

BEFORE THE KHYBER PAKHTUNKHWA SERVICE TRIBUNAL,
PESHAWAR.

12(2) NO. _____/2023
Shebnam Begum VS GOVT OF KPK

APPLICATION FOR FIXATION OF THE ABOVE TITLED 12(2) AT
PRINCIPAL SEAT, PESHAWAR

Respectfully Sheweth:

1. That the above mentioned 12(2) is pending adjudication before this Hon'ble Tribunal in which no date has been fixed so far.
2. That according to Rule 5 of the Khyber Pakhtunkhwa Service Tribunal Rules 1974, a Tribunal may hold its sittings at any place in Khyber Pakhtunkhwa which would be convenient to the parties whose matters are to be heard.
3. That it is worth mentioning that the offices of all the respondents concerned are at Peshawar and Peshawar is also convenient to the appellant/applicant meaning thereby that Principal Seat would be convenient to the parties concerned.
4. That any other ground will be raised at the time of arguments with the permission of this Hon'ble tribunal.

It is therefore prayed that on acceptance of this application the appeal may please be fixed at Principal Seat, Peshawar for the Convenience of parties and best interest of justice.

Appellant/Applicant

Dated: 31/10/23

Through


NOOR MOHAMMAD KHATTAK
ADVOCATE SUPREME COURT

BEFORE THE KHYBER PAKHTUNKHWA SERVICES TRIBUNAL,
PESHAWAR

C.M. 12 (2) CPC PETITION NO. 804 /2023

IN
SERVICE APPEAL NO. 368/2023

SHABNAM BEGUM

VS

E&SE DEPTT:

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PETITIONER

THROUGH:

NOOR MUHAMMAD KHATTAK
ADVOCATE SUPREME COURT

BEFORE THE KHYBER PAKHTUNKHWA SERVICES TRIBUNAL,
PESHAWAR

C.M. 12 (2) CPC PETITION NO. _____/2023
IN
SERVICE APPEAL NO. 368/2023

Mst: Shabnam Begum, SST (G) (BPS-16)
GGHS Jalala, Malakand

.....**PETITIONER**

VERSUS

1. The Secretary, E&SE Department, Khyber Pakhtunkhwa, Peshawar.
2. The Director, E&SE Department, Khyber Pakhtunkhwa, Peshawar.
3. The District Education Officer (F), District Malakand at Batkhela.
4. Mst: Shazia Bibi D/o Jamil Hussain R/o Thana, Batkhela District Malakand.

.....**RESPONDENTS**

PETITION UNDER 12 (2) of CPC FOR SETTING ASIDE
ORDER/JUDGMENT DATED 03/10/2023 PASSED BY
THIS HONORABLE TRIBUNAL IN SERVICE APPEAL NO.
368/2023 ON THE BASIS OF FRAUD AND
MISREPRESENTATION.

R/SHEWETH:
ON FACTS:

- 1- That the petitioner is the peaceful, Law abiding & bonafide citizen of Pakistan and a permanent residents of District Malakand and belong to a respectable family.
- 2- That the petitioner was transferred to GGHS Batkhela from GGCMHS Thana against the vacant post vide order dated 26/02/2019. Copy of transfer order is attached as annexure.....**A**
- 3- That the petitioner was promoted to SST (G) at Surpluses vide order dated 09/05/2022. Copy of order is attached as annexure.....**B**
- 4- That the petitioner in this respect, took the charge on 11/05/2022, Endst No 125. Copy of Charge Report is attached as annexure.....**C**
- 5- That the transfer order dated 11/06/2022 was withdrawn by the respondent No 3. Copy of order is attached as annexure.....**D**

- 6- That the petitioner was transferred to GGCM Karkani Khar, from GGHS No 2 Batkhela vide order dated 13/06/2022. Copy of order is attached as annexure.....E
- 7- That on 18/07/2022, the petitioner was relieved from her duty and further directed to report her duty to the GGHS Karkani Khar District Malakand. Copy of order is attached as annexure.....F
- 8- That the petitioner feeling aggrieved from the above mentioned order, filed a Departmental Appeal before the respondent. Copy of Department appeal is attached as annexure.....G
- 9- That the respondent conducted inquiry in the above matter and a chance of personal hearing was given to the petitioner. Copy of inquiry report and personal hearing are attached as annexure.....H&I
- 10- That the respondent has given its report in the above inquiry regarding the petitioner. Copy of the report is attached as annexure.....J
- 11- That on 12/12/2022, in the light of the inquiry report, the order dated 13/06/2022 was withdrawn by the respondent. Copy of withdrawal order is attached as annexure.....K
- 12- That the respondent No 4 (private respondent) filed a Service Appeal before this Honourable Tribunal, wherein the address of the present petitioner was shown as GGMS Karkani Khar, Malakand, despite the fact that the address of the petitioner is GGHS Jalala Thana Malakand. Copy of service appeal is attached as annexure.....L
- 13- That the private respondent received a judgment dated 03/10/2023 in his favour and misrepresented the present petitioner and has also committed a fraud with the present petitioner. Copy of judgment dated 03/10/2023 is attached as annexure.....M
- 14- That, the impugned Judgment dated 03/10/2023 passed in Service Appeal No. 368/2023 is based on fraud and misrepresentation on the part of the private respondent, hence the petitioner is left with no other remedy but to file the instant petition on the following grounds amongst the others.

GROUND:

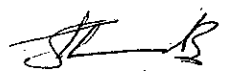
- A- That the impugned Judgment dated 03/10/2023 is obtained by the private respondent on the basis of fraud, misrepresentation and collusion by the respondents hence liable to be set aside.

- B- That the impugned Judgment dated 03/10/2023 is obtained by the private respondent through false address of the petitioner put forth before this Honorable Court.
- C- That private respondents malafidly did not brought the material available on record regarding actual position nor the petitioner have been informed regarding filing of the Service Appeal No 368/2023.
- D- That, private respondent while filing the Service Appeal No 368/2023 have intentionally ignored the petitioner for including correct address and had acquired the judgment dated 03/10/2023.
- E- That the petitioner of the instant application/petition seek permission to advance other grounds and proofs at the time of hearing.

It is therefore, most humbly prayed that on acceptance of this 12 (2) petition the impugned Judgment dated 03/10/2023 passed by this Honorable Tribunal in Service Appeal No 365 /2023 may very kindly be set aside and the case may kindly be decided on real and factual facts/documents and other materials available on record to meet the ends of justice.

Any other remedy which this august Court deems fit that may also be awarded in favor of the petitioner.

Dated: 31.10.2023



PETITIONER

THROUGH:



**NOOR MUHAMMAD KHATTAK
ADVOCATE SUPREME COURT**



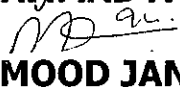
UMAR FAROOQ MOHMAND



WALEED ADNAN



MUHAMMAD AYUB



**MAHMOOD JAN
ADVOCATES**

CERTIFICATE:

It is verified that no other earlier petition was filed between the parties.



DEPONENT

BEFORE THE KHYBER PAKHTUNKHWA SERVICES TRIBUNAL,
PESHAWAR

C.M. 12 (2) CPC PETITION NO. _____ /2023
IN
SERVICE APPEAL NO. 368/2023

MST: SHABNAM BEGUM V/S SECRETARY (E&SE)
& OTHERS



APPLICATION FOR SUSPENSION OF THE OPERATION ON
THE IMPUGNED JUDGMENT DATED 03/10/2023 PASSED BY
THIS HONORABLE TRIBUNAL IN SERVICE APPEAL NO. 368
/2023 TILL FINAL DISPOSAL OF THE INSTANT PETITION

RESPECTFULLY SHEWETH:

- 1- That, the above title 12(2) CPC Petition have been filed today before this Honorable Court in which no date has been fixed so far.
- 2- That, grounds of the petition may kindly be read as part & parcel of this application.
- 3- That, the petitioner have got a good prima facie case and they are hopeful of its success.
- 4- That, balance of convenience also lies in favour of the petitioners.
- 5- That, if the impugned Judgment dated 03/10/2023 is not set aside, petitioners would suffer irreparable loss.

It is therefore, most humbly prayed that on acceptance of this application the operation of the impugned Judgment dated 03/10/2023 may kindly be suspended till final disposal of the instant 12(2) CPC petition.

Dated:31.10.2023


PETITIONER
THROUGH:

NOOR MUHAMMAD KHATTAK
ADVOCATE SUPREME COURT

AFFIDAVIT

I, Mst: Shabnam Begum, SST (G) (BPS-16) GGHS Jalala, Malakand, do hereby solemnly affirm that the contents of this Application are true and correct to the best of my knowledge and belief and nothing has been concealed from this Honorable Court.


DEPONENT

"A"

-5-



OFFICE OF THE
DISTRICT EDUCATION OFFICER
(F) MALAKAND AT BARKHELA

Telephone No. 0932-410253
E-mail: emismalakand@yahoo.com

OFFICE ORDER

In pursuance of the Notification issued by the Director, E&SE, Khyber Pakhtun Khwa, Peshawar vide his office Enclt: 110.8527-52 (A-17/ISS/PE/Promotion Cases/2019) dated 13-02-2019, the following Female ^{SST/SC/ADM/PSHT} ~~ADIC/DM/PSHT~~ promoted to the post of Female SST (General) BPS-16 are hereby ~~with immediate effect~~ ^{with immediate effect} under the Govt. of Khyber Pakhtun Khwa, Elementary and Secondary Education Department Notification NO. SO(B&A)/1-18/E&SE/2012 dated 11-07-2012 bearing Finance Department Enclt: NO. SO(F)FD/10-22(F)2010, dated 16-07-2012.

Amir's attested
At: Educ. Officer Malakand at Barkhela

15 AT B-16 to SST B-16 (General)

Sr	Seniority No.	Name	Father's Name	Name of Present school	School where posted as SST	Remarks
1	05	Mst. Nisreen Begum	Abdul Kamal	GGCMHS Thana	GGHS Barkhela No.2	Against vacant post of SST (G)

15 DM B-16 to SST B-16 (General)

Sr	Seniority No.	Name	Father's Name	Name of Present school	School where posted as ADEG/ SST	Remarks
1		Mst. Kazman Sami	Behram Khan	GGHS Prangal	GGHS Thana	Against vacant post

3 SST B-16 to SST B-16 (General)

1	12	Mst. Nuzal Begum SCT	Fazal Sami	GGHS Dhari Allahdand	GGHS Dhari Allahdand	Against vacant post SST-Rhy.
2	17	Mst. Farida Khasam SCT	Khaista Gul	GGHS Totakan	GGHS Qualangal	Against Vacant post
3	18	Mst. Shahnum Begum SCT	Khushaid Ali	GGCMHS Thana	GGHS Barkhela No.2	Against Vacant post
4	19	Mst. Nisreen Begum SCT	Abdul Ghani	GGHS Barkhela	DEO(F) Office Malakand	Against vacant post
5	20	Mst. Aizakat Begum SCT	Zegrawar Said	GGHS Prangal	GGHS Killy	Against vacant post

Signature of District Education Officer Barkhela

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OFFICE OF THE
DISTRICT EDUCATION OFFICER
(F) MALAKAND AT BATKHELA

Telephone No. 0932-410263
E-mail: emismkalakand@yahoo.com

OFFICE ORDER/

In pursuance of the Notification issued by the Director E&SE, Khyber Pakhtunkhwa, Peshawar vide his office Ednst: No. 392/32/A-17/SST/F/Promotion Cases/2019 dated 18/02/2019, the following female SAT/SCT/SDM/PSHT/AT/CT/DM/PST BPS-15 promoted to the post of Female SST (General) BPS-16 are hereby further adjusted against the SST posts in the schools noted against each in the interest of public service with immediate effect under the Govt. of Khyber Pakhtunkhwa, Elementary and Secondary Education Department Notification No. SO(B&A)/1-18/E&SE/2012 dated 11/04/2012 bearing Finance Department Endst: No. SO(F)FD/10-22(F)2010, dated 16/07/2012.

1st AT B-16 TO SST B-16 (GENERAL)

S#	Seniority No.	Name	Father's Name	Name of Present School	School where posted as PST	Remarks
1	05	Mst. Nisreen Begum	Abdul Kamal	GGCMHS Thana	GGHS Batkhela No.2	Against vacant post of SST

2nd DM B-16 TO SST B-16 (GENERAL)

S#	Seniority No.	Name	Father's Name	Name of Present School	School where posted as PST	Remarks.
1	07	Mst. Razman SDM	Behram Khan	GGHS Prangai	GGHS Maina	Against vacant post

3. CT B-16 TO SST B-16 (GENERAL)

1	12	Mst. Nuznal Begum SCT	Fazal Sani	GGHSS Dhri Allahabad	GGHSS Dheri Allahabad	Against vacant post SST Phy:
2	17	Mst. Farida Khanam SCT	Khaista Gul	GGHSS Totakan	GHSS Qualangai	Against vacant post
3	18	Mst. Shabnum Begum SCT	Khurshaid Ali	GGCMHS Thana	GGHS Batkhela	Against vacant post
4	18	Mst. Nasreen Begum SCT	Abdul Ghani	GGHSS Batkhela	DEO(F) Office Malakand	Against vacant post
5	20	Mst. Nizakat Begum SCT	Zegrawar Said	GGHS Kharkai	GGMS ---- - Kallay	Against vacant post

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02

3. PSHTs 16 to 55 TB 16 (General)

S/P	Serial No.	Name	Father's Name	Name of Present School	School where posted	Remarks
1.	85	Mst. Nargis Begum PSHT	Amir Ahmad	GGPS Khar	GGMS Kharkai Pirkhel	Against Vacant post
2.	97	Mst. Shabeena PSHT	Akbar Khan	GGPS Pinjar	GGMS Khar	Against Vacant post of SST Phys. Maths

NOTE:-

1. Charge reported should be submitted to all concerned
2. Other terms and conditions as laid down in the Notification NO. 3927-53 dated 18-02-2019.

Mst. Shabeena Begum
 DISTRICT EDUCATION OFFICER
 (FEMALE) MALAKAND AT BARKHOLA

Encl. No. 1166-54 / Promotion of AT/CT/DT/PST to SST Dated Barkhola, the 26/10/2019

Copy of the above is forwarded to the:

1. Director (ESSE) Khyber Pakhtoonkhwa, Peshawar.
2. The District Accounts Officer Malakand.
3. The Principal GHS Isagram.
4. Teacher concerned.
5. The SDO (Female) Barkhola and Dargai.

DISTRICT EDUCATION OFFICER
 (FEMALE) MALAKAND AT BARKHOLA

Faridoon / Adjust. / Doc.

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4. PSHT B-16 TO SST B-16 (GENERAL)

S#	Seniority No.	Name	Father's Name	Name of Present School	School where posted as PST	Remarks
1	85	Mst. Nargas Begum PSHT	Amir Ahmad	GGPS Kahr	GGCMS Kharkai Pirkhel	Against vacant post
2	97	Mst. Shabeena PSHT	Akbar Khan	GGPS Pinjan	GGHS Khar	Against vacant post

NOTE:

1. Charge reported should be submitted to all concerned.
2. Other terms and conditions as laid down in the Notification No. 3927-32 dated 12/02/2019.

(MST. FEHMEEDA BEGUM)
DISTRICT EDUCATION OFFICER
(FEMALE) MALAKAND AT BATKHELA

Endst No. 1155-59/Promotion of AT/CT/DM/PST to SST

Dated Batkhela, the 26/02/2019

Copy of the above is forwarded to the:

1. Director (E&SE) Khyber Pakhtoonkhwa, Peshawar.
2. The District Accounts Officer, Malakand.
3. The Principal GGHS Jolagram.
4. Teacher concerned.
5. The SDEO (Female) Batkhela and Dargai.

DISTRICT EDUCATION OFFICER
(FEMALE) MALAKAND AT BATKHELA

Faridoon/Adjust:/Doe:



OFFICE OF THE
DISTRICT EDUCATION OFFICER
(F) MALAKAND AT BATKHELA.

Telephone No. 0932-410283
E-mail: emisr_malakandi@yahoo.com

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NOTIFICATION/

As per Rationalization Policy vide Director E&SE Khyber Pakhtun Khwa, Peshawar letter NO. 4519-70/SNE Rationalization dated Peshawar the 15-01-2019, the following Surplus posts of SST are hereby transferred to the following schools on need basis.

S.NO.	Name & Designation	From	TO	Remarks
1.	One SST BIO/Chy: & TWO Posts of SST (G) B-15	GGHSS Kot	GGHSS Sakhakot	3 Posts of SST B-15 transferred from GGHSS Kot to GGHSS Sakhakot on need basis.
2.	One posts Bio/ Chy: and One post of Phy: Maths B-16	GGHS Dargai	GGHSS Dheri Allahdand	2 Posts of SST B-16 transferred from GGHS Dargai to GGHSS Dheri Allahdand on need basis.
3.	One Post of SST (G) B-16	GGHSS Totakan	GGHS Malakand	1 Post of SST B-16 transferred from GGHSS Totakan to GGHS Malakand on need basis
4.	One Post of SST (G) and One post of Phy: Maths	GGHS Badam Baghcha Thana	GGHS Batkhela	2 Posts of SST B-16 transferred from GGHS Badam Baghcha Thana to GGHS Batkhela on need basis.

HEMIDA BEGUM
DISTRICT EDUCATION OFFICER
(FEMALE) MALAKAND AT BATKHELA

Encls: NO. 788

11/02/2019

Copy of the above is forwarded for information and necessary action to:-

1. The Section Officer (B&A) E&SE Govt. of Khyber Pakhtun Khwa Peshawar,
2. PA to the Director E & S E Khyber Pakhtun Khwa Peshawar.
3. Budget and Account Officer-Local office.
4. Principals/ Head Mistresses concerned.

Fazdoon Khan/

DISTRICT EDUCATION OFFICER
(FEMALE) MALAKAND AT BATKHELA

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OFFICE OF THE
DISTRICT EDUCATION OFFICER
(F) MALAKAND AT BATKHELA

Telephone No. 0932-410263
E-mail: emismkalakand@yahoo.com

NOTIFICATION/

As per Rationalization Policy vide Director E&SE Khyber Pakhtunkhwa, Peshawar letter No. 4919-70/SNE Rationalization dated Peshawar the 18/01/2019, the following Surplus posts of SST are hereby transferred to the following schools on need basis.

S.No.	Name & Designation	From	To	Remarks
1	One SST BIO/Chy: & Two Post of SST (G) B-16	GGHSS Kot	GGHSS Sakhakot	3 Posts of SST B-16 transferred from GGHSS Kot to GGHSS Sakhakot on need basis
2	One Posts Bio/Chy and One Post of Phy: Matsh B-16	GGHS Dargai	GGHSS Dheri Allahdand	2 posts of SST B-16 transferred from GGHS Dargain to GGHSS Dheri Allahdand on need basis
3	One Post of SST (G) B-16	GGHSS Totakan	GGHS Malakand	1 post of SST B-16 transferred from GGHSS Totakan to GGHS Malakand on need basis
4	One Post of SST (G) and One Post of Phy: Maths	GGHS Badam Baghcha Thana	GGHS Batkhela	2 posts of SST B-16 transferred from GGHS Badam Baghcha Thana to GGHS Batkhela on need basis

(MST. FEHMEEDA BEGUM)
DISTRICT EDUCATION OFFICER
(FEMALE) MALAKAND AT BATKHELA

Endst No. 788/ 11/02/2019

Copy of the above is forwarded for information and necessary action to:

1. The Section Officer (B&A) E&SE Govt: of Khyber Pakhtunkhwa Peshawar.
2. PA to the Director E&SE Khyber Pakhtunkhwa Peshawar.
3. Budget and Account Officer Local Office.
4. Principals/head Mistresses concerned.

DISTRICT EDUCATION OFFICER
(FEMALE) MALAKAND AT BATKHELA



OFFICE OF THE
DISTRICT EDUCATION OFFICER (F)
MALAKAND AT BATKHELA

"B" A

-8-

☎ 0932-419263 ☎ DEOFMalakand ☎ demisdeof.malakand@gmail.com

OFFICE ORDER

As per approval/relaxation of ban on posting transfer by the worthy Director E&S E Khyber Pakhtunkhwa Peshawar letter No.7810/A-17/Transfer/Malakand. Dated Peshawar the 13-04-2022 Mrs. Shabnam Begum SST (G) Surplus Transfer/Adjustment from GGHS No. 2 Batkhela to GGHS Jalala against the vacant post of SST (G) in the best public interest with immediate effect.

(D. D. I. L.)
DISTRICT EDUCATION OFFICER
(F) MALAKAND AT BATKHELA.

Andosr No. 20135-41 / Dated the 09 /05/2022.

Copy of the above is forwarded for information to:-

1. The Director Elementary & Secondary Education Khyber Pakhtunkhwa Peshawar.
2. The District Accounts Officer Malakand.
3. The District Monitoring Officer (EMA) Malakand.
4. The Head Mistress GGHS No.2 Batkhela.
5. The Head Mistress GGHS Jalala.
6. Officer concerned
7. Office record.

D. D. I. L.
DISTRICT EDUCATION OFFICER
(F) MALAKAND AT BATKHELA.



"C" -9-

OFFICE OF THE HEAD MISTRESS GGHS JALALA
DISTRICT MALAKAND

CERTIFICATE OF TRANSFER OF CHARGE

Certified that we have on the 11.05.2022 (A.N) of this day respectively made over and receive charge of **SST(G) BPS-16** in the school of the GGHS Jalala District Malakand vide District Education Officer (F) Malakand at Batkhela Endstt: No. 20135-41 Dated: 09.05.2022.

Signature of relieved VACANT

Government Servant

Designation SST (G) BPS-16

Station: **GGHS JALALA**

Signature of relieving

Government Servant **SHABNAM BEGUM**

Designation SST (G) BPS-16

Endst: No. 1235

Dated 11 / 05 / 2022

Copy forwarded for information to the:-

1. The District Education Officer (F) Malakand at Batkhela.
2. The District Accounts Officer Malakand.
3. Official Concerned.

HEAD MISTRESS
GGHS JALALA MKD
Near H.S. Road
GGHS Jalala
Dist. Malakand

"D" -10-



OFFICE OF THE
DISTRICT EDUCATION OFFICER (F)
MALAKAND AT BATKHELA



☎ 0932-410203 f DEOFMalakand ✉ demsdeof.malakand@gmail.com

OFFICE ORDER

The Transfer order in respect of Mrs. Shabnam Begum SST (G) GGHS No.2 Batkhela to GGHS Jalala vide this office Endst: No.20135-41 Dated.09-05-2022 is hereby cancelled.

(RUKHSANA RAJBEEM)
DISTRICT EDUCATION OFFICER
(F) MALAKAND AT BATKHELA.

Endost: No. 20690-96 / Dated the, 11 /06/2022.

1. The Director Elementary & Secondary Education Khyber Pakhtunkhwa Peshawar.
2. The District Accounts Officer Malakand.
3. The District Monitoring Officer (EMA) Malakand.
4. The Head Mistress Concerned.
5. The B&AO Local office
6. The teacher concerned.

R. Rajbeem
DISTRICT EDUCATION OFFICER
(F) MALAKAND AT BATKHELA.



-11- "E"

**OFFICE OF THE
DISTRICT EDUCATION OFFICER(F)
MALAKAND AT BATKHELA**

☎ 0932-410283 f DEOFMalakand ✉ demisdeof.malakand@gmail.com



OFFICE ORDER

The following Teachers are hereby Transferred/Adjusted on her own pay and grade in the best interest of public service with immediate effect.

S.No.	Name of Teacher & Desig:	Present place of posting	Transferred/Adjusted to	Remarks
1	Mrs. Shabnam Begum SST (G) (Surplus)	GGHS No.2 Batkhela	GGMS Karkani Khar	Vice S.No.2
2	Mrs. Shazia SST (G)	GGMS Karkani Khar	GGHS Jalala	Against Vacant Post

1. No TA/DA is allowed
2. Charge report should be submitted to all concerned.

(RUKHSANA RAHEEM)
DISTRICT EDUCATION OFFICER
(F) MALAKAND AT BATKHELA.

Endost: No. 20697-702 / Dated the, 13/06/2022.

Copy of the above is forwarded to:-

1. The Director Elementary & Secondary Education Khyber Pakhtunkhwa Peshawar.
2. The District Accounts Officer Malakand.
3. The District Monitoring Officer (EMA) Malakand.
4. The Head Mistress Concerned.
5. The B&AO Local office
6. The teacher concerned.

D. D. R.
DISTRICT EDUCATION OFFICER
(F) MALAKAND AT BATKHELA.

"F" - 12-

HEAD MISTRESS GGHS JALALA THANA DISTRICT MALAKAND

RELIEVING CHIT

Consequent upon the Office Order issued by the District Education Officer Female Malakand at Bakhela under his office Encls: No.20697-702/ Dated the. 13-06-2022.

Mrs. Shabnam Begum SST (G), GGHS Jalala Thana is hereby relieved from her duty to-day on.18-07-2022(A.N) and she is further directed to report for duty to the GGHS Karkani Distt: Malakand

Date: 18 ⁰⁷/₂₀₂₂


Head Mistress
GGHS Jalala
Distt: Malakand

ربالسمائی

بکھنڈ

جناب والا! شاہ ذاکر علی صاحب البکھنڈ خیر و خیر خواہ لیٹوار
درخواست گزار میڈر دانہ / منصفانہ کوزہ و برقرار رکھنے تیار نہ سائیک
منام گورنمنٹ گورنمنٹی سکول جلالہ / ضلع مالک پورہ جھنگت S.S.T جنرل
جھنگت : گزارش البکھنڈ رائے ۔

سائیک / گزشتہ آٹھس سالوں سے ٹکڑے البکھنڈ میں البکھنڈ ایشانی فرائض منہی
سمرانجام دے رہی ہے ۔ پچھلے بونیر منہی میں لہذا اس ضلع ویر میدان میں
فرائض سمرانجام دینے کیلئے درمک ویر میں ہیں ۔ لہذا اس مکانی مالہ نزد میں
فرائض سمرانجام دے رہی ہیں ۔ جہاں سے گورنمنٹ گورنمنٹی سکول جلالہ تیار نہ سائیک
جہاں سے Per motion لے G.G.H.S بٹ فیڈ پڑانیر ہوئی ۔ اور S.S.T کی یوسٹ
پر مقام بٹ فیڈ فرائض سمرانجام دے رہی ہے ، جہاں 26/2019 سے مئی 2022 س۔ کب ایسی
ہی یوسٹ ریفیٹس دے رہی ۔ پچھلے S.S.T کی دو یوسٹ ہوائے G.G.H.S کی سکول
بادام باغیچہ ٹھکانہ سکے Creator ہوئی تھی ۔ جہاں سے مذکورہ دونوں S.S.T
یوسٹ کو G.G.H.S سکول بٹ فیڈ بڑے منتقل ہونے گئے ۔ جس میں ایک برسر تعمیراتی
ہوئی ۔ اسلئے مذکورہ سکول میں ۔ تقریباً 3-3 سال فرائض سمرانجام دینے کے دوران
حکوم ہوا ۔ کہ میرے نصیاتی کا S.S.T یوسٹ بخنڈ سے واپس بادام باغیچہ G.G.H.S
منتقل کیا گیا ہے ۔ اور اس پر ضلع دیر سے آئی ایشانی کی نصیاتی کی گئی ہے ۔ لہذا جس پر
میں اپنے متعلقہ D.E.O کو بقدر در فوائس ہش کہے ۔ مگر کوئی شلوئی نہیں ہوئی ۔
اس دوران جلالہ میں S.S.T جنرل کی یوسٹ خالی ہوئی ۔ بڑی مشکل سے آپ
صاحبان کے تحریری احکامات پر میرا تیارہ اس S.S.T جنرل پر G.G.H.S جلالہ
کروائی تھی ۔ مذکورہ یوسٹنگ 22-5-9 کو میرے فرائض آدا کرتی تھی ۔ مگر
بہت بدینی کے ہش D.E.O نے تبدیل (رضانہ رسم) نے مذکورہ تیارہ کو 22/11
کو معیوض کر کے من سائیک کو G.G.H.S گزری کروا یا گیا ہے ۔

تاریخ 18 جولائی 2022

حضور والا :- اس یوسٹنگ پڑانیرے سلسلے میں DEO رضانہ رجم نے من سائیک کو اپنے عیض منصب
کا نشانہ بنواتے ہوئے ہا میر جیلو من سائیک آپ صاحبان سے اپنا دارسی کی حقوں سکے
استدعا کرتی ۔ اور آپ صاحبان مذکورہ DEO کو مناسب احکامات صادر فرمائے جس
درمذکورہ DEO عیضناک ہو کر خیر خلاف ظانمانہ ارز انتقامی کاروائی کرتی ۔ اور
اسی کے ہش نظرآ ۔ سکول یوسٹ جلالہ سے معیوض کر کے گزری صادر کروائی ہو
مناسب غور فرمادیں

کامیاب
بکھنڈ
ضلع مالک پورہ
J.S.T جلالہ



**INQUIRY REPORT ON THE APPEAL OF MST. SHABNUM SST UNDER
TRANSFER TO GGHS JALALA DISTRICT MALAKAND**

BRIEF HISTORY OF THE CASE:

1. Reference to Directorate E&SE Khyber Pakhtunkhwa Vide Order No. 3927-32/A-17/SST/F/Promotion case 2019,4.4 SCT/CT Quota was observed for promotion to SST(G) posts. Which is 40% out of 11 Posts of SST (G).
In meeting minutes/working papers S. No. 17 to 20 were declared as eligible Candidates for the said promotion. (Please See Annex-A)
2. Adjustment order of the said promote was issued by DEO (F) Malakand vide Endst No. 1155 -59, dated 26/02/2019, in which Serial No. 12 adjusted against wrong post of SST-Phy/Maths S. No. 19 against the post of ADEO (Establ.) and Mst. Shabnum SCT against the post of SST-G at GGHS Bathkela No. 2 but the post of SST-G was not available in the said school as the post was rationalized (Annex-B) from other school but did not pursued in Finance Department and the rationalized post was given for inter-District Transfer (Annex-C) the appellant was reported on wrong post by EMA, so on the retirement of SST-G from GGHS Jalala, she was adjusted in the said school against the vacant post of SST-G vide order No. 20135-41 dated 09/05/2022 (Annex-D)
3. Again the said order was cancelled by DEO (F) Malakand vide Endst: No. 20690-96, dated 11/06/2022 and the appellant was posted as wrong/surplus at GGHS Bathkela No. 2 (Annex-E)




Another order issued vide Endst: No. 20697-702 dated 13/06/2022, in which the appellant was posted at GGMS Karkanikhar and Mst. Shazia SST-G, GGMS Karkanikhar posted, at GGHS Jalala (Annex-F)

FINDINGS:

1. S. No. 12 Mst. Nuzhat Begum promoted to SST-G, not recommended in working papers and do not fulfil the criterial in 4.4 Quota.
2. Posts of SST-G for promotion to SST-G was not available in the said schools or in District.
3. Frequent transfer orders were issued against transfer posting policy.

RECOMMENDATIONS:

1. Mst. Nuzhat Begum SCT S. No. 12 in working papers (if she was not recommended later on) may be removed and recovery may be made in case of any lose to Govt. Exchequers.
2. DSC/DPC members may ensure post availability duly signed from District Account Office concerned before promotion or recruitments.
3. Order No. 20135-41 dated 09/05/2022 issued by DEO (F) Malakand in R/O Shabnum begum SST-G surplus at GGHS Badkhela No. 2, may be restored & Order No. 20697-702 dated 13/06/2022, may be cancelled, in the best interest of public and implementation of transfer posting policy, in vogue.


(MST. ABIDA PERVEEN)
INQUIRY OFFICER



-16- "I"

DIRECTORATE OF ELEMENARY & SECONDARY EDUCATION
KHYBER PAKHTUNKHWA PESHAWAR

NO. _____ /A-17/Transfer/Malakand

Dated Peshawar the 15/11/2022

To

The District Education Officer
(Female) Malakand

SUBJECT:- PERSONAL HEARING

Memo:-

I am directed to refer to the subject cited above and to ask you to attend this office on **21-11-2022** at 10:00 AM along with Mst. Shabnam Begum, SST-G, BS-16, GGHS Jalala Thana Malakand with complete official record to resolve the issue.

Assistant Director Establishment (F)
Elementary & Secondary Education
Khyber Pakhtunkhwa Peshawar

8324

Copy forwarded for information to the:-

1. Mst. Shabnam Begum, SST-G, BS-16, GGHS Jalala Thana Malakand with the remarks to attend the said meeting on date & time mentioned above.
2. PA to Director E&SE local office.

[Signature] 14/11/2022
Assistant Director Establishment (F)
Elementary & Secondary Education
Khyber Pakhtunkhwa Peshawar

[Signature]
14/11/2022



**DISTRICT EDUCATION OFFICER (F)
MALAKAND**

0932-411475 DEOFMalakand demisedof.malakand@gmail.com
ADDRESS: CANAL ROAD NEAR GOVERNMENT GIRLS DEGREE COLLEGE BATHKHELA MALAKAND

Dated: 22/12/2022

No. 2388

-17-

To
The Director,
E&SE Khyber Pakhtunkhwa
Peshawar.

Subject: **INQUIRY REPORT REGARDING MRS. SHABNAM BEGUM SST (G)
GGMS KARKANI KHAR DISTRICT MALAKAND.**

Memo,
Reference to the Whatsapp message received regarding report in the instant case, it is stated that this office nominated inquiry officers vide Endst: bearing No.2358-61 Dated 21-11-2022. Inquiry report submitted by the inquiry officers to the office of the undersigned. After detailed study of the inquiry it was found that the applicant Mst. Shabnam Begum SST (G) suffered and transferred to GGHS Jalala. (Inquiry report attached).

As per Notification issued for Rationalization policy vide Director E&SE Khyber Pakhtunkhwa Peshawar Letter No.4919-70/SNE Rationalization dated Peshawar the 18-01-2019, the Ex-DEO (F) Malakand has transferred some surplus SSTs to other schools on need basis vide Endst: bearing No.788 dated.11/02/2019. In this connection one SST General Post was transferred from GGHS Badam Baghicha to GGHS No.2 Bathkela on need basis.

After that district cadres promotion order issued vide DEO (F) Malakand Endst: No.1155-59/Promotion of AT/CT/DM/PST to SST dated Bathkela the 26-02-2019 in which Mst. Shabnam Begum was promoted from Senior CT to SST (G) and adjusted at GGHS No.2 Bathkela. And when the posts were reconciled with the Government of Khyber Pakhtunkhwa, Finance Department, the same post was again shifted to Badam Baghicha and Shabnam Begum salary was drawing from GGHS No.2 Bathkela but there was no post in the Budget Book and it was counted as surplus. After one year Miss Anisa Chand SST (G) was transferred from GGHS Dara Ramora District Dir Lower to GGHS Badam Baghicha Thana order vide Director E&SE Khyber Pakhtunkhwa Peshawar Endst:1335-38/A-17/P.F/Aneesa Chand SST (G) Lower Dated 20-02-2020. One SST post became vacant in GGHS Jalala, on which by order of Worth Director E&SE Khyber Pakhtunkhwa Peshawar letter No. 7810/A-17/Transfer/Malakand dated Peshawar the 13-04-2022 Mst. Shabnam Begum SST Surplus was transferred from GGHS No.2 Bathkela to GGHS Jalala vide order DEO (F) Malakand Endst: No.20135-41 dated.07-05-2022. After a month, the transfer order of Mst. Shabnam Begum was cancelled vide DEO (F) Malakand Endst: No.20690-1 Dated.11-06-2022 And two days later an order was issued transferring Mst. Shabnam Begum from GGHS No.2 Bathkela to GGMS Karkani Khar and another SST (G) teacher Mrs. Shazia from GGHS Karkani Khar to GGHS Jalala.

The report is hereby submitted for further necessary action please.

DISTRICT EDUCATION OFFICER (F)
MALAKAND



-18- 'K'

**OFFICE OF THE
DISTRICT EDUCATION OFFICER(F)
MALAKAND AT BATKHELA**

☎ 0932-410283 f DEOFMalakand ✉ demsdeof.malakand@gmail.com



OFFICE ORDER

Office order in respect of SST (G) District Malakand issued vide this office Endst:No.20697-702/ Dated the, 13-06-2022 is hereby withdrawn due to the recommendation of inquiry report of Mrs.Safia Principal GGHSS Palonow and Shagufta Begum Principal GGHSS Haryan Kot (Inquiry Officers) vide this office Endst: No. 2358-61 dated 21-11-2022 in the interest of public service with immediate effect.

**(HAFSA GUL)
DISTRICT EDUCATION OFFICER
(F) MALAKAND AT BATKHELA.**

Endst: No. 2007-93 / SST/Inquiry/file Dated the, 12 /12/2022.

Copy of the above is forwarded to:-

1. The Director Elementary & Secondary Education Khyber Pakhtunkhwa Peshawar.
2. The District Accounts Officer Malakand.
3. The District Monitoring Officer (EMA) Malakand.
4. The Principal/Head Mistress Concerned
5. The official concerned.
6. Office record.


12/12/2022
**DISTRICT EDUCATION OFFICER
(F) MALAKAND AT BATKHELA**

~~(+A)~~ "L" -19-

BEFORE THE KHYBER PAKHTUNKHWA SERVICE TRIBUNAL

Appeal no. 368/2023
Shazia bibi D/O Jamil Hussain R/O Mohallah bakhta village and P/o thana the
Batkhela DISTT Malakand(Appellant)

VERSUS

- (1) DIRECTOR ELEMENTRY AND SECONDRY EDUCATION ,PESHAWAR .
- (2) SECRETARY ELEMENTRY AND SECONDARY EDUCATION ,PESHAWAR .
- (3) DISTT. EDUCATION OFFICER (FEMALE) ,MALAKAND at batkhela.
- (4) Mst.shabnam begum R/o presently GGMS Karkani Khar, Malakand
.....(Respondents)

Appeal Under Section 4 of Khyber Pakhtunkhwa Service Tribunal Act 1974 against office order no 3087.93 dated 12/12/2022. whereby the transfer order dated 13/6/2022 has been withdrawn against appellant and respondent no.4.

Prayer in Appeal :

On acceptance of this appeal ,the impugned withdrawal office order no 3087.93 dated 12/12/2022 of district education officer female, malakand may graciously be set aside ,and maintain the transfer order dated 13-06-2022, and the application of the appellant may be allowed.

OR

Any other remedy may deem proper in the interest of justice not specifically been asked for, may also be awarded in favor of appellant.

Respectfully Sheweth:

1. That the appellant is serving as teacher under the supervision of respondent no 1 to 3 ,through transfer order dated 13/6/2022.
2. That the appellant serve the department from the date of appointment with her all ability and competency in different places and there is no single complaint against her.
3. That the appellant submitted application to the respondent no 1, for the transfer from GGMS KARKANI,(KHAR) to GGHS jalala which is near to the appellant village ,and also mention the reason therein.(copy of application as attached as Annexure-A)
4. That the reason mentioned in the application of appellant was found genuine and the appellant has been transfer to GSHS JALALA, vide transfer order dated 13/06/2022.(copy of transfer order is attached as Annexure-B).
5. That after the transfer order dated 13 /6/2022 ,assume the duty and receive charge as SST(G)(BPS-16) at GGHS jalala .(copy of certificate of transfer of charge is attached as annexure-C).
6. That due to political victimization without any plausible reason with respondent no 1 vide order dated 12-12-2022 withdrawn the transfer order dated 13-06-2022,which is



based on malafide political involvement which is against the government policy of posting and transfer.

8. That the appellant also submitted departmental appeal against the withdrawal order, but the same is regretted vide order dated 17-02-2023. (COPY OF APPEAL AND ORDER IS ATTACHED AS ANNEXURE -D).

7. That the appellant being aggrieved from the transfer order vide dated 12/12/2022, approach to this honorable tribunal on the following amongst other grounds:-

GROUND:

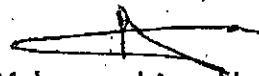
- A: That the transfer order no 3087.93 vide dated 12/12/2022 is illegal, unlawful and against the government policy of posting and transfer.
- B: That the reason mentioned in the application of appellant was found genuine, and hence the appellant was transfer to GGHS jalala .
- C: That Ms. shabnam begum by using strong political affiliation with the ruling party cancelled the transfer order vide dated 13/06/2022, which effect the appellant , as a result the appellant is transfer without the completion of tenure.
- D: That the appellant has the right to complete the tenure.
- E: That the inquiry report of mrs.safia principal GGHS Palanow ,and shagufta begum principle GGHS Haryan kot, vide dated 21/11/2022, the inquiry officers not gone through the available record and their decision is based on surmises and conjectures.
- F: That the appellant have a disable son at her home and the appellant is facing much hardship and mental worry and unrest while performing her duties at a far place of her home. (copy of disability is attached as Annexure -E)
- F: That any other ground will be raised at the time of arguments with prior permission of this hon'ble court.

It is, therefore humbly prayed that on acceptance of this appeal, the transfer order vide dated 12/12/2022 may kindly be set aside and the appellant may be retain on the same, and application of the appellant may graciously be allowed.

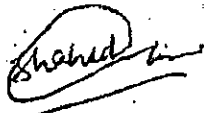
Any other remedy may deems proper in the interest of justice not specifically been asked may also be awarded.


Appellant

Through


Muhammad Ayaz Khan
Advocate, high court
Peshawar ,
Israr iqbal
And
Shahid khan
Advocates ,Peshawar.

Date:22/02/2023.



BEFORE THE KHYBER PAKHTUNKHWA SERVICE TRIBUNAL

Shazia bibi.D/O Jamil Hussain R/O Mohallah bakhta village and P/o thana the
Batkhehla DISTT Malakand(Appellant)

VERSUS

- (1) DIRECTOR ELEMENTRY AND SECONDRY EDUCATION ,PESHAWAR .
- (2) SECRETARY ELEMENTRY AND SECONDARY EDUCATION ,PESHAWAR .
- (3) DISTT.EDUCATION OFFICER (FEMALE) ,MALAKAND at batkhela.
- (4) Mst.shabnam begum R/o presently GGMS Karkani Khar, Malakand.

.....(Respondents)

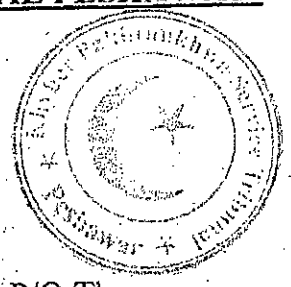
VERIFICATION/CERTIFICATE

It is verified on oath that contents of the **Service Appeal** are true and correct to the best of my knowledge and belief, no such like appeal has earlier been filed before this Hon'ble Tribunal.


DEPONENT

"M" -22-

BEFORE THE KHYBER PAKHTUNKHWA SERVICES TRIBUNAL PESHAWAR.
AT CAMP COURT SWAT.



Service Appeal No. 368/2023

Date of Institution... 22.02.2023

Date of Decision... 03.10.2023

Shazia Bibi D/O Jamil Hussain, R/O Mohallah Bakhta Village and P/O Thana
the Batkhela District Malakand.

... (Appellant)

VERSUS

Director Elementary & Secondary Education, Peshawar and 03 others.

... (Respondents)

MR. MUHAMMAD AYAZ KHAN,
Advocate

For appellant.

MR. INAYAT ULLAH KHAN,
Assistant Advocate General

For official respondents.

MR. SALAH-UD-DIN
MRS. RASHIDA BANO

MEMBER (JUDICIAL)

MEMBER (JUDICIAL)

JUDGMENT:

SALAH-UD-DIN, MEMBER:-

Precise facts, giving rise to

filing of the instant appeal are that vide office order dated

13.06.2022 issued from the office of District Education Officer

(Female) Malakand at Batkhela, the appellant was transferred from

GGCMS Karkani Khar to GGHS Jalala, while private respondent

No. 4 namely Shabnam Begum was transferred from GGHS No. 2

Batkhela to GGCMS Karkani Khar. However, vide the impugned

office order dated 12.12.2022, the afore-mentioned posting/transfer

order dated 13.06.2022 was withdrawn in wake of

recommendations of an inquiry committee constituted on the

application submitted by private respondent No. 4 to the Additional

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KHYBER PAKHTUNKHWA SERVICES TRIBUNAL PESHAWAR
03/10/2023

Secretary (General) Elementary & Secondary Education Department Government of Khyber Pakhtunkhwa Peshawar, raising grievance that she became surplus due to transfer of another teacher at her place in GGHS Batkhela. The appellant being aggrieved of the office order dated 12.12.2022, challenged the same by way of filing departmental appeal, however the same was regretted vide order dated 17.02.2023, hence the instant appeal.

2. On receipt of the appeal and its admission to regular hearing, respondents were summoned. Private respondent No. 4 did not appear despite service, therefore, she was placed ex-parte. Official respondents put appearance through their representative and contested the appeal by way of filing written reply raising therein numerous legal as well as factual objections.

3. Learned counsel for the appellant has addressed his arguments supporting the grounds agitated by the appellant in his service appeal. On the other hand, learned Assistant Advocate General for the respondents has controverted the arguments of learned counsel for the appellant and has supported the comments submitted by the respondents.

4. We have heard the arguments of learned counsel for the appellant as well as learned Assistant Advocate General for official respondents and have perused the record.

5. A perusal of the record would show that vide office order dated 13.06.2022, the appellant was transferred from GGCMS

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 Khyber Pakhtunkhwa
 Service Tribunal
 Peshawar

Karkani Khar to GGHS Jalala, while private respondent No. 4 was transferred from GGHS No. 2 Batkhela to the place of appellant i.e GGCMS Karkani Khar. The appellant assumed the charge of her post at GGHS Jalala and started performing of her duty. It was on 19.10.2022 that private respondent No. 4 submitted an application to the Additional Secretary Elementary & Secondary Education Khyber Pakhtunkhwa Peshawar seeking cancellation of NOC dated 20.07.2020 by, alleging that the same was wrong and a teacher on the basis of the said wrong NOC had been transferred from Ramora District Dir in place of respondent No. 4 and she thus became surplus. The copy of said application is available on record, which bears an endorsement of the Additional Secretary (General) Elementary and Secondary Education Government of Khyber Pakhtunkhwa Peshawar, whereby DEO (Female) Malakand was asked to retain Private respondent No. 4 at Badam Baghecha Thana. DEO (Female) Malakand, however constituted an inquiry committee vide order dated 21.11.2022 for probing the allegations of private respondent No. 4 regarding issuance of wrong NOC. The inquiry committee conducted facts finding inquiry and submitted its report to the District Education Officer (Female) Malakand. The findings of the inquiry committee were as below:-

"1. According to the applicant Shabnam Begum, post of SST (G) was transferred from GGHS BB Thana to GGHS Batkhela No. 2 while the record study shown that these posts were not actually

ACCEPTED
 DISTRICT OFFICER
 Khyber Pakhtunkhwa
 Service Tribunal
 Peshawar

shifted as Miss. Anisa Chand from Dir Lower was transferred on that post.

2. Negligence on the part of handling staff of GGHS Batkhela No. 2 cannot be ignored as why they handed over charge to the applicant when the post was not sanctioned or shifted from somewhere else and when the post was not shifted there then how the said teacher drawn salaries from GGHS Batkhela No. 2? From where the position code come when the post was not shifted?

3. DEO Female Office is also equally responsible for all this as they did not reconcile these posts with Finance Department for a long period of three year.

4. When the applicant was surplus in GGHS Batkhela No. 2 and transferred to GGHS Jalala, why was her transfer cancelled without any sound base?

6. It is evident from the findings of the inquiry committee that the post of SST (General) was never transferred from GGHS Badam Baghecha Thana to GGHS No. 2 Batkhela but even then private respondent No. 4 remained posted on the said school with effect from 26.02.2019 and also received salaries without any position code. The inquiry committee in its findings had held that the negligence of dealing staff of GGHS Batkhela No. 2 in the matter could not be ignored. We are, however of the view that the concerned DEO (F) Malakand was also responsible for such lapse.

It is evident from the findings of the inquiry committee that the post of SST (G) was not shifted from GGHS Badam Baghecha No. 2 and one Miss. Anisa Chand was transferred to that post due to

Handwritten signature and official stamp of the inquiry committee.

which private respondent No. 4 became surplus. It is pertinent to mention that the appellant was not at all heard by the inquiry committee and was thus condemned unheard.

7. The appellant had served in GGCMS Karkani Khar with effect from 06.01.2018 till her transfer to GGHS Jalala vide order dated 13.06.2022. The appellant was, however not allowed to complete her normal tenure and her transfer order was withdrawn vide impugned order dated 12.12.2022. Supreme Court of Pakistan in its judgment reported as PLD 2013 Supreme Court 195 has held as below:-


"12. This Court, in a number of precedents has, interpreted and emphasized these very principles, some of which need to be reiterated at this point. Before that, however, we may note the precept and rule of public trust which forms the basis of this area of the law. This court has repeatedly observed that "functionaries of the State are fiduciaries of the people and ultimately responsible to the people who are their pay masters." [Syed Yousaf Raza Gillani v. Assistant Registrar, (PLD 2012 SC 466) affirming Muhammad Yasin v. Federation of Pakistan]. Most recently, in the case relating to dual nationality of Parliamentarian, we have reiterated that "all State authority is in the nature of a 'sacred trust' and its bearers should therefore be seen as fiduciaries" (Mehmood Akhtar Naqvi v. Federation of Pakistan, Const. P.5/2012). One of the implications of this concept, highlighted in the case-law considered below, is that the matter of tenure, appointment,


REGISTERED
 JUDGE
 Services Tribunal
 Islamabad

posting, transfer and promotion of civil servants cannot be dealt with in an arbitrary manner; it can only be sustained when it is in accordance with the law. Moreover, the use of the words 'in the public interest' in such matters are not fatuous or pointless, but emphasize the fiduciary nature of orders relating to tenure, posting etc. Thus a proposed decision which deviates from the accepted or rule-based norms without proper justification, can be tested on the touchstone of a manifest public interest."
(Emphasis supplied)

8. In view of the above discussion, the appeal in hand is allowed by setting-aside the impugned orders and the respondents are directed to allow the appellant to complete her normal tenure at GGHS Jalala. Parties are left to bear their own costs. File be consigned to the record room.

ANNOUNCED
03.10.2023


(SALAH-UD-DIN)
MEMBER (JUDICIAL)
CAMP COURT SWAT


(RASHIDA BANO)
MEMBER (JUDICIAL)
CAMP COURT SWAT

Naeem Amin

Certified to be true copy
Khyber Pakhtunkhwa
Service Tribunal
Peshawar

Date of Presentation of Application 01-11-23
Number of Pages
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Date of Completion of Copy 01-11-23
Date of Delivery of Copy 01-11-23

VAKALATNAMA
BEFORE THE KHYBER PAKHTUNKHWA SERVICE TRIBUNAL,
PESHAWAR.

Appeal No 12023

Shabnam Begum

(APPELLANT)
(PLAINTIFF)
(PETITIONER)

VERSUS

E & SE Deptt

(RESPONDENT)
(DEFENDANT)

I/We Shabnam Begum

Do hereby appoint and constitute **Noor Mohammad Khattak Advocate Supreme Court** to appear, plead, act, compromise, withdraw or refer to arbitration for me/us as my/our Counsel/Advocate in the above noted matter, without any liability for his default and with the authority to engage/appoint any other Advocate Counsel on my/our cost. I/we authorize the said Advocate to deposit, withdraw and receive on my/our behalf all sums and amounts payable or deposited on my/our account in the above noted matter.

Dated. 31/10/2023

Shabnam Begum

CLIENT

ACCEPTED

Noor Mohammad Khattak
NOOR MOHAMMAD KHATTAK
ADVOCATE SUPREME COURT

Waleed Adnan
WALEED ADNAN

Umar Farooq Mohmand
UMAR FAROOQ MOHMAND

Muhammad Ayub
MUHAMMAD AYUB

Mahmood Jan
MAHMOOD JAN
ADVOCATES

&

OFFICE:

Flat No. (TF) 291-292 3rd Floor,
Deans Trade Centre, Peshawar Cantt.
(0311-9314232)