

BEFORE THE KHYBER PAKHTUNKHWA SERVICE TRIBUNAL PESHAWAR
AT CAMP COURT SWAT

SERVICE APPEAL NO. 330/2019

Date of institution ... 05.03.2019

Date of judgment ... 06.01.2020

Ihsan-ul Haq, SST, Government Middle School Tironu Tangi Tehsil
Adenzai District Dir Lower.

... (Appellant)

VERSUS

1. The Government of Khyber Pakhtoonkhwa through Secretary Secondary and Elementary Education at Peshawar.
 2. The Director Secondary and Elementary Education Khyber Pakhtoonkhwa at Peshawar.
 3. District Education Officer (Male) Dir Lower at Temergara.
 4. District Accounts Officer Dir Lower at Temergara.
 5. Faiz Muhammad SST (G) Government High School Badwan, Dir Lower.
 6. Muhammad Zaman SST (G) Government Middle School Tangi Payan Dir (L).
- ... (Respondents)

APPEAL UNDER SECTION 4 OF THE KHYBER PAKHTOONKHWA
SERVICE TRIBUNAL ACT, 1974.

Mr. MUHAMMAD AMIN KHAN KUNDI
MR. HUSSAIN SHAH

.. MEMBER (JUDICIAL)
.. MEMBER (EXECUTIVE)

JUDGMENT

MUHAMMAD AMIN KHAN KUNDI, MEMBER: - Appellant alongwith

his counsel present. Mr. Riaz Ahmad Paindakheil, Assistant AG for official respondents No. 1 to 4, private respondent No. 5 in person and private respondent No. 6 with counsel present.

2. Brief facts of the present service appeal are that the appellant was serving as SST (General) in Education Department. He was transferred from Government Higher Secondary School Asbanr, Dir Lower to Government

M. Amin
6.1.2020

Middle School Terona Tangay vide order dated 17.09.2018. On the basis of aforesaid transfer order, the appellant assumed the charge at Government Middle School Tangi Payeen Khadagzai Dir Lower instead of Government Middle School Terona Tangay on 19.09.2018. The respondent-department also transferred private respondent Mr. Faiz Mohammad SST (G) from Government Middle School Badwan to Government Middle School Tangi Payeen vide order dated 24.09.2018. The appellant challenged the transfer order dated 24.09.2018 passed in favour of private respondent Faiz Mohammad in the worthy High Court, the worthy High Court treated the Writ Petition of the appellant as representation/departmental appeal and directed the departmental authority to decide the same in accordance with law vide judgment/order dated 06.11.2018. In the meanwhile, the respondent-department cancelled the transfer order dated 17.09.2018 passed in favour of the appellant as well as transfer order dated 24.09.2018 passed in favour of private respondent Faiz Mohammad and transferred one other private respondent No. 6 namely Muhammad Zaman SST (G) from Government Middle School Khawas Asbanr to Government Middle School Tangi Payeen vide same order dated 24.10.2018. Today, learned counsel for the appellant also furnished copy of departmental appeal filed by the appellant against the order dated 24.10.2018 and stated that the Writ Petition treated as departmental appeal by the worthy High Court as well as another departmental appeal filed by the appellant against the order dated 24.10.2018 have not been responded hence, he filed this service appeal.

3. Respondents were summoned who contested the appeal by filing written reply/comments.

M. Anam
6.1.2020

4. Learned counsel for the appellant contended that the appellant was serving SST (General) and he was transferred from Government Higher Secondary School Asbanr, Dir Lower to Government Middle School Terona Tangay vide order dated 17.09.2018. It was further contended that on the basis of said transfer order dated 17.09.2018, the appellant assumed the charge at Government Middle School Tangi Payeen on 19.09.2018 as the Government Middle School Terona Tangay and Government Middle School Tangi Payeen is one and same school. It was further contended that just after seven days of his transfer order dated 17.09.2018, the respondent-department also transferred private respondent No. 5 Mr. Faiz Mohammad SST (G) to same school i.e Government Middle School Tangi Payeen where the appellant already assumed the charge of the said post, therefore, the transfer order of the private respondent Faiz Mohammad was challenged by appellant before the worthy High Court through Writ Petition but the worthy High Court treated the Writ Petition as departmental appeal and directed the departmental authority to decide the same in accordance with law but the departmental authority has not decided the same. It was further contended that during the pendency of the Writ Petition, the respondent-department also withdrawn/cancelled the transfer order dated 17.09.2018 passed in favour of the appellant as well as transfer order dated 24.09.2018 passed in favour of private respondent No. 5 Mr. Faiz Mohammad and transferred other private respondent No. 6 namely Muhammad Zaman from Government Middle School Khawas Asbanr to Government Middle School Tangi Payeen vide one and same order dated 24.10.2018, therefore, the appellant also filed separate departmental appeal against the order dated 24.10.2018 but the same has also

M. Faiz Mohammad
21.10.2018

not been responded hence, the present service appeal. It was further contended that both the impugned orders were passed by the respondent-department against the transfer posting policy as the appellant was transferred on 17.09.2018 and the appellant has not completed his normal tenure in Tangi Payeen school, therefore, both the impugned orders dated 24.09.2018 passed in favour of private respondent Faiz Mohammad and withdrawal of transfer order of the appellant as well as private respondent Faiz Mohammad and transfer order of Mohammad Zaman from Government Middle School Khawas Asbanr to Government Middle School Tangi Payeen through order dated 24.10.2018 are illegal and liable to be set-aside as the same have been passed on political influence and prayed for acceptance of appeal.

5. On the other hand, learned Assistant Advocate General assisted by learned counsel for private respondent No. 6 opposed the contention of learned counsel for the appellant and contended that the appellant was transferred from Government Higher Secondary School Asbanr, Dir Lower to Government Middle School Terona Tangay vide order dated 17.09.2018 but he assumed the charge at Government Middle School Tangi Payeen Khadagzai Dir Lower instead of Government Middle School Terona Tangay. It was further contended that the Government Middle School Terona Tangay and Government Middle School Tangi Payeen are two different schools and situated at different location but the appellant illegally assumed the charge in Government Middle School Tangi Payeen instead of government Middle School Terona Tangai. It was further contended that since the SST (G) post was vacant in Government Middle School Tangi Payeen, therefore, the respondent-

M. Amin
6.11.2018

department has passed the transfer order of private respondent Faiz Mohammad from Government High School Badwan to Government Middle School Tangi Payeen but where the appellant has illegally assumed the charge instead of Government Middle School Terona Tangay. It was further contended that since the appellant has assumed the charge illegally in Government Middle School Tangi Payeen, therefore, he made complication for private respondent Faiz Mohammad as well as for respondent-department, therefore, the respondent-department cancelled the transfer order dated 17.09.2018 passed in favour of the appellant as well as transfer order dated 24.09.2018 passed in favour of private respondent Faiz Mohammad in said school and also transferred private respondent No. 6 from Government Middle School Khawas Asbanr to Government Middle School Tangi Payeen vide order dated 24.10.2018. It was further contended that the competent authority is fully competent to transfer any civil servant in the Province and the civil servant has no vested right to claim for choice posting, therefore, the impugned order dated 24.09.2018 and 24.10.2018 was rightly passed by the respondent-department and prayed for dismissal of appeal.

6. Perusal of the record reveals that the appellant was serving in Education Department as SST (General). He was transferred from Government Higher Secondary School Asbanr, Dir Lower to Government Middle School Terona Tangay vide order dated 17.09.2018. The record further reveals that the appellant was required to assume the charge at Government Middle School Terona Tangay but instead of assuming charge in Government Middle School Terona Tangi, he assumed the charge in Government Middle School Tangi Payeen Khadagzai Dir Lower on 19.09.2018 for the reason best known to him.


K. Amman
6.1.2018

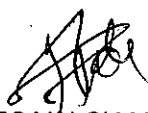
The record further reveals that the post of SST (General) was vacant in Government Middle School Tangi Payeen in the record of the respondent-department, therefore, the respondent-department transferred the private respondent Faiz Mohammad SST (General) from Government High School Badwan to Government Middle School Tangi Payeen but the appellant had already assumed the charge in Government Middle School Tangi Payeen instead of Government Middle School Terona Tangay illegally, therefore, the same not only made complication to private respondent No. 5 but also for respondent-department. The record further reveals that the respondent-department cancelled the transfer order dated 17.09.2018 passed in favour of appellant whereby he was transferred to Government Middle School Terona Tangay and transfer order dated 24.09.2018 passed in favour of Faiz Mohammad and transferred private respondent No. 6 Muhammad Zaman SST from Government Middle School Asbanr to Government Middle School Tangi Payeen vide one and same order dated 24.10.2018. The appellant had challenged the transfer order dated 24.09.2018 passed in favour of private respondent Faiz Mohammad as well as cancellation order/withdrawal of transfer order of himself and private respondent No. 5 and transfer order of private respondent No. 6 Mohammad Zaman dated 24.10.2018 but the same was also not responded. The record further reveals that under Section-10 of the Civil Servants Act, 1973, the competent authority has vast power to transfer any civil servant in the Province and the civil servant has not vested right to claim for his any choice posting. Moreover, the appellant was transferred from Government Higher Secondary School Asbanr to Government Middle School Terona Tangi but instead of assuming the charge in Government

W. Chaudhary
6.1.2020

Middle School Terona Tangay he assumed the charge in Government Middle School Tangi Payeen, therefore, on this ground also he is not entitled for any indulgence. Hence, we see no merit in the appeal, therefore, the same is dismissed. Parties are left to bear their own costs. File be consigned to the record room.

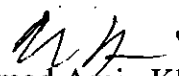
ANNOUNCED
06.01.2020


(MUHAMMAD AMIN KHAN KUNDI)
MEMBER
CAMP COURT SWAT


(HUSSAIN SHAH)
MEMBER
CAMP COURT SWAT

06.11.2019

Appellant in person present. Mr. Riaz Ahmad Paindakheil, Assistant AG alongwith M/S Ali Haider, SDFO on behalf of official respondents No. 1 to 3, Jamil Shan, Senior Auditor on behalf of official respondent No. 4 and private respondents No. 5 & 6 in person present. Written replies on behalf of official respondent No. 4 as well as private respondent No. 5 submitted which are placed on record. Written reply on behalf of official respondents No. 1 to 3 has already been submitted. Private respondent No. 6 stated at the bar that he relies on the written reply submitted by official respondents No. 1 to 3. Case to come up for rejoinder and arguments on 06.01.2020 before D.B at Camp Court Swat.



(Muhammad Amin Khan Kundi)
Member
Camp Court Swat

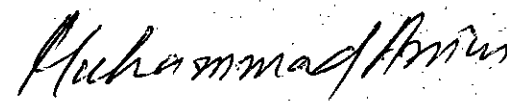
06.01.2020

Appellant alongwith his counsel present. Mr. Riaz Ahmad Paindakheil, Assistant AG for official respondents No. 1 to 4, private respondent No. 5 in person and private respondent No. 6 with counsel present.

Vide our detailed judgment of today consisting of seven pages placed on file, we see no merit in the appeal, therefore, the same is dismissed. Parties are left to bear their own costs. File be consigned to the record room.

ANNOUNCED
06.01.2020


(HUSSAIN SHAH)
MEMBER
CAMP COURT SWAT


(MUHAMMAD AMIN KHAN KUNDI)
MEMBER
CAMP COURT SWAT

03.09.2019


Learned counsel for the appellant present. Written reply not submitted. Ihsan Ullah ADO (for respondents No.1 to 3) present and seeks time to furnish written reply/comments. No one present on behalf of respondents No.4 to 6. Notice be issued to respondents No.4 to 6 for submission of written reply/comments. Adjourn. to come up for written reply/comments on 08.10.2019 before D.B at Camp Court, Swat.



Member
Camp Court, Swat.

08.10.2019

Appellant in person present. Mian Ameer Qadir, Deputy District Attorney alongwith Mr. Touseef Ahmed, Litigation Officer on behalf of official respondents No. 1 to 3 and private respondents No. 5 & 6 in person present. Representative of official respondents No. 1 to 3 submitted para-wise comments which is placed on record. None present on behalf of respondent No. 4 therefore, notice be issued to respondent No. 4 with the direction to direct the representative to attend the court and submit written reply on the next date positively. Written reply on behalf of private respondents also not submitted. Private respondents seek further time to file written reply. Last chance is granted. Case to come up for written reply/comments on behalf of respondents No. 4 to 6 on 06.11.2019 before S.B at Camp Court Swat.



(Muhammad Amin Khan Kundi)
Member
Camp Court Swat

10.06.2019

Learned counsel for the petitioner present. Mr. Mian Amir Qadir learned District Attorney present. Admittedly the instant application for restoration of Service Appeal No.330/2019 was filed well within time hence in the interest of justice, while keeping in view the reason mentioned in the instant application, the same is allowed. Consequently Service Appeal No. 330/2019 is hereby restored. To come up for preliminary hearing on 03.07.2019 before S.B at Camp Court, Swat.



Member
Camp Court, Swat.

03.07.2019

Appellant present. Learned counsel for the appellant present. Preliminary arguments heard.

The appellant SST (G) has filed the present service appeal being aggrieved from his transfer back to GHSS Asband Dir Lower vide order dated 24.10.2018.

Points urged need consideration. The present service appeal is admitted for regular hearing subject to all the legal objections. The appellant is directed to deposit security and process fee within 10 days.

Thereafter notices be issued to the respondents for reply/comments. To come up for written reply/comments on 03.09.2019 before S.B at Camp Court, Swat.





Member
Camp Court, Swat.

Appellant Deposited
Security & Process Fee

Form-A
FORM OF ORDER SHEET

Court of _____

Appeal's Restoration Application No. 221/2019

S.No.	Date of order Proceedings	Order or other proceedings with signature of judge
1	2	3
1	21.05.2019	<p>The application for restoration of appeal No.330/2019 submitted by Mr. Qaiser Zaman Advocate, may be entered in the relevant register and put up to the Court for proper order please.</p> <p style="text-align: right;"> REGISTRAR</p>
2	24.05-19	<p>This restoration application is entrusted to touring S. Bench at Swat to be put up there on <u>11.06.2019</u></p> <p style="text-align: right;">CHAIRMAN </p>

BEFORE THE KHYBER PAKHTUNKHWA SERVICE TRIBUNAL, PESHAWAR

Restoration Application No. 221/19

Misc Application No _____ / of 2019

In Re:

Service Appeal No 330/2019



Ihsan ul Haq

V E R S U S

Government of KP and others

APPLICATION FOR RESTORATION OF INSTANT APPEAL WHICH
WAS DISMISSED FOR NON-PROSECUTION ON 08-05-2019

Respectfully Sheweth:

The Appellant humbly submits as under:-

- 1) That the above titled service appeal was fixed for 08th May, 2019, which was dismissed for non-prosecution on 08th May, 2019.
- 2) That the Appellant was not in knowledge of the exact date; the appeal has been dismissed in default due to non-appearance on i.e. 08-05-2019.
- 3) That the Appellant or his Counsel was not served regarding the fixation of appeal before this Honourable Tribunal.
- 4) That the absence of the Appellant was not intentional and deliberate, but due to the reason mentioned above.
- 5) That otherwise law favours the decision on merits; rather on technicalities, hence appeal may graciously be restored.
- 6) That absence of Appellant was not intentional but due to reason mentioned above.

- 7) That the Appellant has got strong prima facie case and is very sanguine of its success.
- 8) That valuable right of Appellant involved in the instant case and if the abovementioned appeal is not restored, the Appellant would suffer extreme irreparable loss; and would be forever deprived of his legal valuable rights.
- 9) That there is no legal bar on acceptance of the instant application.
- 10) That this Honourable Court has got ample powers to entertain and accept the instant application.
- 11) That others grounds will be raised at the time of arguments with the permission of this Honourable Court.

It is therefore, most humbly prayed that on acceptance of this Application, the above noted appeal may kindly restored in larger interest of justice.

Appellant

Through:

(QAISAR ZAMAN)

Advocate,

High Court, Peshawar

Dated: - 21-05-2019

AFFIDAVIT:-

It is solemnly affirm on oath that all the contents of this Application are correct and true to the best of my knowledge and belief and nothing has been concealed or withheld from this Honourable Court.

DEPONENT

①

BEFORE THE KPK SERVICE TRIBUNAL PESHAWAR

Service Appeal No. 330 of 2019
(Transfer)

Ihsan ul Haq, SST, Government Middle School Tironu Tangi Tehsil
Adenzai District Dir Lower.



Khyber Pakhtoonkhwa
Service Tribunal

Diary No. 308

Dated 05-3-2019

.....Petitioner

VERSUS

1. The Government Khyber Pakhtoonkhwa through Secretary Secondary and Elementary Education at Peshawar.
2. The Director Secondary and Elementary Education Khyber Pakhtoonkhwa at Peshawar.
3. District Education Officer (male) Dir Lower at Temergara.
4. District Accounts Officer Dir Lower at Temergara.
5. Faiz Muhammad SST(G) Government High School Badwan, Dir Lower.
6. Muhammad Zaman SST (G) Government Middle School Tangi Payan Dir(L)


.....Respondents

**APPEAL UNDER SECTION 4 OF THE KHYBER
PAKHTOONKHWA SERVICE TRIBUNALS ACT, 1973.**

Respectfully Submitted:

1. That petitioner was posted as SST(general) in Government Higher Secondary School Asband, Dir Lower vide office order dated 30.03.2016. Copy is annexure A.

ATTESTED


Registrar
Khyber Pakhtoonkhwa
Service Tribunal,
Peshawar

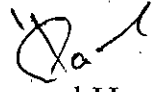
Filed to-day

Registrar 5/3/19


08.05.2019

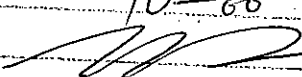
Appellant absent. Learned counsel for the appellant absent. Case called for several times but none appeared on behalf of appellant. Consequently the present service appeal is hereby dismissed in default. No order as to costs. File be consigned to the record room.




(Muhammad Hamid Mughal)
Member
Camp Court, Swat.

ANNOUNCED.
08.05.2019

Certified to be true copy

Khyber Pakhtunkhwa
Service Tribunal,
Peshawar

Date of Presentation of Application 21-05-19
Number of Words 1260
Copying Fee 8-00
Urgent 2-00
Total 10-00
Name of Copyist 
Date of Completion of Copy 21-05-19
Date of Delivery of Copy 21-05-19

Form- A




FORM OF ORDER SHEET

Court of _____

Case No. 330/2019



S.No.	Date of order proceedings	Order or other proceedings with signature of judge
1	2	3
1-	05/03/2019	<p>The appeal of Mr. Ihsan-ul-Haq presented today by Mr. Fayaz Muhammad Qazi Advocate may be entered in the Institution Register and put up to the Worthy Chairman for proper order please.</p> <p style="text-align: right;"><i>[Signature]</i> REGISTRAR 5/3/19</p>
2-	13-3-19	<p>This case is entrusted to touring S. Bench at Swat for preliminary hearing to be put up there on <u>05-04-2019</u></p> <p style="text-align: right;"><i>[Signature]</i> CHAIRMAN</p>
05.04.2019		<p>Appellant absent. Learned counsel for the appellant absent. Adjourn. To come up for preliminary hearing on 08.05.2019 before S.B at Camp Court, Swat.</p> <p style="text-align: right;"><i>[Signature]</i> Member Camp Court, Swat</p> <p style="text-align: center;">ATTESTED <i>[Signature]</i> Khyber Pakhtunkhwa Service Tribunal, Peshawar</p>

قیمت 50 روپے	15532			
ایڈوکیٹ: <i>Shauyar</i>		پشاور بار ایسوسی ایشن، خیبر پختونخواہ		
بار کونسل/ایسوسی ایشن نمبر: <i>be-10-7795</i>				
رابطہ نمبر: <i>03348856743</i>				

بعدالت جناب: *ضیاء پختونخواہ ایسوسی ایشن خیبر پختونخواہ*

مخانب: <i>For Petitioner</i>	دعویٰ:
<i>احسان الحق</i>	علت نمبر:
<i>بنام</i>	مورخہ:
<i>صوبہ KPK وٹیرہ</i>	جرم:
	تھانہ:

باعث تحریر آنکہ

مقدمہ مندرجہ عنوان بالا میں اپنی طرف سے واسطے پیروی و جواب دہی کاروائی متعلقہ
 آن مقام *پشاور* کیلئے *صبر رحمان ایڈووکیٹ* کو وکیل مقرر
 کر کے اقرار کیا جاتا ہے کہ صاحب موصوف کو مقدمہ کی کل کاروائی کا کامل اختیار ہوگا، نیز وکیل صاحب کو
 راضی نامہ کرنے و تقرر ثالث و فیصلہ برحلف دینے جواب دعویٰ اقبال دعویٰ اور درخواست از ہر قسم کی تصدیق
 زریں پر دستخط کرنے کا اختیار ہوگا، نیز بصورت عدم پیروی یا ڈگری یکطرفہ یا اپیل کی برآمدگی اور منسوخی، نیز
 دائر کرنے اپیل نگرانی و نظر ثانی و پیروی کرنے کا مختار ہوگا اور بصورت ضرورت مقدمہ مذکورہ کے کل یا جزوی
 کاروائی کے واسطے اور وکیل یا مختار قانونی کو اپنے ہمراہ یا اپنے بجائے تقرر کا اختیار ہوگا اور صاحب
 مقرر شدہ کو وہی جملہ مذکورہ باختیارات حاصل ہوں گے اور اس کا ساختہ پرداختہ منظور و قبول ہوگا
 دوران مقدمہ میں جو خرچہ ہر جانہ التوائے مقدمہ کے سبب سے ہوگا۔ کوئی تاریخ پیشی مقام دورہ یا حد سے
 باہر ہو تو وکیل صاحب پابند نہ ہوں گے کہ پیروی مذکورہ کریں، لہذا وکالت نامہ لکھ دیا تاکہ سند رہے

المرقوم: *21 ص 2019*

الع بد *گواہ شد* الع بد
 مقام *پشاور* کے لیے منظور ہے۔

Accepted.

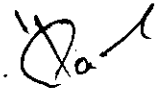
نوٹ: اس وکالت نامہ کی فوٹوکاپی ناقابل قبول ہوگی۔

Shauyar edu
PBA

احسان الحق وکیل صاحب

08.05.2019

Appellant absent. Learned counsel for the appellant absent. Case called for several times but none appeared on behalf of appellant. Consequently the present service appeal is hereby dismissed in default. No order as to costs. File be consigned to the record room.



(Muhammad Hamid Mughal)

Member
Camp Court, Swat.

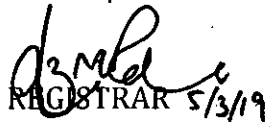
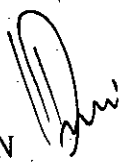

ANNOUNCED.

08.05.2019

Form- A
FORM OF ORDER SHEET

Court of _____

Case No. 330/2019

S.No.	Date of order proceedings	Order or other proceedings with signature of judge
1	2	3
1-	05/03/2019	<p>The appeal of Mr. Ihsan-ul-Haq presented today by Mr. Fayaz Muhammad Qazi Advocate may be entered in the Institution Register and put up to the Worthy Chairman for proper order please.</p> <p style="text-align: right;"> REGISTRAR 5/3/19</p>
2-	13-3-19	<p>This case is entrusted to touring S. Bench at Swat for preliminary hearing to be put up there on <u>05-04-2019</u></p> <p style="text-align: right;"> CHAIRMAN</p>
05.04.2019		<p>Appellant absent. Learned counsel for the appellant absent. Adjourn. To come up for preliminary hearing on 08.05.2019 before S.B at Camp Court, Swat.</p> <p style="text-align: right;"> Member Camp Court, Swat</p>

BEFORE THE KPK SERVICE TRIBUNAL PESHAWAR

Service Appeal No...330..... of 2019

Ihsan ul Haq.....Petitioner

VERSUS

Government of Khyber Pakhtoonkhwa and others

.....Respondents

INDEX:


S.No.	Description of documents	Annexure	Pages
1	Memo of petition		1-4
2	Certificate		5
3	Affidavit		6
4	Address of parties		7
5	Copy of posting order dated 30.03.2016	A	8-9
6	Copy of application	B	10
7	Copy of order dated 17.09.2018	C	11
8	Copy of charge	D	12
9	Copy of attendance sheets	E	13-14
10	Copy of transfer order dated 24.09.2018	F	15-16
11	Copy order dated 24.10.2018	G	17
12	Copy of order dated 06.11.2018	H	18-29
13	Wakalatnama		

Appellant

Through

Dated. 05.03.2019


Fayaz Muhammad Qazi &


Qaiser Khan
Advocates

Office. D-20-21 3rd Floor
Continental Plaza Makanbagh
Mingora Swat.

Cell. 0300-8546767

①

BEFORE THE KPK SERVICE TRIBUNAL PESHAWAR

Service Appeal No...330..... of 2019
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Ihsan ul Haq, SST, Government Middle School Tironu Tangi Tehsil
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Service Tribunal

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.....Petitioner

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.....Respondents

**APPEAL UNDER SECTION 4 OF THE KHYBER
PAKHTOONKHWA SERVICE TRIBUNALS ACT, 1973.**

Filed to-day
[Signature]
Registrar 4/5/2019

Respectfully Submitted:

1. That petitioner was posted as SST(general) in Government Higher Secondary School Asband, Dir Lower vide office order dated 30.03.2016. Copy is annexure A.

2

2. That the petitioner filed an application for his transfer from GHSS Asband to GMS Tangi Payeen and due to that the petitioner was transferred from GHSS Anband to GMS Tnagi Payeen vide office order dated 17.09.2018. Copies are annexure B and C.
3. That the petitioner took over charge in GMS Tangi Payeen on 19.09.2018. Copy of charge report is annexure D and attendance sheet is annexure E.
4. That just after 5 days, Respondent No.3 issued another order dated 24.09.2018, purely on political basis where respondent no.5 was transferred to GMS Tangi Payeen though there was no vacant post of SST(G) in the said school. Copy is annexure F.
5. That thereafter the respondent no.3 cancelled both the transfer orders dated 17.09.2018 and 24.09.2018 by a single order dated 24.10.2018 and respondent no.5 was transferred to GHS Badwan whereas the respondent No. 6 was transferred to GMS Payeen and the petitioner was transfer back to GHSS Asband Dir Lower. Copy is annexure G.
6. That thereafter the petitioner challenged the said in constitutional petition before the Peshawar High Court Mingora Bench/ Darul Qazi in writ petition no.997-M/ 2018 but due to lack of jurisdiction, the same was sent to respondent department being a departmental appeal vide order dated 06.11.2018. Copy is annexure H.
7. That no order has been passed by the respondent department hence being aggrieved of the inaction of the respondent department, the petitioner is constraint to approach this Honorable Tribunal on the following grounds inter alia;

3

GROUND:

- A. That the impugned transfer orders dated 24.09.2018 and 24.10.2018 are against law, arbitrary, discriminatory and without lawful authority and void ab initio.
- B. That being the resident of Mian Brangola, the petitioner has served in GHSS Asband, a distant place of more than 40 kilometers, for a considerable length of time, hence the first order dated 17.09.2018, transferring the petitioner from GHSS Asband to GMS Tangi Payeen was lawful, reasonable and justified.
- C. That the subsequent transfer order dated 24.09.2018, was purely due to political pressure as respondent no.5, in his original place of posting GHS Badwan was just 5 kilometers away from his residence but even then, respondent no.5 was transferred to GMS Tangi Payeen on the single post on which the petitioner had already taken over charge.
- D. That the hasty transfers, making the public servants like football by kicking here and there within a week, is against the law, policy and does not allow the teachers to perform their duties in a proper and decent way.
- E. That the petitioner is senior as compared to respondent no. 5 and he is more deserving to remain at the place of his choice where the petitioner has already taken over charge.
- F. That such hasty transfers due to political pressures are highly detrimental to the smooth performance of duty.

4

G. That other grounds shall be advanced at the time of arguments with the permission of this Honorable Court.

It is therefore most humbly prayed that on acceptance of this appeal, the impugned transfer order dated 24.09.2018 and 24.10.2018 may graciously be declare null and void and same may be cancelled/ withdrawn and the transfer order dated 17.09.2018, transferring the petitioner to GMS Tangi Payeen, may graciously be restored. Any other order that is just and proper may also be passed in favour of the petitioner and against the respondents.



Appellant

Through

Dated. 05.03.2019



Fayaz Muhammad Qazi &



Qaiser Khan

Advocates.

5

**BEFORE THE PESHAWAR HIGH COURT MINGORA
BENCH/ DARUL QAZA**

Service Appeal No..... of 2019

Ihsan ul Haq.....Petitioner

VERSUS

Government of Khyber Pakhtoonkhwa and others

.....Respondents

CERTIFICATE:

It is certified that no such like other appeal has earlier been filed before this Honorable Tribunal or before any other Court.

Appellant

Through

Dated. 05.03.2019



Fayaz Muhammad Qazi &



Qaiser Khan

Advocates.

8

BEFORE THE KPK SERVICE TRIBUNAL PESHAWAR

Service Appeal No..... of 2019

Ihsan ul Haq.....Petitioner


VERSUS

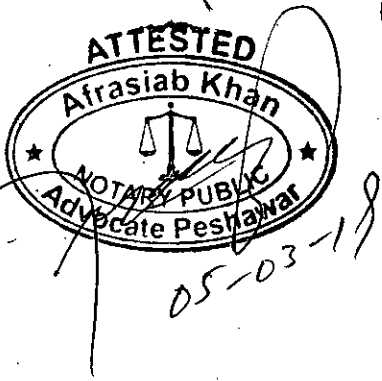
Government of Khyber Pakhtoonkhwa and others

.....Respondents

AFFIDAVIT:

I, Fayaz Muhammad Qazi Advocate, as per instructions of client, do hereby affirm and declare on oath, that the contents of the accompanying appeal, are true and correct to the best of the knowledge and belief and that nothing has been concealed from this Honorable Tribunal.


DEPONENT



(7)

BEFORE THE KPK SERVICE TRIBUNAL PESHAWAR

Service Appeal No..... of 2019

Ihsan ul Haq.....Petitioner

V E R S U S

Government of Khyber Pakhtoonkhwa and others

.....Respondents

ADDRESS OF PARTIES:

Appellant:

Ihsan ul Haq, SST, Government Middle School Tironu Tangi Tehsil
Adenzai District Dir Lower.

Respondents:

1. The Government Khyber Pakhtoonkhwa through Secretary Secondary and Elementary Education at Peshawar.
2. The Director Secondary and Elementary Education Khyber Pakhtoonkhwa at Peshawar.
3. District Education Officer (male) Dir Lower at Temergara.
4. District Accounts Officer Dir Lower at Temergara.
5. Faiż Muhammad SST(G) Government High School Badwan, Dir Loewr.

Appellant

Through

Dated. 05.03.2019



Fayaz Muhammad Qazi &



Qaiser Khan
Advocates

ڈی ایچ ای، ڈی ایچ ای، ڈی ایچ ای

(18)

Consequent upon the recommendation of the departmental placement committee

following SSTs are hereby transferred to the schools noted against each in the interest of public service with immediate effect.

Annex A

Sr	Name	Designation	Name of Present School	Name of School where applied for	Remarks
1	Muhammad Qayum	SST-Maths Phy	GHS Peto Dara	GHS Gul Muqam	A.V.Post
2	Razaullah Khan	SST-Maths Phy	GHSS Rabat	GHS Mian Banda	A.V.Post
3	Muhammad Irshad	SST-Maths Phy	GHS Bagh Dushkhal	GHS Shago Kass	A.V.Post
4	Avonb Khan	SST-Maths Phy	GHS Dheri Kashmir	GHS Tazagram	A.V.Post
5	Sheraz Khan	SST-Maths Phy	GHS Shehali	GHS Dheri Kashmir	A.V.Post
6	Muhammad Iqbal	SST-Maths Phy	GHS Tazagram	GHSS Rabat	A.V.Post
7	Mian Shah Zaman Shah	SST-Maths Phy	GHS Osakai	GHSS Sarai Bala	A.V.Post
8	Muhammad Idress	SST-Maths Phy	GHS Shago Kass	GHS Osakai	A.V.Post
9	Shah Hussain	SST-Maths Phy	GHS Ula	GSSHS Ouch	A.V.Post
10	Noorul Amin	SST-Maths Phy	GHS Sango Khwra	GHS Khuagi	A.V.Post
11	Fazal Rabia	SST-Maths Phy	GHSS Mina Brangola	GHS P.Khadayzai	A.V.Post
12	Anwarul Hassan	SST-Maths Phy	GHS P.Khadayzai	GHSS Mina Brangola	A.V.Post
13	Inanullah	SST-Bio Chem	GHS Tazagram	GMHS Timergara	A.V.Post
14	Kasir Hussain	SST-Bio Chem	GHS Shahzadi	GMHS Timergara	A.V.Post
15	Hanifullah	SST-Bio Chem	GHS Deyari	GHS Shahzadi	A.V.Post
16	Saeedur Rahman	SST-Bio Chem	GHSS Banda	GHS Balambat	A.V.Post
17	Shafiqullah	SST-Bio Chem	GHS Gumbat Banda	GHS Dalgram	A.V.Post
18	Khaista Rahman	SST-Bio Chem	GHS Shalkani	GHS Gumbat Banda	A.V.Post
19	Tahseemullah	SST-Bio Chem	GHS Bajwara Talash	GHSS Samarbagh	A.V.Post
20	Hussain Ahmad	SST-Bio Chem	GHSS Samarbagh	GHS Kambat	A.V.Post
21	Akhtar Said	SST-Bio Chem	GHS Qilagai	GHS Sango Kass	A.V.Post
22	Dadshahuddin	SST-Bio Chem	GHS Munjai	GHSS Saddo	A.V.Post
23	Sikandar Ali	SST-Bio Chem	GHS Safary	GHS Munjai	A.V.Post
24	Muhammad Israr	SST-Bio Chem	GHS Shamshi Khan	GHSS Ziarat Talash	A.V.Post
25	Zarbaz Khan	SST-Bio Chem	GHS Jawoo	GHS Badin	A.V.Post
26	Muhammad Azam	SST-Bio Chem	GHS Shawa	GHS Gul Muqam	A.V.Post
27	Muhibullah	SST-Bio Chem	GHS Labook	GHSS Lal Qila	A.V.Post
28	Abdul Hamid	SST-G	GHS Haji Abad	GMHS Timergara	A.V.Post
29	Fakhrudin	SST-G	GHSS Khali	GMHS Timergara	A.V.Post
30	Zahir Gul	SST-G	GHSS Munda	GMHS Timergara	A.V.Post
31	Ihsanul Haq	SST-G	GHSS Bin Shahi	GHS Asbanr	A.V.Post
32	Muhammad Ishaq	SST-G	GHS Ghura Banda	GHS Badin	A.V.Post
33	Muhammad Yousaf	SST-G	GHS Mian Kalay	GHS Barjam	A.V.Post
34	Sirajuddin	SST-G	GHS Buchabi	GHS Gul Muqam	A.V.Post
35	Mian Zaman Khan	SST-G	GHS Koheri	GHS Haji Abad	A.V.Post
36	Muhammad Ijaz	SST-G	GHS Biari	GHS Haji Abad	A.V.Post
37	Muhammad Farwar	SST-G	GHS Koheri	GHS Malakand	A.V.Post
38	Abdul Aziz	SST-G	GHSS Khan pur	GHS Mina Battan	A.V.Post
39	Amir Nawaz Khan	SST-G	GHS Darawal payoon	GHS Odigram	A.V.Post
40	Sheer Bakhtyar	SST-G	GHS Kotki Chakhal	GHS Cherkho	A.V.Post
41	Hidayat Ur Rahman	SST-G	GHS Shaikani	GHS Ucala	A.V.Post
42	Muhammad Iqbal	SST-G	GHSS Khali	GHSS Chakalara	A.V.Post
43	Baloch Zada	SST-G	GHS Tazagram	GHSS Khali	A.V.Post

CTC

معانی مہر النور
GHS
GHS
Date: 3/10/2016

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S#	Name	Designation	School	Applied for	A.V.Post
44	Nisarullah	SST-G	GHS Drangal	GHS Osaki	A.V.Post
45	Muhamamd Aziz	SST-G	GHS Asbanr	GHSS Khanpur	A.V.Post
46	Bahader Zaib	SST-G	GHS Munjai	GHSS Khazana	A.V.Post
47	Nader Khan	SST-G	GMS Shagai Asbanr	GMS Warsak	A.V.Post
48	Badshah Gul	SST-G	GMS Gumbatai	GMS Kumbhar Maidan	A.V.Post
49	Ghulam Husain	SST-G	GHS Shekawli	GMS Shagai Asbanr	A.V.Post
50	Muhamamd Ayaz	SST-G	GHS Chinar kot	GHSS Khanpur	A.V.Post
51	Usmanudin	SST-G	GHSS Zaimdara	GMS Sher Khani	A.V.Post
52	Ahmad Shah	SST-G	GHS Dheri Kashmir	GHS Osaki	A.V.Post
53	Shahzad	SST-G	GHS Barjam Makhi	GHSS Munda	A.V.Post
54	Rahbar Khan	SST-G	GHSS Rabat	GHS Koheri	A.V.Post
55	Fazli subhan	SST-G	GMS Ashrogai	GMS Gumbatai	A.V.Post
56	Inayaturahman	SST-G	GHS Jawzo	GMS Kotkai Sh: Khel	A.V.Post
57	Gul Kamin	SST-G	GHSS Zaimdara	GHSS Rabbat	A.V.Post
58	Amir Zahid	SST-G	GHS Tormang	GHS Dheri Kashmir	A.V.Post
59	Sher Ali Khan	SST-G	GMS Ashar Kor	GHS Sadbar Kalay	A.V.Post
60	Hamayoon Khan	SST-G	GMS Warsak	GHS Tazagram	A.V.Post

Note:

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

(Prof: Muhamamd Uzair Ali)
District Education Officer
Male Dir Lower

Endst. No. 5638-43

Dated Timergara the 30/07/2016.

Copy of the above is forwarded to:

1. The Director (E&SE) Khyber Pakhtoon Khwa Peshawar.
2. The District Account Officer Dir Lower at Timergara.
3. The Principal / Headmaster concerned.
4. The Supdt: local office.
5. The teacher concerned.

District Education Officer
Male Dir Lower

ATTESTED

Annex B

19

بخدمت جناب ڈسٹرکٹ ایجوکیشن آفیسر صاحب (مردانہ) ضلع دیر پائین بمقام تیرگرہ

عنوان: درخواست برائے تبادلہ از GHS Asbanr۔

جناب عالی!

منوذبانہ گزارش ہے کہ بندہ آپ صاحبان کے زیر سایہ گورنمنٹ ہائر سیکنڈری سکول اسپتہ میں بحیثیت SST(G) اپنے فرائض منصبی انجام دے رہا ہے۔ جو کہ بندہ کیلئے ایک دور افتادہ اور مشکل ترین سٹیشن ہے اور آنے جانے میں بندہ کو کافی مشکلات کا سامنا کرنا پڑتا ہے۔ بندہ کو باوثوق ذرائع سے معلوم ہو چکا ہے کہ گورنمنٹ ہائر سیکنڈری سکول میاں بڑنگول میں ایس ایس ٹی پوسٹ بوجہ پرموشن ایس ایس ایس/ہیڈ ماسٹر خالی ہوا ہے۔ جو کہ بندہ کیلئے ایک قریبی اور آسان سٹیشن ہے۔

لہذا آپ سے التماس ہے کہ آپ صاحبان مہربانی فرما کر بندہ کا تبادلہ GHS Asbanr سے

GHS Tangi Payeen کرنے کے احکامات صادر فرمائیں۔ عین نوازش ہوگی۔

بندہ تاحیات دعا گو رہے گا۔

المرقوم: 25 اگست - 2018ء

العارضی: آپ کا فرمان بردار احسان الحق SST گورنمنٹ ہائر سیکنڈری سکول اسپتہ ضلع دیر پائین۔

Forwarded and recommended to the DEO (male) Dir lower at

Timergara for necessary action please.

No. 131/4 Dated the 25/06/2018

25/8
PRINCIPAL
GHS Asbanr
Dir Lower

ATTESTED

OFFICE OF THE DISTRICT EDUCATION OFFICER (MALE) DIR LOWER.

OFFICE ORDER

Annex C
(11)
(10)

~~Mr. Insanul Haq SSN (G)~~ GHSS Asbanr is hereby transferred to ~~GMS Terona~~
~~Tangay~~ against vacant post in the interest of public service with immediate effect;

Note;-No TA/DA is allowed.

Charge report should be submitted to all concerned.

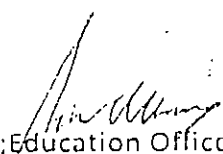
(Hafiz Mohammad Ibrahim)
Distt;Education Officer
(Male) Dir lower.

Endst;No, 10499-10503 Dated Timergara the 17 / 9 / 2018

Copy forwarded to:-

1. The District Accounts Officer Dir Lower.
2. The Deput / District Edu;Officer(M) Lovcal office.
3. The Principal GHSS Asbanr
4. The Headmaster GMS Terona Tangay.
5. The Teacher concerned.

F
etc


Distt;Education Officer
(Male) Dir lower.


ATTESTED

Annex D

12

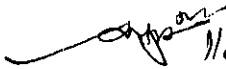

15

CERTIFICATE OF TRANSFER OF CHARGE.

1. Certify that we have on the 19/09/2018 (F.N) of this day respectively made over and received charge of this office of the SST (G) post at Govt; Middle School Tangi Payeen Khadagzai Dir (L) order vide D.E.O (E & S) Education (M) his office Endost:No.10499-10503 Dated ~~17/09/2018~~ vacant post.
2. Particulars of Cash and important secret and confidential documents handed over are noted on the reverse:-

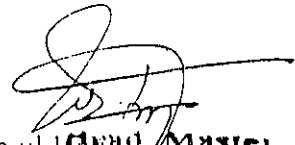
CTC

Signature of relived
Government Servant
Designation


vacant post
SST (G)


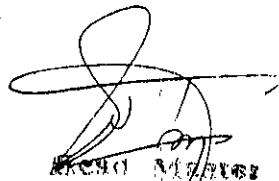
Station: GMS, Tangi Payeen Khadagzai Dir (L).

Signature of Government
Servant receiving
Charge
Designation


Ihsan ul Haq Master
SST (G) G.M.S. Tangi Payeen
Khadagzai Distt: Dir(L)

Endost:No ~~437-437~~ Dated 19/09/2018
Submitted for information to the:-

1. District Education Officer (E & S) (M) Dir (L) at Timargara.
2. DDEO (M) Dir (L) at Timargara.
3. District Accounts Officer Dir (L) Timargara.
4. Office Record


Head Master
G.M.S. Tangi Payeen
Khadagzai Distt: Dir(L)


ATTESTED

رجسٹر حاضری تدریس

بابت ماہ		ایم ڈی اے		ایم ڈی اے		ایم ڈی اے		ایم ڈی اے	
S.S.T		DM		C.T		P.E.T		ایم ڈی اے	
تاریخ	آمد	دستخط	روایتی	دستخط	آمد	دستخط	روایتی	دستخط	روایتی
1	8/15	1155	2/20	1155	87-	1155	2/20	1155	87-
2	8/15	1155	2/20	1155	87-	1155	2/20	1155	87-
3	8/15	1155	2/20	1155	87-	1155	2/20	1155	87-
4	8/15	1155	2/20	1155	87-	1155	2/20	1155	87-
5	8/15	1155	2/20	1155	87-	1155	2/20	1155	87-
6	8/15	1155	2/20	1155	87-	1155	2/20	1155	87-
7	SUNDAY								
8	8/15	1155	2/20	1155	87-	1155	2/20	1155	87-
9	8/15	1155	2/20	1155	87-	1155	2/20	1155	87-
10	8/15	1155	2/20	1155	87-	1155	2/20	1155	87-
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تقریرت	حالیہ	سابقہ	میزان	حالیہ	سابقہ	میزان	حالیہ	سابقہ	میزان
آفاقیہ			03			07			03
استحقاقی									
بیماری									
میزان									

دستخط ہیڈ ماسٹر

[Handwritten Signature]

Annex 14

15

OFFICE OF THE DISTRICT EDUCATION OFFICER (FEMALE) DIR LOWER.
OFFICE ORDER

As per direction by the worthy Director (E&SE KPK Peshawar recorded on the body of application, Mr. ~~Faiz Mohammad SST(G)~~ GHS Badwan is hereby transferred to ~~GMS Tang Payeen~~ against vacant post in the interest of public service with immediate effect ;-

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

(Hafiz Dr; Mohammad Ibrahim)
District Education Officer
(Male) Dir lower.

Endst;No, ~~10813-16~~ / Dated Timergara the ~~24/9~~ /2018

Copy forwarded to;-

1. The District Accounts Officer Dir lower.
2. The Deputy District Edu; Officer (M) Local office.
3. The Principal/Headmaster concerned.
4. The Teacher concerned.

[Handwritten initials]

[Handwritten signature]
District Education Officer
(Male) Dir lower

[Handwritten signature]
ATTESTED

فیس نہ ادا کیا گیا ہے

OF THE DISTT: EDUCATION OFFICER (M) DIR LOWER AT TIMERGARA

ORDER

Consequent upon the recommendation of the departmental placement committee, the following SSTs are hereby transferred to the school noted against each in the interest of public service with the condition that they will not leave the station till the arrival of their substitute either through promotion or NTS.

S. No	Name	Designation	From	To	Remarks
1	Islamuddin	SST-G	GHS Haji Abad	GCMHS Timergara	
2	Umar Hayat	SST-G	GHS Rabat	GCMHS Timergara	
3	Jamroz Khan	SST-G	GHS Koharay	GHS Haji Abad	
4	Fazal Muhammad	SST-G	GHS Shorshim	GHS Badwan	
5	Ghulam Hussain	SST-G	GMS Shagai	GHS Adam Dheri	
6	Muhammad Amin	SST-G	GHS Mian Kalay	GHS Bagh Dushkhal	
7	Bakht Munir	SST-G	GHS Gumbat Banda	GHS Bagh Maldan	
8	Gul Kamin	SST-G	GHS Munjal	GHSS Ziarat Talash	
9	Hazrat Ishaq	SST-G	GHS Takwara Shekhan	GHSS Ziarat Talash	
10	Mahfoozur Rahman	SST-G	GSSHSS Ouch	GHSS Ziarat Talash	
11	Muhammad Naeem	SST-G	GHSS Rehan Pur	GHS Balambat	
12	Farid Uddin	SST-G	GHSS Rehan Pur	GCMHS Timergara	
13	Amir Zahid	SST-G	GHS Toormang	GHS Pato Talash	
14	Sultan Hamid	SST-G	GHS Gumbat Banda	GHS Daligram	
15	Muhammad Ayaz	SST-G	GHS Chinarkot	GHS Shamali Khan	
16	Muhammad Zahoor	SST-G	GHS Spina Khawra	GHS Bajwara	
17	Toli Ur Rahman	SST-G	GMS Bin Shahi	GHS Drangal	
18	Najeebullah	SST-G	GHS Dapoor	GHS Maidan Bandai	
19	Shah Tomaz	SST-G	GHSS Asbanr	GHS Ouch Sharqi	
20	Hakimullah	SST-G	GHS Dheri Kashmir	GHS Ouch Sharqi	
21	Hazrat Hussain	SST-G	GHSS Khan Pur	GHSS Chakdara	
22	Sami Ullah	SST-G	GMS Gul Muqam	GHS Shah Alam Baba	
23	Fazal Raziq	SST-G	GHSS Mayar Landol	GHS Shamali Khan	
24	Fazal Hussain	SST-G	GHSS Khali	GHSS Sarai Baba	
25	Karimullah	SST-G	GMS Kanda Anchla	GHSS Bagh Maidan	
26	Bacha Rahman	SST-G	GHS Darnal Payeen	GHSS Hayaserai	
27	Dawa Khan	SST-G	GHS Mirgan Bala	GHSS Lal Qila	
28	Ibad Ullah Jan	SST-G	GHS Merakai	GHSS Manial	
29	Inayatur Rahman	SST-G	GHS Jawzo	GHSS Mayar	
30	Fazal Mahmood	SST-G	GMS Ghwara Banda	GHSS Mayar	
31	Lutfur Rahman	SST-G	GHS Adam Dheri	GHSS Mian Drangola	
32	Ikram Ul Haq	SST-G	GHS Shah Alam Baba	GMS Gul Muqam	
33	Khailqur Rahman	SST-G	GHSS Munda	GHS Dheri Talash	
34	Ghulam Bahadar	SST-G	GHSS Zaimdara	GHSS Lal Qila	
35	Said Jamal Shah	SST-G	GMS Dara Sherkhani	GMS Korshung	
36	Jehan Badshah	SST-G	GMS Timtai	GHS Mian Kalay	
37	Abdul Basir	SST-G	GHS Shontala	GMS Shontala	
38	Hassan Khan	SST-G	GHS Ouch Sharqi	GSSHSS Ouch	
39	Badshah Rahaman	SST-G	GHS Shawa	GSSHSS Ouch	
40	Bakhtawar Said	SST-G	GSSHSS Ouch	GHSS Sarai Baba	
41	Muhammad Saeed	SST-G	GHSS Khan Pur	GHS Mina Batten	

- Note:-
1. No TA/DA is allowed
 2. Charge Report should be submitted to all concerned:

(PROF: MUHAMMAD UZAIR ALI)
DISTT: EDUCATION OFFICER (M)
DIR LOWER AT TIMERGARA

Enclst: No. ~~2525-02~~ / Dated Timergara the ~~4~~ / 05/2016

- Copy of the above is forwarded to:
1. The Director (E&SE) Khyber Pakhtun Khwa Peshawar.
 2. The Distt: Accounts Officer Dir Lower at Timergara.
 3. The Principal/Head Master Concerned.
- The Supdt: Local Office.
The Teachers Concerned.

[Signature]

[Signature]
DISTT: EDUCATION OFFICER (M)

Annex "G" 17

1

17

OFFICE OF THE DISTRICT EDUCATION OFFICER (FEMALE) DIR LOWER.
OFFICE ORDER

Reference Director (E&SE) Khyber Pakhtinkhwa Peshawar Letter No,7078/F.No,07 /Vol;o/SST(M).Transfer dated 19/10/2018,7, the following orders are hereby made in the best interest of public with immediate effect and in relaxation of ban as desired by the honourable Advisor for Education KPK.

S#	Name & Designation	From	To	Remarks
1.	Ihsanul Haq SST(G)	GHSS Asbnar	GMS Tangi Teroona	Order No, 10499-10503 dated 17/9/2018 cancelled
2.	Faiz Mohd SST(G)	GHS Badwan	GMS Tangi Payeen	Order No,10813-16 dated 24/9/2018 in cancelled
3.	Mohd Zaman SST(G)	GMS Khawas Asbanr	GMS Tangi Payeen	A.V.Post

1.Charge report should be submitted to all concerned.

2.No TA/DA is allowed.

(DR.Hafiz Mohammad Ibrahim)
District Education Officer
(Male) Dir lower.

Endst;No, 11947-52 /Dated Timergara the 24 /10/2018

Copy of the above is forwarded to:-

- 1.The Director(E&SE) KPK Peshawar.
- 2.P/S to Hpnrl; Advisor to Education KPK.
- 3.The District Accounts Officer Dir lower.
- 4..The Deputy Distt;Offier(M) Local office.
- 5..The Principal/Headmaster concerned.
- 6.. The Teachers concerned.

District Education Officer
(Male) Dir lower.


ATTESTED

Amir H

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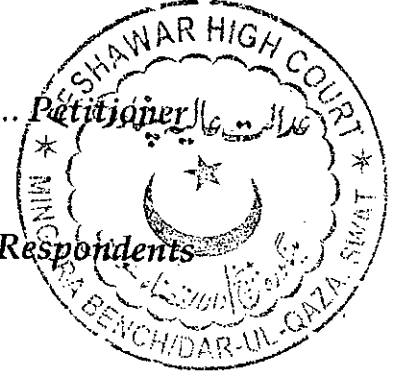
BEFORE HON'BLE PESHAWAR HIGH COURT
MINGORA BENCH/DAR-UL-QAZA SWAT

Writ Petition No. 997 - M/2018

Ihsan-ul-Haq

VERSUS

The Govt. of Khyber Pakhtunkhwa & others Respondents



MEMO OF ADDRESSES

Petitioners address:

Ihsan-ul-Haq, SST, Government Middle School, Thirong-Tangai, District Dir Lower
C.N.I.C # 15302-0953332-3 Cell# 0346-9725509

Respondents addresses:

- (1) The Government of Khyber Pakhtunkhwa through Chief Secretary, Khyber Pakhtunkhwa at Peshawar.
- (2) The Secretary Home & Tribal Affairs, Government of Khyber Pakhtunkhwa, Peshawar.
- (3) The Secretary to Government of Khyber Pakhtunkhwa, Elementary & Secondary Education Department, at Peshawar.
- (4) The Director, Elementary and Secondary Education (E&SE), Khyber Pakhtunkhwa, Peshawar.
- (5) The District Education Officer (Male), District Dir Lower at Timergara.
- (6) District Accounts Officer, Dir Lower at Timergara.
- (7) Faiz Muhammad, SST(G) Government High School, Badwan, Dir Lower

Petitioner

Through counsel

Qaisar Khan

QAISAR KHAN
Advocate High Court
Tehsil Courts Chakdara
District Dir Lower
Cell # 0345-6346851

Qaisar Khan
ATTESTED

FILED TODAY

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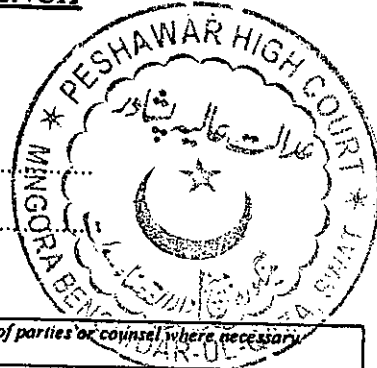
Additional Registrar

PESHAWAR HIGH COURT, MINGORA BENCH
(DAR-UL-OAZA), SWAT

FORM OF ORDER SHEET

Court of

Case No..... of



Serial No. of order or proceeding	Date of Order or Proceedings	Order or other Proceedings with Signature of Judge and that of parties or counsel where necessary
1	2	3
	06.11.2018	<p><u>W.P No. 997-M of 2018</u></p> <p>Present: Mr. Abdul Halim Khan, Advocate for the petitioner.</p> <p align="center">***</p> <p><u>MUHAMMAD GHAZANFAR KHAN, J.-</u> Petitioner.</p> <p>Ihsan-ul-Haq has filed the instant Constitutional petition before this Court praying that:</p> <ol style="list-style-type: none"> i) The impugned order bearing Endst: No. 10813-16 dated 24.09.2018 in respect of the transfer/posting of Respondent No. 7 in GMS Tangi Payeen may be declared null and void and the same may be cancelled/withdrawn. ii) The transfer/posting order bearing Endst: No. 10499-10503 dated 17.9.2018 pertaining to the petitioner in GMS Tirono-Tangai (Tangai-Khadagzai Payeen) may be kept intact being prior in time and genuine. iii) Any action or inaction supporting the impugned order bearing Endst: No. 10813-16 dated 24.09.2018, against the petitioner by the respondents may be declared null & void and the same may be set aside. <p>2. The petitioner, presently posted as SST (G) in GMS Terono Tangai vide order bearing Endst: No. 10499-</p>

Tajamul*

DB: Hon'ble Mr. Justice Muhammad Ghazanfar Khan
Hon'ble Mr. Justice Syed Arshad Ali
(W.P No. 997-M of 2018 Ihsan-ul-Haq Vs. The Govt. of KPR and others)

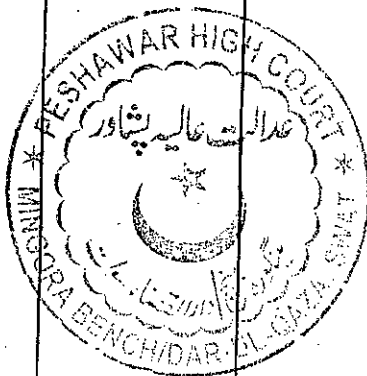
20 B

10503 dated 17.09.2018, is aggrieved of office order bearing Endst: No.10813-16 dated 24.09.2018 issued by District Education Officer (Male), Dir Lower at Timergara (Respondent No.5) whereby private Respondent No.7 was transferred from GHS Badwan to GMS Tangi Payeen. The petitioner has further asserted in his writ petition that Respondent No.5 is going to cancel/withdraw the transfer/posting order of the petitioner bearing No. 10499-10503 dated 17.09.2018 on the basis of political pressure and is trying to keep intact the transfer/posting order of Respondent No.7, hence, the instant writ petition.

3. Learned counsel for the petitioner argued that the petitioner was transferred on his application from GHSS Asbanr to G.M.S Tangi Payeen, so, he maintained that transfer of Respondent No.7 vide impugned office order against the post already occupied by petitioner is illegal. He solicited for acceptance of the instant writ petition with further prayer that respondents be directed to withdraw the impugned transfer order of Respondent No.7.

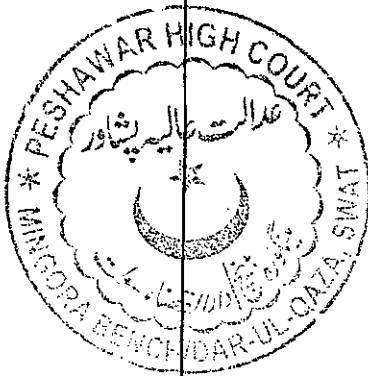
4. Arguments heard and record available on case file gone through.

5. An aggrieved person, having no other alternate



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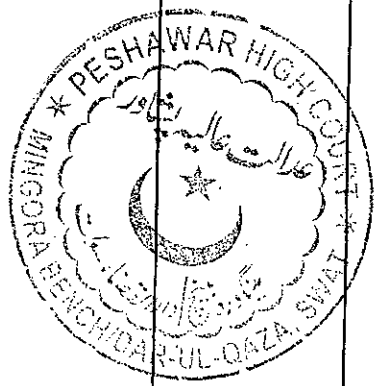
(21) [Handwritten signature]



remedy available to him, may approach High Court for the redressal of his grievances under Article 199 of the Constitution of Pakistan. Admittedly, the petitioner is a civil servant and has challenged the transfer order of respondent No.7 which falls within terms and conditions of his service for enforcement whereof the Government has established administrative Tribunals which have exclusive jurisdiction in the matter and jurisdiction of this Court in the like matters is expressly barred under Article 212 of the Constitution of the Islamic Republic of Pakistan, 1973. The bar is constitutional and is absolute, hence, where there is an equally efficacious alternate remedy available to the petitioner for the redressal of his grievance mentioned in his petition, the desired writ cannot be issued.

6. When confronted with the above proposition, the learned counsel for the petitioner stated at the bar that he would not press the instant petition before this Court, however, he requested that the petition be sent to respondents for consideration and disposal thereof as departmental appeal. Resultantly, the instant writ petition, is sent to Secretary (E & SE), Khyber Pakhtunkhwa at Peshawar to be deemed as representation/appeal and decide the same in accord with law. Office is directed to

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ATTESTED



send the original petition to Respondent No. 3 and retain copy thereof for record. The petition is disposed of accordingly.

Announced
06.112018

~~JUDGE~~

JUDGE

S.No. 16
Name of Applicant... Bal No 3
Date of Presentation of Applicant... 13-11-18
Date of Completion of Copies... 13-11-18
No of Copies... 14 P
Urgent Fee.....
Fee Charged... 281/-
Date of Delivery of Copies... 13-11-18

Certified to be true copy

M. Rafiq
EXAMINER

Peshawar High Court, Mingora/Dar-ul-Qaza, Swat
Constituted Under Article 87 of Qanoon-e-Shahadat 1974

13/11/18

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ATTESTED

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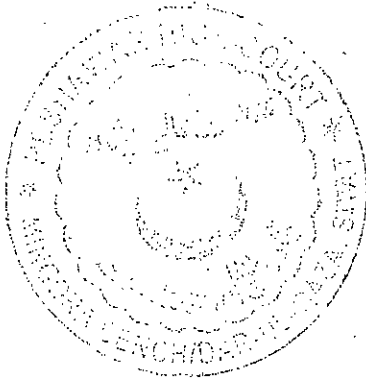
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No.5638-43 dated 30/03/2016 of the respondent No.5.
(Copy of posting order bearing Endst: No.5638-43 dated 30/03/2016 is Annexure "A").

3. That on 25/08/2018, the petitioner submitted an application for his transfer from GHSS Asbanrr to GMS Tangi Payeen, which was recommended and duly forwarded by the Principal, GHSS Asbanrr to the office of respondent No.5 vide No.2324 dated 25/08/2018. (Copy of application for transfer of the petitioner is Annexure "B").

4. That in the light of aforesaid application, the respondent No.5 vide office order bearing Endst: No.10499-10503 dated 17/09/2018 transferred the petitioner from GHSS Asbanrr to GMS Tirono Tangai and posting him against the vacant post of SST(G). (Copy of office order bearing Endst: No.10499-10503 dated 17/09/2018 is Ann: "C").

5. That in compliance of the aforesaid order, the petitioner assumed the charge of his new posting at GMS Tirono-Tangai (Tangi Payeen Khadagzair, Dir Lower, on 19/09/2018 duly endorsed to respondents No.5 & 6 by the Head Master GMS Tangi Payeen Khadagzai, District Dir Lower, and since then the petitioner is performing his duty as SST(G) in GMS Tirono-Tangai (Tangi-Payeen Khadagzai), District Dir Lower. (Copy of charge assumption certificate dated 19/09/2018 is Ann: "D" while copies of attendance sheets from the attendance register are Annexure "E").



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Additional Registrar

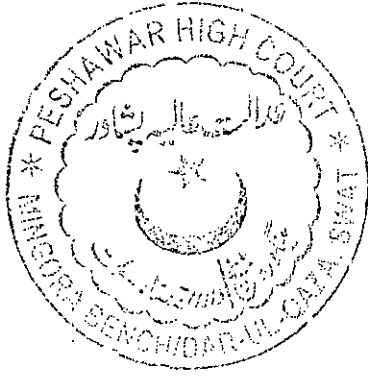
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6. That in the meanwhile, the respondent No.5 erroneously issued the impugned office order bearing Endst: No.10813-16 dated 24/09/2018 at the behest of respondent No.4 with mala fide intention, whereby transferred and posted one namely Faiz Muhammad, SST(G) from GHS Badwan to GMS Tangi-Payeen, Dir Lower, whereas there is no other vacant post of SST(G) at GMS Tirono-Tangai (Tangi Payeen Khadagzai). (Copy of impugned office order bearing Endst: No.10813-16 dated 24/09/2018 is Ann: "F").

7. That now on the basis of political pressure, the respondent No.5 is going to cancel/withdraw the transfer/posting order bearing Endst: No.10499-10503 dated 17/09/2018 pertaining to the petitioner, which directly infringed the fundamental right of the petitioner while trying to kept intact the subsequently transfer order pertaining to the respondent No.7/Faiz Muhammad.

8. That in the above scenario, the petitioner time & again approached the respondent No.5 to withdraw/cancel the subsequent transfer/posting order bearing Endst: No.10813-16 dated 24/09/2018 pertaining to the respondent No.7, however, with no positive response.

9. That the petitioner being mortally aggrieved and dissatisfied from the aforesaid discriminatory proceedings, however, he left with no other adequate remedy except to invoke the Constitutional jurisdiction of

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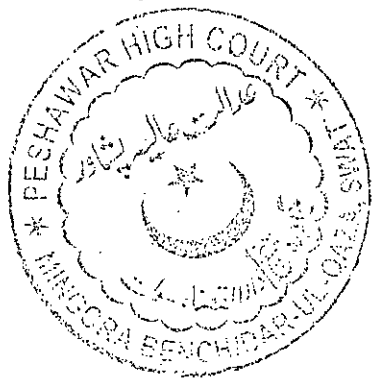
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(A)

(4)

this Hon'ble Court by filing this writ petition, inter alia, on the following grounds:-

GROUND:



- a. That the impugned transfer/ posting order bearing Endst: No.10813-16 dated 24/09/2018 is wrong, unjust, arbitrary, void ab-initio, discriminatory, without jurisdiction and without lawful authority, hence is the result of political influence, thus the impugned order as well as any action took or proceedings initiated in pursuant to the above referred impugned order, are liable to be declared null & void, and consequently, the same may graciously be set aside.
- b. That the petitioner belongs to Mian Barangola, Tehsil Adenzai, District Dir Lower, while his previous posting was in GHSS Asbanrr at a distance of about 40 kilometers away from his place of residence, therefore, his application for transfer was considered by the respondent No.5 and he was rightly transferred and posted in GMS Tirono-Tangai (Tangi Payeen Khadagzai), Dir Lower, vide order bearing Endst: No.20499-10503 dated 17/09/2018.
- c. That so far as, the posting of respondent No.7 is concerned, he was posted in GHS Badwan at a distance of about 05 Kilometer away from his place of residence, therefore, his impugned transfer order from GHS Badwan to GMS Tirono-Tangai (Tangi-Payeen Khadagzai) against the same post of

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g. That under the law two persons cannot be posted against single post of SST(G) in the same School, thus the impugned order having nullity in the eyes of law.

h. That the School where the petitioner has been posted is known with three different names (i) Tirono-Tangi, (ii) Tangai-Khadagzai, and (iii) Tangai-Payeen, which is evident from transfers/postings, promotions and appointments orders made by the respondent No.5 from time to time. (Copies of orders are Annexure "G").



That on 19/09/2018, the office of respondent No.5 prepared pay bill for release of salary of petitioner on GMS Tirono-Tangai, however, the same has been returned without any plausible reason and now the respondent No.5 is going to withdraw the transfer/posting order in respect of petitioner which action and inaction of the respondent No.5 are discriminatory, therefore, it is in the interest of justice to refrain the respondent No.5 from the withdrawal/cancellation of posting/transfer order pertaining to the petitioner and any action or inaction in this regard may be declared null & void.

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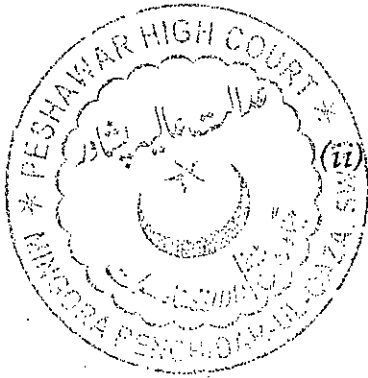
j. That any other ground not specifically raised shall be argued at the time of hearing with the leave of this august Court.

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It is therefore, humbly prayed that on acceptance of this writ petition, this Hon'ble Court may graciously issue writs and direct the respondents to:-

(i) The impugned order bearing Endst: No.10813-16 dated 24/09/2018 in respect of the transfer/posting of respondent No.7 in GMS Tangi-Payeen may be declared null & void and the same may be cancelled/withdrawn.



(ii) The transfer/posting order bearing Endst: No.10499-10503 dated 17/09/2018 pertaining to the petitioner in GMS Tirono-Tangai (Tangai-Khadagzai Payeen) may be kept intact being prior in time and genuine.

(iii) Any action or inaction supporting the impugned order bearing Endst: No.10813-16 dated 24/09/2018, against the petitioner by the respondents may be declared null & void and the same may be set aside.

Any other remedy which this Hon'ble Court deems fit and appropriate in the circumstances of the instant case, may also be granted in favour of the petitioner, if has not been specifically prayed for by the petitioner but necessary for the safe administration of justice.

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INTERIM RELIEF:

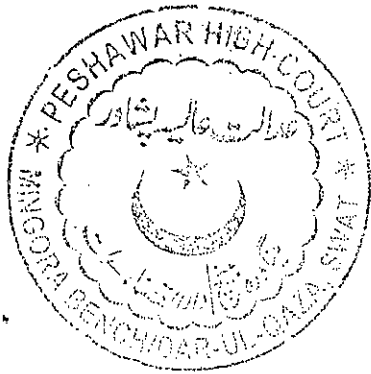
It is humbly prayed that operation of the impugned order bearing Endst: No.10813-16 dated 24/09/2018 in respect of the transfer/posting of respondent No.7 in GMS Tangi-Payeen may graciously be suspended and the respondents may be

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(8)

restrained from taking any action or inaction against the petitioner. Moreover, the respondents also be restrained from cancelation/withdrawal of transfer/posting order bearing Endst: No.10499-10503 dated 17/09/2018 pertaining to the petitioner in GMS Tirono-Tangai (Tangai-Khadagzai Payeen), till the disposal of this writ petition.



Petitioner
Through counsel

Signature

ABDUL HALIM KHAN
ADVOCATES HIGH COURT
QAISAR KHAN *Signature*
Advocate High Court
Tehsil Courts Chakdara
District Dir Lower.
Cell # 0345-6346851

LIST OF BOOKS:

1. The Constitution of Pakistan, 1973.
2. The postings/transfer policy.
3. Any other relevant law books, notification and rules.
4. Case law on the subject.

Signature

ABDUL HALIM KHAN
ADVOCATES HIGH COURT

CERTIFICATE:

It is certified that as per instructions of my client/ petitioner, this is the first Writ Petition instituting before this Hon'ble Court and on such like other Writ Petition of the same subject matter has been earlier filed or pending adjudication before this august court.

FILED TODAY

22 OCT 2018

Signature

ABDUL HALIM KHAN
ADVOCATE HIGH COURT

سب ڈویژنل بار ایسوسی ایشن
چکدرہ دیر لونیر



ایڈویکیٹ بار کونسل نمبر:

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BC-

فہرہ کلچرل گخواہ سروس ٹریننگ سینٹر

بعدالت جناب

ایمان الحق بنام حکومتی

دعویٰ اپیل انگریزی آرٹ اور درخواست: منجانب: ایڈووکیٹ

مقدمہ علت نمبر: مورخہ: جرم: تھانہ:

باعت تحریر انکہ

مقدمہ مندرجہ عنوان بالا میں اپنی طرف سے واسطے پیروی و جواب دہی کارروائی متعلقہ

آن مقام عدالت کے لیے فریضہ منصبی و فہمہ و فہمہ کے واسطے پیروی و جواب دہی کارروائی متعلقہ

مقرر کر کے اقرار کیا جاتا ہے کہ صاحب موصوف کو مقدمہ کی کل کارروائی کا کمال اختیار ہوگا نیز وکیل صاحب کو راضی نامہ کرنے

اور تقرر ثالث و فیصلہ، برحلف دینے، جواب دعویٰ، اقبال دعویٰ اور درخواست از ہر قسم کی تصدیق زریں پر دستخط کرنے کا اختیار

ہوگا، نیز بصورت عدم پیروی یا ڈگری کی طرف یا اپیل کی برآمدگی اور منسوخی، نیز دائر کرنے اپیل انگریزی اور نظر ثانی ورث و پیروی مقدمہ

کرنے کا اختیار ہوگا اور بصورت ضرورت مقدمہ مذکورہ کے کل باجروزی کارروائی کے واسطے اور وکیل یا مختار قانونی کو اپنے ہمراہ یا اپنے

ججائے تقرر کا اختیار ہوگا اور صاحب مقرر شدہ کو بھی وہی جملہ مذکورہ اختیارات حاصل ہوں گے اور اس کا ساختہ برداشت منظور قبول

ہوگا دوران مقدمہ جو خرچ ہر جانہ التوائے مقدمہ کے حساب سے ہوگا وہ وکیل موصوف وصول کرنے کا حقدار ہوگا کوئی تاریخ پیشی

مقام دور یا حد سے باہر ہو تو وکیل صاحب پابند نہ ہوں گے کہ پیروی مذکورہ کریں لہذا وکالت نامہ لکھ دیا تاکہ سند رہے

البرق

دستخط ایڈووکیٹ ایمان الحق
011C 050: 15302-09803323

مقام: کیلئے منظور ہے

ایڈویکیٹ دستخط:

رابطہ نمبر 7676767-854-0300

ایڈووکیٹ ایمان الحق

نوٹ: فونو کاپی ناقابل قبول ہوگی

BEFORE THE HONORABLE KHYBER PAKHTUNKHWA SERVICE TRIBUNAL PESHAWAR
SERVICE APPEAL NO.330/2019.

MR. IHSAN UL-HAQ SST GOVT:HIGH SCHOOL ASBANR.

.....Appellant

VERSUS

1. The Government Khyber Pakhtunkhwa through Secretary Elementary and secondary Education at Peshawar.
2. Director (Elementary & Secondary Education), Khyber Pakhtunkhwa Peshawar.
3. District Education Officer (Male) Dir lower at Timergara.

(RESPONDENTS)

PERA WISE COMMENTS ON BEHALF OF RESPONDENTS, 1,2,3.

RESPECTFULLY SHEWETH:

PRELIMINARY OBJECTIONS:

1. The appellant is not the "aggrieved" person with the meaning of section 4 of Khyber Pakhtunkhwa Service Tribunal Act, 1974.
2. The Appellant has got no cause of action/Locus standi..
3. The appellant has not come to Honorable court with clean hands.
4. The Appellant is estopped by his own conduct.
5. That the instant Service appeal suffers from laches, hence not maintainable in the present form.
6. That the appellant was transferred to GMS Teroona while he malafidely taken over the charge in GMS Tangay payeen.
7. That the appellant is liable to serve anywhere in the province under section KP Civil servant Act, 1973.

ON FACTS.

1. Correct up to the extent of the appellant was transferred against vacant post in GHSS Asbanr vide order dated 30-03-2016.
2. Correct up to extent of the appellant filed application for transfer from GHSS Asbanr to GMS TangayPayeen but incorrect that the appellant was transferred to GMS TangayPayeen, it is pertinent to mentioned here that as per application of the appellant, dated 25-08-2018, the appellant was transferred to GMS Teroona vide NO. 10499-10503 dated 17-09-2018, the appellant was bound to take over charge in GMS Teroona or approach this office for correction of the order in time while the appellant malafidely took over charge in GMS TangayPayeen to where the transfer was not made.
3. Correct up to the extent of the appellant took over charge in GMS TangayPayeen but the charge report vide No.431-434 dated 19-09-2018 was not received to respondent department till the transfer of the respondent No.5.
4. Incorrect hence denied and further stated that the appellant was transferred to GMS Teroona instead of GMS TangayPayeen while the post of GMS TangayPayeen was vacant due to which the transfer of respondent No.5 was made.
5. Correct and further stated that the transfer order dated 17-09-2018 of the appellant was canceled vide No. 11947-52 dated 24-10-2018, due to charge taken in wrong school while the transfer order of the respondent No.5 was also canceled in the order ibid. and respondent No.6 was transferred to GMS TangayPayeen against vacant post.
6. Need no comments.
7. Incorrect hence denied and further stated that the respondent department always follows rules and policies consigned by high ups in letter and spirit.

GROUND:-

- A. Incorrect, the order dated 24-09-2019 was made in good faith as per rules and law.
- B. Incorrect, and further stated that the appellant was transferred to GMS Teroona instead of GMS TangayPayeen. (Copy of the transfer from GHSS Asbanr to Teroona attached as "A")
- C. Incorrect, and further stated that the respondent No.5 was transferred to GMS Tangay on vacant post while the appellant was transferred from GHSS Asbanr to GMS Teroona, Nor the appellant approached this office for correction and nor taken over charge in GMS Teroona but malafidely taken over charge in GMS TangayPayeen(in that school where the petitioner transfer was not made.) hence the transfer order No. 10499-52 dated 24-10-2018.
- D. Incorrect and further stated that the appellant was transferred from GHSS Asbanr to GMS Teroona, but the appellant malafidely taken over charge in GMS TangayPayeen to where the transfer order was not made.
- E. pertains to records up to the seniority of the appellant and respondent NO.5. In the remaining part of the para -E it is stated that the appellant took over charge in wrong school
- F. Incorrect hence denied and further stated that the respondent department always follows rules and policies cosigned by high ups in letter and spirit.
- G. That the respondent department seek leave to raise additional grounds at the time of arguments.

It is therefore, humbly prayed that on acceptance of the above submission, the instant Service appeal may very graciously be dismissed in favor of the answering respondents with cost .

SECRETARY
GOVT: KHYBER PUKHTOON KHWA
ELEMENTRY AND SECONDARY DEPARTMENT

(Respondent No.1)

Secretary to Govt: of
Khyber Pakhtunkhwa
E&SE Department

DIRECTOR
ELEMENTRY & SECODARY
EDUCATION KHYBER PAKHTOON KHWA
(Respondent No.2)

DISTRICT EDUCATION OFFICER (M)
DIR LOWER AT TIMERGARA
(Respondent No.3)

District Education Officer
(Male) Dir (L)

VERIFIED COPY

BEFORE THE KHYBER PAKHTOON KHWA
SERVICE TRIBUNAL, PESHAWAR

Service Appeal No 330 /2019

1. Ihsan Ul Haq ,SST, Government Middle School Tiroona Tangi Tehsil Adenzai
Dir Lower. (Appellant)

Versus

1. Government of Khyber Pakhtoonkhwa through Secretary Elementary and secondary Education Khyber Pakhtunkhwa Peshawar
2. Director Elementary and secondary Education Khyber Pakhtunkhwa Peshawar
3. District Education Officer (M) Dir Lower at Timergara. And others
(RESPONDENTS)

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District Education officer (M)

District Dir Lower

Respondent No.3

District Education Officer
(Male) Dir (L)

Director,

Elementary and Secondary

Education Khyber Pakhtoon khwa

Respondent No .2

BEFORE THE KHYBER PAKHTOON KHWA

SERVICE TRIBUNAL, PESHAWAR

Service Appeal No 330 /2019 ✓

1. Ihsan Ul Haq, SST, Government Middle School ^{Q.H. Asbanr} Tiroona Tangi Tehsil Adenzai
Dir Lower. (Appellant)

Versus

- 1. Government of Khyber Pakhtoonkhwa through Secretary Elementary and secondary Education Khyber Pakhtunkhwa Peshawar
- 2. Director Elementary and secondary Education Khyber Pakhtunkhwa Peshawar
- 3. District Education Officer (M) Dir Lower at Timergara. And others
(RESPONDENTS)

PARA WISE COMMENTS ON BEHALF OF RESPONDENTS, 2 and 3. 1, 2, and 3.

Respectfully sheweth:-

PRELIMINARY OBJECTIONS.

- 1. That the Appellant is not the "aggrieved" persons with the meaning of Article 212 of ^{S.47 KP Service Tribunal Act, 1974} ~~the Constitution of the Islamic Republic of Pakistan 1973.~~ 1974:
- 2. That the Appellant has got no cause of action /locus standi..
- 3. That the Appellant has not come to this Honorable court with clean hands.
- 4. That the Appellant is estopped by his own conduct.
- 5. That the instant service appeal suffers from laches, hence not maintainable in the present form.
- 6. That the ^{appellant} ~~petitioner~~ was transferred to GMS Teroona while the appellant malafidely taken over charge in GMS Tangay Payeen.

ON FACTS *That the appellant is not liable to serve anywhere in the province u/s. 10 of KP ~~Service~~ Civil servant Act, 1973.*

- 1. Correct up to the extent of the appellant ^{was} ~~transfer~~ ^{red} against vacant post in GHSS Asbanr vide order dated 30-03-2016.
- 2. Correct up to the extent of the appellant filed application for transfer from GHSS Asbanr to GMS Tangai Payeen but incorrect that the appellant was transferd to GMS Tangay Payeen. it is pertinent to mentioned here that as per application of the appellant, dated 25-08-2018, the appellant, was transferred to GMS Teroona vide No 10499-10503 dated 17-09-2018. the appellant was bound to take over charge in GMS Teroona or approached this office for correction of the order in time while the appellant malafidely ~~taken over~~ ^{took over} charge in GMS Tangay Payeen to where the transfer of the appellant was not made.
- 3. Correct up to the extent of the appellant ^{charge report} ~~report~~ in GMS Tangai Payeen but the charge report vide No ~~431-434~~ ⁴³¹⁻⁴³⁴ dated 19-09-2018 was not received to respondent department till the transfer of the respondent No .5.

4. In correct hence denied and further stated that the appellant was transferred to GMS Teroona instead of GMS Tangay Payeen ,while the post of GMS Tangay Payeen was vacant due to which the transfer of Respondent No 5. Was made.
5. Correct and further stated that the transfer order dated 17-09-2018 of the appellant was canceled vide No. 11947-52 dated 24-10-2018 ,due to charge taken in wrong school while the transfer order of the respondent No.5 was also cancelled in the order ibid. and respondent No 6 was transferred to GMS Tangay Payeen against vacant post.
6. Need No comments.
7. Incorrect hence denied and further stated that the respondent department always follows rules and policies consigned by high ups in letter and spirit.

GROUNDS

- A. Incorrect, the office orders dated 24-09-2018 and 24-10-2018 were made in good faith and as per rules and law.
- B. Incorrect, and further stated that the appellant was transferred to GMS Teroona instead of GMS Tangay Payeen .(Copy of the appallant transfer from GHSS Asbanr to GMS Teroona attached as "A")
- C. Incorrect, and further stated that the respondent No 5 was transferred to GMS Tangai on vacant post while the appellant was transferred from GHSS Asbanr to GMS Teroona, Nor the appellant approached this office for correction and nor taken over charge in GMS Teroona but malafidely taken over charge in GMS Tangai Payeen (in that school to which the petitioner transfer order was not made) hence the transfer order No 10499-10503 dated 17-09-2018 was cancelled vide No 11947-52 dated 24-10-2018 .
- D. Incorrect and further stated that the appellant was transferred from GHSS Asbanr to GMS Teroona ,but the appellant malafidely taken over charge in GMS Tangay Payeen to where the transfer order was not made.
- E. Pertains to records up to the seniority of the appellant and respondent No 5. In the remainng part of the para -E it is stated the appellant took over charge in wrong school.
- F. In correct hence denied and further stated that the respondent department always follows rules and policies consigned by high ups in letter and spirit.
- G. That the respondents seek leave to raise additional grounds at the time of arguments.

It is, therefore, humbly prayed that on acceptance of the above submission, the instant Service Appeal may very graciously be dismissed in favor of the answering respondents with cost.

Secretary,

Elementary and Secondary
Khyber Pakhtunkhwa
Respondent No.1

Director,

Elementary and Secondary
Khyber Pakhtunkhwa
Respondent No.2

District Education officer (M)

Dir Lower

District Education Officer
(Male) Dir (L)

*voted
- Subject to
the approval of
learned AACI.*

30/9/19

District Attorney
Khyber Pakhtunkhwa
Service Tribunal Peshawar

BEFORE THE KHYBER PAKHTOON KHWA
SERVICE TRIBUNAL, PESHAWAR

Service Appeal No 330 /2019

1. Ihsan Ul Haq ,SST,Government Middle School Tiroona Tangi Tehsil Adenzai
Dir Lower. (Appellant)

Versus

1. Government of Khyber Pakhtoonkhwa through Secretary Elementary and secondary
Education Khyber Pakhtunkhwa Peshawar
2. Director Elementary and secondary Education Khyber Pakhtunkhwa Peshawar
3. District Education Officer (M) Dir Lower at Timergara. And others
(RESPONDENTS)

Affidavit

I Mr.Shahid Anwar ADEO (Male) Dir Lower do hereby solemnly
affirm and state on oath that the whole contents of this reply are true and correct to the best
of my knowledge and belief and nothing has been concealed from this August court.

Deponent

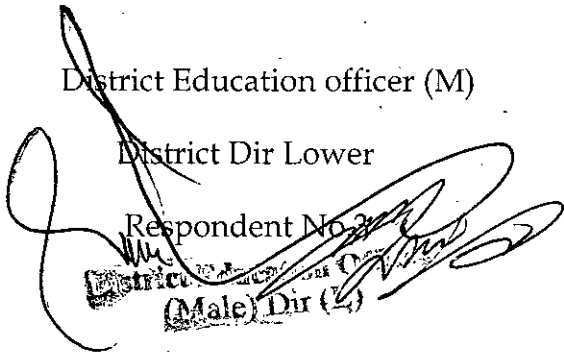


Shahid anwar
ADEO (Male) Dir Lower

AUTHORITY LETTER

Mr. Shahid Anwar ADEO (Male) Dir Lower is hereby authorized to submit the comments / reply in the Service Appeal No.330 of 2019.

Title: Ihsan Ul Haq v/s DEO (M) Dir Lower and others On behalf of the under signed,

District Education officer (M)
District Dir Lower
Respondent No.2

District Education Officer
(Male) Dir (L)

Director,
Elementary and Secondary
Education Khyber Pakhtoon khwa
Respondent No .2

(11)
(12)

OFFICE OF THE DISTRICT EDUCATION OFFICER (MALE) DIR LOWER.
OFFICE ORDER

Mr. ~~Hasan Ali Haq SS-1 (G)~~ GHSS Asbanr is hereby transferred to ~~GMS Terona~~
~~Tangay~~ against vacant post in the interest of public service with immediate effect;

Note;-No TA/DA is allowed.

Charge report should be submitted to all concerned.

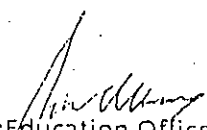
(Hafiz Mohammad Ibrahim)
Distt;Education Officer
(Male) Dir lower.

Endst;No, ~~1029/2018~~ Dated Timergara the ~~17/1/2018~~

Copy forwarded to;

1. The District Accounts Officer Dir Lower.
2. The Deput / District Edu;Officer(M) Local office:
3. The Principal GHSS Asbanr
4. The Headmaster GMS Terona Tangay.
5. The Teacher concerned.

F
etc


Distt;Education Officer
(Male) Dir lower.

BEFORE THE KPK SERVICE TRIBUNAL PESHAWAR

Service Appeal No. 330 of 2019

Ihsan ul Haq.....Petitioner

VERSUS

Government of Khyber Pakhtoonkhwa and others

.....Respondents

INDEX:


S.No.	Description of documents	Annexure	Pages
1	Memo of petition		1-4
2	Certificate		5
3	Affidavit		6
4	Address of parties		7
5	Copy of posting order dated 30.03.2016	A	8-9
6	Copy of application	B	10
7	Copy of order dated 17.09.2018	C	11
8	Copy of charge	D	12
9	Copy of attendance sheets	E	13-14
10	Copy of transfer order dated 24.09.2018	F	15-16
11	Copy order dated 24.10.2018	G	17
12	Copy of order dated 06.11.2018	H	
13	Wakalatnama		

Appellant

Through

Dated. 05.03.2019


Fayaz Muhammad Qazi &


Qaiser Khan
Advocates

Office. D-20-21 3rd Floor
Continental Plaza Makanbagh
Mingora Swat.

Cell. 0300-8546767

①

BEFORE THE KPK SERVICE TRIBUNAL PESHAWAR

Service Appeal No..... of 2019

Ihsan ul Haq, SST, Government Middle School Tironu Tangi Tehsil Adenzai District Dir Lower.

.....Petitioner

VERSUS

1. The Government Khyber Pakhtoonkhwa through Secretary Secondary and Elementary Education at Peshawar.
2. The Director Secondary and Elementary Education Khyber Pakhtoonkhwa at Peshawar.
3. District Education Officer (male) Dir Lower at Temergara.
4. District Accounts Officer Dir Lower at Temergara.
5. Faiz Muhammad SST(G) Government High School Badwan, Dir Lower.
6. Muhammad Zaman SST (G) Government Middle School Tangi Payan

.....Respondents

Handwritten notes in Urdu: "ڈا کے لئے" (for DA), "ڈا کے لئے" (for DA), "ڈا کے لئے" (for DA)

APPEAL UNDER SECTION 4 OF THE KHYBER PAKHTOONKHWA SERVICE TRIBUNALS ACT, 1973.

Respectfully Submitted:

1. That petitioner was posted as SST(general) in Government Higher Secondary School Asband, Dir Lower vide office order dated 30.03.2016. Copy is annexure A.

Correct upto the extent of placement at

(1) The para is partially correct, before this school he was posted at GMS - later on he requested for transfer & he was transferred to GHS Asharn on - no - dt. on his own request, just after - months

- 2
2. That the petitioner filed an application for his transfer from GHSS Asband to GMS Tangi Payeen and due to that the petitioner was transferred from GHSS Anband to GMS Tnagi Payeen vide office order dated 17.09.2018. Copies are annexure B and C.
 3. That the petitioner took over charge in GMS Tangi Payeen on 19.09.2018. Copy of charge report is annexure D and attendance sheet is annexure E.
 4. That just after 5 days, Respondent No.3 issued another order dated 24.09.2018, purely on political basis where respondent no.5 was transferred to GMS Tangi Payeen though there was no vacant post of SST(G) in the said school. Copy is annexure F.
 5. That thereafter the respondent no.3 cancelled both the transfer orders dated 17.09.2018 and 24.09.2018 by a single order dated 24.10.2018 and respondent no.5 was transferred to GHS Badwan whereas the respondent No. 6 was transferred to GMS Payeen and the petitioner was transfer back to GHSS Asband Dir Lower. Copy is annexure G.
 6. That thereafter the petitioner challenged the said in constitutional petition before the Peshawar High Court Mingora Bench/ Darul Qazi in writ petition no.997-M/ 2018 but due to lack of jurisdiction, the same was sent to respondent department being a departmental appeal vide order dated 06.11.2018. Copy is annexure H.
 7. That no order has been passed by the respondent department hence being aggrieved of the inaction of the respondent department, the petitioner is constraint to approach this Honorable Tribunal on the following grounds inter alia;

Terna

(3)

GROUND:

- A. That the impugned transfer orders dated 24.09.2018 and 24.10.2018 are against law, arbitrary, discriminatory and without lawful authority and void ab initio.
- B. That being the resident of Mian Brangola, the petitioner has served in GHSS Asband, a distant place of more than 40 kilometers, for a considerable length of time, hence the first order dated 17.09.2018, transferring the petitioner from GHSS Asband to GMS Tangi Payeen was lawful, reasonable and justified.
- C. That the subsequent transfer order dated 24.09.2018, was purely due to political pressure as respondent no.5, in his original place of posting GHS Badwan was just 5 kilometers away from his residence but even then, respondent no.5 was transferred to GMS Tangi Payeen on the single post on which the petitioner had already taken over charge.
- D. That the hasty transfers, making the public servants like football by kicking here and there within a week, is against the law, policy and does not allow the teachers to perform their duties in a proper and decent way.
- E. That the petitioner is senior as compared to respondent no. 5 and he is more deserving to remain at the place of his choice where the petitioner has already taken over charge.
- F. That such hasty transfers due to political pressures are highly detrimental to the smooth performance of duty.

4

G. That other grounds shall be advanced at the time of arguments with the permission of this Honorable Court.

It is therefore most humbly prayed that on acceptance of this appeal, the impugned transfer order dated 24.09.2018 and 24.10.2018 may graciously be declare null and void and same may be cancelled/ withdrawn and the transfer order dated 17.09.2018, transferring the petitioner to GMS Tangi Payeen, may graciously be restored. Any other order that is just and proper may also be passed in favour of the petitioner and against the respondents.

Appellant

Through

Dated. 05.03.2019



Fayaz Muhammad Qazi &



Qaiser Khan

Advocates.

5

**BEFORE THE PESHAWAR HIGH COURT MINGORA
BENCH/ DARUL QAZA**

Service Appeal No..... of 2019.

Ihsan ul Haq.....Petitioner

VERSUS

Government of Khyber Pakhtoonkhwa and others

.....Respondents

CERTIFICATE:

It is certified that no such like other appeal has earlier been filed before this Honorable Tribunal or before any other Court.

Appellant

Through

Dated. 05.03.2019



Fayaz Muhammad Qazi &



Qaiser Khan

Advocates.

8

BEFORE THE KPK SERVICE TRIBUNAL PESHAWAR

Service Appeal No..... of 2019

Ihsan ul Haq.....Petitioner

VERSUS

Government of Khyber Pakhtoonkhwa and others
.....Respondents

AFFIDAVIT:

I, Fayaz Muhammad Qazi Advocate, as per instructions of client, do hereby affirm and declare on oath, that the contents of the accompanying appeal, are true and correct to the best of the knowledge and belief and that nothing has been concealed from this Honorable Tribunal.


DEPONENT

(7)

BEFORE THE KPK SERVICE TRIBUNAL PESHAWAR

Service Appeal No..... of 2019

Ihsan ul Haq.....Petitioner

VERSUS

Government of Khyber Pakhtoonkhwa and others

.....Respondents

ADDRESS OF PARTIES:

Appellant:

Ihsan ul Haq, SST, Government Middle School Tironu Tangi Tehsil
Adenzai District Dir Lower.

Respondents:

1. The Government Khyber Pakhtoonkhwa through Secretary Secondary and Elementary Education at Peshawar.
2. The Director Secondary and Elementary Education Khyber Pakhtoonkhwa at Peshawar.
3. District Education Officer (male) Dir Lower at Temergara.
4. District Accounts Officer Dir Lower at Temergara.
5. Faiz Muhammad SST(G) Government High School Badwan, Dir Loewr.

Appellant

Through

Dated. 05.03.2019



Fayaz Muhammad Qazi &



Qaiser Khan
Advocates

S#	Name	Designation	School	Applied for	A.V.Post
44	Nisarullah	SST-G	GHS Drangal	GHS Osaki	A.V.Post
45	Muhamamd Aziz	SST-G	GHS Asbarn	GHS Khanpur	A.V.Post
46	Bahader Zaib	SST-G	GHS Munjai	GHS Khazana	A.V.Post
47	Nader Khan	SST-G	GMS Shagai Asbarn	GMS Warsak	A.V.Post
48	Badshah Gul	SST-G	GMS Gumbatai	GMS Kumbar Maidan	A.V.Post
49	Ghulam Husain	SST-G	GHS Shekawli	GMS Shagai Asbarn	A.V.Post
50	Muhamamd Ayaz	SST-G	GHS Chinar kot	GHS Khanpur	A.V.Post
51	Usmanudin	SST-G	GHS Zaimdara	GMS Sher Khani	A.V.Post
52	Ahmad Shah	SST-G	GHS Dheri Kashmir	GHS Osaki	A.V.Post
53	Shahzad	SST-G	GHS Barjam Makli	GHS Munda	A.V.Post
54	Rahbar Khan	SST-G	GHS Rabat	GHS Koheri	A.V.Post
55	Fazli subhan	SST-G	GMS Ashrogi	GMS Gumbatai	A.V.Post
56	Inayatullah	SST-G	GHS Jawzo	GMS Kotkai Sh: Khel	A.V.Post
57	Gul Kamin	SST-G	GHS Zaimdara	GHS Rabat	A.V.Post
58	Amir Zahid	SST-G	GHS Formang	GHS Dheri Kashmir	A.V.Post
59	Sher Ali Khan	SST-G	GMS Ashar Kor	GHS Sadbar Kalay	A.V.Post
60	Hamayoon Khan	SST-G	GMS Warsak	GHS Tazagram	A.V.Post

Note:

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

(Prof: Muhamamd Uzair Ali)
District Education Officer
Male Dir Lower

Endst. No. 5638-43

Dated Timergara the 20/02/2016.

Copy of the above is forwarded to:

1. The Director (E&SE) Khyber Pakhtoon Khwa Peshawar.
2. The District Account Officer Dir Lower at Timergara.
3. The Principal / Headmaster concerned.
4. The Supdt: local office.
5. The teacher concerned.

District Education Officer
Male Dir Lower

Annex B (19)

بخدمت جناب ڈسٹرکٹ ایجوکیشن آفیسر صاحب (مردانہ) ضلع دیر پائین بمقام تیمر گرا

GMS Tangi Payeon GHSS Asban

جناب عالی!

منوذبانہ گزارش ہے کہ بندہ آپ صاحبان کے زیر سایہ گورنمنٹ ہائر سیکنڈری سکول اسپنڑ میں بحیثیت SST(G) اپنے فرائض منصبی انجام دے رہا ہے۔ جو کہ بندہ کیلئے ایک دور افتادہ اور مشکل ترین سٹیشن ہے اور آنے والے میں بندہ کو کافی مشکلات کا سامنا کرنا پڑتا ہے۔ بندہ کو باوثوق ذرائع سے معلوم ہو چکا ہے کہ گورنمنٹ ہائر سیکنڈری سکول میں بڑا ٹولہ ہیں ایس ایس ٹی پوسٹ بوجہ پر دوشن ایس ایس / ہیڈ ماسٹر خالی ہوا ہے۔ یہ جو کہ بندہ کیلئے ایک تریبی اور آسان سٹیشن ہے۔

لہذا آپ سے التماس ہے کہ آپ صاحبان مہربانی فرما کر بندہ کا تبادلہ GHSS Asban سے

GMS Tangi Payeon کرنے کے احکامات صادر فرمائیں۔ عین نوازش ہوگی۔

بندہ تاحیات دعا گو رہے گا۔

المرقوم: 25 اگست - 2018

فقط آداب ہے

العارضہ: آپ کا فرمان بردار احسان الحق SST گورنمنٹ ہائر سیکنڈری سکول اسپنڑ ضلع دیر پائین۔

Forwarded and recommended to the DEO (male) Dir lower at

Timergara for necessary action please.

No. 1314 Dated the 25/06/2018

25/8
PRINCIPAL
GHSS Asban
Dir Lower

Fuzwana

Annex 1

(9) (15)

OFFICE OF THE DISTRICT EDUCATION OFFICER (FEMALE) DIR LOWER.
OFFICE ORDER

As per direction by the worthy Director (E&SE KPK Peshawar recorded on the body of application, Mr. ~~Faiz Mohammad~~ SST(G) GHS Badwan is hereby transferred to ~~GMS Tangi Dargah~~ against vacant post in the interest of public service with immediate effect ;-

Note:- 1.No TA/DA is allowed.

2.Charge report should be submitted to all concerned;

(Hafiz Dr; Mohammad Ibrahim)
District Education Officer
(Male) Dir lower.

Endst;No, ~~10813-14~~ / Dated Timergara the

~~24/9~~ 2018

Copy forwarded to:-

1. The District Accounts Officer Dir lower.
2. The Deputy District Edu; Officer (M) Local office.
3. The Principal/Headmaster concerned.
4. The Teacher concerned.

Handwritten initials/signature

Handwritten signature
District Education Officer
(Male) Dir lower

CERTIFICATE OF TRANSFER OF CHARGE.

1. Certify that we have on the 19/09/2018 (F.N) of this day respectively made over and received charge of this office of the SST (G) post at Govt; Middle School Tangi Payeen Khadagzai Dir (L) order vide D.E.O (E & S) Education (M) his office Endost:No.10499-10503 Dated 19/09/2018 vacant post.
2. Particulars of Cash and important secret and confidential documents handed over are noted on the reverse:-

Signature of relived
Government Servant
Designation

vacant post
SST (G)

Station: GMS, Tangi Payeen Khadagzai Dir (L).

Signature of Government
Servant receiving
Charge
Designation

Ihsan ul Haq Master
G.M.S. Tangi Payeen
Khadagzai Distt Dir(L)

Endost:No. 10499-10503 Dated 19/09/2018.

Submitted for information to the:-

1. District Education Officer (E & S) (M) Dir (L) at Timargara.
2. DDEO (M) Dir (L) at Timargara.
3. District Accounts Officer Dir (L) Timargara.
4. Office Record

Ihsan ul Haq Master
G.M.S. Tangi Payeen
Khadagzai Distt Dir(L)

رجسٹر حاضری مدرسین

نامت ماہ				ایم جی اے				ایم ای				ایم ای			
S.S.T.				DM.				C.T.				P.E.T.			
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4	8/15	1154	2/20	87-	1154	2/20	87-	1154	2/20	87-	1154	2/20	87-	1154	2/20
5	8/15	1154	2/20	87-	1154	2/20	87-	1154	2/20	87-	1154	2/20	87-	1154	2/20
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استحقاقی												
بیماری												
میزان												

دستخط ہیڈ ماسٹر

Annex 1st

(15)

OFFICE OF THE DISTRICT EDUCATION OFFICER (FEMALE) DIR LOWER.
OFFICE ORDER

As per direction by the worthy Director (E&SE KPK Peshawar recorded on the body of application, Mr. Hafiz Mohammad SST(G) GHS Badwan is hereby transferred to GMS Tangi Bazaar against vacant post in the interest of public service with immediate effect ;-

Note;- 1.No TA/DA is allowed.

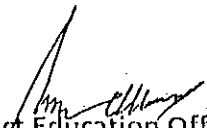
2.Charge report should be submitted to all concerned.

(Hafiz Dr; Mohammad Ibrahim)
District Education Officer
(Male) Dir lower.

Endst;No, 12813-16 / Dated Timergara the 24/9/2018

Copy forwarded to;-

1. The District Accounts Officer Dir lower.
2. The Deputy District Edu; Officer (M) Local office.
3. The Principal/Headmaster concerned.
4. The Teacher concerned.


District Education Officer
(Male) Dir lower

Annex "G" ~~17~~ ~~17~~

①

①7

OFFICE OF THE DISTRICT EDUCATION OFFICER (FEMALE) DIR LOWER.
OFFICE ORDER

Reference Director (E&SE) Khyber Pakhtinkhwa Peshawar Letter No,7078/F.No,07 /Vol;o/SST(M) Transfer dated 19/10/2018,7, the following orders are hereby made in the best interest of public with immediate effect and in relaxation of ban as desired by the honourable Advisor for Education KPK.

S#	Name & Designation	From	To	Remarks
1.	Ihsanul Haq SST(G)	GHSS Asbnar	GMS Tangi Teroona	Order No, 10499-10503 dated 17/9/2018 cancelled
2.	Faiz Mohd SST(G)	GHS Badwan	GMS Tangi Payeen	Order No;10813-16 dated 24/9/2018 in cancelled
3.	Mohd Zaman SST(G)	GMS Khawas Asbanr	GMS Tangi Payeen	A.V.Post

1.Charge report should be submitted to all concerned.

2.No TA/DA is allowed.

(DR.Hafiz Mohammad Ibrahim)
District Education Officer
(Male) Dir lower.

Endst;No, 11947-Sg /Dated Timergara the 24 /10/2018

- Copy of the above is forwarded to:-
- 1.The Director(E&SE) KPK Peshawar.
 - 2.P/S to Hpnrl; Advisor to Education KPK.
 - 3.The District Accounts Officer Dir lower.
 - 4..The Deputy Distt;Offier(M) Local office.
 - 5..The Principal/Headmaster concerned.
 - 6.. The Teachers concerned.

District Education Officer
(Male) Dir lower.

OF THE DISTT: EDUCATION OFFICER (M) DIR LOWER AT TIMERGARA

ORDER

Consequent upon the recommendation of the departmental placement committee, the following SSTs are hereby transferred to the school noted against each in the Interest of public service with the condition that they will not leave the station till the arrival of their substitute either through promotion or NTS.

S. No.	Name	Designation	From	To	Remarks
1	Islamuddin	SST-G	GHS Haji Abad	GCMHS Timergara	
2	Umar Hayat	SST-G	GHS Rabat	GCMHS Timergara	
3	Jamroz Khan	SST-G	GHS Koheray	GHS Haji Abad	
4	Farid Uddin	SST-G	GHS Koheray	GHS Badwan	✓
5	Ghulam Hussain	SST-G	GMS Shagai	GHS Adam Dheri	
6	Muhammad Amin	SST-G	GHS Mian Kalay	GHS Bagh Dushkhal	
7	Bakht Munir	SST-G	GHS Gumbat Banda	GMS Bagh Maidan	
8	Gul Kamin	SST-G	GHS Munjal	GHSS Ziarat Talash	
9	Hazrat Ishan	SST-G	GHS Takwara Shekhan	GHSS Ziarat Talash	
10	Mahfoozur Rahman	SST-G	GSSHSS Ouch	GHSS Ziarat Talash	
11	Muhammad Nacem	SST-G	GHSS Rehan Pur	GHS Balambat	
12	Farid Uddin	SST-G	GHSS Rehan Pur	GCMHS Timergara	
13	Amir Zahid	SST-G	GHS Toormang	GHS Pato Talash	
14	Sultan Hamid	SST-G	GHS Gumbat Banda	GHS Dalgram	
15	Muhammad Ayaz	SST-G	GHS Chinarkot	GHS Shamsh Khan	
16	Muhammad Zahoor	SST-G	GHS Spina Khawra	GHS Bagwara	
17	Tohi U Rahman	SST-G	GMS Bin Shahi	GHS Drangal	
18	Najeebullah	SST-G	GHS Dapoor	GHS Maidan Bandai	
19	Shah Tamaz	SST-G	GHSS Asbarr	GHS Ouch Shargi	
20	Hakimullah	SST-G	GHS Dheri Kashmir	GHS Ouch Shargi	
21	Hazrat Hussain	SST-G ✓	GHSS Khan Pur	GHSS Chakdara	
22	Sami Ullah	SST-G	GMS Gul Muqam	GHS Shah Alam Baba	
23	Fazal Raziq	SST-G	GHSS Mayar Lundol	GHS Shamsh Khan	
24	Fazal Hussain	SST-G	GHSS Khali	GHSS Sarai Baba	
25	Karimullah	SST-G	GMS Kande Machla	GHSS Bagh Maidan	
26	Bacha Rahman	SST-G	GHS Darnal Payeen	GHSS Hayasari	
27	Dawa Khan	SST-G	GHS Mirgan Bala	GHSS Lal Qila	
28	Ibad Ullah Jan	SST-G	GHS Merakai	GHSS Manial	
29	Inayatullah Rahman	SST-G	GHS Jawzo	GHSS Mayar	
30	Fazal Mahmood	SST-G	GMS Ghwara Banda	GHSS Mayar	
31	Lutfur Rahman	SST-G	GHS Adam Dheri	GHSS Mian Brangola	
32	Ikram Ul Haq	SST-G	GHS Shah Alam Baha	GMS Gul Muqam	
33	Khalqur Rahman	SST-G	GHSS Munda	GHS Dheri Talash	
34	Ghulam Bahadar	SST-G	GHSS Zaimdara	GHSS Lal Qila	
35	Said Jamal Shah	SST-G	GMS Dara Sherkhani	GMS Korshung	
36	Jehan Badshah	SST-G	GMS Timtal	GHS Mian Kalay	
37	Abdul Basir	SST-G	GHS Shontala	GMS Shontala	
38	Hassan Khan	SST-G	GHS Ouch Shargi	GSSHSS Ouch	
39	Dadshah Rahaman	SST-G	GHS Shawa	GSSHSS Ouch	
40	Bakhtawar Said	SST-G	GSSHSS Ouch	GHSS Sarai Baba	
41	Muhammad Saeed	SST-G	GHSS Khan Pur	GHS Mina Battan	

Note:- 1. No TA/DA is allowed
2. Charge Report should be submitted to all concerned:

(PROF: MUHAMMAD UZAIR ALI)
DISTT: EDUCATION OFFICER (M)
DIR LOWER AT TIMERGARA

Enclst: No. ~~2~~ / Dated Timergara the ~~22/05/2020~~

Copy of the above is forwarded to:

- The Director (E&SE) Khyber Pakhtun Khwa Peshawar.
- The Distt: Accounts Officer Dir Lower at Timergara.
- The Principal/Head Master Concerned.
- The Supdt: Local Office.
- The Teachers Concerned.

DISTT: EDUCATION OFFICER (M)

To

The DEO (Male)

At Timergara,

Dir (L).

Subject:- TRANSFER TO GMS TANGAI PAYEEN FORM GMS KHAWAS
ASBANR DIR (L) AGAINST VACANT POST, OF SST (G)

R/Sir,

It is stated that I am working as a SST (G) at GMS Khawas Asbanr. Due to some domestic problems and for away, I want transfer to GMS Tangy Payeen Dir (L).

Kindly great me transfer order to the said school.

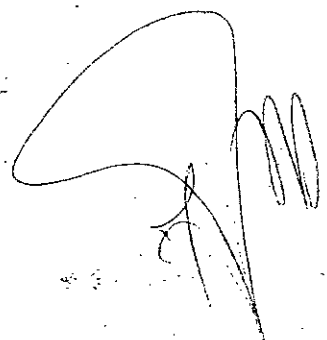
Thanks

*Director Kh
cancel Pakistan
saddis, for you
Zaman*

M. Zaman
Your Obediently,

Muhammad Zaman, SST (G),

GMS Khawas Asbanr, Dir (L)



*ADDE / ...
to the ...
Cancel to DEO
19/1/18*

Directorate of Elementary & Secy: Education
Khyber Pakhtunkhwa, Peshawar
No. 7078/F.No. 07/Vol-07/SST (M) Transfer.
Dated Peshawar the 19/12 2018

To

The District Education Officer
(Male) Dir Lower.

Subject: - TRANSFER TO GMS; TANGAI PAYEEN/CANCELLATION.

Memo:

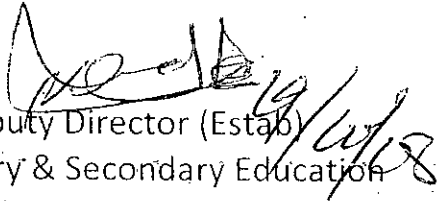
I am directed to enclose here with a copy of an application in original in respect of Muhammad Zaman SST (General) GMS Khawas (Asbanr) on the subject cited above for your perusal and further necessary action.

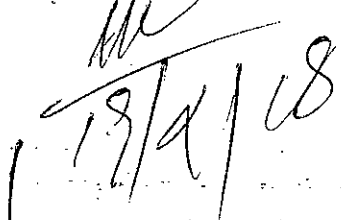
In this regard, I am further directed to ask to cancel the previous orders as desired by the honourable Advisor to Honorable Chief Minister for Education khyber Pakhtunkhwa.

Endst: No. _____

Copy of the above is to:-

1. PA to Director L/Directorate.


Deputy Director (Estab)
Elementary & Secondary Education
Khyber Pakhtunkhwa


Deputy Director (Estab)
Elementary & Secondary Education
Khyber Pakhtunkhwa