

**BEFORE THE KHYBER PAKHTUNKHWA SERVICE TRIBUNAL, PESHAWAR**

**Appeal No.2027 of 2023**

**Mr.Said Amir Ali Shah, Village Secretary Village Council Kattan Bala, District Dir Upper.**

..... (Appellant)

**Versus**

1. The Director General Local Government & Rural Development Department Khyber Pakhtunkhwa Peshawar.
2. The Assistant Director Local Government & Rural Development Department, District Dir Upper.
3. Mr.Rahim Zada, Village Secretary, VC Aligasar, District Dir Upper.

.....(Respondents).

SCANNED  
KPST  
Peshawar

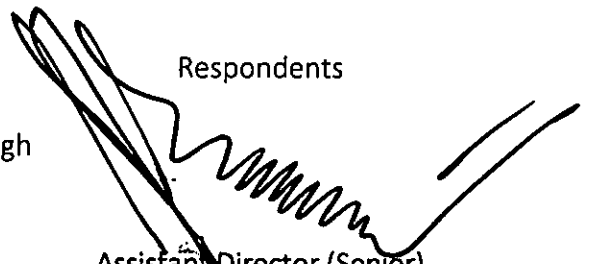
10/11/23

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Through

Respondents



Assistant Director (Senior)  
LG&RDD Headquarter Tehsil Dir  
Respondent No.2  
Assistant Director (Senior)  
LG&RDD Tehsil (HQ) Dir  
Badshah Zada

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**APPEAL UNDERS-4 OF THE KHYBER PAKHTUNKHWA SERVICE TRIBUNAL ACT-1974**

**COMMENTS/REPLY FROM RESPONDENT NO. 1 & 2.**

**Respectfully Sheweth.**  
**Preliminary Objections.**

Khyber Pakhtunkhwa  
Service Tribunal

Diary No. 8940

Dated 10-11-23

- i. That the appellant has got no cause of action.
- ii. That the appellant has no locus standi to file this appeal.
- iii. That the Post of Village Secretary is District Cadre and he can be transferred, posted anywhere in the district.
- iv. That the appellant did not approach this Honorable Court with clear hands/stance.

**REPLY ON FACTS:**

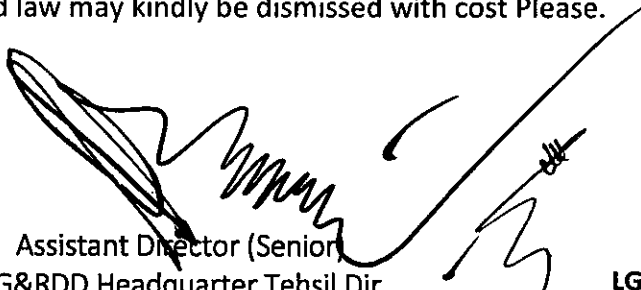
1. Para No-1 needs no reply.
2. Para No-2 is incorrect. The Post of Village Secretary is District cadre and he can transferred in the limits of concerned District.
3. Para No-3 is incorrect. The transfer order was issued according to law and rules.
4. That the appellant remain for 7 years as Secretary Village Council Kattan Bala and he was transferred to Village Council Aligasar in the best interest of Public and Village Council jabbar & Almas also with him in the additional charge, which is very nearest to the Village Council Katan Bala & Aligasar.
5. Para No-5 needs no reply/comments.
6. Para No-6 needs no reply/comments.

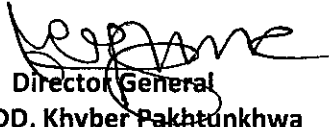
Assistant Director (Senior)  
LG&RDD Tehsil (HQ) Dir  
Badshah zada

REPLY ON GROUNDS.

- A. Para No-A is incorrect as the Appellant remain for 7 years a long period and he has been transferred in the best interest of public.
- B. Para-B is incorrect. As replied above.
- C. Para C is incorrect. As replied above.
- D. Para-D is incorrect based on baseless ground. The order was issued as per policy.
- E. Para-E is incorrect. The order was issued in public interest
- F. Incorrect. As replied in para-2.
- G. The respondent seek permission to raise additional grounds at the time of arguments.

It is therefore, humbly prayers that the instant appeal of the appellant being without merits and law may kindly be dismissed with cost Please.

  
Assistant Director (Senior)  
LG&RDD Headquarter Tehsil Dir  
Respondent No.2  
Assistant Director (Senior)  
LG&RDD Tehsil (HQ) Dir  
Badshah Zada.

  
Director General  
LG&RDD, Khyber Pakhtunkhwa  
Respondent No.1  
Gftikhar Alam.

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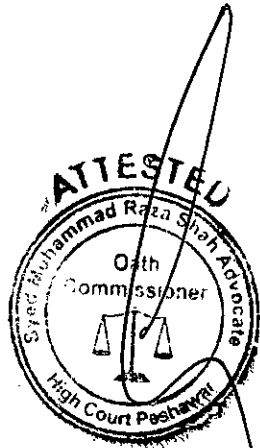
.....(Respondents).

**AFFIDIVIT**

I, Badshah Zada, Assistant Director (Senior) BPS-18 Local Government & Rural Development Department Headquarter Tehsil Dir district Dir Upper solemnly affirm and declare on oath that Joint Para wise reply in appeal. No. 2027/2023, Mr. Said Amir Ali Shah VS Government of Khyber Pakhtunkhwa etc are true and correct to the best of my knowledge & belief and nothing has been intentionally concealed from this Honorable Tribunal. It is further stated on oath that in this appeal the answering respondents have neither been placed ex-parte nor their defense has been struck off *Cost*

Identified By

Advocate General  
Khyber Pakhtunkhwa



*[Signature]*  
Deponent  
CNIC #. 15701-1221830-3  
Cell #. 0300-8158131  
Assistant Director (Senior)  
LG&RDD Tehsil (HQ) Dir  
Badshah Zada.



**DIRECTORATE GENERAL  
LOCAL GOVERNMENT & RURAL DEVELOPMENT  
DEPARTMENT KHYBER PAKHTUNKHWA**

**AUTHORITY LETTER**

Mr.Badshah Zada, Assistant Director (Senior) Local Government & Rural Development Department, Headquarter Tehsil Dir is hereby authorized to submit parawise comments /reply in Appeal No.2027/2023 Said Amir Ali Shah VS Government of Khyber Pakhtunkhwa in the Khyber Pakhtunkhwa Service Tribunal, Peshawar on behalf of respondent No.1.

*Azaf Asad*  
Assistant Director (Litigation)  
Directorate General LG & RDD  
Khyber Pakhtunkhwa  
*Azaf ul Hassan.*



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(E)

(10)

**OFFICE OF THE ASSISTANT DIRECTOR (SENIOR)  
LG & RDD, TEHSIL (HQ) DIR**

No. 8043 /AD/RDD/Dir Upper,

Dated Dir the 30 /10/2023

**AUTHORITY LETTER:**

Mr. Zia Ullah Assistant Engineer BPS-17 of this office is hereby authorized to attend the Honorable "Khyber Pakhtunkhwa Service Tribunal Peshawar" in connection with the case /Appeal "Said Amir Ali Shah Vs Directorate General LG E&RDD Khyber Pakhtunkhwa Peshawar and Assistant Director (Senior) LG &RDD Tehsil (HQ) Dir Upper" on behalf of the undersigned regularly till the decision of the hon'ble court.

  
ASSISTANT DIRECTOR (SENIOR)  
LGE & RDD, DIR UPPER

~~Assistant Director (Senior)~~  
LG&RDD Tehsil (HQ) Dir  
Badshah Zada

Even No & date above:

Copy forwarded for information to the:

- (i) Director General, LG E &RDD Khyber Pakhtunkhwa.
- (ii) Registrar Khyber Pakhtunkhwa, Service Tribunal, Peshawar.
- (iii) The Deputy Director (Litigation), LG E &RDD Khyber Pakhtunkhwa.

  
ASSISTANT DIRECTOR (SENIOR)  
LGE & RDD, (HQ) TEHSIL DIR

~~Assistant Director (Senior)~~  
LG&RDD Tehsil (HQ) Dir  
Badshah Zada.