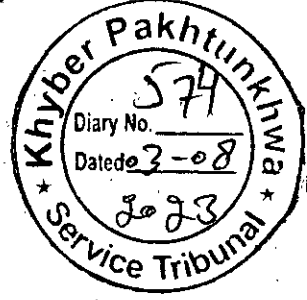


**BEFORE THE SERVICE TRIBUNAL, KHYBER**  
**PAKHTUNKHWA, PESHAWAR**



CM No            of 2023  
In  
Service Appeal No. 802 of 2023

**Mst. Shamim Akhtar.....Appellant**

**Versus**

**Government of KPK & Others.....Respondents**

**SERVICE APPEAL**

**APPLICATION UNDER 06 RULE 17 OF THE CODE OF CIVIL**  
**PROCEDURE, 1908 FOR ALLOWING THE APPELLANT TO AMEND**  
**THE PRAYER CLAUSE OF HER MAIN SERVICE APPEAL IN THE**  
**FOLLOWING TERMS DUE TO SUBSEQUENT EVENTS AND**  
**DEVELOPMENTS**

Respectfully Sheweth,

1. **That** above captioned service appeal is pending disposal in this Honorable Tribunal and is yet to be fixed for final hearing.
2. **That** Appellant has voiced her grievances before this Honourable Tribunal against the impugned Transfer

Order/Notification No. SO(MC) E&SED/4-16/2022 Dated 20.12.2022 through which she has been transferred from the post of SDEO (Female), Paroa D.I.Khan to SDEO (Female), Daraban D.I.Khan on political grounds.

3. **That** this Honourable Tribunal has already taken the judicial cognizance of the matter in hand but the Respondents incomplete defiance and stubbornness of the same have issued a fresh posting/transfer Notification No. SO(MC) E&SED/4-16/2023/MC/DIK Dated 26.05.2023 of the Appellant just to hoodwink the judicial process and to technically knock out the Appellant.

4. **That** in the given circumstances, the Appellant is left with no other option but to seek amendment of her prayer clause in the following terms: -

***"To Struck down the impugned Notification No. SO(MC) E&SED/4-16/2023/MC/DIK Dated 26.05.2023 of the Appellant by declaring it as null and void as well as non-est."***

5. **That** afore-stated amendment is not going to change the nature and complexion of main service appeal because the subsequent events and developments during the pendency of litigation can be looked into by this Honourable Tribunal.

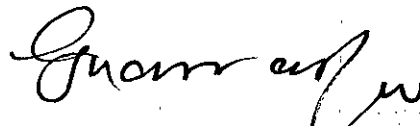
6. **That** this Honourable Tribunal has vast jurisdiction to accept the instant application as prayed for.

**It is thus humbly prayed that above captioned civil miscellaneous may please be allowed as prayed for.**



Dated:- **03.08.2023**

Your Humble Appellant  
**Mst. Shamim Akhtar**  
Through Counsel



**Muhammad Ghazanfar Ali**  
Advocate High Court,  
Dera Ismail Khan.

**AFFIDAVIT**

I, **Mst. Shamim Akhtar**, SDEO (Female), Daraban D.I.Khan, Appellant do hereby solemnly affirm and declare on Oath that the contents of instant application are true and correct and that nothing has been concealed or kept secret from this Service Tribunal.



**Deponent**



GOVERNMENT OF KHYBER PAKHTUNKHWA  
ELEMENTARY AND SECONDARY EDUCATION DEPARTMENT  
Block "A" Opposite MPA Hostel Civil Secretariat Peshawar  
Peshawar, P.O. Box 100

Date: 20 May 2023

**NOTIFICATION**

NO. SO(MC)E&SE/D/4 16/2023/Posting/Transfer/MC/DBK The following transfers are hereby ordered with immediate effect to the best of the Government's knowledge.

Sr No	Name & Designation	From	To	Remarks
1	Samina Shahnoaz MC BS-1	SDEO Female Jandola Tank	SDEO Female Paharpur D.I Khan	20/05/23
2	Shamshad Bibi MC BS-17	SDEO Female Paharpur Dikhan	Report to Director of E&SE	
3	Noor Khadija MC BS-17	SDEO (Female) Wana South Waziristan	SDEO (Female) Daraband Kalan D.I Khan	
4	Shamim Akhtar MC BS-17	SDEO (Female) Daraband Kalan D.I Khan	SDEO Female Jandola Tank	20/05/23

2. No TA/DA is allowed.

SECRETARY TO GOVT. OF KHYBER PAKHTUNKHWA  
E&SE DEPARTMENT

Endst: of even No. & date:

Copy forwarded for information to the -

1. Accountant General, Khyber Pakhtunkhwa, Peshawar
2. Director, E&SE Khyber Pakhtunkhwa, Peshawar
3. Director EMIS, E&SE Department with the request to upload the same on the official website of the department
4. District Education Officer (Female) D.I Khan
5. District Accounts Officers D.I Khan.
6. PS to Advisor to Chief Minister on E&SE Khyber Pakhtunkhwa.
7. PS to Secretary E&SE Department, Khyber Pakhtunkhwa

IMRAN ZAMAN)  
SECTION OFFICER (Management Cadre)