TAJIA is allowed for joining his duty.
7. They will give an undertaking to be recorded in their service books to the effect that if any over payment has made to them in the light of this order will be recovered and if they are wrongly promoted they will be reverted.

(AWAL AYAZ KHAN)  
Agency Education Officer  
N.W. Agency.

Encl: No. 1376-80/P.T.C (C) Dated N.W.A (the) 05/11/2016.

Copy forwarded to the:-

1. Director Elementary & Secondary Education Khyber Pakhtunkhwa Peshawar.
2. Accountant General Khyber Pakhtunkhwa Peshawar.
3. Director Education (IATA) KP Peshawar
4. Agency Accounts Officer N.W.A Miran Shah.
5. Official concerned.

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Agency Education Officer  
N.W. Agency.

**ATTESTED**



OFFICE OF THE DIST  
OFFICER, NORTH W  
DISTR

EDUCATION  
AND TRIBAL



NOTIFICATION: (FEMALE PSHT)

In pursuance of the Elementary & Secondary Education Department Khyber Pakhtunkhwa Notification No.(B&A)/1-18/E&SE 2012, dated: 11.7.2012 and issued by Finance Deptt: (Regulation wing) Islamabad vide Endst: No: 1(32)R-1/2015-592-2016 dated: 28/07/2016 and Directorate of Edu: (FATA) Endst: No: 8233-60, dated: 8/08/2016. Consequent upon recommendation of Departmental Promotion Committee, the following .PST B-12/ SPST B-14 (Female) in N.W. T. D . are hereby Promoted to the post of PSHT (B-15) Rs.(16120—1330—56020 ) plus usual allowances as admissible under the rules on regular basis under the existing policy of Provincial Govt. in teaching cadre. They are placed at the disposal of DEO N.W.T.D.S for further adjustment on the terms & conditions mentioned below with immediate effect.

S#	Sen #	Name of Teacher	Date of Birth	Place of Posting	Remarks
1	63	Mumain Begum	07.03.1970	OGPS Far Khan Kot	Promoted to the post of PSHT on regular basis 1115 with immediate effect.
2	87	Farzana	01.10.1970	OGPS Lal Jan Kot	Do
3	88	Gaukhudra	03.06.1979	OGPS Mubarak Khan	Do
4	89	Farzana	12.04.1982	OGPS Tawar Ajam Kot	Do
5	92	Baleqis Akhter	09.08.1979	OGPS Sherbad Kot	Do
6	93	Chand Gul	01.02.1975	OGPS Akbar Khan Kot Shewa	Do
7	95	Mazrat Nisbat	06.01.1978	OGPS Awanagach Kot	Do
8	104	Nouria	19.12.1980	OGPS Hussain Fazal Kot	Do
9	113	Farzana Nawab	01.02.1981	OGPS Inayat Khan Kot	Do
10	114	Faharacha	01.04.1974	OGPS Mir Akbar Kot Mir Ali	Do
11	115	Tahmina Rauf	05.10.1964	OGHS Civil Colony Miranshah	Do

ATTESTED  
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				Miranshah.	
13	117	Shabana Naz	12.05.1979	GGPS Amangzeb Kot	Do
14	118	Rashida Noorin	03.09.1979	GGPS Ahmad Jan Kot	Do
15	120	Nadia Akbar	16.05.1983	GGPS Rishan Kot	Do
16	121	Tamara Gul	01.05.1981	GGPS Mohammad Wali Kot	Do
17	122	Rasul Maza	20.02.1984	GGPS Hafizabad Haisu Khel	Do
18	124	Zakariya Ferdous	10.09.1980	GGPS Yunas Kot	Do
19	128	Roodna Bibi	01.02.1976	GGPS Sardar Habibullah Kot	Do
20	131	Zinat Iqbal	06.09.1979	GGPS Jahangir Kot	Do
21	134	Nubina Shaheen	01.03.1979	GGPS Gul Muroof Kot	Do
22	135	Umer Yasim	25.01.1980	GGPS Arbab Kot	Do
23	136	Shirna	14.02.1980	GGPS Asaf Mar Jan Kot	Do
24	137	Zahid Un Misa	09.01.1976	GGPS Shah Alam Kot	Do
25	138	Kalsum Bibi	14.03.1980	GGPS Said Manoor Kot	Do
26	140	Muz Jamila	01.01.1981	GGMS Rafi Gul Kot Miran	Do
27	141	Zakir Bibi	13.02.1981	GGPS Pir-Rehman	Do
28	142	Asma Ayes	13.02.1982	GGPS Hakimian Kot	Do
29	148	Falak Naz	01.04.1983	GGPS Saleh Gul Kot	Do
30	150	Perween Jehan	07.07.1977	GGPS Shakim Jan Kot	Do
31	154	Perween Sultana	17.12.1977	GGPS Gul wali Kot	Do
32	155	Bibi Saira	02.04.1980	GGPS Lazim Khan	Do
33	156	Ruthsana Begum	15.08.1977	GGPS Mal khel	Do
34	157	Shahida Begum	01.09.1976	GGPS Akram Kot Tochi Per Taopi	Do
35	158	Qaisar Bibi	22.04.1979	GGPS Sher Ayub Kot	Do

Approved  
 Rana  
 Attest  
 Attested by  
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36	159	Maklela Begum	03.10.1979	GGPS Inzar Kass Katha Mada Khel Datta Khel	Do
37	160	Gul Naz Begum	15.08.1981	GGPS Muhammad Noor Kot	Do
38	164	Bibi Sultah	03.01.1978	GGPS Najeem Khun Kot	Do
39	166	Sherina Naz	15.08.1978	GGPS Sakhi Mar Jan Kot	Do
40	167	Sariqat	30.04.1975	GGMS Arzala Jan Kot	Do
41	168	Rukhsar Begum	09.08.1979	GGPS Mohd Sadiq Mandi Khel	Do
42	169	Sameen Gul	12.09.1976	GGPS Anar Gul Kot	Do
43	170	Noor Shad Begum	15.02.1974	GGPS Jahangir Kot	Do
44	171	Saeeda Akhtar	03.02.1978	GGPS Shakim Jan Kot	Do
45	174	Zubida Ghani	01.01.1977	GGPS Bakht Ali Kot	Do
46	175	Fatima Bibi	03.01.1974	GGPS Farid ulah	Do
47	176	Neghat Seema	30.03.1977	GGMS Badshah Mir Khan Kot	Do
48	177	Nayla Yasmin	01.01.1980	GGMS Mir Akbar Kot	Do
49	178	Bushra Rashid	02.08.1980	GGPS Liuz Kot	Do
50	182	Mehnaz Begum	01.12.1982	GGPS Rangin Kot	Do
51	188	Hussan Zaida	08.03.1978	GGPS Jalil Kot	Do
52	189	Baqis Bibi	15.09.1979	GGPS Gul Rushan Kot	Do
53	190	Musarat Nazir	03.01.1982	GGMS Doctor Noor Jamat Gul Kot	Do
54	191	Zafraan Akhtar	15.08.1979	GGPS Abdullah Shah Kot Isha Piran	Do
55	193	Basminia	01.01.1984	GGPS Nek Daraz Kot	Do
56	194	Tahira Shaheen	20.03.1979	GGPS Asif Nawaz	Do
57	195	Anwar Sultana	20.02.1983	GGPS Zahoor Din Kot	Do

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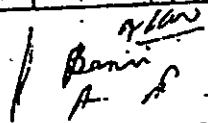

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58	196	Ume Katsum	01.01.1985	GGPS Mohammad Noor Kot Khaddi	Do
59	197	Parl Naz	25.09.1980	GGPS Akram Kot	Do
60	195	Razia Sultana	06.09.1984	GGPS Darya	Do
61	199	Naheed Tabassum	28.06.1977	GGPS Mohammad Karim Kot	Do
62	200	Rahila Ferdous	14.11.1980	GGPS Arbab Kot	Do
63	203	Khatim Un nisa	01.01.1983	GGPS Nek Daraz Kot	Do
64	207	Bibi Zahra	02.03.1975	GGPS Fazal Karim	Do
65	208	Najma Shaheen	01.02.1981	GGPS Zamindar Kot	Do
66	209	Sakra	14.03.1979	GGPS Noor Mohammad Kot Spinwari	Do
67	216	Gul Nasrin	01.01.1984	GGPS Tehsil Khan Kasha Mada Khel Datta Khel	Do
68	222	Taslim Akhtar	01.04.1979	GGPS Sher Ayub Kot	Do
69	225	Zurbida	15.08.1979	GGPS Saifulah Kot	Do
70	218	Ruqia Ahmad	10.11.1979	GGPS Qutab Khan	Do
71	230	Naveeda Hayat	01.01.1980	GGPS Mawaz Kot	Do
72	232	Sartaj Begum	06.06.1981	GGPS Abdullah Shah Kot Mandi Khel Dossali	Do
73	233	Busnihada	01.01.1982	GGPS Badshah Mir Khan Kot	Do
74	235	Islam Khatoon	01.07.1982	GGPS Anwar Abad	Do
75	236	Zahida Khatoon	13.02.1983	GGPS Anwar Abad	Do
76	237	Shamim Ara	19.02.1984	GGPS Mohammad Azam	Do
77	238	Sabha Anjam	01.04.1979	GGPS Zarghun Shah Kot	Do
78	242	Taslim Bibi	14.08.1980	GGPS Akram Kot	Do
79	243	Arjuman Shakila	20.12.1982	GGPS Gul Jan Kot	Do
80	245	Bakht Zameena	26.02.1991	GGPS Zahir Shah Kot	Do

  
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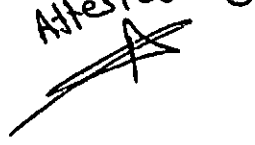
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81	251	Khalida	04.12.1974	GGPS Sher Mohammad Kot	Do
82	252	Hasna Noor	01.04.1976	GGPS Wajida Jan Kot	Do
83	253	Rashida Bibi	17.09.1977	GGMS Mohammed Amin Kot	Do
84	254	Shaheen	03.04.1980	GGPS Noor Khan Kot	Do
85	255	Azra Noor	25.09.1980	GGPS Rasala Khan Kot Hasso Khe	Do
86	258	Besta Noora	04.04.1982	GGPS Jamal Khan Kot	Do
87	259	Misrma	15.01.1983	GGHS Khan Mir Kot	Do
88	260	Asifa Kamal	26.03.1984	GGHS Khan Mir Kot	Do
89	261	Nazla Amin	28.04.1984	GGPS Jamal Khan Kot	Do
90	262	Shah Fahad Noora	05.05.1984	GGMS Malik Jan Bahadar Kot	Do
91	263	Iqbal Nisza	08.03.1985	GGPS Shamar Kot	Do
92	264	Khanau Shada	08.06.1985	GGMS Mohammad Noor Kot	Do
93	279	Qudsia Tabasam	01.10.1976	GGPS Mirza Kot	Do
94	282	Refat Bannu	10.05.1980	GGPS Ajab Khan Kot	Do
95	283	Farah Bibi	06.05.1986	GGPS Mohammad Nawaz Kot Razmak	Do
96	284	Hasrin Rehman	02.05.1985	GGMS Laiq Zaman Kot Khatri Killa Miranshah	Do
97	285	Ferhana Naz	02.04.1980	GGPS Mohammad Salam Kot	Do
98	286	Noreen Khan	02.12.1989	GGPS Sher Ali Boya	Do
99	301	Atya Jan	01.05.1988	GGPS Taj Mohammad Kot	Do
100	304	Shehnaz Salamat	15.02.1974	GGPS Ashraf Khan Shogi Spurga	Do
101	305	Asmat Shaheen	15.01.1984	GGPS Seld Manoor Kot	Do

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107	306	Zahida Bibi	10.12.1973	GGPS Muratab Khan Kot	Do
103	309	Zohra Bibi	10.02.1977	GGPS Rasool Khan Kot Moral	Do
104	311	Shazia Andaleeb	01.02.1970	GGPS Waqar Khan Kot	Do
105	313	Aqil Akhtar	15.11.1974	GGPS Sher Mohammad Kot	Do
106	314	Sharmeen Ijaz	08.11.1976	GGPS Khan Shashi Khan	Do
107	317	Mehnaz	14.05.1984	GGPS Bahar Khan Kot	Do
108	318	Mir Sahib Zada	07.02.1972	GGPS Gul Maroof Kot	Do
109	321	Qamrona	02.07.1984	GGPS Mohammad Tehir Kot	Do
110	322	Saira Khatoon	23.01.1976	GGPS Qasbi	Do
111	326	Shahida	02.03.1981	GGPS Sharfullah Kot	Do
112	327	Khorshida	13.06.1982	GGPS Amir Rehman Kot	Do
113	328	Amna Begum	01.01.1975	GGPS Asar Gul Kot	Do
114	329	Yasmin Begum	01.04.1976	GGPS Muztaq Ahmad Kot	Do
115	336	Salma Bibi	01.04.1975	GGPS Najem Khan Kot	Do
116	337	Asma Bibi	01.04.1975	GGPS Badshah Mir Khan Kot	Do
117	339	Suraya Jabeen	03.04.1976	GGPS Saifullah Kot	Do
118	340	Pubina Gul	02.01.1980	GGPS Mir Ghulam Kot	Do
119	341	Salma Gul	05.04.1984	GGPS Abdul Hameed Kot Hurmaz	Do
120	343	Salma Hek	15.10.1985	GGPS Lal Salam Kot	Do
121	344	Zahid Akhtar	01.12.1977	GGPS Naem Kot	Do
122	345	Naem Akhtar	01.01.1983	GGPS Naem Kot	Do
123	346	Shafia Zaman	12.04.1982	GGPS Dost Mohammad Kot	Do

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124	347	Saira Hameed	04.04.1980	GGPS Mohammad Wali Kot	Do
125	351	Umer Zaidi BBA	21.02.1990	GGPS Muzamil Kot	Do
126	352	Rachna Durr	05.07.1989	GGPS Mohammad Noor Kot Khaddi	Do
127	354	Safa Jabeen	06.08.1981	GGPS Noor Khan Kot	Do
128	357	Mareeta Noor	27.09.1989	GGPS Fazal Ishaq Kot	Do
129	358	Fafa	29.05.1983	GGPS Ayub Kot	Do
130	359	Mahar waqar	02.01.1991	GGPS Amir ulah spurga	Do
131	363	Sahar	08.07.1979	GGPS Balcha Din Kot	Do
132	367	Aqam Musawwar	10.05.1982	GGPS Akhya Jan Kot Pal Khel Datta Khel	Do
133	371	Irfaan BZi	25.03.1982	GGPS Zar Khan Kot	Do
134	383	Noorah	13.12.1985	GGPS Sahib Rahman Kot	Do
135	390	Mehar Alam	16.10.1986	GGPS Sher Zail Khan Kot Tappi M'ranstah	Do
136	392	Esa Khubban	24.07.1990	GGPS Asad Mar Jan Kot	Do
137	392	Daman Zaidi	24.07.1990	GGPS Mir Akbar Kot	Do
138	393	Gul Shadia	08.04.1983	GGPS Noor Syed Rahman Kot Muzakki Miral	Do
139	394	Zabih BZi	04.04.1990	GGPS Shaheed Ullah Kot Dostali	Do
140	395	MaSa	01.06.1990	GGPS Mir Mohd	Do
141	396	Rubina	03.01.1991	GGPS Balchawar Kot Assad Khel Dostali	Do
142	397	Shahira	06.03.1984	GGPS Mohd Saadiq Kot	Do
143	404	Sherina	01.02.1987	GGPS Gul Zamin Kot	Do
144	405	Asma Ehan	17.01.1982	GGPS Gul Manoor Kot	Do
145	407	Fafa BZi	07.03.1989	GGPS Fazal Khan Kot	Do

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145	408	Kalim Dana	15.03.1989	GGPS Bakhtawar Kot Assad Khel Dossali	Do
147	412	Na'ja	07.08.1991	GGPS Niaz Mohd	Do
148	414	Aisha Bibi	10.08.1988	GGHS Pir Aqil Zaman Kot	Do
149	415	Basnora	12.09.1988	GGPS Gulmat Kot Hawana	Do
150	416	Bibi Zaina	12.10.1989	GGPS Zar Wali Khan Kot	Do
151	417	Bibi Hamida	10.03.1990	GGPS Madak Kot	Do
152	419	Samrin	01.04.1989	GGPS Gul Muhammad Kot	Do
153	422	Rooh Naza	03.04.1978	GGPS Zafar Ali Kot	Do
154	425	Memoona Noor	02.02.1990	GGPS Zahoor Din Kot	Do
155	426	Shabina	14.10.1985	GGPS Noor Saleh Din	Do
156	427	Zahida un Nisa	01.01.1987	GGPS Afsar Khan Kot	Do
157	428	Asma Noor	03.06.1988	GGPS Saifullah Kot	Do
158	431	Tehsina	11.08.1984	GGPS Rabab Kot Kikamwan	Do
159	435	Safia	16.10.1988	GGPS Lal Jan Kot	Do
160	436	Sobia Muntaz	01.01.1900	GGPS Gul Rauf kot	Do
161	437	Muzdalefa	26.10.1988	GGHS Pir Aqil Zaman Kot	Do
162	438	Sadia	12.02.1990	GGPS Marwat Khan	Do
163	439	Lubna	24.03.1990	GGPS Adam Khan Kot	Do
164	443	Salma	22.09.1990	GGPS Mir Wali Khan	Do
165	445	Zainaba	11.03.1991	GGPS Gulmat Kot Khushal	Do
166	446	Gul Shada	04.02.1992	GGPS Gul Sanar Kot	Do
167	447	Khafida Bibi	08.09.1992	GGPS Abdullatif Shah Kot Mandi Khel Dossali	Do
168	448	Miab Tariq	02.04.1988	GGPS Zafar Ali Kot	Do

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169	449	Ome Omera	12.01.1994	GGPS Wakil Khan	Do
170	450	Salam Bibi	15.02.1984	GGPS Arimullah Kot	Do
171	451	Najma Naz	31.12.1981	GGPS Gul Mohammed Khal Kot	Do
172	453	Mehnaz	13.05.1987	GGPS Alam Gul Kot	Do
173	454	Saira Batti	12.05.1988	GGMS Lalq Zaman Kot Khatti Killa Miranshah	Do
174	455	Asma Bibi	08.08.1989	GGPS Saifullah Kot	Do
175	458	Sadaf Noorin	24.06.1990	GGPS Saeed Nawaz Kot	Do
176	459	Tawveer Akhtar	05.04.1973		Do
177	461	Roshan Pari	03.12.1981	GGPS Shahidullah Kot	Do
178	462	Ulfat Yasmin	01.01.1986	GGPS Kefayatullah Kot	Do
179	464	Shabina	15.05.1992	GGPS Mohd Karim Kot	Do
180	466	Sanam Javed	27.07.1987	GGPS Afsar Khan Kot	Do
181	466	Haleema	07.03.1987	GGPS Zahir Shah Shol Khal	Do
182	467	Noorin	01.01.1973	GGPS Shah Nawaz Kot	Do
183	468	Zeenat Amber	12.04.1980	GGMS Mir Ghulam Kot	Do
184	469	Menhaja Bibi	10.11.1986	GGPS Hafizabad Hazzu Khal	Do
185	470	Mahjabinia Kaurwal	10.02.1988	GGPS Mohammad Karim Kot	Do
186	471	Shahzada	22.03.1990	GGPS Hissam ud Din	Do
187	472	Nusrat Begum	01.01.1970	GGPS Khan Zulfah Palash kot	Do
188	473	Zinat Begum	15.01.1988	GGPS Barakat Khan	Do
189	474	Asma Bibi	07.08.1989	GGPS Abdullah Shah Kot Isha Pira	Do
190	476	Sadia Naubat	02.04.1978	GGPS Bara Khan Rasmak	Do

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191	477	Safia Naubat	03.03.1979	GGPS Bara Khan Razmak	Do
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**Terms and Conditions.**

1. They will be on probation for a period of one year extendable for another one year.
2. They will be governed by such rules and regulations issued from time to time by the Government.
3. Their services can be terminated at any time, in case their performance is found unsatisfactory during probation period, in case of misconduct they will be proceeded under the rules framed from time to time.
4. Charge reports should be submitted to all concerned.
5. Their Inter seniority on lower post will remain intact.
6. No TADA is allowed for joining his duty.
7. They will give an under taking to be recorded in their service Books to the effect that if any over payment has made to them in the light of this order will be recovered and if they are wrongly promoted they will be reversed.

(Zak Ullah Khan)  
District Education Officer  
Miran Shah N.W. T.D

Ends: No. 13107-13 DEO/N.W.T.D  
27.11.2018.

dated

**Copy forwarded to the:-**

1. Director Elementary & Secondary Education Khyber Pakhtunkhwa Peshawar.
2. Accountant General Khyber Pakhtunkhwa Peshawar.
3. Director Education (FATA) KP Peshawar
4. T.D Accounts Officer N.W.A Miran Shah.
5. Official concerned.

*Basim*

District Education Officer  
Miran Shah N.W. T.D.

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ATTESTED



Directorate of Elementary and Secondary Education  
Khyber Pakhtunkhwa Peshawar  
PH No. 091-9210389, 9210938,  
091-9210437, 9210957, 9210468  
Fax 091-9210936

**OFFICE ORDER.**

Consequent upon the approval of Competent Authority  
Miss: Noor Shad Begum PST (BPS-12) GGPS Jehangeer Kot Spulga District North  
Waziristan is hereby transferred against the vacant post of PST(BPS-12) at GGPS  
Karak Sar District Karak in her own pay and BPS in the interest of public service with  
immediate effect.

Note:-

1. Charge report should be submitted to all concerned.
2. Her service record/documents will be checked before taking over charge.
3. Her seniority in District Karak will be determined at the bottom of the seniority list under the rules.

**DIRECTOR.**

Elementary and Secondary Education  
Khyber Pakhtunkhwa Peshawar.

Endst: No. 719-25 JE-6/Vol:II/Transfer(F) General Dated Peshawar the, 30/6/2020.

Copy forwarded for information and necessary action to the:-

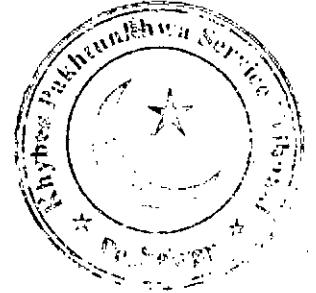
1. District Education Officer Karak w/r to his No.1909 dated 04.06.2020.
2. District Education Officer North Waziristan w/r to his No.5520 dated 02.60.2020.
3. District Accounts Officer Karak.
4. District Accounts Officer Karak.
5. Teachers concerned.
6. P.A to Director Elementary and Secretary Education Peshawar.
7. Master file

Deputy Director (Estt.)  
Merged District

BEFORE THE KHYBER PAKHTUNKHWA SERVICE

TRIBUNAL, PESHAWAR

Service Appeal No. 7557/2021



Mst: Noor Shad Begum,  
W/o Ahmad Nawaz;  
PST, GGPS, Karak Sar;  
Karak City .....Appellant.

Versus

Case No. 7526

Date 3-9-2021

1. The Govt: of Khyber Pakhtunkhwa,  
Through Chief Secretary  
Civil Secretariat, Peshawar.
2. The Secretary Education,  
(E & SE), Department,  
Civil Secretariat, Peshawar.
3. The Director Education (E & SE),  
Govt: of Khyber Pakhtunkhwa;  
Peshawar.
4. The Deputy Director (Estt:);  
Merged Areas, Education Directorate;  
Peshawar
5. The District Education Officer (F);  
District North Waziristan;  
Meranshah.
6. The District Education Officer (F),  
District, Karak .....Respondents.

Service Appeal under section 4 of the Khyber Pakhtunkhwa Service Tribunal Act, 1974 against the impugned order of promotion <sup>passed</sup> by respondent No.5; dated 27-12-2017, thereby appellant was promoted to the post of PSHT (BPS-15) with

3/9/2021

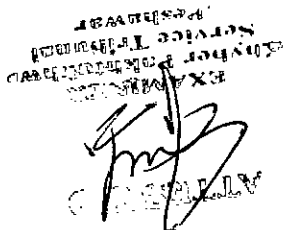
EXAMINER  
Khyber Pakhtunkhwa  
Service Tribunal  
Peshawar

immediate effect and against which appellant filed departmental appeal, which is still pending without disposal.

**Prayer:-**

On acceptance of the instance service appeal; this Honourable Tribunal may graciously be pleased to:-

- i. Declare impugned order of promotion dated 27-12-2018 to the extent of Serial No.43 (appellant) passed by the respondent No.5; wherein she promoted the appellant to the post of PSHT (BPS-15) with immediate effect as illegal, unlawful and without lawful authority; and whereas appellant was entitle to be promoted to the post of PSHT with effect from the date of 1<sup>ST</sup> Notification No.(B & A)/1-18/E &SE, 2012 dated 11-07-2012.
- ii. Direct the respondents to promote the appellant to the post of SPST (BPS-14) and PSHT (BPS-15) with effect from the date of 1<sup>ST</sup> Notification No.(B & A)/1-18/E &SE, 2012 dated 01-07-2012 with all back benefits, so as to bring the appellant at par with her others colleagues and junior to her, who have been promoted as such with effect from 11-07-2012.
- iii. Any other relief not asked for but deemed appropriate under the circumstances the case may also be graciously granted.


  
 TRIBUNAL  
 SERVICE TRIBUNAL  
 MEMBER FOR THE SERVICE  
 MEMBER FOR THE SERVICE

Respectfully Sheweth,


The concise facts giving rise to the present writ petition are as under:-

- 1. That appellant was enrolled as PTC (BPS-07) vide order dated 19-05-2004 (Annexure-A) through prescribed procedure and posted at



GGPS Jahangir Kot Spulga; District North Waziristan. She has got 17 years service at her credit with unblemished and clean sheeted conduct record.

2. That the services of the appellant was regularized vide order dated 01-11-2005 (**Annexure-B**) with effect from the date of her 1<sup>st</sup> appointment i.e 19-05-2004 in the light and pursuance of the Judgment/Order of the Hon'ble Peshawar High Court and Supreme Court of Pakistan.
3. That later on vide order Endst: No.934-38 dated 19-11-2015, the post of appellant was up-graded from BPS-07 to BPS-09 with effect from 01-10-2007 (**Annexure-C**).
4. That appellant was further up-graded from PBS-09 to BPS-12 with effect from 01-07-2012 in pursuance of the Notification No.FS/SO/Edu/SSD No.2882-94 Dated, Peshawar 22-06-2016 and DE FATA No.8233-60 dated 08-08-2016 vide AEO NWA No.1138-43 dated 11-11-2016 as evident from the extract of Service Book (**Annexure-D**).
5. That in pursuance of the Elementary & Secondary Education Department Khyber Pakhtunkhwa Notification No. (B & A)/1-18/E & SE: 2021 dated 11-07-2012 and issued by Finance Department (Regulation Wing), Islamabad vide Endst: No.1(32)R-1/2015-592-2016 dated 28-07-2016 and Directorate of Education (FATA) Endst: No.8233-60 dated 08-08-2016; appellant was promoted to the post of PSHT ( BPS-15) by the competent authority. Appellant lies at serial No.43 of the Notification (**Annexure-E**). The order was further endorsed by respondent No.4 vide Endst No.13107-13 dated 27-12-2018 as evident from the extract of Service Book. The pay of the appellant was also fixed in BPS-15 accordingly. (**Annexure-F**).
6. That it is worth mentioning that colleagues and junior to the appellant have been promoted to BPS-14 and 15 vide Notification Endst: No.1381-85/Ptc/ (F) dated 05-12-2016 (**Annexure-G**) and

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**EXAMINER**  
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 Service Tribunal  
 Peshawar

Notification Endst: 1376/ 80/Ptc (F) dated 05-12-2016 (Annexure-H) with effect from 01-07-2012.

- 7. That that appellant was entitle to be promoted to BPS-14 and then to BPS-15 with effect from 01-07-2012 but she was promoted to BPS-15 with immediate effect i.e with effect from 27-12-2018 and whereas her other colleagues were promoted with effect from the date of original Notification dated 01-07-2012.
- 8. That appellant being aggrieved from order of her promotion to the extent of immediate effect; preferred departmental appeal (Annexure-I ), which is still pending without disposal, hence the statutory period has elapsed, therefore, the instant service appeal inter alias on the following grounds.

Grounds

- A. That appellant has not been treated by the respondents in accordance with law, rules and policy on the subject and acted in violation of Article 4, 10A of Constitution of Pakistan, 1973. The Provincial Govt: of Khyber Pakhtunkhwa Vide Elementary & Secondary Education Department Khyber Pakhtunkhwa Notification No. (B & A)/1-18/E & SE: 2021 dated 11-07-2012 upgraded/promoted the post of PST (BPS-12)to the post of SPST (BPS-14) and PSHT (BPS-15) with immediate effect. The same Notification was adopted by merged district as evident from the impugned promotion order of appellant dated 27-12-2018 and promotion order annexed as annexure-g and h (Endst: No.1381-85/Ptc/ (F) dated 05-12-2016 and Notification Endst: 1376/ 80/Ptc (F) dated 05-12-2016. Appellant was senior member of her cadre therefore was entitled to be promoted along with her others colleagues, but she was deprived and whereas junior to her were promoted and more astonishingly appellant was promoted with effect from 27-12-2018 i.e with immediate effect. This need correction and interference of this Hon'ble Tribunal.
- B. That appellant has been highly discriminated. Colleagues and junior to the appellant have been promoted to the post of PSHT

EXAMINER  
 Khyber Pakhtunkhwa  
 Service Tribunal  
 Peshawar  
 ATTESTED

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- B. That appellant has been highly discriminated. Colleagues and junior to the appellant have been promoted to the post of PSHT

EXAMINER  
 Khyber Pakhtunkhwa  
 Service Tribunal  
 Peshawar  
 ATTESTED

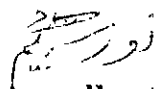
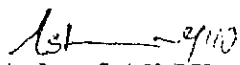
(BPS-15) prior to the appellant and more so with effect from the date of original notification i.e 01-07-2012 and whereas appellant has been promoted/up-graded to the post of PSHT (BPS-15) with immediate effect i.e from the date of impugned order dated 27-12-2018. Appellant is entitled to be treated at par with her colleagues and juniors.

- C. That total numbers of Primary schools in the in District South Waziristan Agency were 361 at the relevant time and whereas as per formula drawn by the respondent department; there shall be one PSHT in each school, hence means that there were 361 vacancies of PSHT available in the District South Waziristan at the relevant time. It is settled principle of law that right of promotion accrues from the time, when vacancy in civil servant cadre/post is available. On this score as well appellant was entitled to be promoted to the higher post along with her other colleagues.
- D. That public function is in the nature of trust and public functionaries must act as repository to such trust. In the instant case respondents have violated the origin of their public liability/responsibility, which cannot be ignored particularly in case where civil servant has been deprived of his fundamental right of consideration for promotion.
- E. That appellant would like to seek the permission of this Honorable Tribunal to submit other grounds at the time of hearing.

It is therefore, humbly prayed that on acceptance of this service appeal, this Hon'ble Tribunal may be pleased to allow the service appeal as prayed for above.

**ATTESTED**  
  
**EXAMINER**  
Khyber Pakhtunkhwa  
Service Tribunal  
Peshawar

Through

  
**Appellant**  
  
**Ashraf Ali Khattak**  
Advocate,  
Supreme Court of Pakistan

Dated: \_\_\_/\_\_\_/2021

01.06.2023

Learned counsel for the appellant present. Mr. Asad Ali Khan,  
Assistant Advocate General for the respondents present.



Learned counsel for the appellant requested for adjournment  
on the ground that he has not made preparation of the brief.  
Adjourned. To come up for reply/comments on 10.07.2023 before  
S.B. Parcha Peshi given to the parties.

SCANNED  
KPST  
Peshawar

(Muhammad Akbar Khan)  
Member (I)

\*Kamranullah\*

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

On 13/08/23, counsel was  
informed telephonically for  
this date fixed (22/07/2023)  
M. hawar

1. Nobody is present on behalf of appellant.
2. Notice be issued to appellant/counsel for 22.08.2023 for preliminary hearing before S.B.

\*Mutazem Shah\*

(Muhammad Akbar Khan)  
Member (I)

Certified to be true copy  
EX-MINER  
Khyber Pakhtunkhwa  
Service Tribunal  
Peshawar

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