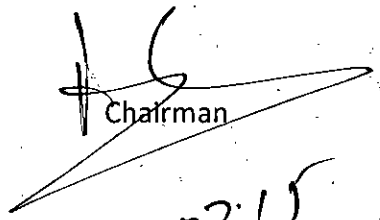


4

27.07.2015

Counsel for the appellant present. Submitted application for withdrawal of appeal. Dismissed as withdrawn. File be consigned to the record.

ANNOUNCED
27.7.2015


Chairman
27.07.15

2015-5-5

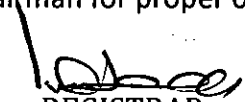


2015-5-5

2015-5-5

Form- A
FORM OF ORDER SHEET

Court of _____

Case No. 721/2015


S.No.	Date of order Proceedings	Order or other proceedings with signature of judge or Magistrate
1	2	3
1	26.06.2015	<p>The appeal of Mst. Aisha Nosheen resubmitted today by Mr. Noroz Khan Advocate, may be entered in the Institution register and put up to the Worthy Chairman for proper order.</p> <p style="text-align: right;"> REGISTRAR</p>
2	30-6-15	<p>This case is entrusted to S. Bench for preliminary hearing to be put up thereon <u>2-7-2015</u></p> <p style="text-align: right;"> CHAIRMAN</p>
3	02.07.2015	<p>None present for appellant. The appeal be relisted for preliminary hearing for 27.7.2015 before S.B.</p> <p style="text-align: right;"> Chairman</p>

The appeal of Mst. Aisha Nosheen Wife of Dr. Mehtab Assistant Professor received to-day i.e. on 22.06.2015 is incomplete on the following score which is returned to the counsel for the appellant for completion and resubmission within 15 days.


1- Memorandum of appeal may be got signed by the appellant.

No. 977 /S.T,

Dt. 22/7/2015


REGISTRAR
SERVICE TRIBUNAL
KHYBER PAKHTUNKHWA
PESHAWAR.

Mr. Noroz Khan Adv. Pesh.

Re-submitted on
26/6/2015


Before the Services Tribunal Khyber Pakhtunkhwa Peshawar

Service Appeal. No. 721/2015.

Aisha Nosheen
(Appellant)



Govt of KPK & Other
(Respondents)

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S.No.	Description	Annexure	Page No.
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3	Addresses of Parties		5
4	Application for Condonation of delay		6
5	Two Years Lien	A	7
6	Application for extension of lien for one year	B	8
7	Order of Regret of lien	C	9
8	Posting of appellant as lecturer in GGC Jamrud.	D	10
9	Offer of appointment as Assistant Professor PBS-18 temporary.	E	11
10	Notification of appointment	F	12
11	Wakalat Nama		13

Dated. 19/06/2015.

Appellant

Through

NOROZ KHAN
AMBER NAWAZ KHAN

Advocates High Court Peshawar.
Office. 14-A Haroon Mansion Khyber Bazaar Peshawar.
Mob-0333-9159998. Tel. 091-5522107, Fax. 2562268.

BEFORE THE SERVICES TRIBUNAL KHYBER PAKHTUNKHWA PESHAWAR

Service Appeal No. 721 of 2015.P.W.F. Province
Service TribunalDiary No. 733Dated 22-6-2015

Aisha Nosheen wife of Dr. Mehtab, lecturer Assistant Professor (Pol.Sci) Islamabad Model college for girls I-10/4 Islamabad resident of H.No. 534, street-22, sector-F/10 Phase IV Hayatabad Peshawar. Cell No. 03349169422.

(Appellant)



1. **Government of Khyber Pakhtunkhwa** through Secretary higher Education Civil secretariat Peshawar. PH:9213501,9213502 Ext:105.
2. **Director Higher Education**, Khyber Pakhtunkhwa Peshawar.
3. **Director Education (FATA)**, Warsak road Peshawar.

(Respondents)

SERVICE APPEAL UIS 4 OF SERVICES TRIBUNAL ACT 1974 RIW**SECTION 13 PARA 3 OF ESTABLISHMENT CODE**

Filed to-day

Registered

22/6/15

Prayer-

On acceptance of this Service Appeal in hand, the respondents may kindly be directed to extend the lien of the appellant and return back the appellant to her parent department accordingly. And any other remedy may also be awarded not specifically mentioned.

re-submitted to-day
and filed;

Registered

22/6/15

Respectfully sheweth,

The appellant humbly submits as under:

ON FACTS.

1. That the Appellant is resident of Hayatabad Peshawar.
2. That the appellant was serving as Lecturer in Political science (BPS-17) in Government Girls Degree College Jamrud Khyber Agency.
3. That the appellant taken lien from the respondents for two years and she is appointed as Assistant Professor (BPS-18) in Islamabad Model Degree College for Girls (IMCG) under the control of Federal Directorate of Education Islamabad, while passing Federal Public Service Commission. (copy of Lien is hereby attached as annexure "A").
4. That the period of two years Lien is completed on 21/02/2015.
5. That the period of lien is further extendable for one year as a matter of right.
6. That the respondents are liable to extend the period of lien for further one year on humanitarian ground also.
7. That the appellant made application to the respondents for the extension of one year lien prior to expiry of the 2 years lien. (Copy of the application is hereby attached as annexure "B").
8. That the respondent regretted extension of lien to the appellant. (Copy of the regretted order is hereby attached as annexure "C").
9. That the said post of lecturer in Political science (BPS-17) in Government Girls Degree college Jamrud Khyber Agency is still vacant.
10. That the appointment of the appellant as Assistant Professor (BPS-18) in Islamabad Model Degree College for Girls (IMCG) under the control of Federal Directorate of Education Islamabad is **temporary** in nature.

GROUND

- a. That the appellant is resident of Hayatabad Peshawar.
- b. That the Lien is further extendable for one year as a matter of right.
- c. That the respondents are liable to extend the period of lien for further one year under section 13 para 3 of the Establishment code.
- d. That the respondents are liable to extend the period of lien for further one year on humanitarian ground also.
- e. That the said post of lecturer in Political science (BPS-17) in Government Girls Degree college Jamrud Khyber Agency is still vacant.

- f. That the appointment of the appellant as Assistant Professor (BPS-18) in Islamabad Model Degree College for Girls (IMCG) under the control of Federal Directorate of Education Islamabad is **temporary** in nature.
- g. That some grounds will be raised at the time of hearing.


Dated. 19/06/2015.

Appellant

Through


NOROZ KHAN
AMBER NAWAZ KHAN





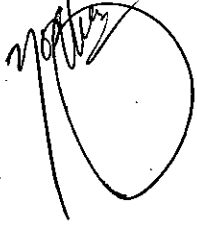
Advocates High Court Peshawar.
 Office.14-A Haroon Mansion Khyber Bazaar
 Peshawar. Mob-0333-9159998.Tel.091-5522107,
 Fax.2562268.

CERTIFICATE

It is certified that no such Service Appeal has been filled earlier on this subject matter before this Honourable Tribunal.

LAW BOOKS.

1. Constitution of Islamic Republic of Pakistan 1973.
2. Estacode for Khyber Pakhtunkhwa,
3. Services Laws.
4. Law books as per need.



INTERIM RELIEF.

By way of this interim relief it is humbly prayed that may kindly the respondent be restrain from filling the said vacant post and any adverse action against the appellant till the final disposal of this Service Appeal.



Before the Services Tribunal Khyber Pakhtunkhwa Peshawar

Service Appeal. No. /2015.

Aisha Nosheen
(Appellant)

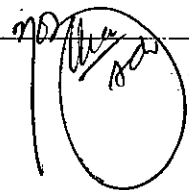


Govt of KPK & Other
(Respondents)

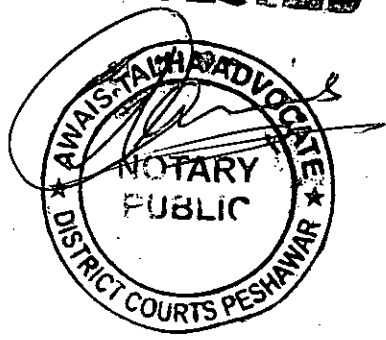
AFFIDAVIT

I, Noroz Khan Advocate High Court do hereby declare that the contents of this Service Appeal are true and correct and nothing has been concealed from this Honourable Court.

Dated.19 /06/2015.

Deponent 

ATTESTED



Before the Services Tribunal Khyber Pakhtunkhwa Peshawar.

Service Appeal. No. ___/2015.

Aisha Nosheen
(Appellant)



Govt of KPK & Other
(Respondents)

ADDRESSES OF PARTIES

(Petitioner)

Aisha Nosheen wife of Dr. Mehtab, lecturer Assistant Professor (Pol.Sci) Islamabad Model college for girls I-10/4 Islamabad resident of H.No. 534, street-22, sector-F/10 Phase IV Hayatabad Peshawar. Cell No. 03349169422.

(Respondents)

1. **Government of Khyber Pakhtunkhwa** through Secretary higher Education Civil secretariat Peshawar. PH:9213501,9213502 Ext:105.
2. **Director Higher Education**, Khyber Pakhtunkhwa Peshawar.
3. **Director Education (FATA)** , Warsak road Peshawar.

Dated. 19/06/2015.

Petitioner

Through

NOROZ KHAN

AMBER NAWAZ KHAN

Advocates High Court Peshawar.

Office.14-A Haroon Mansion Khyber Bazaar Peshawar.
Mob-0333-9159998.Tel.091-5522107, Fax.2562268.

Before the Services Tribunal Khyber Pakhtunkhwa Peshawar

Service Appeal. No. /2015.

Aisha Nosheen
(Appellant)

V
ersus

Govt of KPK & Other
(Respondents)

**Application U/S 14 of Limitation Act for
condonation of delay due to wrong forum.**

Prayer..

On acceptance of this Application in hand the condonation of delay may kindly be granted

Respectfully sheweth,

The applicant humbly submits as under:

1. That instead of this August Forum (Services tribunal Khyber Pakhtunkhwa) the applicant have wrongly been filed writ petition before the Peshawar High Court Peshawar. Copy of the said writ Petition No. 1324/2015 which is dismissed with directions to touch proper forum copy of the writ petition and judgement is hereby "B").
2. That the applicant/appellant is entitle for condonation of delay U/S 14 of Limitation Act.

Dated. 19/06/2015.

Applicant/Appellant.

through

NOROZ KHAN

Advocate High Court Peshawar.

Office.14-A Haroon Mansion Khyber Bazaar Peshawar.
Mob-0333-9159998.Tel.091-5522107, Fax.2562268.

AFFIDAVIT

I, Aisha Nosheen wife of Dr. Mehtab do hereby declare that the contents of this application is correct to the best of my knowledge and belief and nothing has been concealed from this August tribunal.

Aisha



GOVERNMENT OF KHYBER PAKHTUNKHWA
HIGHER EDUCATION, ARCHIVES &
LIBRARIES DEPARTMENT

Dated Peshawar: the 20th February 2013.

NOTIFICATION

LIEN

No. SO(FC)HE/1-2/08/Aisha Nosheen. Consequent upon her selection by Federal Public Service Commission as Assistant Professor (B-18) in Federal Directorate of Education Islamabad, the Competent Authority is pleased to relieve Ms. Aisha Nosheen, lecturer in Political Science (BS-17), Government Girls Degree College Jamrud Khyber Agency w.e.f. 22-02-2013 (A.N) enabling her to join her new assignment.

The lady officer was appointed on regular post by Public Service Commission and under the existing rules; two years lien is also granted so that she could be retained in her parent Department.

SECRETARY TO
GOVT. OF KHYBER PAKHTUNKHWA
HIGHER EDUCATION DEPARTMENT.

Endst: No. & Date Even

Copy forwarded to the:-

1. Director Higher Education, Khyber Pakhtunkhwa Peshawar.
2. Director Education FATA, Secretariat of FATA, Khyber Pakhtunkhwa Peshawar.
3. Federal Directorate of Education Islamabad.
4. Principal Government Girls Degree College Jamrud Khyber Agency.
5. Agency Accounts Officer Khyber Agency.
6. Officer Concerned.

ATTESTED

20/2/13
WOPOL
Advocate General
14-A Hazrat Nizamuddin
Khyber Bazar Peshawar
0332-9759990 001-5622107


(Wajeeha Bashir)
Section Officer(C-III)

ANNEXURE

B **8**

To

The Secretary
Higher Education Department,
Khyberpakhtunkhwa, Peshawar

Subject: Grant of one year Extension in LIEN

Sir/Madam,

With due respect it is to be informed that I have been on two years' LIEN w-e-f 22-02-2013 after having been relieved vide Notification NO: SO(FC) HE/ 1-2/08/Aisha Nosheen dated 20-02-2013, enabling me to assume new assignment as Asstt.Prof.(Pol.Sci) under Federal Directorate of Education, Islamabad (selected through FPSC).

Keeping in view the mandatory nature of probation period with FDE, Islamabad and sensitivity of LIEN at KPK, I would therefore request you that kindly one year extension may please be granted, so that I may be retained in parent department of Higher Education, KPK

Thanks.

Dated: 15 / 01/2015

Yours Obediently,

Aisha
Aisha Nosheen,

Asstt.Prof.(Pol.Sci)

Islamabad Model College for Girls (IMCG)

I-10/4, Islamabad.

Mailing Address: House#534, Street#22, Sector F.10, Phase 6, Hayatabad.

Record
15/01/15

ATTESTED

Noroz Khan
NOROZ KHAN
Advocate High Court
14-A Haroon Bazar
Khyber Bazar Peshawar
0333-9159998 091-5322107

091-9213501-02
Ext: 105
Fax # 091-9210368

GOVERNMENT OF KHYBER PAKHTUNKHWA
HIGHER EDUCATION, ARCHIVES &
LIBRARIES DEPARTMENT



No.SO(C-III)/HE/1-2/08/Aisha Nosheen/
Dated Peshawar, 09th April, 2015

To

The Director,
Higher Education, Khyber Pakhtunkhwa
Peshawar.

Subject: GRANT OF EXTENSION IN LIEN.

I am directed to refer to the subject noted above and to state that the Competent Authority has regretted extension in lien period in respect of Ms. Aisha Nosheen, Lecturer in Political Science, Govt. Girls Degree College, Jamrud, Khyber Agency. The lady officer may be informed accordingly.

Sd-
Section Officer (Colleges-III)

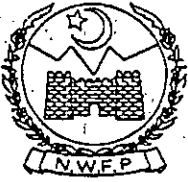
Copy to:

1. The Director (FATA) Education, Warsak Road, Peshawar, Khyber Pakhtunkhwa.
2. Aisha Nosheen, Assistant Professor of Political Science, Islamabad Model College for Girls (IMCG), 1-10/4, Islamabad.

Sd-
Section Officer (Colleges-III)

ATTESTED

Noroz Khan
NOROZ KHAN
Advocate High Court
14-A Haroon Bastion
Khyber Bazar Peshawar
0333-9159999 091-9222197



GOVERNMENT OF N.W.F.P.
HIGHER EDUCATION ARCHIVES & LIBRARIES DEPARTMENT

Dated Peshawar: 31st March 2009,

CORRIGENDUM

No.SO(FC)HE/1-2/08/V-IV/Recruitment. In partial modification of this Department's Notification of Even No. dated 20th December 2008, at S.No.3 in column No:4, the posting place of Aisha Nosheen D/O Muhammad Hakim Khan, lecturer may be read as "GGC Jamrud Khyber Agency" instead of "GGC # 2, D.I.Khan".

SECRETARY TO GOVT: OF NWFP,
HIGHER EDUCATION DEPARTMENT

Endst: **NO. & DATE EVEN.**

Copy forwarded to the: -

1. Director, Higher Education, NWFP, Peshawar.
2. Director Education FATA NWFP.
2. District Accounts Officer D.I.Khan.
3. Agency Accounts Officer Jamrud.
4. Principal, GGC # 2, D.I.Khan
5. Principal, GGC, Jamrud Khyber Agency.
6. Officer concerned.

(Asifa Sarwar)
SECTION OFFICER (FC)

ATTESTED

NOROZ KHAN
Advocate High Court
14-A Haroon Mansion
Khyber Bazar Peshawar
0333-9150998 091-5522107

By REGISTERED

No.F.2-116/2012-MC
Government of Pakistan
Ministry of Capital Administration and Development

Islamabad, the 11th January, 2013.

SUBJECT: OFFER OF APPOINTMENT TO THE POST OF ASSISTANT PROFESSOR (FEMALE) (BS-18) IN ISLAMABAD MODEL COLLEGES, FEDERAL DIRECTORATE OF EDUCATION, ISLAMABAD.

With reference to his application addressed to the Secretary, Federal Public Service Commission for the post of Assistant Professor (BPS-18), she is informed that on the recommendation of Federal Public Service Commission, she has been selected for appointment to the post of Assistant Professor (Political Science) (BS-18), in Federal Directorate of Education, Islamabad on the following terms and conditions:-

- i. Her services will be governed in accordance with Civil Servants Act, 1973, (Appointment, Promotion and Transfer) Rules, 1973 and recruitment rules of Department of Libraries, Islamabad.
- ii. She will draw initial pay in the BS-18 of Rs.20,000-1500-50,000/-, or pay will be fixed at a stage as admissible under the Rules in BPS-18.
- iii. She will be required to give an undertaking in the prescribed form.
- iv. The post is temporary but likely to continue.
- v.
 - a) The appointee shall be on probation for a period of one year.
 - b) On the termination of the period of probation, the Government may confirm in her appointment as and when the post is placed on permanent basis. If her work and conduct has in the opinion of the Government has been unsatisfactory, Government may either discharge her from service or revert to her substantive appointment or extend her period of probation for such further period, as Government may deem fit.
 - c) If no action is taken by the Government under (b) above the period after the prescribed period of probation shall be treated as extended until further orders.
- vi. Her appointment will be subject to a satisfactory report on the verification of her character and antecedents.
- vii. Pending certain verification of her character and antecedents her appointment will be provisional and as long as her appointment is provisional her services are liable to be terminated without notice.

Continue....P/2

ATTESTED


NOROZ KHAN
Advocate High Court
14-A Haroon Khan
Khyber Bazar Peshawar
0303-9169988 091-6022107

From Pre-Page.

- viii. Before assuming charge, she will be required to submit two character certificates from two persons residing in Pakistan and holding post in BPS-18 or above under Federal/Provincial Government.
- ix. She will be required to produce a citizenship/domicile certificate from the appropriate authorities.
- x. She will be appointed after being declared medically fit by the Medical Board to be constituted by the Civil Surgeon concerned. The expenses in connection with the medical examination will be payable by her.
- xi. In case she is a permanent employee of the Federal/Provincial Government she will be entitled to joining time and TA/DA as admissible under the rules for joining the post offered.
- xii. Her seniority vis-a-vis other selected would be determined in order of merit as assigned by the Federal Public Service Commission, Islamabad.

2. If the offer is acceptable to her on the terms and conditions mentioned above, she should report in Federal Directorate of Education (Model Colleges Wing), Rohtas Road, Sector G-9/4, Islamabad for obtaining a letter for medical examination immediately but not later than 30 days from the date of issue of this letter.

(MAHMOOD KHAN LAKHO)
EDUCATION OFFICER (FDE)
TELE: 051-9204419

Ms. Aisha Nosheen,
C/o Haji Madam Khan Naswar-Farosh,
Near Bluetec CNG opposite BISE,
PESHAWAR.

TO BE PUBLISHED IN PART-III OF THE GAZETTE OF PAKISTAN

GOVERNMENT OF PAKISTAN
FEDERAL DIRECTORATE OF EDUCATION
(MODEL COLLEGES WING)

Islamabad, February 28, 2013

NOTIFICATION

No. F. 5-600/2013/MC/FDE - Consequent upon her relieving from the post of Lecturer in Political Science (BS-17), Government Girls Degree College Jamrud Khyber Agency under Higher Education, Archives & Libraries Department, Govt. of Khyber Pakhtunkhwa w.e.f. 27-02-2013 (A.N) and her appointment as Assistant Professor (Political Science) (BS-18) vide Ministry of CA&D's offer of appointment letter No. F.2-116/2012-MC dated 11-01-2013 and on the recommendation of Federal Public Service Commission, Ms. Aisha Nosheen is hereby posted in Islamabad Model College for Girls, I-10/4 Islamabad against a vacant post of Assistant Professor, BS-18 (evening shift) w.e.f. 28-02-2013 to join her new assignment.

2. This is issued with the approval of Director General (Education).

(PROF. DR. M. TARIQ MASOOD)
Director (Model Colleges)

THE MANAGER,
Gazette of Pakistan,
Printing Corporation of Pakistan Press,
University Road, Karachi No. 05

Copy to:

- i. The AGPR, Islamabad
- ii. The Education Officer (FDE), MoCA&D, Islamabad.
- iii. The Director General (Education), FDE Islamabad.
- iv. The Section Officer, (C-III),
Higher Education, Archives & Libraries Department,
Khyber Pakhtunkhwa, Peshawar.
- v. The Principal, IMCG, I-10/4 Islamabad
- vi. The Principal, Govt. Girls Degree College Jamrud, Khyber Agency.
- vii. The Estate Officer, Estate Office, Islamabad.
- viii. Officer Concerned.
- ix. ACR section, FDE
- x. Personal File.

ATTESTED

Noroz Khan
NOROZ KHAN
Advocate High Court
14-A Haroon Road
Khyber Bazar Peshawar
0333-9159998 091-5522107

Zulfiqar Ali
(ZULFIQAR ALI)
Deputy Director (Model Colleges)

WAKALAT NAMA

Before the Services Tribunal Khyber Pakhtunkhwa Peshawar

Service Appeal. No. /2015.

Aisha Nosheen
(Appellant)



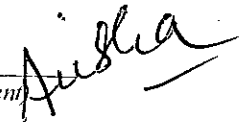
Govt of KPK & Other
(Respondents)

From: 1, (Appellant) For the captioned title Writ Petition do hereby appointed & constitute the below mentioned counsels in subject proceedings and authorize him to appear plead etc. Compromise withdraw or refer the matter for arbitration for me/us without any liability of his default and receive all sums and amounts payable to me/us and do all such acts which he may deem necessary for protecting my/our interests in the matter. He is also authorized to file appeal, Revision, Review, Application for Restoration or application for setting aside ex-parte decree proceedings on my/our behalf.

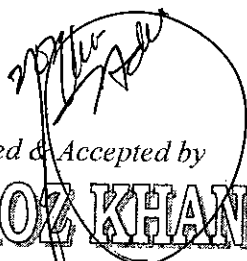
In case if the parties arrives in compromise or any other proceedings, which puts an end to the litigation, fee paid to the counsel as a whole or in installment shalln't be refundable.

My/our counsel shalln't be responsible for the consequences of any of my/our illegal act or acts. This Wakalat Nama is signed by me/us after having read fully and understood the contents of it. Moreover there is no agreement.

Dated. 19/06/2015.

(Client) 

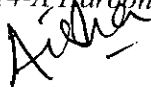


Attested & Accepted by

NOROZ KHAN
AMEER NAWAZ KHAN

Advocates High Court Peshawar

Office:

14-A Haroon Mension Khyber Bazar Peshwar. Tel-091-5522107 Mob. 0333-9159998



Before the services Tribunal Khyber Pakhtunkhwa Peshawar

Aisha Nosheen
(accused/ Petitioner)



Government of KPK & Others
(Respondents)

APPLICATION FOR WITHDRAWAL OF SERVICE APEAL

Respectfully sheweth,

The applicant/Appellant submits as under:

1. That the captioned title service appeal is pending before this August Tribunal which is fixed for today in attendance.
2. That as the matter is resolved by the respondents due to this reason the applicant/ appellant is no more inclined to litigate the case in question as the matter is no more exist.

It is Therefore, humbly prayed that may kindly on acceptance of this application the service appeal may kindly be considered dismissed as withdrawn.

Dated. 25/07/2015.

Applicant/ appellant
Through

NOROZ KHAN
AMEER NAWAZ KHAN

(Advocates Peshawar)
Cell No. 0333-9159998.