

Before the Khyber Pakhtunkhwa service tribunal
Peshawar

Service Appeal No. 1736/2023


Mst. Imtiaz Begum

vs

Secretary (E&SED) KPK & others

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District Education Officer
(Female) Peshawar

23-10-23

Peshawar

P-I

BEFORE THE KHYBER PAKHTUNKHWA SERVICE TRIBUNAL
PESHAWAR

Service Appeal No. 1736/2023

Mst. Imtiaz Begum

vs

Secretary (E&SED) KPK & others

Reply On Behalf Of Respondent No 1-5

Respectfully Sheweth:-

The Respondents submits as under:-

Preliminary Objection

Khyber Pakhtunkhwa
Service Tribunal
Diary No. 8371
Dated 18-10-23

1. That the appellant has got no cause of action / local standi.
2. That the appellant has concealed material facts from this Hon'ble tribunal.
3. That the appellant has been estopped by his own conduct to file the instant appeal before this Hon'ble tribunal.
4. That the instant appeal is badly time barred.
5. That the instant appeal is not maintainable in the present form.
6. That the instant appeal is bad for mis-joinder and non-joinder of the necessary parties.
7. That the appellant appeal is barred by Law.

Reply on facts:

1. That in reply to para No. 1, It is submitted that the appellant worked at GGPS Civil Quarters about 10 Years and her tenure has already completed therefore the appellant was transferred from GGPS Civil Quarters to GGPS Palosi Maghdarzai Peshawar on 22-05-2023 but the appellant is reluctant and did not resume her duty on GGPS Palosi Maghdarzai while her substitute Mst. Sarit begum take charge and she is working on GGPS Civil Quarters Peshawar while the appellant was relieved by the competent authority on 08-05-2023, (Reliving order is attached as annexure A).
2. That Para No. 2 pertains to record.
3. That para No 3 also pertains to record but it is pertinent to mention here that the appellant is not committed with her duty and in this regard the local people and chairman local counsel filed complaint against the appellant. (Complain is attached as annexure B).
4. That para no 4 incorrect, misleading and against the facts the respondents are bound to act as per law & rules.
5. That para no 5 not concerned to the respondents.
6. That in reply to para no 6 it is submitted that transfer is the part of service and where the Govt. Servants need they will be transferred in the large interest of public.
7. That para no 7 is pertains to record.
8. That para no 8 is also pertains to record.
9. That in reply to para no 9 it is submitted that the appellant enjoy GGPS Civil Quarters about 10 years and competent authority transferred her under the rules.
10. That in reply to para No. 10, it is submitted that the individual who replaced the appellant is also aged and a widow. The undersigned visited the said school multiple times and observed that the appellant exhibited irresponsibility, indiscipline, and weak teaching and learning activities. In light of these observations, the competent authority took action and transferred the appellant to another school, which is also

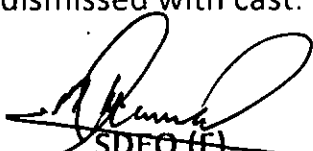
convenient and accessible to her. Furthermore, if the appellant is unable to perform her duties, she can apply for retirement according to the rules.

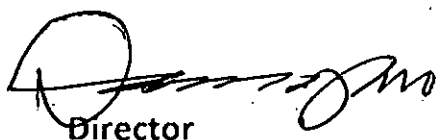
- 11. That para no 11 is pertains to record. Furthermore the appellant should be resume duty on GGPS Palosi Maghdarzai being a Govt. Servant.
- 12. That para no 12 is pertains to record.
- 13. That para no 13 is also pertains to record.
- 14. That in reply para no 14 it is submitted that the competent authority relived the appellant on 08-05-2023, but she did not resume her duty and is absent from her duty till date therefore the respondent department stopped her salary.
- 15. That para no 15 is pertain to record.
- 16. That the appellant has no cause of action to file the instant appeal in this Hon'ble Service Tribunals.


Reply on Ground:

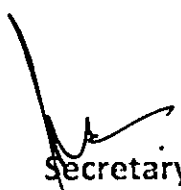
- A. That Ground A is incorrect misleading and against the facts.
- B. That Ground B is also incorrect. Misleading and against the facts the appellant treated according to the law & rules.
- C. That the Ground C is also incorrect misleading and against the facts the transfer order of the appellant is according to the law & rules.
- D. That the Ground D is incorrect, detail reply has been given in the above para.
- E. That the Ground E is misleading transfer is the part of service where she need she will perform her duty in the large interest of public.
- F. Ground F is incorrect, misleading the transfer order of the appellant is under the Law & rules.
- G. Ground G is mis leading and against the facts detail reply has been given in the above para.
- H. Ground H is misleading, incorrect and against the facts the respondents are bound to act upon the law & rules.
- I. That the Respondent Department also seeks permission of this Hon'ble tribunal to advance additional grounds at the time of arguments.

It is, therefore, most humbly prayed that on acceptance of this reply, the appeal in hand may kindly be dismissed with cast.


 SDEO (F)
 Town III Peshawar.


 Director
 E&SED Khyber Pakhtunkhwa
 Peshawar.


 District Education Officer
 (Female) Peshawar


 Secretary
 E&SED Khyber Pakhtunkhwa
 Peshawar.



Amir 'A'

P-3

**OFFICE OF THE District Education Officer
(FEMALE) PESHAWAR**

No. 4721-23
Date 8-5-23

To,

The Head Teachers,
1. GGPS Civil Quarters
2. GGPS Syedina Zainab
Town III, Peshawar. .

Subject: RELIEVING & ASSUMPTION OF CHARGE

Memo:

I am directed to refer to this office Endst. No. 4507-14 Dated 03-05-2023, you are hereby relieved from your stations and further directed to resume charge of your new stations immediately under intimation to this office.

Note: Your charge reports must reached to this office by tomorrow.

Amir 'A'
8/5/2023

**Dy: District Education Officer
(Female) Peshawar**

Copy for information to the:-

1. SDEO (F) Town III Peshawar.

**Dy: District Education Officer
(Female) Peshawar**

Amir 'A'

شعبہ پشاور

محترم جناب حاجی ذہیر علی خان میسر صاحب سجاد
ملکیت بنام سجاد ایثار بیگم جی پی ایس GGPS سول کوارٹرز پشاور

جناب عالی

جناب عالی

گزارش کی جاتی ہے کہ مذکورہ بالا سید بیگم کی عدیدہ طبی اور طبیوں کے ساتھ ناروا سلوک کی وجہ سے
طالبات کی پڑھائی کافی حد تک متاثر ہو چکی ہے۔ اور اساتذہ کی غیر فعال سرگرمیوں اور جٹیوں میں مصروف عمل رہتی
ہیں۔ مذکورہ سید بیگم 10 سال سے یہاں تعینات ہے۔ جو کہ علاقے کے وادی نمائندوں کے ساتھ ساتھ حالات
کے معززین کو کافی شکایت ہو رہی ہے۔

لہذا عوامی شکایت کو مدنظر رکھ کر مذکورہ سید بیگم سجاد ایثار بیگم GGPS

سول کوارٹرز پشاور کو یہاں سے تبدیل فرما کر اس کی جگہ سید بیگم سجاد قاضیہ GGPS سید زینب سکول کی تعیناتی سول
کوارٹرز سکول میں فرما کر منتقل فرمائیں۔ تاکہ عوامی مشکلات اور شکایت کا ازالہ ہو سکے۔

اعلیٰ جان ذہیر علی خان پشاور و جملہ کونسلران

صاحب

CHAIRMAN
Kashif Bashir, Chairman
DC-32 Dohri Bagh, Bahawalpur
NCTD Bahawalpur

5 سابقہ ناظم ملک گنوار احمد

6 صدو حاجی اقرار اللہ

7 سیکٹری بختیار احمد

8 شہکیزا رفیاض احمد

1 چیئرمین کاشف میسر اور کرنی

2 فائس چیئرمین کامران خان

3 جنرل کونسلر حاجی عرفان

4 کسان کونسلر نواز خان

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PRO (F)
Pl. issue
Director
Ministry of Education
Government of Punjab

Mueez

Director

BEFORE THE HONBLE KHYBER PAKHTUNKHWA SERVICE
TRIBUNAL PESHAWAR

P-5

Service Appeal No. 816 / 2023

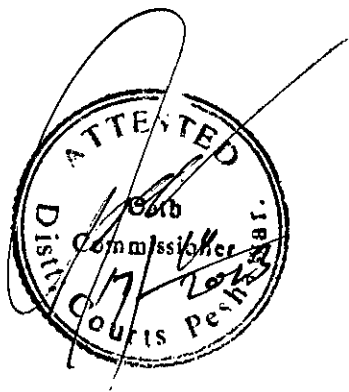
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REPLY ON BEHALF OF RESPONDENT NO. 1, 2 & 3

AFFIDAVIT

It is solemnly affirmed and declare on oath that the contents of this para wise comments on behalf of DEO (Female) Peshawar are correct to the best of my knowledge and that nothing has been concealed from this Hon'ble Tribunal.

It is further stated that on oath that in this appeal the answering respondents have neither being placed ex-party nor their defense has been struck off.




District Education Officer
(Female) Peshawar



**OFFICE OF THE DISTRICT EDUCATION OFFICER
(FEMALE) PESHAWAR**

AUTHORITY LETTER

It is certified that Mr. Arshad Ali ADEO Litigation officer of the District Education office (Female) Peshawar is hereby authorized to attend the Hon'ble Service Tribunal Peshawar Khyber Pakhtunkhwa on my behalf.

**District Education Officer
(Female) Peshawar**