


FORM OF ORDERSHEET

Court of \_\_\_\_\_

Case No. \_\_\_\_\_ /2023


S.No.	Date of order proceedings	Order or other proceedings with signature of judge
1	2	3
1	02.10.2023	<p>As per direction of the Worthy Chairman the present appeal is fixed for decision on office objections before touring Single Bench at Swat on</p> <p style="text-align: right;"> REGISTRAR</p>

The appeal of Mr. Fazal Mahood son of Morat Khan r/o village Shaipin District Swat received today i.e on 15.09.2023 is incomplete on the following score which is returned to the counsel for the appellant for completion and resubmission within 15 days.

- 1- Copy of enquiry report mentioned in para-6 of the memo of appeal is not attached with the appeal.
- 2- Copy of removal from service order of appellant mentioned in the heading of the appeal is not attached with the appeal.
- 3- Pages no. 10, 11, 12, 26, 27, 28, 29, 30, 31 and 33 of the appeal are illegible which may be replaced by legible/better one.

No. 3233 /S.T.

Dt. 18-09 /2023.

  
18/9/23

REGISTRAR  
SERVICE TRIBUNAL  
KHYBER PAKHTUNKHWA  
PESHAWAR.

Mr. Sabir Shah Adv.  
High Court at Swat.

*Resubmitted after  
needed Resubmissions.*

*Re-Submitted. 22-9-23*

*The objection ~~was~~ may kindly be removed as that the enquiry report and the removal was not handed over to the appellant.*

*The remaining objections were removed.*

*Please ~~place~~ before the Tribunal fixed as the department submitted their comments but the removal order and inquiry was not annexed in their comments -*

*Quintessence*

*28-09-2023*

Sr,  
The objections No. 01 and 02 are still standing. The learned counsel for the appellant resubmitted with a request to fix it before the Tribunal. Hence, the request is submitted for perusal and an appropriate order, please.

Hon'ble Chairman  
w  
02/10/23

A  
02/10/23

KHYBER PAKHTUNKHWA SERVICE TRIBUNAL, PESHAWAR.

CHECK LIST

Case Title: Fazal Mahmood vs. Govt of KP/K

S#	CONTENTS	YES	NO
1	This Appeal has been presented by:		
2	Whether Counsel/Appellant/Respondent/Deponent have signed the requisite documents?	✓	
3	Whether appeal is within time?	✓	
4	Whether the enactment under which the appeal is filed mentioned?	✓	
5	Whether the enactment under which the appeal is filed is correct?	✓	
6	Whether affidavit is appended?	✓	
7	Whether affidavit is duly attested by competent Oath Commissioner?	✓	
8	Whether appeal/annexures are properly paged?	✓	
9	Whether certificate regarding filing any earlier appeal on the subject, furnished?	✓	
10	Whether annexures are legible?	✓	
11	Whether annexures are attested?	✓	
12	Whether copies of annexures are readable/clear?	✓	
13	Whether copy of appeal is delivered to AG/DAG?	✓	
14	Whether Power of Attorney of the Counsel engaged is attested and signed by petitioner/appellant/respondents?	✓	
15	Whether numbers of referred cases given are correct?	✓	
16	Whether appeal contains cutting/overwriting?	✓	
17	Whether list of books has been provided at the end of the appeal?	✓	
18	Whether case relate to this court?	✓	
19	Whether requisite number of spare copies attached?	✓	
20	Whether complete spare copy is filed in separate file cover?	✓	
21	Whether addresses of parties given are complete?	✓	
22	Whether index filed?	✓	
23	Whether index is correct?	✓	
24	Whether Security and Process Fee deposited? On	✓	
25	Whether in view of Khyber Pakhtunkhwa Service Tribunal Rules 1974 Rule 11, notice along with copy of appeal and annexures has been sent to respondents? On	✓	
26	Whether copies of comments/reply/rejoinder submitted? On	✓	
27	Whether copies of comments/reply/rejoinder provided to opposite party? On	✓	

It is certified that formalities/documentation as required in the above table have been fulfilled.

Name:

Sabira Shah

Signature:

[Signature]

Dated:

15-9-93

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

Service Appeal No. \_\_\_\_\_ of 2023

Fazal Mabood

... Appellant

VERSUS

Government of KP and others.


... Respondents

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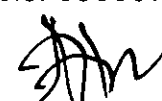
  
APPELLANT

Through Counsels

  
Sabir Shah

Advocate Supreme Court of Pakistan  
Cell No: 03005746744

&

  
Aftab Hussain Butt

Advocate High Court

Cell No.0313-9331973

Off: S.8,9 2nd Floor, Continental Plaza, Makanbagh, Mingora, District Swat.

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

Service Appeal No. \_\_\_\_\_ of 2023

Fazal Mabood S/O Marat Khan R/O Village Shalpin, Tehsil Khwazakhela, Pakhtunkhwa  
Distt: Swat. Service Tribunal

Diary No. 7586

... Appellant Dated 15/9/23

**VERSUS**

1. Government of Khyber Pakhtunkhwa through Secretary Elementary & Secondary Education, Khyber Pakhtunkhwa at Peshawar.
2. Director Elementary & Secondary Education, Government of Khyber Pakhtunkhwa at Peshawar.
3. District Education Officer Swat at Gulkadda Swat.
4. Principal GHSS Khwazakhela Swat.
5. District Account Officer, Swat at Saidu Sharif Swat
6. District Account Officer, Shangla, at Alpurai, Shangla

... Respondents

**Service Appeal Under Section 4 of Service Tribunal Act, 1974, against the order whereby the appellant has been removed from service by way of major penalty.**

**Prayer:**

**Filed to-day**

**Registrar**

**On acceptance of this service appeal, the impugned order may kindly be struck down and the official respondents may please be directed to re-adjust the appellant as Subject Specialist (Pakistan Studies) at any nearest station with all back benefits. IN ALTERNATIVE The pension case of the appellant may kindly be processed in accordance with law**

**Any other relief not specifically prayed but this august court deems proper may also be granted.**

Respectfully Sheweth:

1. That, appellant is the bona fide resident of Village Shalpin, Tehsil Khwazakhela, Distt Swat and was initially appointed as Sub Accountant in District Account Office Swat and served on the same at DAO Office Swat and Shangla from 18.02.1996 to 31.08.2003.

2. That, the appellant applied for Subject Specialist (Pakistan Studies) post through proper channel and was appointed as Subject Specialist (S.S) vide order dated 28-08-2003. It is pertinent to mention here that the applicant/ undersigned has properly been relieved by the Finance Department to join his new assignment as S.S with all back benefits. **(Copies of CNIC, order dated 28.08.2003 and relieve order along with its relevant documents are annexed as Annexure-A)**
3. That the appellant while serving as Subject Specialist, Pakistan Studies (S.S) at GHSS Khwazakhela, Swat applied for "leave with pay" w.e.f. 01-09-2006 to 11-11-2006 and subsequently "leave without pay" w.e.f. 12-11-2006 to 31-08-2008 which was allowed accordingly by the competent authority as per the applicable regulations and policies on the subject. **(Copies of applications and sanction of leave are annexed as Annexure-B)**
4. That, subsequent to the completion of the aforementioned approved leave, until 31.08.2008, it is pertinent to note that the security situation in Swat district underwent a significant deterioration, particularly affecting individuals serving in government positions. An escalated level of militancy in Swat district, specifically in Upper Swat where the duty school of applicant/undersigned, i.e. GHSS Khwazakhela is located, led to the closure of all schools, colleges, and government institutions. It is crucial to emphasize that the, appellant's family status and reputation being elders and respected family within the community made them a prime target for the militants, exacerbating the risks faced by both the applicant/undersigned and his family as they faced even direct threats from the militants. Given the gravity of the situation, it became abundantly clear that it would be life-threatening for the appellant and his family to remain in their village amidst such perilous circumstances.
5. In order to ensure his personal safety and well-being, it was an imperative and non-negotiable decision for the, appellant to relocate from his village and seek refuge in a more secure environment in other districts within Khyber Pakhtunkhwa or Islamabad, that were deemed comparatively safer. Consequent upon, the, appellant submitted an application seeking an extension of leave, effective from 01.09.2008 to 31.08.2011 as such actions were dictated by the sheer necessity of protecting himself and his family from imminent harm and danger. It is regrettable to state that, despite the passage of time, no response or communication has been received to date regarding the aforementioned applications. **(Copies of applications are annexed as Annexure-C)**

6. That, during the year 2010, an inquiry was launched against the appellant, necessitating his active participation in the proceedings. In response to this inquiry, the appellant promptly prepared and submitted his detailed written submissions to the inquiry officer/committee. The submissions, dated 20.09.2010, provided a comprehensive account of the undersigned's perspective and addressed the allegations levied against them. In order to further engage with the inquiry process and present his case in person, the, appellant appeared before the designated inquiry officer (Principal, GHSS No. 2 Peshawar Cantonment.) on 26.10.2010 and was provided with all relevant supporting documents by the, appellant. During the course of the hearing, the, appellant expressed his desire to resume his duties and sought guidance from the inquiry officer on the matter. In response, the inquiry officer advised the appellant to exercise patience and await the conclusion of the ongoing inquiry. Furthermore, the, appellant was informed that any decisions regarding his return to duty should be made in accordance with the final outcome of the inquiry process and any subsequent directives issued by the competent authority. **(Copies of inquiry proceedings and application dated 20.09.2010 are annexed as Annexure-D)**
7. That by adhering to the advice of the inquiry officer and awaiting the finalization of the inquiry proceedings, the appellant demonstrated his commitment to the fair and just resolution of the matter at hand. During this period, the appellant made multiple telephonic inquiries regarding the status and progress of the aforementioned matter. However, as no official order or response was received from the competent authority regarding the inquiry, the appellant undersigned exercised his right to pursue redressal by filing a departmental appeal before the esteemed before the Elementary & Secondary Education, Khyber Pakhtunkhwa, regrettably, the appellant did not receive a response within the prescribed statutory period. Consequently, in order to protect his legal rights and seek appropriate resolution, the appellant had no alternative but to file a service appeal bearing No. 7205 of 2021, within the designated time limit before the Honorable Khyber Pakhtunkhwa Service Tribunal. It is important to note that the service appeal filed before the tribunal was subsequently amended with the permission of the honorable tribunal, as reflected in the attached copies of the original service appeal and the amended service appeal. These documents provide a comprehensive overview of the undersigned's case and the steps taken to address the unresolved matter through the proper legal channels. **(Copies of departmental appeal, service appeal, amended service appeal are annexed as Annexure-E)**
8. That, in response to the service appeal filed by the appellant, comments were submitted by the respondents alleging therein, that the appellant



had been terminated from the service. However, it is important to note that no proper termination letter or removal order was specifically referenced or attached to the comments. **(Copy of comments is annexed as Annexure-F).**

9. That, during the course of final stage arguments in the service appeal, the honorable tribunal vide order/judgement dated 03.05.2023 granted permission to the appellant to withdraw his service appeal in order to allow the appellant to file a more appropriate representation or departmental appeal against the purported removal order before the competent authority. The tribunal recognized the need for the appellant to pursue the appropriate legal recourse and ensure that his rights were adequately protected. By allowing the withdrawal of the service appeal, the honorable tribunal provided an opportunity for the appellant to pursue a more targeted and focused approach in challenging the alleged removal order, hence the appellant filed a representation/departmental appeal before respondent No.1 well within time which was not decided within its statutory period, therefore the appellant having no other option but to file the instant service appeal within its statutory time limitation, inter alia, on the following grounds. **(Copies of order dated 03.05.2023 and representation/departmental appeal are annexed as Annexure-G)**

**GROUND:**

- A. That, actions and inactions of respondents are illegal, ultra vires, ultra-Sharia' and against the established norms of administration, therefore, are not tenable in the eyes of law.
- B. That, appellant has not been dealt with in accordance with law, which is the worst example of discrimination, therefore, is against the fundamental rights of the appellant, as enshrined in Articles 4, 25 & 27 of the Constitution of Islamic Republic of Pakistan, 1973.
- C. That, appellant has been deprived of his legal right of service, safeguarded by constitution of Islamic republic of Pakistan, 1973.
- D. That, the appellant has serving as government employee since his initial appointment at District Account office w.e.f. 18.02.1996 to 31.08.2008 and then from 01.09.2003 till now and is having pensionable service. **(Copy of length of service certificate and service book is attached herewith).**

- E.** That, the appellant has neither been allowed to join his duty nor has been served with an adverse order against him, therefore the appellant has been kept in hanging position which is against the law and rules on the subject.
- F.** The appellant finds himself in a state of uncertainty and limbo, as he has been left disconnected and excluded from the entire process subsequent to the departmental inquiry. Instead of being provided with relevant updates or information regarding the progress of the inquiry, the appellant was merely instructed to wait for the results of the said inquiry. This failure to keep the applicant/undersigned informed and involved in the proceedings has left him in a precarious position, with his rights and interests hanging in the balance. The appellant has been deprived of any meaningful participation or engagement in the subsequent stages of the process, thereby impeding his ability to effectively address the matter at hand and assert his rights. This exclusionary treatment is not only contrary to the principles of due process and fair treatment, but it also leaves the undersigned in a state of legal uncertainty. Summarily, the appellant is left without clarity regarding his current status and the implications of the ongoing inquiry, thus depriving him of the opportunity to present his case or respond to any allegations or decisions made in his absence.
- G.** Any other ground not specifically raised will be argued with the prior permission of this August tribunal.

In view of the above, it is therefore very humbly prayed that, on acceptance of this service appeal, the official respondents may please be directed to re-adjust the appellant as Subject Specialist (Pakistan Studies) at any nearest station with all back benefits.

**IN ALTERNATIVE**


The pension case of the appellant may kindly be processed in accordance with law.

Any other relief not specifically prayed but this august court deems proper may also be granted.

  
**Appellant**

**Through Counsels**

  
**Sabir Shah**  
**Advocate Supreme Court of Pakistan**

  
**Aftab Hussain Butt**  
**Advocate High Court**

BEFORE THE SERVICE TRIBUNAL, KHYBER PAKHTUNKHWA,  
PESHAWAR

Service Appeal No. \_\_\_\_\_ of 2023

Fazal Mabood

... Appellant

VERSUS

Government of KP and others.


... Respondents

**Certificate**

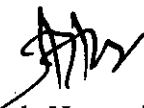
As per instructions received from my client, it is certified that no such like service appeal against the impugned orders, has been earlier filed before this Hon'ble Court.

  
Appellant

Through Counsel



Sabir Shah  
Advocate Supreme Court of Pakistan  
&

  
Aftab Hussain Butt  
Advocate High Court

BEFORE THE SERVICE TRIBUNAL, KHYBER PAKHTUNKHWA, PESHAWAR

Service Appeal No. \_\_\_\_\_ of 2023

Fazal Mabood

... Appellant

VERSUS

Government of KP and others.

Respondents

Affidavit

Fazal Mabood S/O Marat Khan R/O Village Shalpin, Tehsil Khwazakhela, Distt: Swat.do hereby solemnly affirm and declares on oath that, all the contents of the accompanying service appeal are true and correct to the best of my knowledge and belief and nothing has been kept concealed or withheld from this Hon'ble court.



Deponent

Fazal Mabood  
CNIC: 15602.3620630.5

Identified By:

Sabir Shah  
Advocate Supreme Court Of Pakistan  
&

Aftab Hussain Butt  
Advocate High Court

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

Service Appeal No. \_\_\_\_\_ of 2023

Fazal Mabood

... Appellant

VERSUS

Government of KP and others.

... Respondents

**Address of Appellant:**

Fazal Mabood S/O Marat Khan

R/O Village Shalpin, Tehsil Khwazakhela, Distt: Swat.

CNIC No: 15602-3620603-5

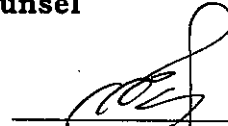
Cell No. 03469422559

**Addresses of Respondents:**

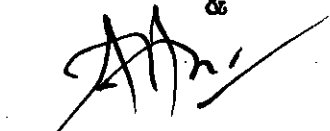
1. Government of Khyber Pakhtunkhwa through Secretary Elementary & Secondary Education, Khyber Pakhtunkhwa at Peshawar.
2. Director Elementary & Secondary Education, Government of Khyber Pakhtunkhwa at Peshawar.
3. District Education Officer Swat at Gulkadda.
4. Principal GHSS Khwazakhela Swat.

  
Appellant

Through Counsel



Sabir Shah  
Advocate Supreme Court of Pakistan  
&

  
Aftab Hussain Butt  
Advocate High Court

9



PAKISTAN National Identity

ISLAMIC REPUBLIC OF PAKISTAN

Name  
Fazal Mabood

فضل معبود



Father Name  
Marat Khan

مرات خان

Gender Country of Stay  
M Pakistan

Identity Number Date of Birth  
15602-3620630-5 20.01.1971

Date of Issue Date of Expiry  
01.02.2022 01.02.2032



Signature

Holder's Signature

ڈاک خان خوازہ خیلہ، شاپسین، تحصیل خوازہ  
خیلہ، ضلع سوات

15602-3620630-5



سنگل پتہ ڈاک خان خوازہ خیلہ، شاپسین، تحصیل خوازہ  
خیلہ، ضلع سوات

101671200980  
116-71-082390

Registrar General of Pakistan

گمشدہ کارڈ ملنے پر قریبی لیٹر بکس میں ڈال دیں

Signature

GOVERNMENT OF N.W.F.P.  
SCHOOLS & LITERACY DEPARTMENT.

DATED PESHAWAR THE 28-8-2003.

NOTIFICATION.

(No. SO(S)-2/2003/S.S.(M&T)). Upon the recommendation of the NWFP Public Service Commission, the Competent Authority has been pleased to appoint the following in-service candidates as Subject Specialist in the relevant subject in BPS-17 (Rs.6210-465-15510 plus usual allowances as admissible under the rules) under the provision of the Establishment and Admn: Department order No. SO(R-VI)(E&AD) 21/2003 dated 16-4-2003 on regular basis in relaxation of ban in effect from 1-9-2003:

- 1- Mr. Mukhtiar Ali S/O Qamar Ali.
- 2- Mr. Latifullah S/O Abdur Rab.
- 3- Mr. Muhammad Sayyar S/O Saad-ud-Din.
- 4- Mr. Inayatullah Khan S/O Haji Abdul Ghafar.
- 5- Mr. Sajid Mahmood S/O Qazi Muhammad Iqbal.
- 6- Mr. Qayum Nawaz S/O Ahmad Nawaz.
- 7- Mr. Muzaffar Ali Khan S/O Muhammad Fursan.
- 8- Mr. Ismetullah Khan S/O Ali Muhammad.
- 9- Mr. Muhammad Naeem Saddique S/O Muhammad Yasin Saddique.
- 10- Mr. Abid Hussain S/O Fazal Hussain.
- 11- Mr. Iftikhar Ahmad S/O Abdul Manan.
- 12- Mr. Abdul Basir S/O Muhammad Zaman.
- 13- Mr. Akber Saeed S/O Ismail Khan.
- 14- Mr. Dost Muhammad S/O Fazal Ahmad.
- 15- Mr. Kamal Ahmed S/O Mustafa Khan.
- 16- Mr. Akbar Khan S/O Musal Khan.
- 17- Mr. Noor Muhammad S/O Gu, Muhammad.
- 18- Mr. Sher Muhammad S/O Dilbar Khan.
- 19- Mr. Syed Shah Hussain Shah S/O Syed Chan Bad Shah.
- 20- Mr. Alimgir Afridi S/O Azad Bakht Afridi.
- 21- Mr. Fazal Mebood S/O Marat Khan.
- 22- Mr. Habibur Rehman S/O Akbar Ali Khan.
- 23- Mr. Nawazish Mehboob S/O Mehboob Elahi.
- 24- Mr. Iqtidar Ali S/O Khan Bahader.
- 25- Mr. Aziz Ahmad S/O Ahmad Saeed.
- 26- Mr. Feyyaz Ahmad Khan S/O Nisarul Hoq.
- 27- Mr. Muhammad Azim S/O Dilbar Khan.
- 28- Mst. Nejiya Ambreen D/O Muhammad Jahangir Khan.
- 29- Mst. Jamila Begum D/O Nek Amel.
- 30- Mr. Muhammad Naeem S/O Khan Nawaz.

ATTESTED  
to be true copy  
Advocate

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**GOVERNMENT OF N.W.F.P**  
**SCHOOLS & LITERACY DEPARTMENT**

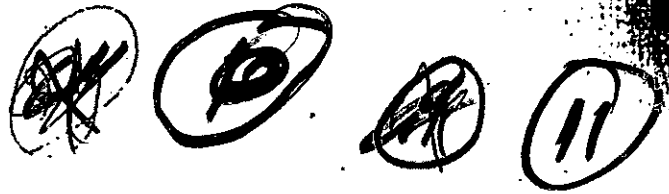
Dated Peshawar the 28/08/2003

**NOTIFICATION**

**No. SO(8)3-2/2003/S.S.(M&II).** Upon the recommendation of the NWFP Public Service Commission, the Competent Authority has been pleased to appoint the following in service candidates as Subject Specialist of the relevant subject in BPS-17 (Rs. 6210-465-15510) plus usual allowances admissible under the rules under the provision of the Establishment and Admn: Department order No. SO(R-VI) (E&AD)13-1/2003 dated 16/04/2003 on regular basis in relaxation of be with effect from 01/09/2003.

- 1- Mr. Mukhtiar Ali S/o Qamar Ali
- 2- Mr. Latifullah S/o AbdurRab.
- 3- Mr. Muhammad Sayyar S/o Saadud Din
- 4- Mr. Inayatullah Khan S/o Haji Abdul Ghafar.
- 5- Mr. SajidMehmood S/o Qazi Muhammad Iqbal.
- 6- Mr. Qayum Nawaz s/o Ahmad Nawaz
- 7- Mr. Muzafar Ali Khan S/o MuhamamdPursan.
- 8- Mr. Ismatullah Khan S/o Ali Muhammad
- 9- Mr. Muhammad naeemSaddique S/o Muhammad TasinSaddique
- 10- Mr. AbidHussain S/o FazalHussain
- 11- Mr. Iftikhar Ahmad S/o Abdul Manan
- 12- Mr. Abdul Basir S/o Muhammad Zaman
- 13- Mr. AkberSaeed S/o Ismail Khan
- 14- Mr. Dost Muhammad s/o Fazal Ahmad
- 15- Mr. Kamal Ahmad S/o Mustafa Khan
- 16- Mr. Akbar Khan S/o Musal Khan
- 17- Mr. Noor Muhammad S/o Gul Muhammad
- 18- Mr. Sher Muhammad S/o Dilbar Khan
- 19- Mr. Syd Shah Hussain Shah S/o Syed Chan Bad Shah
- 20- Mr. AlamgirAfridi s/o Azad BakhtAfridi
- 21- Mr. FazalMabood S/o marat Khan
- 22- Mr. habib Ur Rehman S/o Akbar Ali Khan
- 23- Mr. NawazishMehboob S/o MehboobElahi
- 24- Mr. Iqtidar Ali s/o Khan Bahadar
- 25- Mr. Aziz Ahmad S/o Ahmad Saeed
- 26- Mr. Fayyaz Ahmad Khan S/o NisarulHaq
- 27- Mr. Muhammad Azim S/o Dilbar Khan
- 28- Mst. NajiyaAmbareen D/o Muhammad Jehangir Khan
- 29- Mst. Jamila Begum D/o Nek Amal
- 30- Mr. Muhammad Naeem S/o Khan Nawaz





NO. Name of Candidates.	Place of Posting.	Remarks.
1. Mr. Dost Muhammed S/O Fozel Ahmed, Vill: Kochattia, P.O. Tehsil Ochi, Distt: Mansehra.	SS(History-Cum-Civics) GHSS, Boi, Abbottabad.	Against Vacant Post.
2. Mr. Kamal Ahmed S/O Mustafa Khan, S/O Shah Ullah Sub-Engineer Qtr. No. 2111 Officer Colony Miran Shah Road, Bannu.	SS(H/Cum-Civics) GHSS, Landiwah, Lakki Marwat.	-do-
3. Mr. Akbar Khan S/O Musal Khan, Akbar Khan C/O Sajid Medicose Bara Khyber Agency P.O. & Tehsil Bara.	SS(H/Cum-Civics) GHSS, Sheikhan, Peshawar.	-do-
4. Mr. Noor Muhammad S/O Ghani Muhammad, Moh: Shalmani, Vill: P.O. Dheri Alldand Malakand Agency.	SS(H/Cum-Civics) GHSS, Batera, Buner.	-do-
5. Mr. Sher Muhammed S/O Dilbar Khan, Aryana Public Call Office Bakht Alam Market Lamp Road, South Waziristan Agency.	SS(H/Cum-Civics) GHSS, Nagrai, Buner.	-do-
6. Syed Shah Huesain Shah S/O Syed Chohan Beda Shah, Vill: P.O. Akbar Pura, Moh: Bajka War, Dist: & Distt: Nowshera.	SS(Pak: Study) GHSS, Akberpura, Nowshera.	-do-
7. Mr. Alamgir Afridi S/O Azad Bakht Afridi, Shaheen Tent Service, Shaheen Town, University Road, Peshawar.	SS(Pak: Study) GHSS, Pirpai, Nowshera.	-do-
8. Mr. Fazal Mebood S/O Marat Khan, Habib Book Sellors P.O. Khwaza Khela, Distt: Swat.	SS(Pak: Study) GHSS, Khwaza Khela, Swat.	-do-
9. Mr. Habibur Rehman S/O Akbar Ali Khan, Vill: & P.O. Dallo Khel Teh: & Distt: Lakki Marwat.	SS(Pak: Study) GHSS, Nagrai, Buner.	-do-
10. Mr. Nawazish Mehboob S/O Mehbood Ellahi, Moh: Session House Shaker Shah Road, Haripur.	SS(Pak: Study) GHSS, Berot, Abbottabad.	-do-
11. Mr. Iqtidar Ali S/O Khan Bahadar, PTC, GSP Peshtakhara Payen Bara Road, Peshawar.	SS(Pak. Study) GHSS, Miarat Masoom, Abbottabad.	-do-
12. Mr. Aziz Ahmad S/O Ahmad Saeed, Aziz Ahmad C/O Saeedur Rehman (Principal) Gul Bahan Colony Kachi Find Khan D.I. Khan.	SS(Maths) GHSS, Joseera Chersadda.	-do-
13. Mr. Fayyaz Ahmed Khan S/O Nisar Haq, GHS No. 2 Pirpai Distt: Nowshera, Vill: Dagi Qadeem P.O. Dagi Banda Teh: & Distt: Nowshera.	SS(Maths) GHSS, Baidara, Swat.	-do-
14. Mr. Muhammed Azim S/O Dilbar Khan, Cdr: Dewen Khel Vill: & P.O. Lund Peshawar Tehsil Takht Bhai, Distt: Barden.	SS(Arabic) GHSS, Drosh Chitral.	-do-

ATTESTED Contd: Page- 4 -  
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 Advoc.

**BETTER COPY OF THE PAGE NO. 11**

Name of Candidates	Place of Posting	Remarks
Mr. Dost Muhammad S/o Fazal Ahmad Vill: Kochattia P.O. Tanail Oghi District Mansehra	SS (History-Cum-Civics) GHSS, Boi, Abbottabad	Against Vacant Post
Mr. Kamal Ahmad S/o Mustafa Khan C/O Ehad Ullah Sub engineer Atr. No. 111 Officer Colony Miran Shah Road, Bannu	SS (H/Cum-Civics) GHSS, Landi Wah, Lakki Marwat	-do-
Mr. Akbar Khan S/o Musal Khan, Akbar Khan C/o Sajid Medicose Bara Khyber Agency P.O & Tehsil Bara	SS (H/Cum-Civics) GHSS Sheikhan, Peshawar	-do-
Mr. Noor Muhammad S/o Ghani Muhammad, Moh. Shalmani Vill: & P.O Dheri Alladand Malakand Agency	SS (H/Cum-Civics) GHSS Baera, Buner	-do-
Mr. Sher Muhammad S/o Dilber Khan Aryana Public Call Officer Bakht Alam Market Lamp Road, South Waziristan Agency.	SS (H/Cum-Civics) GHSS Nagrai Buner	-do-
Syed Shah Hussain Shah S/o Syed Chan Bahadar Shah Vill: P.O Akbar Pura, Moh: Bajka War Abad Teh: & District Nowshera	SS (Pak Study) GHSS Akberpura, Nowshera	-do-
Mr. Alamgir Afridi S/o Azad Bakht Afridi Shaheen Tent Service Shaheen Town, University Road, Peshawar	SS (Pak Study) GHSS Pirpai, Nowshera	-do-
Mr. Fazal Mabood S/o Merat Khan Habib Book Sellora P.O Khawazza Khela District Swat	SS (Pak Study) GHSS Khawaza Khela Swat	-do-
Mr. Habib Ur Rehman S/o Akbar Ali Khan Vill: & P.O Dallo Khel Teh: & District Lakki Marwat	SS (Pak Study) GHSS Nagrai Buner	-do-
Mr. Nawazish Mehboob S/o Mehboodellahi Moh: Session House Shaker Shah Road, Haripur	SS (Pak Study) GHSS Berot, Abbottabad	-do-
Mr. Iqtidar Ali S/o Khan Bahadar PTC, GPS Pesh Takhara Payan Bara Road, Peshawar	SS (Pak Study) GHSS Ziaret Masoom, Abbottabad	-do-
Mr. Aziz Ahmad S/o Ahmad Saeed (Aziz Ahmad C/o Saeed Ur Rehman (Principal) Gul Bahar Colony Kachi Pind Khan D.I. Khan	SS (Maths) GHSS, Doseera Charsadda	-do-
Mr. Fayyaz Ahmad Khan S/o Nisar UI Haq GHS No.2 Pirpai Distt Nowshera Vill: Dagi Qadeem P.O Dagi Banda Teh: & Distt: Nowshera	SS (Pak Study) GHSS Baidera, Swat	-do-
Mr. Muhammad Azim S/o Dilbar Khan Mod: Dewan Khel Vill: & P.O Lund Khawar Tehsil Takht Bhai District Mardan	SS (Arabic) GHSS, Drosh Chitral	-do-

98

12

14

Director, Recruitment, NWFP Public Service Commission, Peshawar.  
 Principals Concerned, with the request to check the appointment  
 orders of in-service candidates in connection with their appoint-  
 ment on regular or on contract basis. In case the candidate has  
 been appointed on contract basis then this will be the responsib-  
 ility of the Head of the Institutions to inform this department  
 immediately to review appointment order of the said candidates.

- Candidates concerned (through Registered Cover).
- The Manager, Govt. Printing Press, NWFP, Peshawar.
- P.A. to Additional Secretary, S&L Deptt: NWFP.
- P.A. to Deputy Secretary (Admn) S&L Deptt: NWFP.
- Office order file.

*S. Mubarik Shah*  
 (SYED MUBARIK SHAH)  
 SECTION OFFICER (SCHOOLS).

M.S. MKK./.....

*[Signature]*  
 ATTESTED

ATTESTED  
*[Signature]*  
 to be true copy  
 Advocate

**BETTER COPY OF THE PAGE NO. 12**

1. Director Recruitment, NWFP Public Service Commission, Peshawar.
2. Principal Concerned with the request to check the appointment orders of in service candidates in connection with their appointment on regular or on contract basis. In case the candidate has been appointed on contract then this will be the responsibility of the Head of the Institution to inform this department immediately to review appointment order of the said candidates.
3. Candidates concerned (through Registered Cover)
4. The Manager, Govt. Printing Press, NWFP, Peshawar.
5. PA to Additional Secretary, S& L Deptt: NWFP.
6. PA to Deputy Secretary (Admn) S&L Deptt: NWFP.
7. Office order file.

(SYED MUBARIK SHAH)  
SECTION OFFICER (SCHOOLS)

M.S.KTK./\*\*\*\*\*

(13)

AFTER

(13)

(13)

GOVERNMENT OF N.W.F.P.  
FINANCE DEPARTMENT

OFFICE ORDER.

No:SO(ESTT)FD/1-79/2002. Consequent upon his appointment as Subject Specialist (BPS-17) in School & Literacy Department and posted at GHSS Khawaza Khela, Mr.Fazal Mabood, Sub-Accountant office of the DAO Shangla has been relieved of his duties in Treasury Establishment w.e.f. 31-8-2003 (A.N.) to enable him to join his new assignment. His lien will be retained in Treasury Establishment against his confirmed position in BPS-11 as per rules.

SECRETARY TO GOVT:OF NWFP  
FINANCE DEPARTMENT

NO:SO(ESTT)FD/1-79/2002 . Dated Peshawar, the 17-9-2003.

Copy forwarded to:-

1. The District Accounts Officer Shangla w/r to his letter No.1300-A/DAO/Shangl/Admn/ Dated 30-8-2003.
2. The Section Officer (Schools) Schools & Literacy Deptt: Govt:of NWFP w/r to his notification No.SO(S)3-2/2003/S.S(M&F) dated 28-8-2003.
3. The official concerned.

(NASRULLAH KHAN)  
SECTION OFFICER(ESTT/TRY)

Same as (13)

ATTESTED

THROUGH PROPER CHANNEL

13

75

To,

The Secretary,  
Govt: of NWFP, Finance,  
Department, Peshawar.

Attention,

Mr. Nasrullah Khan (S.O. Try: Esst:)

Subject:

RELIEVING ORDER.

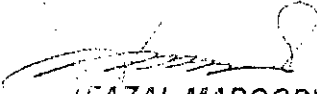
Sir,

With respects, it is submitted that after been allowed Departmental Permission by the Finance Department. I have been appointed as Subject Specialist (Pak: Studies) in BPS-17 Govt: of NWFP, Schools & Literacy Department, Peshawar Notification No. S.O (S)3-2/ 2003/S.S (Male & Female) dated 28/08/2003 (copy attached) and posted at Govt: Higher Secondary School Khwaza Kheia (C.No.21).

It is requested that I may kindly be relieved form my duties with effect form 31/08/2003 after Noon to Join my new assignment. it is further requested that permission to retain the lien on my present post as Sub-Accountant may also be accorded.

I shall be thankful to you Sir.

Yours obediently

  
(FAZAL MABOOD)  
SUB-ACCOUNTANT  
DISTRICT ACCOUNTS OFFICE  
SHANGLA AT ALPURI

Dated 29/08/2003.

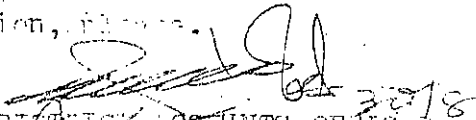
OFFICE OF THE DISTRICT ACCOUNTS OFFICER SHANGLA AT ALPURI.

Ref: No. 1377-A/DAC/Shangla/Alpuri/

Dated 30/08/2003.

Forwarded to Section Officer, Treasury Establishment

Department for further necessary action, please.

  
DISTRICT ACCOUNTS OFFICER  
SHANGLA AT ALPURI.

ATTESTED

Sanction of E/L

15

15

GOVERNMENT OF N.W.F.P.  
SCHOOLS & LITERACY DEPARTMENT

DATED PESHAWAR THE 1.9.06

Encl: "B"

NOTIFICATION

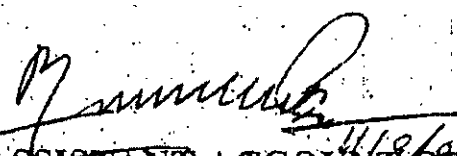
No. A.O/7-11/leave/Swat/05 Sanction of the Competent Authority is hereby accorded to the grant of 72 day Earned Leave on halfpay with effect from 1.2.2006 to 14.11.2006 and 658 days Extra ordinary leave without pay from 12.11.2006 to 31.8.2008 in favour of Mr. Fazal Mabood Subject Specialist (P/S), GHSS Khawaza Khela Distt: Swat as admissible under the Revised-Leave Rules, 1981:-

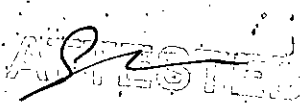
Secretary to Govt: of NWFP  
Schools & Literacy Department.

Endst: Even No. & date

Copy to:

1. The District Account officer Swat.
2. The Director, S&L Peshawar w/r to his letter No. 7560/F.No: Earned Leave dated 23.3.2006 dated 24.5.2006.
3. Mr. Fazal Mabood S.S. GHSS Khawaza Khela Distt: Swat.

  
ASSISTANT ACCOUNT OFFICER

  
ATTESTED

  
to be true copy  
Advocate

18 ~~Amir's Amk~~ (A)

APPLICATION FOR LEAVE.

Notes: Item 1 to 9 must be filled in by all applicants. Item 10 applies only in the case of Government servants of B.P.S.--16 and above.

- 1. Name of applicant. Mr: Fazal Mabeed.
- 2. Leave Rules applicable. 1981.
- 3. Post held. Subject Specialist.
- 4. Department or office. Edu: Deptt: at GHSS: Khwaza Khela S
- 5. Pay. Rs: 8745/P.M
- 6. House Rent Allowance/conveyance allowance or other compensatory allowances drawn in the present post.
- 7. (a) Nature of leave applied for. Extra Ordinary Leave (Leave with out Pay)
- (b) Period of leave in days. 1095 days w.e.f. 1/9/2008 to 31/8/2011)
- (c) Date of commencement. 1/9/2008.
- 8. Particular Rule/Rules under which leave is admissible.
- 9. (a) Date of return from last leave. ...
- (b) Nature of leave. (Leave with out Pay)
- (c) Period of leave in days. 659 days i.e.w.e.f. 12/11/2006 to 31/8/20

Dated..... Signature of applicant. *Fazal Mabeed*

10. Remarks and recommendation of the Controlling Officer.

11. Certified that leave applied for is admissible under Rule.....and necessary conditions are fulfilled.

Forwarded in original to the Executive District Officer Elementary and Secondary Education swat for further necessary action

Dated..... Signature. Designation. *M. Shah*

12. Report of Audit Officer, Executive District Officer Elementary & Secondary Education, Swat. *M. Shah*

No. 100 Principal, Govt. Higher Secondary School Khwazakhela Distt. Swat

Dated..... Signature. Designation. *11-08-08*

*1095 days w.e.f. 1/9/2008 to 31/8/2011 is admissible under service leave rules 1981 at the discretion of the sanctioning authority.*

13. Order of the sanctioning authority in the expiry of leave the applicant is likely to the same post saving the compensatory allowances being drawn by him.

Add: Distt: A/c Officer, SWAT. *Fazal Mabeed*

Signature. Designation.

Dated.....

ATTESTED  
to be true copy  
Advocate



17

Immediate  
B. Karan

EDD (MS)  
07/08/08

13

DIRECTORATE OF ELEMENTARY AND SECY: EDU: NWFP PESH: NO. 199/10-Leave case Dated Pesh: the 4/8/2009

To

The Executive District Officer E&SE Swat.

42

Subject:-

APPLICATION FOR EXTRA ORDINARY LEAVE WITH EFFECT FROM 1.9.2008 TO 31.8.2009 (1095) days.

Memo:

I am directed to refer your letter No.518/F.No.280/Estt:/PF dated 19.9.2008 on the subject noted above and to ask you to furnish the requisit report that Mr. Fazal Mabood SS GHSS Khawaza Khela has already availed extra ordinary leave w.e.f, 1.9.2006 to 31.08.2008 (730 days) vide Notification No. A.O/7-11/Leave/Swat 05 dated 1.9.2006, let this office know that position whether the SS(C) report for duty after the expiry of his leave or otherwise.

Necessary report in this regard may be furnish to this Directorate to process the case further.

Place  
4/5/09  
Assistant Director Estt:  
Elementary & Secondary Education  
NWFP Peshawar.

Office of the E.D.O (E&S) Education Distt: Swat

Encl: No. \_\_\_\_\_ Date: 11-10-2009.

Copy of the above is forwarded to:

- The principal, GHSS Khawaza Khela Swat with the remarks to submit the requisite information urgently to the office for onward submission and as directed to process the case further.
- The D. F and Secy, Edu, NWFP, Peshawar w/s to his No. \_\_\_\_\_ and -

ATTESTED  
to be true copy  
Advocate

EDD

DIRECTORATE OF ELEMENTARY  
AND SECONDARY EDUCATION PESHAWAR.

No. 192 /10-Leave cases.

Dated Pesh: the 4/5/2009.

To:

The Executive District Officer  
Elementary and Secondary Education Swat.

Subject:

APPLICATION FOR EXTRA ORDINARY LEAVE WITH EFFECT  
FROM 01/09/2008 TO 31/12/2011 (1095) DAYS.

Memo:

I am directed to refer your letter No.518/F.No.280 /Estb:/PI dated 19/09/2008 on the subject cited above and to ask you to furnish the requisite report that Mr. Fazal Mabood SS GHSS Khawaza Khela has already availed extra ordinary leave with effect from 01/09/2006 to 31/08/2008 (i 730 days) vide notification No.A.O/7-11/Leave/swat /05 dated 01/09/2006 let this office know that position as to whether the SSC has reported for duty after the expiry of his leave or otherwise.

Necessary report in this regard may be furnished to this Directorate to process the case further.

-----SD-----

Assistant Director Estb:  
Elementary and Secondary  
Education NWFP Peshawar:

OFFICE OF THE EXECUTIVE DISTRICT OFFICER ELEMENTARY AND  
SECONDARY EDUCATION SWAT.


Endst: NO 854-55/PIE.

Dated 22/8/2009.


Copy of the above is forwarded to:-

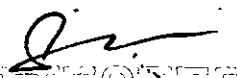
1. The Principal GHSS Khawaza Khela swat with the remarks to submit the requisite information urgently to this office for onward submission to process the case further.

2. The Director (E&S) Education NWFP Peshawar w/r to his no and dated above.

  
EXECUTIVE DISTRICT OFFICER  
ELEMENTARY AND SECONDARY  
EDUCATION SWAT AT GUL KADA.

ATTESTED

  
to be true copy  
Advocate

  
ATTESTED

Office of 10 Principal GHSS: Khwaza Khela Swat.

To: (10) No. 478/-  
19/9/09

(19) dt 4/2/2009,  
(29) (26)

The EDO Elementary & Secondary Education Swat

Subject: APPLICATION FOR EXTENSION IN EXTRA ORDINARY LEAVES WITH EFFECT FROM 01/09/2008 TO 31/08/2011 (1095) DAYS

Memo

Please refer to your office Endst letter No 854-55/P/F Dated 22/08/2009 it is reported that as the subject officer has initiated an application for extension in leave on 11/08/2008 through this School he has there for not reported for duty yet.

Keeping in view the uncertain conditions in Swat through the period we also contacted the officer concerned to explain his position. In reply he submitted the application and necessary documents which are attached herewith.

Abdullah Shah 19/9/20089  
Principal GHSS  
Khwaza Khela Swat

Documents attached:

- 1) Application from the officer concerned.
- 2) AIOU Result Cards.
- 3) Research topic intimation letter from AIOU.

986  
9/9/09  
ATTESTED  
to be true copy  
Advocate

ATTESTED

OFFICE OF THE EXECUTIVE DISTRICT OFFICER ELEMENTARY AND  
SECONDARY EDUCATION SWAT AT GUL KADA.

No. 5672 /PI/ Fazal Mahood / SS  
73-

Dated 4/10/2009

To.

The Director,  
Elementary and Secondary Education  
N.W.F.P. Peshawar.

Subject: - APPLICATION FOR EXTENSION IN EXTRA-ORDINARY LEAVE  
WITH EFFECT FROM 01/09/2008 TO 31/08/2011 (1095) DAYS.

Memo:-

Reference your office memo No.192/10/leave cases dated 04/05/2009 on  
the subject cited above.

It is stated for your kind information that Mr. Fazal Mahood S.S (Pak  
Study) GHSS Khawaza Khela-District Swat has not reported in the school with the  
following reason:

- (1) He has <sup>sub</sup>mitted an application for extension of leave on 11/03/2008 in  
the time his leave was not expired.
- (2) He remained busy with his studies in M.Sc ( Honors)
- (3) His research work is still in progress which needs full concentration.
- (4) During the period situation in swat was so worst and all the  
government institutions remained closed.

In the light of the above justification his case is submitted for further  
action please.

*sd*  
EXECUTIVE DISTRICT OFFICER  
ELEMENTARY AND SWECONDARY  
EDUCATION SWAT AT GUL KADA.

Endst: No.

Copy forwarded to the Principal GHSS Khawaza Khela Swat w/r  
to his No: 478 dated 13/09/2009.

*d/c*  
EXECUTIVE DISTRICT OFFICER  
ELEMENTARY AND SWECONDARY  
EDUCATION SWAT AT GUL KADA.

ATTESTED  
10-09-2009  
Averana

ATTESTED

To

The Director  
Elementary and Secondary Education,  
NWFP at Peshawar

Through: proper channel

Subject: Application for Extension in Leave w.e.f 01/09/2008 to 31/08/2011

Sir,

In response to your letter No 854-55 dated 22/08/08 for explanation I hereby submit through this application that I have already availed my leave w.e.f. 01/09/2006 to 31/08/2008.

Before completion of the leave period I have applied for extension in leave on 11/08/2008 and due to following reasons I have not reported in school for duty:

- i. I have applied for extension on 11/08/2008 w.e.f 01/09/2008.
- ii. I remained busy with my studies in MSc (hons) Rural Development. In this duration I have completed my course work including preparations of thesis synopsis and my research work is still in progress which needs my full concentration (necessary documents attached herewith).
- iii. During the period, situation in Swat was so worst that almost all govt. institutions remained closed and due to personal security threats me and my family had to displace from the area.
- iv. I did not receive any intimation from the authorities about my leave application status.

Therefore it is requested that my leave may be retrospectively extended w.e.f. 01/09/2008 and oblige.

Thanks

Fazal Mabood

14/09/08  
Subject Specialist in Pak. Studies

ATTESTED  
to be true copy  
Advocate

ATTESTED

20:-

The Secretary,  
Govt. of N.W.F.P  
Elementary & Secondary Edu:  
PESHAWAR.

29

29

Subject: GRANT OF EARNED LEAVE WITHOUT PAY:

Respectfully, It is submitted that already I had been admitted in  
A.I.O.U Islamabad w.e.f Sept 2007 to 2011

As I have applied for Earned Leave without Pay w.e.f 1-9-2008  
to 31-8-2011. ~~xxxx~~

But the same had not been allowed so far.

The University authorities are pressing very hard to  
obtain the Necessary action of leave for which I have made  
repeated request but in vain.

It is therefore requested to the Director of Education  
N.W.F.P Peshawar Elementary & Secondary Edu: to decide my case  
of Leave as early as possible, in order to reduce my grievance for  
all.

*[Signature]*  
Your's Obedient,  
Subject Specialist,  
GHSS, Khwazakhela Swat

3/7/2012

Copy to the :-

- 1) The Director Schools & Literacy Elementary & Sec:  
Education N.W.F.P Peshawar:

ATTESTED

ATTESTED  
to be true copy  
Advocate

IMMEDIATE/ BY FAX

~~23~~

23

Q

Q

GOVERNMENT OF KHYBER PAKHTUNKHWA  
ELEMENTARY & SECONDARY EDUCATION  
DEPARTMENT

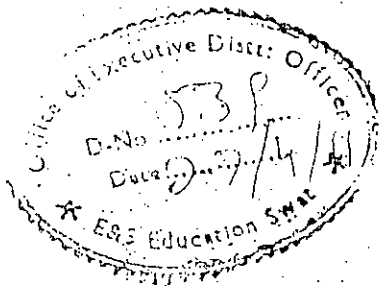
No. AO (7-11/2010/Leave/Swat/08/ Fazale mabood  
Dated Peshawar the April 07, 2011

Amk. D'

To  
The Executive District Officer,  
Elementary & Secondary Education,  
Swat.

Subject: - ABSENCE FROM DUTY AT GHSS KHWAZA KHELA DISTRICT SWAT.

I am directed to state that the presence/absence of Mr. Fazle Mabood Subject Specialist Pak Studies (BS-17) GHSS Khwaza Khela District Swat may be confirmed from the said school. In case he has resumed duty in the school then his charge report may be furnished within two days through return fax No. 091-9212798.



*[Signature]*  
(MUJEEB-UR-REHMAN)  
SECTION OFFICER (SCHOOLS/MALE)

OFFICE OF THE EXECUTIVE DISTRICT OFFICER (E&S) EDUCATION DISTRICT SWAT.

Distt. No. 5386 /F/ File /F. Mabood S.S. Dated 28/4/20

Copy of the above is forwarded to:  
The Principal GHSS Khwaza Khela Swat with their remarks that whether the Officer concerned resumed his duty, if so charge report should be furnished for onward submission to the authority concerned please

~~ATTESTED~~

*[Signature]*  
EXECUTIVE DISTRICT OFFICER  
ELEMENTARY & SECONDARY EDU:  
DISTRICT SWAT.

27

Handwritten initials/signature

OFFICE OF THE PRINCIPAL,  
GOVT: HIGHER SECONDARY SCHOOL,  
KHWAZAKHELA DISTRICT SWAT.

No. 804 / P. File F. Mak

Dated 7/5/2011

To

The Executive Distt: Officer,  
Elementary & Secy: Edu: Swat.

Subject: ABSENCE FROM DUTY AT GHSS: KHWAZAKHELA  
DISTRICT SWAT.

Memo:

Reference your office Enst: No. 5336/P/File/  
E. Mabeed SS(Pak: Std:) dated 23/4/2011 on the subject cited  
above.

It is submitted for your kind information that  
Mr. Fazal Mabeed, SS(Pak: Std:) has not resumed his duties  
at this School as yet. His va-cancy has been filled up  
by the Department as a result of the transfer of  
Mr. Umar Mohammad, SS(P/Std:) from GHSS: Tairat Talash Distt:  
Dir to GHSS: Khwazakhele Swat on 16/01/2009.

The explanation is forwarded for further necessary  
action, please.

*Qutub*  
(PRINCIPAL)  
GOVT: HIGHER SECONDARY SCHOOL,  
KHWAZAKHELA SWAT.

ATTESTED



25

Handwritten initials and marks in the top right corner.

OFFICE OF THE EXECUTIVE DISTRICT OFFICER ELEMENTARY AND SECONDARY EDUCATION SWAT AT GULKADA.

No \_\_\_\_\_ / P/F/ Fazal Mabood/S.S

Dated:- 12/5 /2011.

To

The Director  
Elementary and Secondary Education  
Khyber Pakhtunkhwa Peshawar

Subject: **ABSENCE FROM DUTY AT GHSS KHAWAZA KHELA SWAT**

Memo:-

Reference to the government of Khyber Pakhtoon Khawa (E&S) Education Department No.AO(7-11/2010/Leave/Swat /08 dated 07/04/2011 on the subject cited above.

According to the statement of Principal in written Vide No.804 dated 07/05/2011 Mr. Fazal Mabood S.S (Pak Study) has not resumed his duty and the resulted vacancy has been filled up by Mr. Umar Muhammad S.S on transfer. Report submitted for further action please.

*Scff*  
EXECUTIVE DISTRICT OFFICER  
(E&S) EDUCATION SWAT

Endst: No 613132

Copy forwarded to:-

1. The Secretary Elementary and Secondary Education Pukhtunkhwa Peshawar w/r to his no and date cited above.
2. PThe Principal GHSS Khawaza Khela District swat.
3. P.A to E.D.O. local office.

*[Signature]*  
EXECUTIVE DISTRICT OFFICER  
(E&S) EDUCATION SWAT

**ATTESTED**

ALLAMA IQBAL OPEN UNIVERSITY ISLAMABAD  
(Postgraduate Admission Section)

Registered

F.No.4-S/2009-AR  
Dated: 20.07.2009

Fazal Mahmood  
C/O Habib Book Sellers  
PO Khawaza Kheja  
SWAT

Subject: Research Thesis for M.Sc (Hons) Rural Development Program

The Board of Advanced Studies & Research (BASR) in its 22<sup>nd</sup> meeting held on May 05-08, 2009 has approved your research topic titled as: "Children in Coalmines: a Case Study of District Shangla" under the supervision of Mr. Sherzad Ali Khan, Program Associate, Monitoring and Evaluation UNDP, Islamabad

You will carry on your research work regularly for a period of one year and shall submit four copies of your thesis through your Supervisor within the prescribed period otherwise you will not be eligible to pursue your program. It is further informed that you cannot apply for any relaxation in the stipulated period.

You are required to intimate your department regularly about your progress through your supervisor as per rules. Before submission of the thesis and fee, other conditions laid down in the regulations for the M.Phil will have to be fulfilled.

The thesis is equivalent to four full credit courses, therefore you are required to send the fee of Rs. 8700/- (if already not paid) equal to Two full Credit Courses as first installment of thesis fee, be deposited through bank challan (enclosed herewith) in any branch of Allied Bank Ltd and send it at the following address within 15 days otherwise your topic will be treated as cancelled. You are also advised to send a summary of your research work in quadruplicate at the time of submission of your thesis for the M.Sc (Hons) Rural Development Degree.

Yours faithfully,

(Sheikh Irshad Qadir)  
Assistant Registrar

c.c to:

1. Chairman, Department of Agricultural Sciences
2. Controller of Examination
3. Concerned Supervisor
4. Dean, Faculty of Sciences
5. Concerned File

ATTESTED

**BETTER COPY OF THE PAGE NO. 26**

Registered

Allama Iqbal Open University Islamabad  
(Postgraduate Admission Section)

F.No.4-8/2009-AR  
Dated 20.07.2009

Mr. Fazal Mahmood  
C/o Habib Book Sellers,  
P/O Khawaza Khela,  
Swat

Subject: **Research Thesis for M.Sc (Hons) Rural Development Program**

The Board of Advanced Studies & Research (BASR) in its 22<sup>nd</sup> meeting held on May 05-08-2009 has approved your research topic titled as "Children in Coatmines: a Case Study of District Shangla" under the supervision of Mr. Sherzad Ali Khan, Program Associate, Monitoring and Evaluation UNDP, Islamabad.

You will carry on your research work regularly for a period of one year and shall submit four copies of your thesis through your Supervisor within the prescribed period otherwise you will not be eligible to pursue your program. It is further informed that you cannot apply for any relaxation in the stipulated period.

You are required to intimate your department regularly about your progress through your supervisor as per rules. Before submission of the thesis and fee, other conditions laid down in the regulations for the M.Phil will have to be fulfilled.

The thesis is equivalent to four full credit courses, therefore you are required to send the fee of Rs. 8700/- (if already not paid) equal to Two full credit courses as first installment of thesis fee, be deposited through bank challan (enclosed herewith) in any branch of Allied Bank Ltd and sent it at the following address within 15 days otherwise your topic will be treated as cancelled. You are also advised to send a summary of your research work in quadruplicate at the time of submission of your works for the M.Sc Research Developmental Degree.

Yours faithfully

(Sheikh Irshad Qadir)  
Assistant Registrar

C.c to:

1. Chairman, Department of Agricultural Sciences
2. Controller of Examination
3. Concerned Supervisor
4. Dean, Faculty of Sciences
5. Concerned File

**BETTER COPY OF THE PAGE NO. 27**

OFFICE OF THE  
EXECUTIVE DISTRICT OFFICER  
ELEMENTARY & SECONDARY EDU  
DISTRICT SWAT

No. \_\_\_\_\_/P.F/F.Mabood. SE  
Dated 02/11/2010

To,

The Director,  
Elementary & Secondary Education,  
Khyber Pakhtunkhwa, Peshawar.

Subject: **ABSENCE FROM DUTY AT GHSS KHAWAZA KHELA DISTRICT  
SWAT**

Memo:-

Reference to Government of Khyber Pakhtunkhwa Elementary & Secondary Education Department No. SO(S)7-11/Leave/Swat/08/FazalMabood dated August 31.2010 addressed to Mr. FazalMabood S.S. GHSS khawazaKhela Swat and endorsed to this office on the subject cited above.

Enclosed please find herewith detail reply/report in respect of the above named officer in original for onward submission for further necessary action.

Encl: 11 Pages.

EXECUTIVE DISTRICT OFFICER  
ELEMENTARY & SECONDARY EDUCATION  
DISTRICT SWAT

Endst: 2613/

Copy of above is forwarded to:

Principal GHSS KhawazaKhela Swat.

EXECUTIVE DISTRICT OFFICER  
ELEMENTARY & SECONDARY EDUCATION  
DISTRICT SWAT

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OFFICE OF THE PRINCIPAL,  
GOVT; HIGHER SECONDARY SCHOOL  
KHA WAZAKHELA DISTRICT SWAT.  
No: 337 /GHSS:Kh:Khela.

Dated 27/10 /2010.

To


The Executive District Officer,  
Elementary & Secondary Education, Swat.

Subject:-

**APPLICATION OF MR. FAZAL MABOOD SS PAK STUDY  
FOR ADJUSTMENT AND ABSENCE FROM DUTY APPEAL.**

Memo:

Enclosed please find herewith the application in respect of  
Mr. Fazal Mabood, Subject Specialist Pak Studies, along with other connected papers  
which is self explanatory for further necessary action, Please.

  
PRINCIPAL  
GOVT; HIGHER SECONDARY SCHOOL  
KHA WAZAKHELA DISTRICT SWAT

**ATTESTED**

29

*[Handwritten mark]*

To

Principal,  
Govt. Higher Secondary School  
Khwaza Khela, District Swat.

*[Handwritten mark]*

Subject: Enquiry:

Dear Sir,

In reference to your office letter No. 726/Enquiry File dated 20/10/2010 it is submitted that prior to this letter I have received your intimation where two letters were enclosed with it, one was about the enquiry and the other was directives from the section officer directing me to submit my explanation in written to the EDO E&SE Swat.

According to these directives I submitted my explanation and request for adjustment to the EDO *request for min* but they verbally directed me to submit my this application through Principal GHSS Khwaza Khela. Your esteemed honor is therefore requested that I attended your office in person and now submitting my application to forward to the EDO Swat for further action. You are also requested to write the posting situation in your School as my post is already filled long before so that I may be adjusted in some other school at EDOs convenience.

As for as the enquiry officer is concerned whenever he comes and if he thought I was supposed to appear in front of him I will definitely do so.

Yours Obediently

*[Signature]*  
Fazal Mabood 26-10-2010  
SS in Pak-Studies.

*[Signature]*  
ATTESTED

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To: *[Handwritten signatures and initials]*

The Secretary  
Elementary Education  
Pakhtun Khwa, at Peshawar.

Through: E. [Signature]

Subject: ABSENCE FROM DUTY AT GHSS KHWAZA KHELA DISTRICT SWAT.

Reference to your office letter No.SO(S)7-11/Leave/Swat/08/Fazal Mabood. Dated August 31, 2010 I hereby submit my explanations and request through proper channel as directed: *[Handwritten mark]*

- I have worked as Sub Accountant in district Accounts Offices of Swat and Shangla from 18 Feb 1996 to 31 August 2003. Then I applied for Subject Specialist in Pak-Studies through proper channel and was selected and appointed in GHSS Khwaza Khela on the same position from 1 September 2003. I have properly been relieved by the finance department to join my new assignment retaining my all benefits. (copy of the letter attached).
- I had applied for five years extraordinary leave in 2006. The department granted me leave for 2 years from September 1, 2006 to 31 August 2008 and told me that if you needed further leave you may apply for extension in it.
- I availed the leave from September 1, 2006 to August 31, 2008.
- In the mean while security situation in Swat deteriorate due to militancy to the extent that living at home for me and my family was at high risk. I had received threats to life from the militants and had to ~~leave~~ <sup>leave</sup> my home. As in the new situation I was on one hand unable to fulfill the tasks for which I had availed the leave and on the other hand there were life threats to me and was unable to join my services. Taking this an opportunity I took admission in MSc (Hons).
- While I had already availed leave without pay, during my leave period Allama Iqbal Open University (AIOU) advertised admissions in Feb, 2007 for which I also submitted my admission form. This was not my first course from the Open University. I have already completed BEd, MEd and MSc Sociology from this university while I was doing my job in District Accounts and then in School.
- My research work is still in progress. My synopsis was approved in July 2009 and I have to complete this work at maximum till the end of July 2011.

Office of Executive Officer  
 D.No. 28  
 Date: 24/9/10  
 \* E&S Education

ATTESTED *[Signature]*

*[Handwritten mark]*

3.

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- There was NTS test for the admission in April 2007 then admission fee. Exam of the first semester held in December 2007 and January 2008. As I was already on leave without pay I did not claim that period to be considered as study leave.
- I applied for extension in leave on August 11, 2008 while my previous leave was ending on August 31, 2008. Therefore I did not give joining from the previous leave.
- My post in GHSS Khwaza Khela was also filled through transfer of another SS in Pak-studies.
- When I was applying for extension in leave without pay I came to know that according to the leave rules one can join study leave with the leave without pay (annexure 1 enclosed). That is why I requested to consider two years of my new leave if granted as study leave.
- My leave case was with the department and I was frequently visiting to pursue my case and request for favorable consideration. I have not received any intimation so far to join the duty. I was waiting for the status of my application it was therefore not tantamount to being absconded.

- ✓ It is requested that if the department is not entertaining my leave application then the gap from September 1, 2008 to August 31, 2010 may please be considered as **Study leave** (necessary documents attached) *request to join*
- ✓ The remaining period be considered as leave without pay and give me a post to resume my duties.

Keeping in view these difficulties I hope the department will take favourable action on my application.

Yours Obediently

*[Signature]*  
**FAZAL MABOOD**  
 Subject Specialist in Pak-Studies

Date: 20 Sep 2010

*[Signature]*  
**ATTESTED**



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OFFICE OF THE PRINCIPAL GOVT. HIGHER SECY. SCHOOL KHWAZA KHELA

No 47

Dated 17/12/2013

To,

The District Education Officer,  
M)Secy: Education Swat at Gulkada

Subject

SUBMISSION OF PER,s FOR COMPLETION OF RECORD OF B-17

Memo:- Reference your office Memo No. 1958/ACR dated 11/12/2013 on the subject cited above.

It is submitted for your kind information that Mr. Fazal Mebood SS Pak Study has not resumed his duties at this School as yet.. His vacancy has been filled up by the Department as a result of the transfer of Mr:Umar Mohammad SS Pak Study from GHSS:Ziarat Talash District Dir to GHSS:Khwaza Khela Swat on 16/1/2009.

The explanation is forwarded for further necessary action Please.

*Abdullah*  
(PRINCIPAL)

GHSS;KHWAZA KHELA SWAT

*[Signature]*  
**ATTESTED**



BC

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To: - The Secretary of Education (E&SED)  
Khyber Pakhtoon Khwa Peshawar

And 2 E

Subject: - APPEAL FOR RE- APPOINTMENT AS SS - Pakistan Study

Respected sir,

It is submitted that I have been working as SS (Pak Study) B-17 at Govt Higher Secondary School Khwaza Khela District Swat. since 1.09.2003 up to 31.08.2006. I have taken Leave with pay from 1.09.2006. to 11.11.2006. & leave without pay w.e.f 12.11.2006 to 31.8.2008 (658 days as without pay). Then I applied for extinction in leave without pay w.e.f 1.9.2008 to 25.10.2020. I gave arrival for duty & appeared in front of enquiry Officer Mr. Saif-ur Rehman, Principal B-19 of GHSS NO: 02 Peshawar Cantt on 26-10-2010 along with relevant document i.e. application for adjustment.

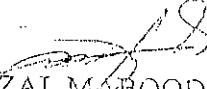
During my appearance in front of the enquiry officer on my request whether I should join my duty at school, I was told that I should wait until their report and directives from the competent authorities. But I have not received any directives.

Now, it is requested that I may please be re-adjusted as SS Pakistan Study in any nearest station.

I shall be very thankful to you for your favorable action on my application/appeal.

- Enclose:
- (1) Appeal/application
  - (2) Copy of Notification for enquiry - No.SO(S)7-11/Leave/Swat/08/Fazal Mabood. Dated 31/08/2010.
  - (3) Application for re-adjustment forwarded by Principal GHSS Khwaza Khela - No. 737 dated 27/10/2010.

Yours obediently

  
(FAZAL MABOOD) 23/11/10

Village Shaipin, Khwaza Khela, Distt: Swat.  
Mobil NO; 03469422559

03429793993

**ATTESTED**

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1

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

**PESHAWAR**



Service Appeal No. 7205 of 2021

**Khyber Pakhtunkhwa  
Service Tribunal**

Diary No. 7192

Dated 12/7/2021

**SCANNED  
KPST  
Peshawar**

Fazal Mabood S/O Marat Khan R/O Village Shalpin, Tehsil Khwazakhela, Distt: Swat.

... Appellant

**VERSUS**

1. Government of Khyber Pakhtunkhwa through Secretary Elementary & Secondary Education, Khyber Pakhtunkhwa at Peshawar.
2. Director Elementary & Secondary Education, Government of Khyber Pakhtunkhwa at Peshawar.
3. District Education Officer Swat at Gulkadda Swat.
4. Principal GHSS Khwazakhela Swat.

... Respondents

Service Appeal Under Section 4 of Service Tribunal Act, 1974, against the actions and inactions of respondents whereby the appellant has been kept in a hanging position by neither responding him regarding his leave extension application nor allowing him to continue his services as Subject Specialist (Pakistan Studies).

Filed to-day

Registrar

12/7/2021

**Prayer:**

On acceptance of this service appeal, the official respondents may please be directed to re-adjust the appellant as Subject Specialist (Pakistan Studies) at any nearest station with all back benefits.

Re-submitted to -day and filed.

Registrar

6/8/2021

**ATTESTED**

**EXAMINER  
Khyber Pakhtunkhwa  
Service Tribunal  
Peshawar**

Any other relief not specifically prayed but this august court deems proper may also be granted.

Respectfully Sheweth:

1. That appellant is the bonafide resident of Village Shalpin, Tehsil Khwazakhela, District Swat and was appointed as Subject Specialist (S.S) (Pakistan Studies) vide order dated 28-08-2003. **(Copies of CNIC and order dated 28-08-2003, are annexed as annexure "A")**
2. That appellant was serving as Subject Specialist (S.S) (Pakistan Studies) at GHSS Khwazakhela, Swat.
3. That appellant applied for leave with pay w.e.f 01-09-2006 to 11-11-2006 and leave without pay w.e.f 12-11-2006 to 31-08-2008 which was allowed accordingly by the competent authority. **(Copies of applications and sanction of leave are annexed as annexure "B")**
4. That the appellant after availing the leave mentioned above upto 31.08.2008, in the meanwhile the security situation in district Swat became bad to worst specially for the persons who were in government service, furthermore all the schools, colleges and government institutions were closed due to militancy in Swat district generally and specifically in Upper Swat where the GHSS Khwazakhela exists, therefore appellant along with family move to down districts of Khyber Pakhtunkhwa and the appellant submitted application for extension in leave w.e.f. from 01.09.2008 to 31.08.2011 and a subsequent application for extension in leave without pay w.e.f 01.09.2008 to 25.10.2020 which have not been responded till date. **(Copies of applications are annexed as annexure "C")**

ATTESTED

EXAMINER  
Khyber Pakhtunkhwa  
Service Tribunal  
Peshawar

5. That an inquiry was initiated against the appellant in the year 2010 wherein he submitted his submissions before the inquiry officer/committee and to the respondent No.1 vide a detailed application dated 20.09.2010. **(Copies of inquiry proceedings and application dated 20.09.2010 are annexed as annexure "D")**
6. That the appellant appeared in-person before the inquiry officer i.e. principal of GHSS No.2 Peshawar Cantt. on 26.10.2010 along with all relevant documents, wherein the appellant submitted before the inquiry officer, that whether he should join his duty, in response the inquiry officer told him to wait for the outcome of the inquiry and till the directives of the competent authority.
7. That the appellant time and again asked about the matter telephonically, but when not received any order of the competent authority on the subject inquiry preferred a departmental appeal before the worthy respondent No.1 on 28.04.2021 which has not been responded in its statutory period, therefore the appellant having no other option but to file the instant appeal in its statutory time limitation on the following grounds: *(Copy of appeal is annex. "E")*

**Grounds:**

- i. That, actions and inactions of respondents are illegal, ultra vires, ultra shariah and against the established norms of administration, therefore, are not tenable in the eyes of law.
- ii. That, appellant has not been dealt with in accordance with law, which is the worst example of discrimination, therefore, is against the fundamental rights of the appellant, as enshrined in Articles 4, 25 & 27 of the Constitution of Islamic Republic of Pakistan, 1973.

ATTESTED  
EXAMINER  
Khyber Pakhtunkhwa  
Service Tribunal  
Peshawar

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- iii. That, appellant has been deprived of his legal right of service, safeguarded by constitution of Islamic republic of Pakistan, 1973.
- iv. That the appellant has neither been allowed to join his duty nor has been served with an adverse order against him, therefore the appellant has been kept in hanging position which is against the law and rules on the subject.
- v. Any other ground not specifically raised will be argued with the prior permission of this August Court.

In view of the above, it is therefore very humbly prayed that, on acceptance of this service appeal, the official respondents may please be directed to re-adjust the appellant as Subject Specialist (Pakistan Studies) at any nearest station with all back benefits.

Any other relief not specifically prayed but this august court deems proper may also be granted.

*[Signature]*  
Appellant

Through Counsel

*[Signature]*

Sabir Shah  
Advocate Supreme Court

Certified to be true copy  
EMER  
Khyber Pakhtunkhwa  
Service Tribunal  
Peshawar

Date of Presentation of Application 09/15/23  
 Number of Words Page 9  
 Copying Fee 45/-  
 Urgent                       
 Total 45/-  
 Name of                       
 Date of 17/5/23  
 Date of Delivery of Copy 17/5/23

28 38 4

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

Service Appeal No. \_\_\_\_\_ of 2021

Fazal Mabood

... Appellant

VERSUS


Government of KP and others.

... Respondents

**Certificate**

As per instructions received from my client, it is certified that no such like service appeal against the impugned orders, has been earlier filed before this Hon'ble Court.

  
Appellant  
Through Counsel

  
\_\_\_\_\_  
Sabir Shah  
Advocate Supreme Court

  
ATTESTED

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

Service Appeal No. \_\_\_\_\_ of 2021

Fazal Mabood

... Appellant

VERSUS

Government of KP and others.

Respondents

**Affidavit**

I Affab Ali Khan S/O Jehan Sher Khan R/O Village Shalpin Tehsil Khwazakhela, District Swat (**Attorney of the Appellant**), do hereby solemnly affirm and declares on oath that, all the contents of the accompanying **service appeal** are true and correct to the best of my knowledge and belief and nothing has been kept concealed or withheld from this Hon'ble court.

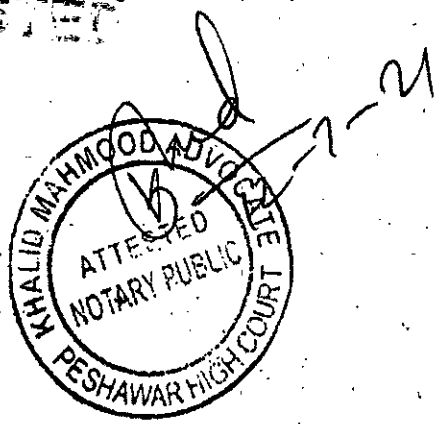
Deponent

*Affab Khan*  
\_\_\_\_\_  
**Affab Ali Khan**  
**(Attorney of the Appellant)**  
**CNIC: 15602-6460681-3**

*[Signature]*  
**ATTESTED**

Identified By:

*[Signature]*  
\_\_\_\_\_  
**Sabir Shah**  
**Advocate Supreme Court**





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

Service Appeal No. \_\_\_\_\_ of 2021.

Fazal Mabood

... Appellant

VERSUS

Government of KP and others.

Respondents

**Address of Appellant:**

Fazal Mabood S/O Marat Khan R/O Village Shalpin, Tehsil Khwazakhela, Distt: Swat.

**CNIC No: 15602-3620603-5**

**Cell No. 03469422559**

**Addresses of Respondents:**



1. Government of Khyber Pakhtunkhwa through Secretary Elementary & Secondary Education, Khyber Pakhtunkhwa at Peshawar.
2. Director Elementary & Secondary Education, Government of Khyber Pakhtunkhwa at Peshawar.
3. District Education Officer Swat at Gulkadda.
4. Principal GHSS, Khwazakhela Swat.

**ATTESTED**

**Appellant.**

**Through Counsel**

**Sabir Shah**  
**Advocate Supreme Court**

  
**BEFORE THE WORTHY DIRECTOR ELEMENTARY AND SECONDARY**  
**EDUCATION, KHYBER PAKHTUNKHWA AT PESHAWAR**

Representation/Departmental Appeal No. \_\_\_\_\_ of 2023

Subject: *Departmental representation/appeal for re-adjusting the applicant/undersigned as Subject Specialist (Pakistan Studies) at any nearest station with all back benefits. Alternatively, conversion of any existing removal order into retirement, followed by initiating the applicant/undersigned's Pension Case in compliance with applicable laws.*

Respectfully Sheweth:

1. That, applicant/undersigned is the bonafide resident of Village Shalpin, Tehsil Khwazakhela, Distt Swat and was initially appointed as Sub Accountant in District Account Office Swat and served on the same at DAO Office Swat and Shangla from 18.02.1996 to 31.08.2003.
2. That, the applicant/undersigned applied for Subject Specialist (Pakistan Studies) post through proper channel and was appointed as Subject Specialist (S.S) vide order dated 28-08-2003. It is pertinent to mention here that the applicant/undersigned has properly been relieved by the Finance Department to join his new assignment as S.S with all back benefits. *(Copies of CNIC, order dated 28.08.2003 and relieve order along with its relevant documents are attached herewith)*
3. That the applicant/undersigned while serving as Subject Specialist, Pakistan Studies (S.S) at GHSS Khwazakhela, Swat applied for **"leave with pay"** w.e.f. 01-09-2006 to 11-11-2006 and subsequently **"leave without pay"** w.e.f. 12-11-2006 to 31-08-2008 which was allowed accordingly by the competent authority as per the applicable regulations and policies on the subject. *(Copies of applications and sanction of leave are attached herewith)*

  
**ATTESTED**

4. That, subsequent to the completion of the aforementioned approved leave, until 31.08.2008, it is pertinent to note that the security situation in Swat district underwent a significant deterioration, particularly affecting individuals serving in government positions. An escalated level of militancy in Swat district, specifically in Upper Swat where the duty school of applicant/undersigned, i.e. GHSS Khwazakhela is located, led to the closure of all schools, colleges, and government institutions. It is crucial to emphasize that the applicant/undersigned's family status and reputation being elders and respected family within the community made them a prime target for the militants, exacerbating the risks faced by both the applicant/undersigned and his family as they faced even direct threats from the militants. Given the gravity of the situation, it became abundantly clear that it would be life-threatening for the applicant/undersigned and his family to remain in their village amidst such perilous circumstances.
5. In order to ensure his personal safety and well-being, it was an imperative and non-negotiable decision for the undersigned to relocate from his village and seek refuge in a more secure environment in other districts within Khyber Pakhtunkhwa or Islamabad, that were deemed comparatively safer. Consequent upon, the undersigned submitted an application seeking an extension of leave, effective from 01.09.2008 to 31.08.2011 as such actions were dictated by the sheer necessity of protecting himself and his family from imminent harm and danger. It is regrettable to state that, despite the passage of time, no response or communication has been received to date regarding the aforementioned applications. *(Copies of applications are attached herewith)*
6. That, during the year 2010, an inquiry was launched against the applicant/undersigned, necessitating his active participation in the proceedings. In response to this inquiry, the undersigned promptly prepared and submitted his detailed written submissions to the inquiry officer/committee. The submissions, dated 20.09.2010, provided a comprehensive account of the

**ATTESTED**

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undersigned's perspective and addressed the allegations levied against them. In order to further engage with the inquiry process and present his case in person, the applicant/undersigned appeared before the designated inquiry officer (Principal, GHSS No. 2 Peshawar Cantt.) on 26.10.2010 and was provided with all relevant supporting documents by the undersigned. During the course of the hearing, the undersigned expressed his desire to resume his duties and sought guidance from the inquiry officer on the matter. In response, the inquiry officer advised the undersigned to exercise patience and await the conclusion of the ongoing inquiry. Furthermore, the undersigned was informed that any decisions regarding his return to duty should be made in accordance with the final outcome of the inquiry process and any subsequent directives issued by the competent authority. *(Copies of inquiry proceedings and application dated 20.09.2010 are attached herewith)*

7. By adhering to the advice of the inquiry officer and awaiting the finalization of the inquiry proceedings, the undersigned demonstrated his commitment to the fair and just resolution of the matter at hand. During this period, the applicant/undersigned made multiple telephonic inquiries regarding the status and progress of the aforementioned matter. However, as no official order or response was received from the competent authority regarding the inquiry, the undersigned exercised his right to pursue redressal by filing a departmental appeal before the esteemed before the Elementary & Secondary Education, Khyber Pakhtunkhwa, regrettably, the applicant/undersigned did not receive a response within the prescribed statutory period. Consequently, in order to protect his legal rights and seek appropriate resolution, the applicant/undersigned had no alternative but to file a service appeal bearing No. 7205 of 2021, within the designated time limit before the Honorable Khyber Pakhtunkhwa Service Tribunal. It is important to note that the service appeal filed before the tribunal was subsequently amended with the permission of the honorable tribunal, as reflected in the attached copies of the original service appeal and the amended service appeal. These documents provide a comprehensive overview of the undersigned's case and the steps

  
TESTED

taken to address the unresolved matter through the proper legal channels. *(Copies of departmental appeal, service appeal, amended service appeal are attached herewith)*

8. That, in response to the service appeal filed by the applicant/undersigned, comments were submitted by the respondents alleging therein, that the applicant/undersigned had been terminated from the service. However, it is important to note that no proper termination letter or removal order was specifically referenced or attached to the comments. *(Copy of comments attached herewith)*
9. That, during the course of final stage arguments in the service appeal, the honorable tribunal vide order/judgement dated 03.05.2023 granted permission to the applicant/undersigned to withdraw his service appeal in order to allow the applicant/undersigned to file a more appropriate representation or departmental appeal against the purported removal order before the competent authority. The tribunal recognized the need for the undersigned to pursue the appropriate legal recourse and ensure that his rights were adequately protected. By allowing the withdrawal of the service appeal, the honorable tribunal provided an opportunity for the undersigned to pursue a more targeted and focused approach in challenging the alleged removal order, hence is the instant representation/departmental appeal on the following grounds. *(Copy of order dated 03.05.2023 are attached herewith)*

**GROUND:**

- A. That, actions and inactions of respondents are illegal, ultra vires, ultra-Sharia' and against the established norms of administration, therefore, are not tenable in the eyes of law.
- B. That, applicant/undersigned has not been dealt with in accordance with law, which is the worst example of discrimination, therefore, is against the fundamental rights of the applicant/undersigned, as enshrined in

**AS TESTED**

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Articles 4, 25 & 27 of the Constitution of Islamic Republic of Pakistan, 1973.

- C. That, applicant/undersigned has been deprived of his legal right of service, safeguarded by constitution of Islamic republic of Pakistan, 1973.
  
- D. That, the applicant/undersigned has serving as government employee since his initial appointment at District Account office w.e.f. 18.02.1996 to 31.08.2008 and then from 01.09.2003 till now and is having pensionable service. *(Copy of length of service certificate and service book is attached herewith)*
  
- E. That the applicant/undersigned has neither been allowed to join his duty nor has been served with an adverse order against him, therefore the applicant/undersigned has been kept in hanging position which is against the law and rules on the subject.
  
- F. The undersigned/applicant finds himself in a state of uncertainty and limbo, as he has been left disconnected and excluded from the entire process subsequent to the departmental inquiry. Instead of being provided with relevant updates or information regarding the progress of the inquiry, the undersigned was merely instructed to wait for the results of the said inquiry. This failure to keep the applicant/undersigned informed and involved in the proceedings has left him in a precarious position, with his rights and interests hanging in the balance. The applicant/undersigned has been deprived of any meaningful participation or engagement in the subsequent stages of the process, thereby impeding his ability to effectively address the matter at hand and assert his rights. This exclusionary treatment is not only contrary to the principles of due process and fair treatment, but it also leaves the undersigned in a state of legal uncertainty. Summarily, the undersigned is left

TESTER

without clarity regarding his current status and the implications of the ongoing inquiry, thus depriving him of the opportunity to present his case or respond to any allegations or decisions made in his absence.

- G. Any other ground not specifically raised will be argued with the prior permission of this August Court.

In view of the above, it is therefore very humbly prayed that, on acceptance of this representation/departmental appeal, the applicant/undersigned may please be re-adjusted as Subject Specialist (Pakistan Studies) at any nearest station with all back benefits.

**IN ALTERNATIVE**

The removal order if any, may kindly be converted into retirement and pension case of the applicant/undersigned may kindly be processed in accordance with law.

Any other relief not specifically prayed but this august court deems proper may also be granted.

Applicant/undersigned

Fazal Mabood S/O Marat Khan  
CNIC: 15602-3620630-5

ATTEST

BEFORE THE SERVICE TRIBUNAL, KHYBER  
PAKHTUNKHWA, PESHAWAR

Amended Service Appeal No. \_\_\_\_\_ of 2022.

Fazal Mabood S/O Marat Khan R/O Village Shalpin, Tehsil  
Khwazakhela, Distt: Swat.

... Appellant

VERSUS

1. Government of Khyber Pakhtunkhwa through Secretary Elementary & Secondary Education, Khyber Pakhtunkhwa at Peshawar.
2. Director Elementary & Secondary Education, Government of Khyber Pakhtunkhwa at Peshawar.
3. District Education Officer Swat at Gulkadda Swat.
4. Principal GHSS Khwazakhela Swat.
5. District Account Officer, Swat at Saidu Sharif Swat
6. District Account Officer, Shangla, at Alpurai, Shangla

... Respondents

Amended Service Appeal Under Section 4 of Service Tribunal Act, 1974, against the actions and inactions of respondents whereby the appellant has been kept in a hanging position by neither responding him regarding his leave extension application nor allowing him to continue his services as Subject Specialist (Pakistan Studies).

Prayer:

On acceptance of this amended service appeal, the official respondents may please be directed to re-adjust the appellant as Subject Specialist (Pakistan Studies) at any nearest station with all back benefits.

ATTESTED



Any other relief not specifically prayed but this august court deems proper may also be granted.

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Respectfully Sheweth:

1. That appellant is the bonafide resident of Village Shalpin, Tehsil Khwazakhela, Distt Swat and was initially appointed as Sub Accountant in District Account Office Swat and served on the same at DAO Office Swat and Shangla from 18.02.2996 to 31.08.2003.
2. That the appellant applied for Subject Specialist (Pakistan Studies) post through proper channel and was appointed as Subject Specialist (S.S) vide order dated 28-08-2003. It is pertinent to mention here that the appellant has properly been relieved by the Finance Department to join his new assignment as S.S with all back benefits. **(Copies of CNIC and order dated 01.11.2014 and relieve order and its relevant documents are annexed as annexure "A")**
3. That appellant was serving as Subject Specialist (S.S) (Pakistan Studies) at GHSS Khwazakhela, Swat.
4. That appellant applied for leave with pay w.e.f 01-09-2006 to 11-11-2006 and leave without pay w.e.f 12-11-2006 to 31-08-2008 which was allowed accordingly by the competent authority. **(Copies of applications and sanction of leave are annexed as annexure "B")**
5. That the appellant after availing the leave mentioned above upto 31.08.2008, in the meanwhile the security situation in district Swat became bad to worst specially for the persons who were in government service, furthermore all the schools, colleges and government

~~ATTESTED~~

institutions were closed due to militancy in Swat district generally and specifically in Upper Swat where the GHSS Khwazakhela exists, therefore appellant along with family move to down districts of Khyber Pakhtunkhwa and the appellant submitted application for extension in leave w.e.f. from 01.09.2008 to 31.08.2011 and a subsequent application for extension in leave without pay w.e.f 01.09.2008 to 25.10.2020 which have not been responded till date. **(Copies of applications are annexed as annexure "C")**

6. That an inquiry was initiated against the appellant in the year 2010 wherein he submitted his submissions before the inquiry officer/committee and to the respondent No.1 vide a detailed application dated 20.09.2010. **(Copies of inquiry proceedings and application dated 20.09.2010 are annexed as annexure "D")**
7. That the appellant appeared in-person before the inquiry officer i.e. principal of GHSS No.2 Peshawar Cantt. on 26.10.2010 along with all relevant documents, wherein the appellant submitted before the inquiry officer, that whether he should join his duty, in response the inquiry officer told him to wait for the outcome of the inquiry and till the directives of the competent authority.
8. That the appellant time and again asked about the matter telephonically, but when not received any order of the competent authority on the subject inquiry preferred a departmental appeal before the worthy respondent No.1 on 28.04.2021 which has not been responded in its statutory period, therefore the

**ATTESTED**

appellant having no other option but to file the instant appeal in its statutory time limitation on the following grounds:

**Grounds:**

- i. That, actions and inactions of respondents are illegal, ultra vires, ultra shariah and against the established norms of administration, therefore, are not tenable in the eyes of law.
- ii. That, appellant has not been dealt with in accordance with law, which is the worst example of discrimination, therefore, is against the fundamental rights of the appellant, as enshrined in Articles 4, 25 & 27 of the Constitution of Islamic Republic of Pakistan, 1973.
- iii. That, appellant has been deprived of his legal right of service, safeguarded by constitution of Islamic republic of Pakistan, 1973.
- iv. That, the appellant has serving as government employee since his initial appointment at District Account office w.e.f 18.02.2996 to 31.08.2003 and then from 01.09.2003 till now and is having pensionable service. **(Copy of length of service certificate and service book is annexed as Annexure "E")**
- v. That the appellant has neither been allowed to join his duty nor has been served with an adverse order against him, therefore the appellant has been kept in hanging position which is against the law and rules on the subject.

**ATTESTED**

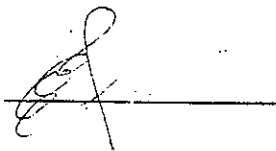
vi. Any other ground not specifically raised will be argued with the prior permission of this August Court.

In view of the above, it is therefore very humbly prayed that, on acceptance of this service appeal, the official respondents may please be directed to re-adjust the appellant as Subject Specialist (Pakistan Studies) at any nearest station with all back benefits.

Any other relief not specifically prayed but this august court deems proper may also be granted.

Appellant

Through Counsel



**Sabir Shah**  
Advocate Supreme Court

ADTESTET

BEFORE THE KHYBER PAKHTUNKHWA SERVICE TRIBUNAL, PESHAWAR

Amendment Service Appeal in Service Appeal No. 7205/2021

Dated

No. 3199

27-1-2023

Mr. Fazal Mabood, SS BS-17.....

Appellant

VERSUS

Secretary E&SE, Govt: of Khyber Pakhtunkhwa & others.....

Respondents.

PARAWISE COMMENTS ON BEHALF OF THE RESPONDENTS NO. 01 & 02

Respectfully Sheweth,

Preliminary Objections

1. That the instant appeal is hopelessly time barred and is not maintainable.
2. That the appellant enjoyed other business/jobs for a long time and did not bother to return to his duty after his approved leave and remained absent for more than ten years and now when he is no more a civil servant and he was terminated accordingly as per rules he knocked the door of this Hon'ble Tribunal malafide with any justification and without any cause of action.
3. That the appellant is not in any legal position nor has any locus standi to file the instant appeal.
4. That the appellant has concealed material facts from this Hon'ble Tribunal.
5. That the appellant is estopped by his own conduct to file the present appeal.
6. That the appellant has not come to this Tribunal with clean hands.
7. That the instant appeal is against the prevailing law and rules.
8. That the appellant is not entitled for any relief he has sought from this Hon'ble Tribunal.
9. That the appellant is not an aggrieved person.
10. That the appeal being devoid of any merit is liable to be dismissed with heavy cost.

ON FACTS.

1. Needs no comment appellant shall provide documentary evidence.
2. Pertains to record, needs no comments.
3. Pertains to record.
4. Correct, up to the extent of the grant of leave. However later on the appellant was willfully remained absent from his duties which resulted in his termination, which he has impugned before this Tribunal.
5. Incorrect, misleading and denied. After expiry of leave up to 31-08-2008, neither the appellant assumed the charge nor made any contact with department and remained absent from duty.
6. Incorrect, proper inquiry was conducted against the appellant as a result of inquiry report, the competent authority imposed major penalty upon the appellant.

Certified to be true copy

  
Officer  
Khyber Pakhtunkhwa  
Service Tribunal,  
Peshawar



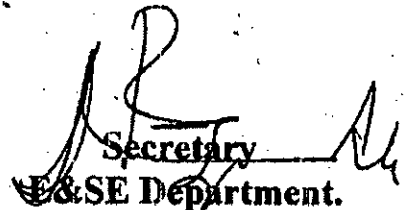
(52)  
ANK 2 F


8. Incorrect, the appellant is a civil servant having the knowledge of service. He was required to submit written arrival for duty before the competent authority but he failed. Therefore, the appellant has been terminated from service after fulfillment of all codal formalities.

**On Grounds**

- i. Incorrect, all proceedings have been carried out according to law/rules.
- ii. Incorrect, the appellant has been treated in according to law/rules.
- iii. Incorrect, no violation of the Constitution of Islamic Republic of Pakistan has been committed.
- iv. Incorrect, the appellant has been removed from service on the basis of recommendation of the inquiry officer by the competent authority.
- v. Incorrect, the appellant remained absent from duty for a long period and resultantly removed from service.
- vi. The respondent will also raise additional grounds at the time of arguments.

It is therefore, requested, that the appeal in hand is hopelessly time barred, meritless and based on malafide, intention therefore, may very kindly be dismissed with heavy cost.

  
Secretary  
E&SE Department.  
(Respondents No.01)

  
Director  
E&SE Department  
(Respondent No. 02)

Certified to be true copy.

  
EXAMINER  
Khyber Pakhtunkhwa  
Service Tribunal  
Peshawar

SB

**BEFORE THE HON'BLE SERVICE TRIBUNAL PESHAWAR**

Service Appeal # 7205/2021

Fazal Mabood, SS BS-17.....Petitioner

**VERSUS**

Govt. of Khyber Pakhtunkhwa & others..... Respondents

**AFFIDAVIT**

I, **Muhammad Imran Zaman, Section Officer (Litigation-II)**

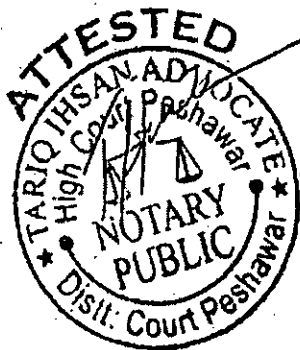
Elementary & Secondary Education, Department do hereby solemnly affirm

and declare that the contents of the accompanying para-wise comments,

submitted by the respondents, are true and correct to the best of my

knowledge and belief and nothing has been concealed from this Honorable

Court.



**DEPONENT**

*[Handwritten signature]*

**Muhammad Imran Zaman  
Section Officer (Lit-II)  
E&SE Department Peshawar**

**ATTESTED**

(55)

ENR CJ @

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

**PESHAWAR**

Service Appeal No. 7205 of 2021

Khyber Pakhtunkhwa  
Service Tribunal

Diary No. 7192

Dated 12/7/2021

**SCANNED  
KPST  
Peshawar**

Fazal Mabood S/O Marat Khan R/O Village Shalpin, Tehsil Khwazakhela, Distt: Swat.



... Appellant

**VERSUS**

1. Government of Khyber Pakhtunkhwa through Secretary Elementary & Secondary Education, Khyber Pakhtunkhwa at Peshawar.
2. Director Elementary & Secondary Education, Government of Khyber Pakhtunkhwa at Peshawar.
3. District Education Officer Swat at Gulkadda Swat.
4. Principal GHSS Khwazakhela Swat.

... Respondents

Service Appeal Under Section 4 of Service Tribunal Act, 1974, against the actions and inactions of respondents whereby the appellant has been kept in a hanging position by neither responding him regarding his leave extension application nor allowing him to continue his services as Subject Specialist (Pakistan Studies).

Filed to-day  
Registrar  
12/7/21

**Prayer:**

On acceptance of this service appeal, the official respondents may please be directed to re-adjust the appellant as Subject Specialist (Pakistan Studies) at any nearest station with all back benefits.

Re-submitted to -day and filed.

Registrar  
6/8/2021

Certified to be true copy  
EXAMINED  
Khyber Pakhtunkhwa  
Service Tribunal  
Peshawar



55

A. No. 7205/21  
Fajal Mabood vs Govt



03.05.2023

Appellant alongwith his counsel present.

At the very outset an application seeking withdrawal of the instant service appeal was filed. Learned counsel submitted that the appellant came to know regarding his removal from service, therefore, he may be allowed to withdraw his appeal in order to file proper representation/departmental appeal against the removal order before the competent authority; allowed.

In the circumstances, instant appeal stands dismissed as withdrawn. No order as to costs. File be consigned to the record room.

Announced  
03.05.2023

Certified to be true copy  
MINER  
Khyber Pakhtunkhwa  
Service Tribunal  
Peshawar

(Rozina Penman)  
Member (J)  
Camp Court, Swat

\*Muazem Shah\*

Date of Presentation of Application 09/5/23  
Number of Words 27  
Copying Fee 10/-  
Urgent      
Total 10/-  
Name of      
Date of Completion of Copy 17/5/23  
Date of Delivery of Copy 17/5/23

(53) (57)

**BEFORE THE WORTHY DIRECTOR ELEMENTARY AND SECONDARY  
EDUCATION, KHYBER PAKHTUNKHWA AT PESHAWAR**

Representation/Departmental Appeal No. \_\_\_\_\_ of 2023

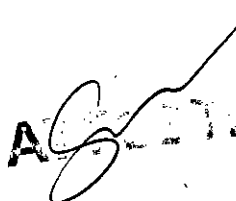
Subject: *Departmental representation/appeal for re-adjusting the applicant/undersigned as Subject Specialist (Pakistan Studies) at any nearest station with all back benefits. Alternatively, conversion of any existing removal order into retirement, followed by initiating the applicant/undersigned's Pension Case in compliance with applicable laws.*

Respectfully Sheweth:

1. That, applicant/undersigned is the bonafide resident of Village Shalpin, Tehsil Khwazakhela, Distt Swat and was initially appointed as Sub Accountant in District Account Office Swat and served on the same at DAO Office Swat and Shangla from 18.02.1996 to 31.08.2003.
2. That, the applicant/undersigned applied for Subject Specialist (Pakistan Studies) post through proper channel and was appointed as Subject Specialist (S.S) vide order dated 28-08-2003. It is pertinent to mention here that the applicant/undersigned has properly been relieved by the Finance Department to join his new assignment as S.S with all back benefits. *(Copies of CNIC, order dated 28.08.2013 and relieve order along with its relevant documents are attached herewith)*
3. That, the applicant/undersigned while serving as Subject Specialist, Pakistan Studies (S.S) at GHSS Khwazakhela, Swat applied for **"leave with pay"** w.e.f. 01-09-2006 to 11-11-2006 and subsequently **"leave without pay"** w.e.f. 12-11-2006 to 31-08-2008 which was allowed accordingly by the competent authority as per the applicable regulations and policies on the subject. *(Copies of applications and sanction of leave are attached herewith)*

**ATTEST**

4. That, subsequent to the completion of the aforementioned approved leave, until 31.08.2008, it is pertinent to note that the security situation in Swat district underwent a significant deterioration, particularly affecting individuals serving in government positions. An escalated level of militancy in Swat district, specifically in Upper Swat where the duty school of applicant/undersigned, i.e. GHSS Khwazakhela is located, led to the closure of all schools, colleges, and government institutions. It is crucial to emphasize that the applicant/undersigned's family status and reputation being elders and respected family within the community made them a prime target for the militants, exacerbating the risks faced by both the applicant/undersigned and his family as they faced even direct threats from the militants. Given the gravity of the situation, it became abundantly clear that it would be life-threatening for the applicant/undersigned and his family to remain in their village amidst such perilous circumstances.
  
5. In order to ensure his personal safety and well-being, it was an imperative and non-negotiable decision for the undersigned to relocate from his village and seek refuge in a more secure environment in other districts within Khyber Pakhtunkhwa or Islamabad, that were deemed comparatively safer. Consequent upon, the undersigned submitted an application seeking an extension of leave, effective from 01.09.2008 to 31.08.2011 as such actions were dictated by the sheer necessity of protecting himself and his family from imminent harm and danger. It is regrettable to state that, despite the passage of time, no response or communication has been received to date regarding the aforementioned applications. *(Copies of applications are attached herewith)*
  
6. That, during the year 2010, an inquiry was launched against the applicant/undersigned, necessitating his active participation in the proceedings. In response to this inquiry, the undersigned promptly prepared and submitted his detailed written submissions to the inquiry officer/committee. The submissions, dated 20.09.2010, provided a comprehensive account of the

  
ACCEPTED

undersigned's perspective and addressed the allegations levied against them. In order to further engage with the inquiry process and present his case in person, the applicant/undersigned appeared before the designated inquiry officer (Principal, GHSS No. 2 Peshawar Cantt.) on 26.10.2010 and was provided with all relevant supporting documents by the undersigned. During the course of the hearing, the undersigned expressed his desire to resume his duties and sought guidance from the inquiry officer on the matter. In response, the inquiry officer advised the undersigned to exercise patience and await the conclusion of the ongoing inquiry. Furthermore, the undersigned was informed that any decisions regarding his return to duty should be made in accordance with the final outcome of the inquiry process and any subsequent directives issued by the competent authority. *(Copies of inquiry proceedings and application dated 20.09.2010 are attached herewith)*

7. By adhering to the advice of the inquiry officer and awaiting the finalization of the inquiry proceedings, the undersigned demonstrated his commitment to the fair and just resolution of the matter at hand. During this period, the applicant/undersigned made multiple telephonic inquiries regarding the status and progress of the aforementioned matter. However, as no official order or response was received from the competent authority regarding the inquiry, the undersigned exercised his right to pursue redressal by filing a departmental appeal before the esteemed before the Elementary & Secondary Education, Khyber Pakhtunkhwa, regrettably, the applicant/undersigned did not receive a response within the prescribed statutory period. Consequently, in order to protect his legal rights and seek appropriate resolution, the applicant/undersigned had no alternative but to file a service appeal bearing No. 7205 of 2021, within the designated time limit before the Honorable Khyber Pakhtunkhwa Service Tribunal. It is important to note that the service appeal filed before the tribunal was subsequently amended with the permission of the honorable tribunal, as reflected in the attached copies of the original service appeal and the amended service appeal. These documents provide a comprehensive overview of the undersigned's case and the steps

taken to address the unresolved matter through the proper legal channels. *(Copies of departmental appeal, service appeal, amended service appeal are attached herewith)*

8. That, in response to the service appeal filed by the applicant/undersigned, comments were submitted by the respondents alleging therein, that the applicant/undersigned had been terminated from the service. However, it is important to note that no proper termination letter or removal order was specifically referenced or attached to the comments. *(Copy of comments attached herewith)*
  
9. That, during the course of final stage arguments in the service appeal, the honorable tribunal vide order/judgement dated 03.05.2023 granted permission to the applicant/undersigned to withdraw his service appeal in order to allow the applicant/undersigned to file a more appropriate representation or departmental appeal against the purported removal order before the competent authority. The tribunal recognized the need for the undersigned to pursue the appropriate legal recourse and ensure that his rights were adequately protected. By allowing the withdrawal of the service appeal, the honorable tribunal provided an opportunity for the undersigned to pursue a more targeted and focused approach in challenging the alleged removal order, hence is the instant representation/departmental appeal on the following grounds. *(Copy of order dated 03.05.2023 are attached herewith)*

**GROUND:**

- A. That, actions and inactions of respondents are illegal, ultra vires, ultra-Sharia' and against the established norms of administration, therefore, are not tenable in the eyes of law.
  
- B. That, applicant/undersigned has not been dealt with in accordance with law, which is the worst example of discrimination, therefore, is against the fundamental rights of the applicant/undersigned, as enshrined in

**ACCEPTED**

Articles 4, 25 & 27 of the Constitution of Islamic Republic of Pakistan, 1973.

- C. That, applicant/undersigned has been deprived of his legal right of service, safeguarded by constitution of Islamic republic of Pakistan, 1973.
- D. That, the applicant/undersigned has serving as government employee since his initial appointment at District Account office w.e.f. 18.02.1996 to 31.08.2008 and then from 01.09.2003 till now and is having pensionable service. *(Copy of length of service certificate and service book is attached herewith)*
- E. That the applicant/undersigned has neither been allowed to join his duty nor has been served with an adverse order against him, therefore the applicant/undersigned has been kept in hanging position which is against the law and rules on the subject.
- F. The undersigned/applicant finds himself in a state of uncertainty and limbo, as he has been left disconnected and excluded from the entire process subsequent to the departmental inquiry. Instead of being provided with relevant updates or information regarding the progress of the inquiry, the undersigned was merely instructed to wait for the results of the said inquiry. This failure to keep the applicant/undersigned informed and involved in the proceedings has left him in a precarious position, with his rights and interests hanging in the balance. The applicant/undersigned has been deprived of any meaningful participation or engagement in the subsequent stages of the process, thereby impeding his ability to effectively address the matter at hand and assert his rights. This exclusionary treatment is not only contrary to the principles of due process and fair treatment, but it also leaves the undersigned in a state of legal uncertainty. Summarily, the undersigned is left

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without clarity regarding his current status and the implications of the ongoing inquiry, thus depriving him of the opportunity to present his case or respond to any allegations or decisions made in his absence.

- G. Any other ground not specifically raised will be argued with the prior permission of this August Court.

In view of the above, it is therefore very humbly prayed that, on acceptance of this representation/departmental appeal, the applicant/undersigned may please be re-adjusted as Subject Specialist (Pakistan Studies) at any nearest station with all back benefits.

***IN ALTERNATIVE***

The removal order if any, may kindly be converted into retirement and pension case of the applicant/undersigned may kindly be processed in accordance with law.

Any other relief not specifically prayed but this august court deems proper may also be granted.

Applicant/undersigned

Fazal Mabood S/O Marat Khan  
CNIC: 15602-3620630-5

**ATTESTED**



CN: 4765583484

Product: G Service Type: L

Payment Mode: CASH Date/Time: 2023-06-07 17:25

ORIG-DEST: SWT-PEW Precedence: 1Pcs - .5  
Staff: 110248 Route: X35107

Shipper Details:  
Name: FAZAL MABOOD  
Phone: 03469422559  
Address: SHALPIN TESHIL KZK DIST SWAT

Consignee Details:  
Name: SECRETARY E&SE  
Phone: 03009999999  
Address: GOVT OF KPK PESHAWER

Insured Value: Rs. 0

Express Center Cut-off Time: 14:30

Payment Details	
Service CHG	287.0
Fuel Surcharge	17.0
Other Amount	0.0
VAS	0
Insurance CHG	0
GST	46
Premium	0
<b>TOTAL</b>	<b>350.0</b>

Remarks:

Instructions:

Customer Signature:

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LENGTH OF SERVICE CERTIFICATE.

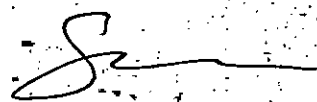
161

It is Certified that Mr: Fazal Mahmood is Subject Specialist in Pakistan Studies. He has been Working on the Post in G.H.S.S: Khwaza Khela Swat Since 01/09/2003. He has taken Extra Ordinary leave with effect from 12/11/2006. Before his current Position he has Perfor his duty as Sub-Accountant in District Accounts Officer Swat and Shang from 1/02/1996 to 31/03/2003.

His total length of Service is 10 years 03 Months and 23 Da



(PRINCIPAL)  
GOVT: HIGHER SECONDARY  
KHWAZA KHELA SWAT.  
Principal,  
GHSS, Khwazakhela,  
Distt: Swat.



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1	2	3	4	5	6	7	8	9
Name of post	Whether substantive or officiating and whether permanent or temporary	If officiating state (i) substantive appointment, or (ii) whether service counts for pension under Art. 371 C.S.R.	Pay in substantive post	Additional Pay for officiating	Other emolument falling under the term 'Pay'	Date of appointment	Signature of Government servant	Signature of head of office
Sub Accountant E-11 Rs. 1725-116-3463			Rs. 1725			18/2/1996	[Signature]	[Signature]
—			Rs. 1957			18/2/96	[Signature]	[Signature]
—			Rs. 2073			1/12/96	[Signature]	[Signature]
—			2189			1/12/97	[Signature]	[Signature]
—			2305			1/12/98	[Signature]	[Signature]
—			2421			1/12/99	[Signature]	[Signature]
—			2537			1/12/2000	[Signature]	[Signature]
Service w.o.f. 1-1-2001 to 31-7-2001 ✓ Verified from office copies of Pay bills and other office record.		Distt: A/c Officer, Swat.		Service w.o.f. 1-12-99 to 31-12-2000 Verified from office copies of Pay bills and other office record.		Distt: A/c Officer, Swat.		
Service w.o.f. 1-1-97 to 30-11-98 Verified from office copies of Pay bills and other office record.		Distt: A/c Officer, Swat.		Granted 55 days leave on full pay on medical grounds from 6-10-1998 to 30-11-98 (Both days inclusive) vide Commissioner, Malakand Division Office order no 17282-84/250 (AC) dated 21-12-1998.				

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(11)

9	10	11	12	13		14	15
Signature and designation of the head of the office or other attesting officer in attestation of columns 1 to 8	Date of termination of appointment	Reason of termination (such as: promotion, transfer, dismissal, etc).	Signature of the head of the office or other attesting officer	Leave		Signature of the head of the office or other attesting officer	Reference to recorded month of censure, reward or pra of the Government Servant
				Nature and duration of leave taken	Allocation of period of leave on average pay upto four months for which leave salary is debitabale to another Government		
					Period Government to which debitabale		
	30/11/76	Annual increment				Appointed as Sub-AC	
	30/11/76	Annual increment				vide Commissioner Malacca and	
	30/11/76	Annual increment			order/Enclst No. 1425-32/21/70	dated 15/2/1996	
	30/11/76	Annual increment					
	30/11/76	Annual increment				Allowed two address	
	30/11/76	Annual increment				Agreement on passing MA (S)	
	30/11/76	Annual increment				vide Commissioner Malacca and	
	30/11/76	Annual increment				AG order O.D. NO. ACCS/05 dated 01/08/2001	Enclst No. 5590-92/21/20/ACC dt 15/
	30/11/76	Annual increment				enclosed vide Ab. Adm. 2-25 (164) dated 01/08/2001	Enclst 38
	30/11/76	Annual increment				Service in 12-78 to 30-11-79	Verified from office copies of and other office records.
	30/11/76	Annual increment				T-2191	17/7/76
	30/11/76	Annual increment				MA No. 18/16	2 and 3-6-76
	30/11/76	Annual increment				Service in 78/76	Verified from office copies of and other office records.
	30/11/76	Annual increment				22 days	Censure on field pay
	30/11/76	Annual increment				22 days (including) vide Commissioner's order	dated 17-1-1979
	30/11/76	Annual increment				District Officer Malacca	
	30/11/76	Annual increment				District Officer Malacca	

62

(3)

1	2	3	4	5	6	7	8	
Name of post	Whether substantive or officiating and whether permanent or temporary	If officiating state (i) substantive appointment, or (ii) whether service counts for pension under Art. 371 C.S.R.	Pay in substantive post	Additional Pay for officiating	Other emolument falling under the term "Pay"	Date of appointment	Signature of Government servant	S. des. head of office of c
Sub account - B.ii								
151725-116-3465			Rs. 2537/m			7-8-2009	<i>[Signature]</i>	
152590-175-7840			Rs. 2653/m	eld.		1-12-2001	<i>[Signature]</i>	
do			Rs. 3990/m	do		1-12-2002	<i>[Signature]</i>	
do			Rs. 4165/m			1-12-2002	<i>[Signature]</i>	
do			Rs. 4165/m			31-8-2009	<i>[Signature]</i>	

ATTEST

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13

9	10	11	12	13		14	15		
Signature and designation of the head of the office or other attesting officer in attestation of columns 1 to 8	Date of termination of appointment	Reason of termination (such as promotion, transfer, dismissal, etc).	Signature of the head of the office or other attesting officer	Leave		Signature of the head of the office or other attesting officer	Reference to any recorded punishment or censure, or reward or praise of the Government Servant.		
				Nature and duration of leave taken	Allocation of period of leave on average pay upto four months for which leave salary is debitable to another Government			Departmental pay from	
					Period				
<i>[Signature]</i>	30-11-2001	<i>[Reason]</i>	<i>[Signature]</i>		Pay on 30-11-2001	<i>[Signature]</i>	B.P.S. 11 - B.2532		
<i>[Signature]</i>	30-11-2001	<i>[Reason]</i>	<i>[Signature]</i>		12-2001	<i>[Signature]</i>	B.2653		
<i>[Signature]</i>	31-8-2001	Appointed as S.S.	<i>[Signature]</i>		12-2001	<i>[Signature]</i>	B.3990		
<i>[Signature]</i>			<i>[Signature]</i>		12-2002	<i>[Signature]</i>	B.4165		
						<i>[Signature]</i>			
			<i>[Signature]</i>		Service from 1-8-2001 to 31-08-2001	<i>[Signature]</i>	verified from office copies of pay bills and other office record.		
			<i>[Signature]</i>			<i>[Signature]</i>			
Appointed as subject specialist vide Govt. of N.W.F. Schools & Literacy Deptt. No. 22(S) 3-2/2003/S.S. (M.A.F.) dt. 28/08/2003. at S.No. 21.			<i>[Signature]</i>			<i>[Signature]</i>			
			<i>[Signature]</i>			<i>[Signature]</i>	Imp. Pursuance of Secretary to Govt. of N.W.F. Finance Deptt. vide office order No. 30 (Estt) F2/1679/2002 dt. 17-9-2003 Mr. Fazal Hussain of this office has been relieved of his duties in Govt. Establishment w.e.f. 31-08-2003 (A.M) as enable him to join his new assignment. His name will be retained in Govt. Establishment against his confirmed position in B.P.S. 11 as per rules.		

Reported arrival at Dargla on 07/08/2001 (F.N)

Service from 1-8-2001 to 31-08-2001 verified from office copies of pay bills and other office record.

Appointed as subject specialist vide Govt. of N.W.F. Schools & Literacy Deptt. No. 22(S) 3-2/2003/S.S. (M.A.F.) dt. 28/08/2003. at S.No. 21.

Imp. Pursuance of Secretary to Govt. of N.W.F. Finance Deptt. vide office order No. 30 (Estt) F2/1679/2002 dt. 17-9-2003 Mr. Fazal Hussain of this office has been relieved of his duties in Govt. Establishment w.e.f. 31-08-2003 (A.M) as enable him to join his new assignment. His name will be retained in Govt. Establishment against his confirmed position in B.P.S. 11 as per rules.

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~~SR~~

Signature and designation of the head of the office or other attesting officer in attestation of columns 1 to 5	Date of termination or appointment	Reason of termination (such as promotion, transfer, dismissal, etc).	Signature of the head of the office or other attesting officer	Nature and duration of leave taken		Signature of the head of the office or other attesting officer	Reference to any recorded punishment or censure, or reward or praise of the Government or Service
				Period	Allocation of period of leave on average pay upto four months for which leave salary is payable to another Government		
<i>[Signature]</i>	30-11-2001		<i>[Signature]</i>		Pay on 30 Dec 01	<i>[Signature]</i>	Departmental pay job
<i>[Signature]</i>	30-11-2001		<i>[Signature]</i>		12 Dec 01	<i>[Signature]</i>	
<i>[Signature]</i>	31-8-2001		<i>[Signature]</i>		12 Dec 01	<i>[Signature]</i>	
<i>[Signature]</i>	31-8-2001		<i>[Signature]</i>		12 Dec 01	<i>[Signature]</i>	
<i>[Signature]</i>	31-8-2001		<i>[Signature]</i>		12 Dec 01	<i>[Signature]</i>	
<i>[Signature]</i>	31-8-2001		<i>[Signature]</i>		12 Dec 01	<i>[Signature]</i>	
<i>[Signature]</i>	31-8-2001		<i>[Signature]</i>		12 Dec 01	<i>[Signature]</i>	
<i>[Signature]</i>	31-8-2001		<i>[Signature]</i>		12 Dec 01	<i>[Signature]</i>	
<i>[Signature]</i>	31-8-2001		<i>[Signature]</i>		12 Dec 01	<i>[Signature]</i>	

*Reported arrived at the ...*  
*2007/08/2001 (P.N)*

*Source may be 1-8-2001 to 21-11-2001*  
*not found from office copies of pay*  
*51-31 and other office record.*

*Appointed as subject specialist with*  
*Financial Services & Co-Operative Dept.*  
*Varanasi 3-11-2003 (S.S. (M.F.) 11/11/2003)*  
*at ...*

*In pursuance of Secretary's order*  
*of New Fr. Finance Dept. with office*  
*order No. 12 (S.S.) 50/1000/...*  
*dt. 17-9-2003 Mr. ... of this office has been relieved of his duties in ... establishment as of 31-08-2003 (S.S.) ... His duties are retained in ... position in BPS-11 as per ...*

*AD ...*

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10 Signature of head of the office or other authority	11 Date of termination of appointment	Reason for termination (such as promotion, resignation, discharge, etc.)	12 Signature of the head of the office or other authority	13 Leave		14 Signature of the head of the office or other authority	Reference to record number, etc.
				Allocation of period of leave on average pay upto four months for which leave salary is payable to another Government	Government to which debit		
							Appointed as Sub Ac
							vide Commission No. 1925-32/31/100
							dated 15/11/1996
							Allowed the extension
							in accordance with the order
							vide Commission No. 1925-32/31/100
							End. No. 3890-31/31/100 dated 19
							12-78 to 30-11-55
							T-21/91
							171796
							MA No. 123-45-67-89
							Service from 1951/76 to 11/11/76
							and other...
							1/76-A (AC)

ATTESTEE

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Name of person	Whether (i) substantive appointment, or (ii) whether cover bonds for pension under Art. 31 C.S.R.	Pay in substance post	Date of appointment	Signature of Government servant	Designation of office
		R 1727	18/2/96	[Signature]	
		R 1953	18/2/96	[Signature]	
		R 2073	1/12/96	[Signature]	Dist
		2189	1/12/97	[Signature]	( )
		2305	1/12/99	[Signature]	( )
		2421	1/12/99	[Signature]	( )
		2537	1/12/99	[Signature]	( )

Service from 1-12-96 to 31-12-2007  
 Verified from office copies of Pay bills  
 and other office records.

Distt A/c Officer, Swat.

Service from 1-12-99 to 31-12-2008  
 Verified from office copies of Pay bills  
 and other office records.

Distt A/c Officer, Swat.

Service from 1-12-97 to 31-12-98  
 Verified from office copies of Pay bills  
 and other office records.

Distt A/c Officer, Swat.

Granted 55 days leave on full pay on medical grounds  
 from 1-10-1998 to 30-11-98  
 (all days inclusive) with commensurate Medical and Pension benefits under 172 B-5 of P.S.O.  
 dated 31-12-1998.

ATTEST



(69) (40)

Name and app- roving office or agency	If official in state (i) substantive appointment, or (ii) whether service counts for pension under A. S. 171 C.S. B.	Pay in substantive post.	Additional pay for retention	Other employment falling under the term "Pay"	Date of appointment	Signature of Government servant	S. des. head of office of
		\$2537/yr			7-12-2009	<i>[Signature]</i>	
		\$2683/yr			1-12-2009	<i>[Signature]</i>	
		\$3790/yr			7-12-2009	<i>[Signature]</i>	
		\$4185/yr			1-8-2009	<i>[Signature]</i>	

**TESTER**

**BEFORE THE KHYBER PAKHTUNKHWA SERVICES TRIBUNAL AT PESHAWAR**

**WAKALAT NAMA**

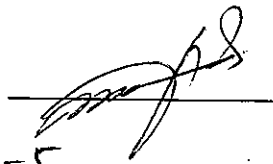
SERVICE APPEAL No. \_\_\_\_\_ -M/2023

Fazal Mabood **VERSUS** Government of KP and others.

I, **Fazal Mabood S/O Marat Khan R/O Village Shalpin, Tehsil Khwazakhela, Distt: Swat**.do hereby appoint **Sabir Shah Advocate Supreme Court, Irfan Ali & Aftab Hussain Butt Advocates, High Court (s)**, in the above mentioned case, to do all or any of the following acts, deeds and things: -

- 1) To appear, act and plead for me/us in the above mentioned case in this Court/Tribunal in which the same may be tried or heard, and any other proceedings arising out of or connected therewith.
- 2) To sign and verify and file, petitions, appeals, affidavits and applications as may be deemed necessary or advisable by them for the conduct, prosecution or defense of the said case at all its stages.
- 3) To receive payment of, and issue receipts for, all moneys that may be or become due and payable to us during the course of the proceedings.
- 4) To do any act necessary or ancillary to the above acts, deed and things.
- 5) To appoint any other counsel to do any/all of the acts, deeds and things.
- 6) I/we, shall appear in the court/tribunal on every date of hearing for assistance and if due to my/our nonappearance, any adverse judgment/order/decree is passed, they will not be held responsible.

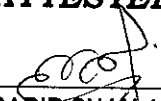
IN WITNESS whereof I/we have signed this Wakalat Nama hereunder, the contents of which have been read/explained to me/us and fully understood by me/us this **15-09-2023**

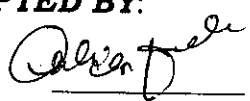
**Signature of Executant(s)**   
**Fazal Mabood**  
NIC No:15602-3620630-5

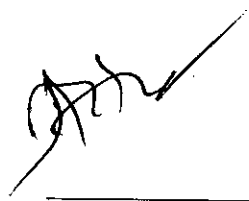
Cell No.0347-7744391

0346-9422559

**ATTESTED & ACCEPTED BY:**

  
**SABIR SHAH ASC**

  
**IRFAN ALI AHC**

  
**AFTAB HUSSAIN BUTT AHC**