


Cost of Rs. 10,000/- received in Service Appeal No. 2012/22,

Titled Mst. Amina vs. Education

in the office of Assistant Registrar, Vide Order 06/04/23 Submitted Dated: 18/10 /2023.


Assistant Registrar
Khyber Pakhtunkhwa
Service Tribunal
Peshawar

BEFORE THE PESHAWAR HIGH COURT PESHAWAR.

S.A. No. 2012/22

Mst. Amina

VERSUS

Govt of KPK & Others

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~~Lawyer~~ *Lawyer* *Lawyer*
Respondents

Through

D.E.O (NSR)

**BEFORE THE KHYBER PAKHTUNKWA SERVICE
TRIBUNAL PESHAWAR**

Mst. Amina D/O Farhad Khan PSTOGPS No.1 Pabbi
District Nowshera

.....Appellant

VERSUS

1. The government of KPK through secretary education
Khyber Pakhtunkhwa KPK Peshawar
2. Director education XPK Peshawar
3. Director education officer female Nowshera

Khyber Pakhtunkhwa
Service Tribunal

Diary No. 8372

Date: 18-10-23
.....Respondents

**WRITTEN REPLY/COMMENTS ON BEHALF OF
RESPONDENTS NO.1 TO 3**

Respectfully Sheweth:

Preliminary objection

1. That the appellant has got no cause of action to file the instant appeal.
2. That the instant appeal is not maintainable in its present form.
3. That the appellant is estopped by his own conduct to file the instant appeal.
4. That the appellant has concealed material facts from this honorable tribunal.
5. That the appellant has got no locus standi to file this services appeal before this honorable tribunal as the inquiry committee has been given so many chances to prove his case but the appellant has failed to do so.
6. That the appeal of appellant is not based on true facts and circumstances of the Case, as the same has totally concealed from this honorable tribunal.

ON FACTS

The appellatant respectfully submits as under

1. That para no.1 and no.2 has been deny by the answering respondents, as the burden lies on the shoulder, of appellatant to prove it, so the respondents is not concern in it, hence deny.
2. Pare 3 and 4 of the appeal is incorrect hence denied, as according to law every civil servant has perform their duty so far the authenticity of any documents is be proved, which lies upon the shoulder of the appellatant but the appellatant remained absent from duty without the prior permission of the competent authority of the department.
3. Para no.5 of the appeal is incorrect misleading one, hence denied, as after joining her duty, the appellatant without prior permission of the departmental authority, was absent from duty.
4. Para '6' and '7' pertains to record of the office concerned so far the release of salary is concerned, the official of the department has to carefully examine the record of any civil servant, to probe the matter, and to dig out the truth behind the whole mater before the release of her salary.
5. Para '8' of the appeal is the report of inquiry committee, so report of the inquiry committee is annex as annexure (H&I) need no reply.
6. Pare '9' of the appeal is not correct as it's the discretion of respondent department is legal and the appeal is liable to be dismissed on around as follows.

GROUNDS

- (A) Para 'A' of the ground is incorrect and misleading one that the appellant has been appointed by the respondent, and then after charge assumption, disappeared from duty without prior permission of the departmental authority.
- (B) Para 'B' & 'C' of the ground is totally incorrect misleading one hence denied, the department had followed the law and rules of the land.
- (C) Para 'C' & 'D' of the grounds is totally incorrect misleading one, as the department had followed all the codal formalities, and act according to law while the appellant had concealed material fact from this tribunal.
- (D) Reply to para 'E' it's the legal the and constitutional right of the appellante needs no rely.

It is therefore most humbly requested that on acceptance of the instant reply/comments the instant appeal of the appellant may kindly be dismissed with heavy cost.

1. Secretary education Khyber Pakhtunkhwa Peshawar. 

2. Director education KPK Peshawar. 

3. District education office female nowshera. 

BEFORE THE HONOURABLE PESHAWAR HIGH COURT PESHAWAR

4

~~Case~~ No. 2012/22

Amina BiBi Petitioner

VERSUS

Govt. Of KPK through Secretary E&SE, Peshawar & Director E&SE & DEO (F) Nowshera & OthersRespondents

AFFIDAVITE

I, **Sajida Bano (HM, BPS-17) (Authorized Representative)** do solemnly affirmed and declare on oath that the contents of **comments/ reply** on behalf of respondent are true and correct to the best of my knowledge and nothing has been concealed from this Honourable Court.

[Signature] Bano

DEPONENT

CNIC # 1720137870604

Cell # 0336-917405

Identified By:

**ADVOCATE GENERAL
KPK, Peshawar**

[Signature]

District Education Officer (F)

Nowshera

It is further stated on oath that in this appeal, the answering respondents have neither been placed ex parte nor their defence be struck off.

ATTESTED

