

BEFORE THE HONORABLE KHYBER PAKHTUNKHWA SERVICE TRIBUNAL PESHAWAR,

DERA ISMAIL KHAN CAMP

SERVICE APPEAL No 1022/2022

Mrs. Amina Bibi Chowkidar GGPS Bhirki Paroa DIKhan.

VS

Government of Khyber Pakhtunkhwa, **District Education Officer (F) D.I.Khan**

REPLY ON BEHALF OF RESPONDENT 3

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DEPONENT

Dr. Muhammad Imran Shah
Senior Subject Specialist (BS 18)

Working as

Litigation Representative
Office of DEO (F), D.I.Khan

12101-2797412-1

03480934707

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BEFORE THE HONORABLE KHYBER PAKHTUNKHWA SERVICE TRIBUNAL PESHAWAR,

DERA ISMAIL KHAN CAMP

Khyber Pakhtunkhwa
Service Tribunal

SERVICE APPEAL No 1022/2022

Diary No. 8290

Mrs. Amina Bibi Chowkidar GGPS Bhirki Paroa DIKhan, Dated 13-10-23

VS

Government of Khyber Pakhtunkhwa, **District Education Officer (F) D.I.Khan**

COMMENTS ON BEHALF OF RESPONDENTS 3

Preliminary Objections:

1. The appellant has been appointed on the Quota reserved for Deceased Son/daughter/ widow, under Rule 10(4) of the KP Appointment Promotion and Transfers Rules 1989, and has been serving as Chowkidar, at the place of current posting, the GGPS Bhirki, Paroa, DIKhan, vide DEO Female DIKhan Order No.14258-63, dated 02.07.2019.
2. That the appellant has neither been feeling aggrieved from any order of this servant nor hath she impugned any order of this office in this Service Appeal.
3. That the appellant has been appointed as chowkidar and that she has taken charge of her post and is being paid her salaries regularly.
4. That the Appellant has got no cause of action/ Locus Standi.
5. That the Appeal may kindly be dismissed being bereft of merit.
6. That the Appellant has filed the instant Appeal just to pressurize the respondents.
7. That the Appellant was not aggrieved under the provisions of Khyber Pakhtunkhwa Service Tribunal; hence Appeal finds no grounds to be litigated in this Honorable Tribunal and may be dismissed.

Objections on Facts:

1. Admitted, though it does not relate to the merit of this appeal.
2. Admitted, though it does not relate to the merit of this appeal.
3. Admitted, though taking over charge of the post gestures that the appellant was agreed upon the place of posting at the time of starting of her service.
4. **Denied.** Though the appellant has been a civil servant; she shall obey to the order of the competent authority and shall serve at any place within the District DIKhan as and when posted.
5. **Denied.** That the appellant has always been dealt in accordance with the Law and the relevant service rules for her application could not be entertained.

6. Denied. That the appellant has always been dealt in accordance with the Law and the relevant service rules for her application could not be entertained.

Objections on Grounds:

- A. **Strictly denied.** The Appellant has been appointed on the post that was available on that very time and that no mala fide intent has been observed in issuing the appointment order. Rather this Service Appeal is barred by doctrine of laches.
- B. **Strictly Denied.** That, the post of Chowkidar is not a UC/ Tehsil Based Post. Also as mentioned in Para A above.
- C. **Strictly Denied.** That, the GGPS Bhirki Paroa Dikhan is not a dangerous as there have been many other teachers too, who attend the school every day and feel no danger.
- D. Needn't comment.
- E. **Strictly Denied.** That the appellant has neither been feeling aggrieved from any order of this servant nor hath she impugned any order of this office in this Service Appeal.
- F. That the Learned Counsel for the Respondents may graciously be allowed to raise further grounds during the course of arguments.

It is therefore, humbly prayed that this Appeal may be dismissed.

The Humble Respondent

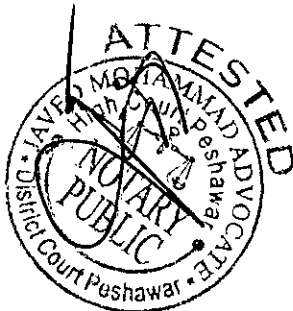
Shan
 DISTRICT EDUCATION OFFICER
 (FEMALE) DERA ISMAIL KHAN

AFFIDAVIT:

It is solemnly stated on oath that the above statement is true to the best of my knowledge and that nothing has been deliberately concealed from this Honourable Tribunal in the above stated service appeal.. *that the respondent has neither been made ex-parte nor struck off the defense.*

The Humble Respondent

DISTRICT EDUCATION OFFICER
 (FEMALE) DERA ISMAIL KHAN



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AUTHORITY LETTER

I, District Education Officer (Female), D.I.Khan, do hereby authorize **Dr. Muhammad Imran Shah, Subject Specialist, BS 18, GHSS Murvali, D.I.Khan, working as Litigation Representative** on additional charge basis, for Office of the District Education Officer (Female), D.I.Khan, to attend the Honourable Khyber Pakhtunkhwa Service Tribunal, Camp Court D.I.Khan, on my behalf in connection with submission of Para-wise comments/ Reply/ Attendance till the decision of the above titled Service Appeal and its connected CMs.

RESPONDENT

Shah
**DISTRICT EDUCATION OFFICER
(FEMALE), D.I.Khan**

DEPONENT

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**Dr. Muhammad Imran Shah
Senior Subject Specialist (BS 18)
Working as
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