

Sr. No	Date of order/proceedings	Order or other proceedings with signature of Judge or Magistrate
1	2	3
<p style="text-align: center;">13.12.2017</p>		<p style="text-align: center;"><u>BEFORE THE KHYBER PAKHTUNKHWA SERVICE TRIBUNAL</u></p> <p style="text-align: center;">Service Appeal No. 207/2016</p> <p style="text-align: center;">Date of Institution ... 01.03.2016 Date of Decision ... 13.12.2017</p> <p style="text-align: center;">Fazl-e-Akbar S/o Khial Noor, PST Teacher, Govt Primary School Babar Khel, Tehsil Bara Khyber Agency</p> <p style="text-align: right;">Appellant</p> <p style="text-align: center;">Versus</p> <p>1. Director Education FATA, FATA Secretariat, Warsak Road, Peshawar. 2. Agency Education Officer, Khyber Agency at Jamrud 3. Secretary Elementary & Secondary Education Khyber Pakhtunkhwa, Civil Secretariat, Peshawar. 4. Assistant Education Officer, Khyber Agency at Jamrud</p> <p style="text-align: right;">Respondents</p> <p style="text-align: center;"><u>JUDGMENT</u></p> <p style="text-align: center;"><u>MUHAMMAD HAMID MUGHAL, MEMBER:</u> - Learned counsel for the appellant present. Mr. Kabir Ullah Khattak, learned Additional Advocate General for the respondents present.</p> <p>2. The appellant has filed the present service appeal u/s 4 of Khyber Pakhtunkhwa Service Tribunal Act, 1974 against the respondents and challenged the order dated 21.09.2015 whereby regularization/adjustment order dated 07.04.2015 in respect of the appellant was cancelled.</p> <p>3. Learned counsel for the appellant argued that vide order dated 07.04.2015 the services of the appellant were regularized/adjusted</p>

against regular vacant PST posts and the appellant accordingly assumed the charge of his duty at GPS Baber Kheil Tehsil Barrah. Further argued that Assistant Agency Education Officer Khyber Agency (respondent No.4) vide order dated 10.04.2015 directed the appellant to perform duties in the BCS Masood Killi Tirah Maidan till further orders and resultantly the appellant started his duties at that very school and was regular in his duties. Further argued that the respondent No.2 cancelled the regularization/adjustment order of appellant on the misconception that the appellant was still posted at GPS Baber Kheil Tehsil Barrah. Further argued that the respondent No.2 has admitted the stance of appellant in his comments to the appellate authority/respondent No.1 (annex-G) and in this way conceded that the impugned order was void.

4. As against that learned Additional Advocate General while opposing the present appeal argued that the appellant failed to report his arrival in accordance with the terms and conditions of his regularization/adjustment order and therefore the impugned order was rightly issued. Further argued that the appellant has not assumed the charge of his post therefore he is also not the civil servant and resultantly this Tribunal has no jurisdiction to entertain the present appeal.

5. Arguments heard. Filed perused.

6. Impugned order was issued by the Agency Education Officer (respondent No.2) on the ground that the appellant had not taken the charge of his post at GPS Baber Kheil Tehsil Barrah. On the other

Dr. Rawan

hand the respondent No.2 also categorically stated in his comments furnished to the respondent No.1 that the Assistant Agency Education Officer Barrah Khyber Agency directed the appellant to resume his duties at BCS Masood Killi Terah Maidan as there was a need of PST teacher in that very school and there was a teacher already working as redeployed at GPS Baber Kheil Barrah, Khyber Agency. Respondent No.2 also annexed a copy of arrival of the appellant with his comments furnished to the respondent No.1 and admitted in his comments in unequivocal terms that the appellant performed his duty at BCS Masood Kili Tirah Maidan regularly.

7. From the perusal of comments of the respondent No.2 to the appellate authority, it transpired that the impugned order was erroneously issued by the respondent No.2 under the misconception. No action has been taken so far against the respondent No.4 who issued orders to the appellant to perform duty at BCS Masood Kili Terah Maidan instead of GPS Baber Kheil Barrah, Khyber Agency. In the light of comments of respondent No.2 as mentioned above, the arguments of learned counsel for the appellant carries weight while learned AAG remained unable to defend the impugned order.

8. As sequel to above the present appeal is accepted and the impugned order of respondent No.2 dated 21.09.2015 is set aside. Resultantly the appellant is reinstated in service. Intervening period shall be treated as leave of the kind due. Parties are left to bear their own costs. File be consigned to the record room.

(GUL ZEB KHAN)
MEMBER

(MUHAMMAD HAMID MUGHAL)
MEMBER


13.12.2017, Learned counsel for the appellant present. Learned AAG for the respondents present. Vide our separate judgment of today placed on file the present appeal is accepted and the impugned order of respondent No.2 dated 21.09.2015 is set aside. Resultantly the appellant is reinstated in service. Intervening period shall be treated as leave of the kind due. Parties are left to bear their own costs. File be consigned to the record room.



(GUL ZEB KHAN)
MEMBER


(MUHAMMAD HAMID MUGHAL)
MEMBER

27.07.2017

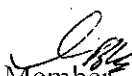
Appellant in person and Asst: AG for respondents present.
Appellant seeks adjournment as his counsel was busy before the
Peshawar High Court, Peshawar. Adjourned. To come up for
arguments on 20.09.2017 before D.B.


(Ahmad Hassan)
Member


(M. Hamid Mughal)
Member

20.09.2017

Appellant present. Learned Assistant Advocate
General for the respondents present. Appellant seeks
adjournment. Adjourned. To come up for arguments on
13.12.2017 before D.B.


Member
(Executive)


Member
(Judicial)


26.08.2016

Appellant with counsel and Murtaz Khan, Stenographer alongwith Addl. AG for respondents present. Written reply on behalf of respondent No. 1, 2, and 4 submitted while respondent No. 3 rely on the same. The appeal is assigned to D.B for rejoinder and final hearing on 8.12.2016.


Chairman

08.12.2016

Counsel for the appellant and Assistant AG for respondents present. Rejoinder not submitted. Requested for time to file rejoinder. Request accepted. To come up for rejoinder and final hearing on 13.4.17.

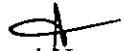

(MUHAMMAD AAMIR NAZIR)
MEMBER


(ASHFAQUE TAJ)
MEMBER

13.04.2017

Junior to counsel for the appellant and Mr. Ziaullah, GP for the respondents present. Junior to counsel for the appellant submitted rejoinder which is placed on file. To come up for arguments on 27.07.2017 before D.B.


(Muhammad Amin Khan Kundi)
Member


(Ahmad Hassan)
Member

24.03.2016

Counsel for the appellant present. Learned counsel for the appellant argued that the appellant was initially appointed as Communal School Teacher and that his services were later on regularized as PST where-after he resumed his duties but while performing duties he was removed from service vide impugned order dated 21.9.2015 where-against he preferred departmental appeal on 14.10.2015 which was not responded and hence the instant service appeal on 1.3.2016.


That the appellant was condemned unheard as neither any regular inquiry was conducted nor opportunity of hearing extended to him. That due to verbal assurance the appellant was unable to prefer the appeal within the statutory period.

Points urged need consideration. Admit, subject to limitation. Subject to deposit of security and process fee within 10 days, notices be issued to the respondents for written reply/comments for 24.5.2016 before S.B. Notice of application for condonation of delay be also issued for the date fixed.


Chairman

24.05.2016

Counsel for the appellant and M/S. Khurshheed Khan, SO and Daud Jan, Supdt. alongwith Addl. AG for the respondents present. Requested for adjournment. Requested for adjournment. Last opportunity granted. To come up for written reply/comments on 26.05.2016 before S.B.




Chairman

Appellant Deposited
Security & Process Fee

Form- A
FORM OF ORDER SHEET

Court of _____

Case No. 207/2016


S.No.	Date of order Proceedings	Order or other proceedings with signature of judge or Magistrate
1	2	3
1	07.03.2016	<p>The appeal of Mr. Fazl-e-Akbar resubmitted today by Mr. Muhammad Ijaz Sabi 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> <p>This case is entrusted to S. Bench for preliminary hearing to be put up thereon <u>24-3-16</u>.</p> <p style="text-align: right;"> CHAIRMAN</p>

The appeal of Mr. Fazle Akbar son of Khial Noor PST Teacher GPS Babar Khel Bara Khyber Agency received to-day i.e. on 01.03.2016 is incomplete on the following score which is returned to the counsel for the appellat for completion and resubmission within 15 days.

1- The law under which appeal is filed is wrong.

No. 349 /S.T,

Dt. 01/3 /2016


REGISTRAR
SERVICE TRIBUNAL
KHYBER PAKHTUNKHWA
PESHAWAR.

Mr. Muhammad Ijaz Khan Sabi Adv.

BEFORE THE SERVICE TRIBUNAL KHYBER PAKHTUNKHWA,
PESHAWAR

Service Appeal No. 207 /2016

Fazl-e-Akbar.....Appellant

Versus

Director Education FATA & others.....Respondents

I N D E X

S.No	Description of Documents	Annex	Pages
1.	Service Appeal		1-6
2.	Application for condonation of delay		7-9
3.	Addresses of parties		10
4.	Copy of the order	A	11
5.	Copy of the charge report	B	12
6.	Copy of order dt.10.04.2015	C	13
7.	Copy of the extract from the attendance register	D	14-17
8.	Copy of the impugned order	E	18
9.	Copy of Departmental Appeal	F	19
10.	Copy of the letter /comments of respondent No.1	G	20
11.	Copy of letter dated 11.02.2016	H	21
12.	Copy of letter dated 19.02.2016	I	22
13.	Wakalatnama		23

Appellant ^{Fazl-e-Akbar}
Through

Muhammad Ijaz Khan Sabi
Advocate Supreme Court

&
Adnan Aman

Advocate, Peshawar

15-B, Haroon Mansion Khyber
Bazar, Peshawar

Dated 01.03.2016

Adnan Aman
Adnan Aman

23
1.3.2016

BEFORE THE SERVICE TRIBUNAL KHYBER PAKHTUNKHWA,
PESHAWAR

Service Appeal No. 207 /2016

N.W.F. Province
Service Tribunal
Diary No. 157
Dated 01-3-2016

Fazl-e-Akbar S/o Khial Noor, PST Teacher,
Govt. Primary School Babar Khel,
Tehsil Bara Khyber Agency.....**Appellant**

Versus

1. Director Education FATA, FATA Secretariat, Warsak Road, Peshawar
2. Agency Education Officer, Khyber Agency at Jamrud
3. Secretary Elementary & Secondary Education Khyber Pakhtunkhwa Civil Secretariat, Peshawar
4. Assistant Agency Education Officer, Khyber Agency at Jamrud.....**Respondents**

SERVICE APPEAL U/S 4 OF THE KHYBER
PAKHTUNKHWA SERVICE TRIBUNAL ACT, 1974

Respectfully Sheweth:-

1. That the appellant is permanent resident of Tehsil Bara Khyber Agency and was qualified to be appointed as PST Teacher.
2. That the appellant after undergoing the prerequisite test and interview was appointed as

Handwritten signature and date: 11/3/16

Re-submitted to-day and filed.

Registered

Handwritten date: 7/3/16

THE UNIVERSITY OF CHICAGO

PHYSICS DEPARTMENT

PHYSICS 311

LECTURE 10

STATISTICAL MECHANICS

ENTROPY

AND TEMPERATURE

AND PRESSURE

AND VOLUME

AND ENERGY

AND ENCAPSULATION

AND THE SECOND LAW

OF THERMODYNAMICS

Communal School teacher at BCS Barkat Shah Mastak Tirah.

3. That later on as per the administrative policy of the respondents, all the Communal School Teachers were ordered to be regularized adjusted against vacant posts and accordingly the appellant was regularized against a regular vacant post vide order dated 07.04.2015 whereby he was regularized /adjusted at G.P.S Babar Khel Tehsil Bara Khyber Agency. (Copy of the order is attached as annexure "A").
4. That on the 2nd day of regularization/adjustment the appellant on 09.04.2015 assumed the charge of his duty. (Copy of the charge report is attached as annexure "B").
5. That on the very next day i.e. 10.04.2015 the appellant was required by respondent No.4 to perform his duty at Govt. Communal Primary School Masood Killi Bar Qambar Khel Maidan till further orders. (Copy of the order dated 10.04.2015 is attached as annexure "C").
6. That the appellant started his duty at Govt. Communal Primary School Masood Killi Bar Qambar Khel Maidan and was regularly

performing his duty till 23rd September 2016. (Copy of the extract from the attendance register is attached as annexure "D").

7. That on 21.09.2015 respondent No.2 issued the impugned order whereby the regularization /adjustment order dated 07.04.2015 was cancelled. (Copy of the impugned order is attached as annexure "E").
8. That thereafter the appellant submitted his departmental appeal but till date of no fruitful result. (Copy of the Departmental Appeal is attached as annexure "F").
9. That during pendency of departmental appeal of the appellant Respondent No.2 informed respondent No.1 vide letter dated 18.01.2016 that the appellant has performing his duty at BSC Masood Killi Tirah Maidan regularly. (Copy of the letter /comments of respondent No.1 is attached as annexure "G").
10. That respondent No.1 vide letter dated 11.02.2016 asked respondent No.2 to submit a detailed report as his earlier report dated 18.01.2015 (Annexure-G) was found not clear. (Copy of the letter dated 11.02.2016 is attached "H").

11. That respondent No.2 submitted his detail report to respondent No.1 vide letter dated 19.02.2016, whereby he was informed that during the relevant period the appellant has performed his duty. (Copy of the letter dated 19.02.2016 is attached as annexure "1").
12. That the appellant now prefers this appeal before this Honourable Tribunal for the following amongst other grounds:

G R O U N D S :

- A. That as stated in the body of the petition that the appellant was adjusted /regularized at GPS Babar Khel Tehsil Bara and on the second day he assumed the change of his duty and on the 3rd day he was directed by the respondent No.4 to perform his duty at Govt. Communal Primary School Masood Killi Barqambar Khel Maidan Tirah where he was performing his duty till passing of the impugned termination order. In this view of the matter the impugned order is factually incorrect and legally not sustainable.
- B. That the impugned termination order is void ab-initio as neither any show cause notice was issued to the appellant nor any regular inquiry was conducted to dig out the real truth and thus the

impugned termination order has no legal footing to stand upon.

- C. That the appellant was condemned unheard as he was not provided any opportunity to explain his position.
- D. That the appellant has performed his duty to the entire satisfaction of his immediate authority and no complaint whatsoever has ever been made against him from any quarter.

It is therefore prayed that by accepting this appeal, the impugned order of respondent No.2 dated 21.09.2015 whereby the appointment order of appellant dated 07.04.2015 was cancelled and the impugned inaction of respondent No.1 whereby he did not respond to the departmental appeal of the appellant may please be set aside and consequently the appellant may be reinstated in service with all back benefits.

Through

Ijaz Sabi
Appellant

a3
1st of March 2016

Muhammad Ijaz Khan Sabi
Advocate
Supreme Court of Pakistan

&

Adnan Aman
Adnan Aman
Advocate, Peshawar

Dated 01.03.2016

BEFORE THE SERVICE TRIBUNAL KHYBER PAKHTUNKHWA,
PESHAWAR

Service Appeal No. _____/2016

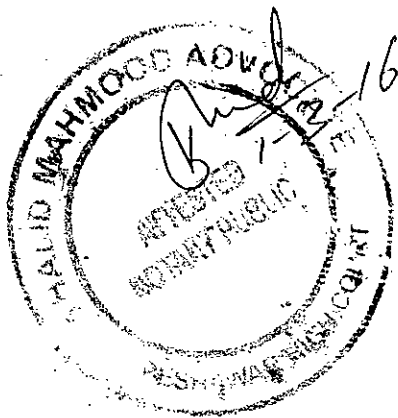
Fazl-e-Akbar.....**Appellant**

Versus

Director Education FATA & others.....**Respondents**

AFFIDAVIT

I, Fazl-e-Akbar S/o Khial Noor, PST Teacher, Govt. Primary School Babar Khel, Tehsil Bara Khyber Agency, do hereby solemnly affirm and declare on oath that the contents of the accompanying **Service Appeal** are true and correct to the best of my knowledge and belief and nothing has been concealed from this Hon'ble Court.



Fazl Akbar

DEPONENT

BEFORE THE SERVICE TRIBUNAL KHYBER PAKHTUNKHWA,
PESHAWAR

C.M. No. _____/2016

In

Service Appeal No. _____/2016

Fazl-e-Akbar.....**Appellant**

Versus

Director Education FATA & others.....**Respondents**

APPLICATION FOR CONDONATION OF
DELAY IN FILING THE INSTANT APPEAL

Respectfully Sheweth:-

1. That the accompanying appeal is being filed in this Honourable Tribunal which is yet to fixed for its hearing.
2. That after filing the departmental appeal, respondents have been promising the appellant that they would reinstate him shortly and in this respect two letters dated 18.01.2016 (Annexure-G) and letter dated 19.02.2016 (Annexure-I) supports the stance of the appellant.
3. That the appellant was under a genuine impression fully based on documentary evidence (Annexure-

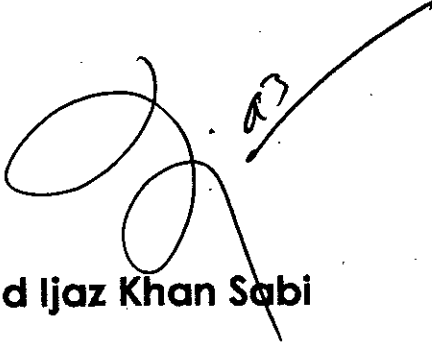
G & I) i.e. his grievances would be redressed however the delay in the decision it getting prolong therefore he is filing his service appeal for the redressal of his grievances.

4. That the delay in filing service appeal is neither intentional nor willful but because of afore stated reasons.

It is, therefore prayed that by accepting this application the delay in filing service appeal may please be condoned in the larger interest of justice.

Through

Appellant

Zobal Akbar

Muhammad Ijaz Khan Sabi
 Advocate
 Supreme Court of Pakistan

&

Adnan Aman

Adnan Aman
 Advocate, Peshawar

Dated 01.03.2016

BEFORE THE SERVICE TRIBUNAL KHYBER PAKHTUNKHWA,
PESHAWAR

C.M. No. _____/2016

In

Service Appeal No. _____/2016

Fazl-e-Akbar.....**Appellant**

Versus

Director Education FATA & others.....**Respondents**

AFFIDAVIT

I, Fazl-e-Akbar S/o Khial Noor, PST Teacher, Govt. Primary School Babar Khel, Tehsil Bara Khyber Agency, do hereby solemnly affirm and declare on oath that the contents of the accompanying **Application** are true and correct to the best of my knowledge and belief and nothing has been concealed from this Hon'ble Court.



Fazl-e-Akbar
DEPONENT

BEFORE THE SERVICE TRIBUNAL KHYBER PAKHTUNKHWA,
PESHAWAR

Service Appeal No. _____/2016

Fazl-e-Akbar.....**Appellant**

Versus

Director Education FATA & others.....**Respondents**

ADDRESS OF PARTIES

APPELLANT:

Fazl-e-Akbar S/o Khial Noor, PST Teacher,
Govt. Primary School Babar Khel,
Tehsil Bara Khyber Agency

RESPONDENTS:

1. Director Education FATA, FATA Secretariat ^{Warsak road} Peshawar
2. Agency Education Officer, Khyber Agency at Jamrud
3. Secretary Elementary & Secondary Education Khyber Pakhtunkhwa Civil Secretariat, Peshawar
4. Assistant Agency Education Officer, Khyber Agency at Jamrud

<sup>Zobal
Khyber</sup>
Appellant

Through

Muhammad Ijaz Khan Sabi
Advocate
Supreme Court of Pakistan

&

<sup>Adnan
Aman</sup>
Adnan Aman
Advocate, Peshawar

Dated 01.03.2016

(11)

Annexure
"A"

OFFICE OF THE AGENCY EDUCATION OFFICER KHYBER AGENCY AT JAMRUD.

SERVICES REGULARIZATION /ADJUSTMENT ORDER

Consequent upon Notification No. SO (E)/SSD/CSTR-99-108/ dated 11/5/2012 issued by Secretary Social Sector Department FATA Secretariat Peshawar and subsequent guidance received from Directorate of Education FATA vide No.10380 dated 02/09/2013, the Services of the following Local (Male) Communal School Teachers of Tehsil Bara & Jamrud are hereby Regularized/Adjusted against regular vacant PST posts, in the Schools noted against their names from, Tehsil-Wise merit list, purely on temporary basis in BPS-07(5800-320-15400) plus usual allowances as admissible under the rules with immediate effect in the interest of public service.

S.No	Name	Father Name	Name of Community School	Posting at Regular School	Remarks
1	Fazle Akber	Khial Noor	BCS Barakat Shah Mastak Tirah	GPS Baber Khel Tehsil Bara	Vacant
2	Shah Wali	Payio Noor	BCS Sher Ahmad Killi Tirah	GPS Faizoo Killi Qadam Jamrud	Vacant

TERMS/CONDITIONS.

- 1 The appointments of the candidates are made purely on temporary basis.
- 2 They will not be entitled to get pension gratuity benefits, however G.P.Fund will be deducted as per rules.
- 3 Charge report should be submitted to all concerned.
- 4 All kinds of documents would be verified from the concerned Boards/University before the drawal of their salaries.
- 5 Health and Age certificate should be produced to this office to be obtained from the Agency Surgeon Khyber Agency.
- 6 Their age should be according to the Govt. policy.
- 7 If they failed to report their arrival within 15-days, of the issuance of this Order, their appointment order will be automatically considered as cancelled.

(ATIQU-UR-RAHMAN)
AGENCY EDUCATION OFFICER
KHYBER AGENCY AT JAMRUD

Dated 07 / 04 /2015

Endst.No. 12506-12 / Community

Copy of the above is forwarded to the :-

- 1 Director Education (FATA) at Peshawar.
- 2 Political Agent Khyber Agency at Peshawar.
- 3 Agency Accounts Officer Khyber Agency at Jamrud.
- 4 AAEO (Male) concerned.
- 5 Superintendent Local Office
- 6 Accountant/Pay Clerk concerned.
- 7 Official concerned.

Attested
[Signature]

[Signature]
AGENCY EDUCATION OFFICER
Agency Education Officer
Khyber Agency at Jamrud

خارج رپورٹ

Annexure
"B"

میں منشی ققتل انیسر PST سے کولمبہ اور ڈیپارٹمنٹ 12506-12

کپور سے 07/4/2015 کو گوانڈت پیر انیسری سکول

پانسر ققتل سے آ. ا. کپور سے 09/4/2015 کو آئیے

سیدنا ما خارج سے سوال لیا

[Signature]
09/4/2

خارج دھندہ
Asst. Com. & Insp. in Ch.
Khyber Pakhtunkhwa

خارج دھندہ
ققتل انیسر

Attested

[Signature]

Annexure
"C"

ایم فصل الہ آباد 2015 نو، گنت سہ ماہی
 سکول سیر فیض پورہ ایجوکیشن کی
 جانی کے کہ تا حکم ثانی گورنمنٹ سکول سیر فیض
 سکول مسعود کے سہ ماہی فیض پورہ ایجوکیشن
 ڈپٹی ایجوکیشن آفیسر دہلی دار الحکومت

Shawal

10/4/2015

Asstt. Section Officer
 Khyber Pakhtunkhwa, Islamabad.

Attested

[Signature]
 JMW
 MW

رجسٹر جاری ماسٹری

Attention

مستحقین

رقم	تاریخ	مستحقین	PTC
12	12/12/2015

ردیف	نام	تاریخ	مستحقین	تاریخ	مستحقین	تاریخ	مستحقین
1
2
3
4
5
6
7
8
9
10
11
12
13
14
15
16
17
18
19
20
21
22
23
24
25
26
27
28
29
30
31

ردیف	نام	تاریخ	مستحقین
1
2
3
4
5
6
7
8
9
10
11
12
13
14
15
16
17
18
19
20
21
22
23
24
25
26
27
28
29
30
31

رجسٹر حاضری مدرسین

(15)

2015

June جون

بابت ماہ

رقم	سید لوز	حضرت مولیٰ	شادیہ
نمبرہ	P.S.T	P.T.C	Class Four

تاریخ	آمد	دکھ	رواگی	دکھ	آمد	دکھ	رواگی	دکھ	آمد	دکھ	رواگی	دکھ	آمد	دکھ	رواگی	دکھ
1	7:15	12:00	12:00	شاہد	7:15	12:00	12:00	شاہد	7:15	12:00	12:00	شاہد	7:15	12:00	12:00	شاہد
2	7:15	12:00	12:00	شاہد	7:15	12:00	12:00	شاہد	7:15	12:00	12:00	شاہد	7:15	12:00	12:00	شاہد
3	7:15	12:00	12:00	شاہد	7:15	12:00	12:00	شاہد	7:15	12:00	12:00	شاہد	7:15	12:00	12:00	شاہد
4	7:15	12:00	12:00	شاہد	7:15	12:00	12:00	شاہد	7:15	12:00	12:00	شاہد	7:15	12:00	12:00	شاہد
5	7:15	12:00	12:00	شاہد	7:15	12:00	12:00	شاہد	7:15	12:00	12:00	شاہد	7:15	12:00	12:00	شاہد
6	7:15	12:00	12:00	شاہد	7:15	12:00	12:00	شاہد	7:15	12:00	12:00	شاہد	7:15	12:00	12:00	شاہد
7	7:15	12:00	12:00	شاہد	7:15	12:00	12:00	شاہد	7:15	12:00	12:00	شاہد	7:15	12:00	12:00	شاہد
8	7:15	12:00	12:00	شاہد	7:15	12:00	12:00	شاہد	7:15	12:00	12:00	شاہد	7:15	12:00	12:00	شاہد
9	7:15	12:00	12:00	شاہد	7:15	12:00	12:00	شاہد	7:15	12:00	12:00	شاہد	7:15	12:00	12:00	شاہد
10	7:15	12:00	12:00	شاہد	7:15	12:00	12:00	شاہد	7:15	12:00	12:00	شاہد	7:15	12:00	12:00	شاہد
11	7:15	12:00	12:00	شاہد	7:15	12:00	12:00	شاہد	7:15	12:00	12:00	شاہد	7:15	12:00	12:00	شاہد
12	7:15	12:00	12:00	شاہد	7:15	12:00	12:00	شاہد	7:15	12:00	12:00	شاہد	7:15	12:00	12:00	شاہد
13	7:15	12:00	12:00	شاہد	7:15	12:00	12:00	شاہد	7:15	12:00	12:00	شاہد	7:15	12:00	12:00	شاہد
14	7:15	12:00	12:00	شاہد	7:15	12:00	12:00	شاہد	7:15	12:00	12:00	شاہد	7:15	12:00	12:00	شاہد
15	7:15	12:00	12:00	شاہد	7:15	12:00	12:00	شاہد	7:15	12:00	12:00	شاہد	7:15	12:00	12:00	شاہد
16	7:15	12:00	12:00	شاہد	7:15	12:00	12:00	شاہد	7:15	12:00	12:00	شاہد	7:15	12:00	12:00	شاہد
17	7:15	12:00	12:00	شاہد	7:15	12:00	12:00	شاہد	7:15	12:00	12:00	شاہد	7:15	12:00	12:00	شاہد
18	7:15	12:00	12:00	شاہد	7:15	12:00	12:00	شاہد	7:15	12:00	12:00	شاہد	7:15	12:00	12:00	شاہد
19	7:15	12:00	12:00	شاہد	7:15	12:00	12:00	شاہد	7:15	12:00	12:00	شاہد	7:15	12:00	12:00	شاہد
20	7:15	12:00	12:00	شاہد	7:15	12:00	12:00	شاہد	7:15	12:00	12:00	شاہد	7:15	12:00	12:00	شاہد
21	7:15	12:00	12:00	شاہد	7:15	12:00	12:00	شاہد	7:15	12:00	12:00	شاہد	7:15	12:00	12:00	شاہد
22	7:15	12:00	12:00	شاہد	7:15	12:00	12:00	شاہد	7:15	12:00	12:00	شاہد	7:15	12:00	12:00	شاہد
23	7:15	12:00	12:00	شاہد	7:15	12:00	12:00	شاہد	7:15	12:00	12:00	شاہد	7:15	12:00	12:00	شاہد
24	7:15	12:00	12:00	شاہد	7:15	12:00	12:00	شاہد	7:15	12:00	12:00	شاہد	7:15	12:00	12:00	شاہد
25	7:15	12:00	12:00	شاہد	7:15	12:00	12:00	شاہد	7:15	12:00	12:00	شاہد	7:15	12:00	12:00	شاہد
26	7:15	12:00	12:00	شاہد	7:15	12:00	12:00	شاہد	7:15	12:00	12:00	شاہد	7:15	12:00	12:00	شاہد
27	7:15	12:00	12:00	شاہد	7:15	12:00	12:00	شاہد	7:15	12:00	12:00	شاہد	7:15	12:00	12:00	شاہد
28	7:15	12:00	12:00	شاہد	7:15	12:00	12:00	شاہد	7:15	12:00	12:00	شاہد	7:15	12:00	12:00	شاہد
29	7:15	12:00	12:00	شاہد	7:15	12:00	12:00	شاہد	7:15	12:00	12:00	شاہد	7:15	12:00	12:00	شاہد
30	7:15	12:00	12:00	شاہد	7:15	12:00	12:00	شاہد	7:15	12:00	12:00	شاہد	7:15	12:00	12:00	شاہد

میزان	سابقہ	حال	میزان	سابقہ	حال	میزان	سابقہ	حال	میزان	سابقہ	حال	میزان	سابقہ	حال	میزان	سابقہ	حال

دکھ ہیڈ ماسٹر

Attested

[Signature]

رجسٹر حاضری مدرسین

(16)

2015

Aug

ابتداء (آب)

نام		سیدوز		حضرت		نشانی		عمل	
عہدہ		PST		class - 4		P.T.C		2015	
تاریخ	آمد	دکھائی	دکھائی	آمد	دکھائی	دکھائی	دکھائی	آمد	دکھائی
1	7:30	لکھو	لکھو	7:30	حزینہ	نشانی	نشانی	7:30	7:30
2	7:30	لکھو	لکھو	7:30	حزینہ	نشانی	نشانی	7:30	7:30
3	7:30	لکھو	لکھو	7:30	حزینہ	نشانی	نشانی	7:30	7:30
4	7:30	لکھو	لکھو	7:30	حزینہ	نشانی	نشانی	7:30	7:30
5	7:30	لکھو	لکھو	7:30	حزینہ	نشانی	نشانی	7:30	7:30
6	7:30	لکھو	لکھو	7:30	حزینہ	نشانی	نشانی	7:30	7:30
7	7:30	لکھو	لکھو	7:30	حزینہ	نشانی	نشانی	7:30	7:30
8	7:30	لکھو	لکھو	7:30	حزینہ	نشانی	نشانی	7:30	7:30
9	7:30	لکھو	لکھو	7:30	حزینہ	نشانی	نشانی	7:30	7:30
10	7:30	لکھو	لکھو	7:30	حزینہ	نشانی	نشانی	7:30	7:30
11	7:30	لکھو	لکھو	7:30	حزینہ	نشانی	نشانی	7:30	7:30
12	7:30	لکھو	لکھو	7:30	حزینہ	نشانی	نشانی	7:30	7:30
13	7:30	لکھو	لکھو	7:30	حزینہ	نشانی	نشانی	7:30	7:30
14	7:30	لکھو	لکھو	7:30	حزینہ	نشانی	نشانی	7:30	7:30
15	7:30	لکھو	لکھو	7:30	حزینہ	نشانی	نشانی	7:30	7:30
16	7:30	لکھو	لکھو	7:30	حزینہ	نشانی	نشانی	7:30	7:30
17	7:30	لکھو	لکھو	7:30	حزینہ	نشانی	نشانی	7:30	7:30
18	7:30	لکھو	لکھو	7:30	حزینہ	نشانی	نشانی	7:30	7:30
19	7:30	لکھو	لکھو	7:30	حزینہ	نشانی	نشانی	7:30	7:30
20	7:30	لکھو	لکھو	7:30	حزینہ	نشانی	نشانی	7:30	7:30
21	7:30	لکھو	لکھو	7:30	حزینہ	نشانی	نشانی	7:30	7:30
22	7:30	لکھو	لکھو	7:30	حزینہ	نشانی	نشانی	7:30	7:30
23	7:30	لکھو	لکھو	7:30	حزینہ	نشانی	نشانی	7:30	7:30
24	7:30	لکھو	لکھو	7:30	حزینہ	نشانی	نشانی	7:30	7:30
25	7:30	لکھو	لکھو	7:30	حزینہ	نشانی	نشانی	7:30	7:30
26	7:30	لکھو	لکھو	7:30	حزینہ	نشانی	نشانی	7:30	7:30
27	7:30	لکھو	لکھو	7:30	حزینہ	نشانی	نشانی	7:30	7:30
28	7:30	لکھو	لکھو	7:30	حزینہ	نشانی	نشانی	7:30	7:30
29	7:30	لکھو	لکھو	7:30	حزینہ	نشانی	نشانی	7:30	7:30
30	7:30	لکھو	لکھو	7:30	حزینہ	نشانی	نشانی	7:30	7:30
31	7:30	لکھو	لکھو	7:30	حزینہ	نشانی	نشانی	7:30	7:30

دکھائی میڈیاٹر Attested *[Signature]*

Annexure

"E"

18

KHYBER AGENCY
AGENCY EDUCATION OFFICE
PHONE. 091-5820584 FAX 091-5820584
No. _____ / Dated _____ / 2015

CANCELLATION OF SERVICE REGULARIZATION/ADJUSTMENT ORDER

Consequents upon the visit of the undersigned to Kala Khel dated 17/09/015 and Head Teacher, Mr. Minhaj-ud Din PST GPS Baber Khel Kala Khel Bara Tehsil written Statement it was pointed out that Mr. Fazal Akber PSI GPS Baber Khel Bara Khyber Agency has neither submitted his arrival report nor taken charge of his Post. The service regularization /Adjustment order issued by this office vide No.12506-12/Community Dated 07/04/2015 in respect of Mr. Fazal Akber PST GPS Baber Khel Bara Khyber Agency at S.No. 01 is hereby cancelled in the light of terms and conditions at S.No. 07 (If they failed to report their arrival within 15-days of the issuance of this Order, their appointment order will be automatically considered as cancelled).

Sd/-
AGENCY EDUCATION OFFICER
KHYBER AGENCY AT JAMRUD.

Endst No 15929-35 /

Dated 21/ 09/ 2015

Copy of the above is forwarded to the

- 1) Director Education FATA at Peshawar.
- 2) Political Agent Khyber Agency at Peshawar.
- 3) PS to SSSD FATA Secretariat Peshawar.
- 4) APA Bara Khyber Agency.
- 5) AAEO concerned local office.
- 6) Superintendent local office.
- 7) Official Concerned.

Attested

[Signature]

[Signature]
AGENCY EDUCATION OFFICER
KHYBER AGENCY AT JAMRUD

SSD No - 635
15/10/15

Attended
S. Edu
15/10/15

11/15

19/10/15

74101

Refered to
15/10/15

Dev Edu

See SSD
on memo
14/11/15

PST
14-10-2015

16/10/15

Handwritten notes in Urdu script, including the acronym 'BES' and various dates and administrative references.

Ullah

Annexure "F"

(19)

Handwritten note at the bottom of the page.

Handwritten notes at the very bottom of the page.



Agency Education Office
Khyber Agency at Jamrud
PHONE: 091-5820584 FAX 091-5820023
website: aeokhyber.edu.pk

Ref 783
Date: 18/01/2016

Annexure
"4"

20

The Director Education,
FATA at Peshawar.

Subject:

REQUEST FOR REINSTATEMENT IN SERVICE

Memo,

pluse General CA

Reference your letter No. 11296 dated 10/11/2015.

The Service of Mr. Fazle Akbar was regularized/adjusted from communal teachers vide this office No. 12506-12/Community dated 07/04/2015. Copy annexed as "A".

The regularization of Mr. Fazle Akbar PST GPS Babar Khel was cancelled vide this office No. 15929-35 dated 21/09/2015 subject to the charge that the individual failed to ensure his arrival and took charge of his post at GPS Babar Khel Bara Khyber Agency. Copy annexed as "B".

Mr. Fazle Akbar PST argues that he took charge of his post and submitted arrival report at GPS Babar Khel Bara to concerned Assistant Education Officer Bara Khyber Agency. Copy of arrival annexed as "C".

Mr. Fazle Akbar PST verbally/written directed by the Assistant Agency Education Officer Bara Khyber Agency to resume his duties at BCS Masood Killi Tirah Maidan as there was a need of a PST teacher at BCS Masood Killi Tirah Maidan as there was a teacher already working as redeployed at GPS Babar Khel Bara Khyber Agency. Copy annexed as "D".

Mr. Fazle Akbar PST performed his duty at BCS Masood Killi Tirah Maidan regularly. The attendance copy is annexed as "E".

Mr. Fazle Akbar PST also a permanent resident of Tirah Maidan.

The comments are submitted for further consideration please.

AGENCY EDUCATION OFFICER
KHYBER AGENCY AT JAMRUD

Attested
[Signature]



(21)

FATA SECRETARIAT
DIRECTORATE OF EDUCATION
WARSAK ROAD PESHAWAR, PAKISTAN
PHONE 091-9210166 FAX 091-9210216
NO. _____ DATED 11-7/2016

To

Annexure
"H"

The Agency Education Officer
Khyber Agency

Subject: Request for Re-Instatement in Service.

I am directed to refer to your letter No.783 dated 18.1.2015 on the subject cited above and to state that your report is not clear, you are therefore, directed to submit detailed report for further necessary action.

Endst: No. 4570

[Signature]
Additional Director (P/M)

Copy forwarded to the:-

1. P.A to Director Education FATA.

Attested
[Signature]

[Signature]
Additional Director (P/M)



Agency Education Office
Khyber Agency at Jamrud
PHONE. 091-5820584 FAX 091-5820023
website: acokhyber.edu.pk

Ref. 1293
Date 19/12/2016

(22)

Annexure
"I"

To

The Director Education,
FATA at Peshawar.

Subject: **REQUEST FOR REINSTATEMENT IN SERVICE.**

Memo,

Reference your letter No. 11296 dated 10/11/2015.

The Service of Mr. Fazle Akbar was regularized/adjusted from communal teachers vide this office No. 12506-12/Community dated 07/04/2015. Copy annexed as "A".

The regularization of Mr. Fazle Akbar PST GPS Babar Khel was cancelled vide this office No. 15929-35 dated 21/09/2015 subject to the charge that the individual failed to ensure his arrival and took charge of his post at GPS Babar Khel Bara Khyber Agency. Copy annexed as "B".

Mr. Fazle Akbar PST took charge of his post and submitted arrival report at GPS Babar Khel Bara to concerned Assistant Education Officer Bara Khyber Agency. Copy of arrival annexed as "C".

Mr. Fazle Akbar PST verbally/written directed by the Assistant Agency Education Officer Bara Khyber Agency to resume his duties at BCS Masood Killi Tirah Maidan as there was a need of a PST teacher at BCS Masood Killi Tirah Maidan as there was a teacher already working as redeployed at GPS Babar Khel Bara Khyber Agency. Copy annexed as "D".

Mr. Fazle Akbar PST performed his duty at BCS Masood Killi Tirah Maidan regularly at the time of his termination. The attendance copy is annexed as "E".

Mr. Fazle Akbar PST also a permanent resident of Tirah Maidan.

The comments are submitted for further consideration please.

Attested

[Handwritten signature]

[Handwritten signature]
AGENCY EDUCATION OFFICER
KHYBER AGENCY AT JAMRUD

[Handwritten signature]

		43248
	<p>پشاور بار ایسوسی ایشن، خیبر پختونخواہ</p>	
<p>ایڈووکیٹ/ڈپٹی ایڈووکیٹ اعجاز خان صالحی</p>		
<p>بار کونسل اہل اہل ایسوسی ایشن خیبر پختونخواہ</p>		
<p>رابطہ نمبر: 0300-9596713</p>		
<p>bc-10-7578</p>		

بعدالت جناب: چیئرمین صاحب سروس ٹریبونل خیبر پختونخواہ پشاور -

<p>پنجاب: ایڈووکیٹ طیف فضل اکبر</p>	<p>دعوی:</p>
<p>فضل اکبر کی درخواست برائے رجسٹریشن</p>	<p>علت:</p>
<p>کاملاً وغیرہ</p>	<p>موضوع:</p>
<p>کاملاً وغیرہ</p>	<p>جرم:</p>
<p>کاملاً وغیرہ</p>	<p>تھانہ:</p>

بابت تحریر آنکہ

مقدمہ مندرجہ عنوان بالا میں اپنی طرف سے واسطے پیروی و جواب دہی کارروائی متعلقہ آن مقام پشاور ایڈووکیٹ اعجاز خان صالحی، عدنان امان اور مہینہ قصصہ کیل مقرر کر کے اقرار کیا جاتا ہے کہ صاحب موصوف کو مقدمہ کی کل کارروائی کا کامل اختیار ہوگا، نیز وکیل صاحب کو راضی نامہ کرنے و تقرر حالت و فیصلہ برطع دینے جواب دعویٰ اقبال دعویٰ اور درخواست از ہر قسم کی تصدیق زریں بددستخط کرنے کا اختیار ہوگا، نیز رجسٹریشن پر پیروی یا کسی دیگر طریقہ یا اہل کی برآمدگی اور منسوخی، نیز دائر کرنے اہل عمرانی و نظریاتی و پیروی کرنے کا اختیار ہوگا اور ضرورت مقدمہ مذکورہ کے کل یا جزوی کارروائی کے واسطے اور وکیل یا مختار قانونی کو اپنے ہمراہ یا اپنے بجائے تقرر کا اختیار ہو گا اور صاحب مقرر شدہ کو بھی وہی جملہ مذکورہ اختیارات حاصل ہوں گے اور اس کا ساتھ ساتھ منظور قبول ہوگا دوران مقدمہ میں جو خرچہ ہر جانہ التوائے مقدمہ کے سبب سے ہوگا وہ وکیل موصوف وکیل کرنے کا اختیار ہوگا کوئی تاریخ پیشی مقام دورہ یا حد سے باہر ہو تو وکیل صاحب پابند نہ ہوں گے کہ پیروی مذکورہ کریں، لہذا وکالت نامہ لکھ دیا تاکہ مندر ہے۔

المرقوم: 01-03-2016

بد _____ واہ شد _____ بد

Attested & Accepted
Meena Qaisr
Advocate

Attested & Accepted

M. Gjaz Sabi
ASC

پشاور - Attested & Accepted

Adnan Aman
Advocate

نوٹ: اس وکالت نامہ کی کوئی تاریخ نام لکھی نہیں گئی۔

BEFORE THE KHYBER PUKHTUNKHWA SERVICE TRIBUNAL PESHAWAR

Appeal No. 207/2016.

Fazle AkbarAppellant.

VERSUS

1. The Director Education FATA Warsak Road Peshawar.
2. Agency Education Officer, Khyber Agency at Jamrud.
3. Secretary Social Sector Department, FATA Secretariat, Peshawar.
4. Assistant Agency Education Officer, Khyber Agency.....(Respondents)

Para-wise comments on behalf of respondent No: 1, 2 & 3,

Respectively 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 is estopped by his own conduct to bring the present appeal.
5. That the appeal is bad due to mis-joinder and non-joinder of necessary parties.
6. That this Honorable Tribunal has no jurisdiction to entertain the Appeal.
7. That the instant appeal is not maintainable and devoid of merits.

On Facts:

1. No comments. Pertains to record.
2. No comments. Pertains to record.
3. Incorrect. The services of the appellant has been regularized but he failed to report his arrival within 15 days of the issuance of his appointment order. Therefore, according to terms & Conditions the regularized order has been canceled by the Competent Authority. Copy of the same is attached as Annex:A.
4. Incorrect. As explained in para No. 3, above.
5. Incorrect. As the appellant failed to report his arrival therefore, he was directed to perform his duty in Communal School till further order, because his regularization has been cancelled.
6. Incorrect. As explained in para No. 5, above.
7. Incorrect. As per terms/conditions of the appointment/regularization order of the appellant it has been clearly mentioned at S.No.7, "that if the appellant failed to report his arrival within 15 days of the issuance of appointment order, his regularization will be automatically cancelled. Copy of the same is attached as Annexure-B.
8. Incorrect. The departmental appeal of the appellant has not been considered by the competent authority on the basis of not taking over charge within 15 days.

9. Incorrect. As explained in para No.8.
10. No comments. Pertains to record.
11. No comments. Pertain to record.
12. No comments. However, reply on the grounds are as under :-

Ground.

- A. Incorrect. The appellant has been failed to report for duty in light of his regularization order. Therefore, the appellant was directed by the Assistant Agency Education Officer to perform his duty in communal school. As per terms and conditions the appellant was bound to report for duty within 15 days but he failed to do so.
- B. Incorrect. It has been clearly mentioned in the regularization order of the appellant at S. No.7 that if the appellant failed to report for duty, his regularization will be automatically cancelled. Therefore, there is no need for further correspondence in the subject case.
- C. Incorrect. As explained in para-B above.
- D. No comments. Pertains to record.

In the light of above facts it is most humbly prayed that the appeal may be dismissed in favour of the respondents with cost.

Respondent No. 1.


Director Education FATA.

Respondent No.2.


Agency Education Officer Khyber.

Agency Education Officer
Khyber Agency at Jannrud.

Respondent No.3.


Secretary Social Sectors FATA.


AFFIDAVIT

We the above respondents do hereby declare and affirm that the above comments are true and correct to the best of our Knowledge and belief that nothing has been concealed from this Honorable Tribunal.

Respondent No. 1.


Director Education FATA.

Respondent No.2.


Agency Education Officer Khyber.
Agency Education Officer
Khyber Agency at Jamrud.

Respondent No.3.

Secretary Social Sectors FATA.

Annexure

"A"

"E"

18

KHYBER AGENCY
AGENCY EDUCATION OFFICE
PHONE. 091-5820584 FAX 091-5820584
No. _____ / Dated ____ / ____ / 2015

CANCELLATION OF SERVICE REGULARIZATION/ADJUSTMENT ORDER

Consequents upon the visit of the undersigned to Kala Khel dated 17/09/015 and Head Teacher, Mr. Minhaj ud Din PST GPS Baber Khel Kala Khel Bara Tehsil written Statement it was pointed out that Mr. Fazal Akber PST GPS Baber Khel Bara Khyber Agency has neither submitted his arrival report nor taken charge of his Post. The service regularization /Adjustment order issued by this office vide No.12506-12/Community Dated 07/04/2015 in respect of Mr. Fazal Akber PST GPS Baber Khel Bara Khyber Agency at S.No: 01 is hereby cancelled in the light of terms and conditions at S.No: 07 (If they failed to report their arrival within 15-days of the issuance of this Order, their appointment order will be automatically considered as cancelled)

Sd/-
AGENCY EDUCATION OFFICER
KHYBER AGENCY AT JAMRUD.

Endst No 15929-35 /

Dated 21/ 09/ 2015

Copy of the above is forwarded to the :-

- 1) Director Education FATA at Peshawar.
- 2) Political Agent Khyber Agency at Peshawar.
- 3) PS to SSSD FATA Secretariat Peshawar.
- 4) APA Bara Khyber Agency.
- 5) AAEO concerned local office.
- 6) Superintendent local office.
- 7) Official Concerned.

Attested

[Signature]

[Signature]
AGENCY EDUCATION OFFICER
KHYBER AGENCY AT JAMRUD

(11)

OFFICE OF THE AGENCY EDUCATION OFFICER KHYBER AGENCY AT JAMRUD.

Annexure
"B"

SERVICES REGULARIZATION /ADJUSTMENT ORDER

Consequent upon Notification No. SO (E)/SSD/CSTR-99-108/ dated 11/5/2012 issued by Secretary Social Sector Department FATA Secretariat Peshawar and subsequent guidance received from Directorate of Education FATA vide No.10380 dated 02/09/2013, the Services of the following Local (Male) Communal School Teachers of Tehsil Bara & Jamrud are hereby Regularized/Adjusted against regular vacant PST posts, in the Schools noted against their names from, Tehsil-Wise merit list, purely on temporary basis in BPS-07(5800-320-15400) plus usual allowances as admissible under the rules with immediate effect in the interest of public service.

S.No	Name	Father Name	Name of Community School	Posting at Regular School	Remarks
1	Fazle Akber	Khial Noor	BCS Barakat Shah Mastak Tirah	GPS Baber Khel Tehsil Bara	Vacant
2	Shah Wali	Payio Noor	BCS Sher Ahmad Killi Tirah	GPS Faizoo Killi Qadam Jamrud	Vacant

TERMS/CONDITIONS.

- 1 The appointments of the candidates are made purely on temporary basis.
- 2 They will not be entitled to get pension gratuity benefits, however G.P.Fund will be deducted as per rules.
- 3 Charge report should be submitted to all concerned.
- 4 All kinds of documents would be verified from the concerned Boards/University before the drawal of their salaries.
- 5 Health and Age certificate should be produced to this office to be obtained from the Agency Surgeon Khyber Agency.
- 6 Their age should be according to the Govt. policy.
- 7 If they failed to report their arrival within 15-days, of the issuance of this Order, their appointment order will be automatically considered as cancelled.

(ATIQ-UR-RAHMAN)
AGENCY EDUCATION OFFICER
KHYBER AGENCY AT JAMRUD

Endst.No. 12506-12 / Community

Dated 07 / 04 /2015

Copy of the above is forwarded to the: -

- 1 Director Education (FATA) at Peshawar.
- 2 Political Agent Khyber Agency at Peshawar.
- 3 Agency Accounts Officer Khyber Agency at Jamrud.
- 4 AAEO (Male) concerned.
- 5 Superintendent Local Office
- 6 Accountant/Pay Clerk concerned.
- 7 Official concerned.

Attested
[Signature]

[Signature]
AGENCY EDUCATION OFFICER
Agency Education Officer
Khyber Agency at Jamrud

BEFORE THE KHYBER PAKHTUNKHWA SERVICE TRIBUNAL,
PESHAWAR

Service Appeal No.207/2016

Fazal-e-Akbar.....Appellant

Versus

Director Education FATA & others.....Respondents

**REJOINDER BY AND ON BEHALF OF
THE APPELLANT TO THE COMMENTS
FILED BY THE RESPONDENTS**

Respectfully Sheweth:

Reply to the Preliminary Objections:

All preliminary objections agitated and set up by the respondents are vague and evasive and are formal in nature, therefore the same need not to be considered against the appellant

ON FACTS:

1-2 As no reply has been submitted, therefore the same needs no rejoinder.

his duty.

regulation order thereafter stated performing
08.04.2012 immediately and after his
as he has duly assumed his charge on
not applicable to the case of the appellant
primary school and condition at Serial No. 7 is
performing his duty at Govt. Communal
respondent No. 4 dated 10.04.2012, he stated
and thereafter on written directions/orders of
assumed charge of his office on 08.04.2012.
further submission that appellant has duly
reiterates his grounds of service appeal with
A to D In reply to all the grounds, the appellant

REPLY TO GROUNDS:

therefore the same needs no rejoinder.

10-12. As no reply has been submitted to these paras,
service appeal.

9. Appellant, reiterates his stance of Para 9 of the
Para No. 9 of written reply is incorrect, the
preceding paras.

8. Detailed reply has already been given in the
Para No. 8 of the written reply is incorrect,
to the case of the appellant.

same therefore this condition is not applicable

It is, therefore prayed that keeping in view the aforesaid submissions, the appeal of the appellant may please be allowed and accepted as prayed for.

Appellant
Through


Adnan Aman
Advocate High Court

Dated: 12.04.2017

AFFIDAVIT

I, Fazal-e-Akbar, do hereby solemnly affirm and declare on oath that the contents of the accompanying **Rejoinder** are true and correct to the best of my knowledge and belief and nothing has been kept concealed from this Hon'ble Court.

DEPONENT

KHYBER PAKHTUNKHWA SERVICE TRIBUNAL PESHAWAR

No 2768 /ST

Dated 28 /12/2017


To

The Agency Education Officer,
Khyber Agency at,
Jamrud.

Subject: **JUDGEMENT/ORDER IN APPEAL NO. 207/16, MR.FAZL-E-AKBAR.**

I am directed to forward herewith a certified copy of Judgment/order dated 13/12/2017 passed by this Tribunal on the above subject for strict compliance.

Encl: As above


REGISTRAR
KHYBER PAKHTUNKHWA
SERVICE TRIBUNAL
PESHAWAR.

OK