

22.07.2019

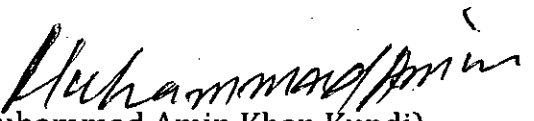
Counsel for the appellant and Mr. Muhammad Jan, Deputy District Attorney for the respondents present. Arguments heard and record perused.

Vide our detailed judgment of today consisting of five pages placed in connected Service Appeal No. 818/2016 titled "Syed Fazal Abbas Zaidi Versus The Secretary, Elementary & Secondary Education, Khyber Pakhtunkhwa Civil Secretariat, Peshawar and four others", the departmental appeal of the appellant is badly time barred. Hence, without touching the merit of the case, the present service appeal is dismissed being time barred. Parties are left to bear their own costs. File be consigned to the record room.

ANNOUNCED

22.07.2019


(Hussain Shah)
Member


(Muhammad Amin Khan Kundi)
Member

16.04.2019

Learned counsel for the appellant and Mr. Muhammad Jan learned Deputy District Attorney for the respondents present. Learned counsel for the appellant requested for adjournment. Adjourned. To come up for arguments on 12.06.2019 before D.B.


(Hussain Shah)
Member


(M. Amin Khan Kundi)
Member

12.06.2019

Counsel for the appellant and Mr. Usman Ghani District Attorney for the respondents present.

Learned counsel for the appellant once again requests for adjournment in order to seek further instructions from the appellant.

The record shows that on so many previous occasions adjournment was sought on behalf of the appellant, therefore, instant matter is adjourned to 22.07.2019 for arguments before he D.B but as a last chance.


Member


Chairman


31.10.2018

Due to retirement of Hon'ble Chairman, the Tribunal is defunct. Therefore, the case is adjourned. To come up on 18.12.2018.


READER

18.12.2018

Counsel for the appellant present. Mr. Kabirullah Khattak, Additional AG for the respondents present. Learned counsel for the appellant requested for adjournment. Adjourned. To come up for arguments on 01.02.2019 before D.B.


(Hussain Shah)
Member


(Muhammad Amin Khan Kundi)
Member

01.02.2019

Learned counsel for the appellant and Mr. Muhammad Jan learned Deputy District Attorney for the respondents present. Learned counsel for the appellant requested for adjournment. Adjourned. To come up for arguments on 13.03.2019 before D.B.


Member


Member

13.03.2019

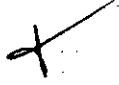
Learned counsel for the appellant and Mr. Kabir Ullah Khattak learned Additional Advocate General present. Learned counsel for the appellant seeks adjournment. Adjourn. To come up for arguments on 16.04.2019 before D.B.

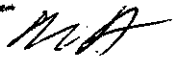

Member


Member

28.02.2018

Counsel for the appellant present. Mr. Muhammad Jan, Deputy District Attorney for the respondents also present. Learned counsel for the appellant submitted rejoinder and requested for adjournment for arguments. Adjourned. To come up for arguments on 03.05.2018 before D.B.


Member(Executive)


Member (Judicial)

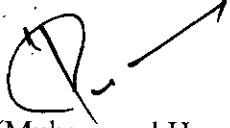
03.05.2018

Due to retirement of the worthy Chairman, the Tribunal is incomplete, therefore the case is adjourned. To come up for same on 17.07.2018 before D.B

17.07.2018

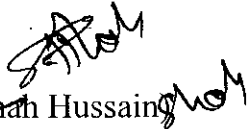
Learned counsel for the appellant and Mr. Zia Ullah, learned Deputy District Attorney present. Learned counsel for the appellant seeks adjournment. Adjourned. To come up for arguments on 07.09.2018 before D.B.



(Ahmad Hassan)
Member


(Muhammad Hamid Mughal)
Member

07.09.2018


Counsel for the appellant and Mr. Ziaullah, Deputy District Attorney for the respondents present. Learned counsel for the appellant requested for adjournment. Adjourned. To come up for arguments on 31.10.2018 before D.B.


(Shah Hussain)
Member


(Muhammad Amin Khan Kundi)
Member

05.06.2017


Clerk of the counsel for appellant present. Mr. Muhammad Adeel Butt, Additional AG for the respondents also present. Due to strike of the bar learned counsel for the appellant is not in attendance. Adjourned. To come up for rejoinder and arguments on 02.10.2017 before D.B.

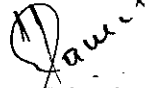

(GUL ZIA KHAN)
MEMBER


(MUHAMMAD AMIN KHAN KUNDI)
MEMBER

02.10.2017

Learned counsel for the appellant present. Mr. Zia Ullah, Deputy District Attorney for the respondents present. Counsel for the appellant requested for time to file rejoinder. Request accepted. To come up for rejoinder/arguments on 28.12.2017 before D.B.


Member
(Executive)


(Member
(Judicial)

28.12.2017

Clerk to counsel for the appellant and Addl. AG for respondents present. Arguments could not be heard due to incomplete bench. Adjourned. To come up for arguments on 28.02.2018 before D.B.


Member

820/2016

17.11.2016

Counsel for the appellant and Assistant AG for respondents present. Preliminary arguments heard. According to notification dated 03.06.2003 personal grade BPS-17 were awarded to similarly placed employees. As such the appeal is admitted for regular hearing subject to deposit of security and process fee within 10 days, where-after notices be issued to the respondents for written reply/comments for 09.01.2017 before S.B.

Appellant Deposited
Security Process Fee


Chairman

09.01.2017

Counsel for the appellant and Additional AG for the respondents present. Written reply not submitted. Requested for adjournment. To come up for written reply/comments on 13.02.2017 before S.B.


Chairman

13.02.2017

Clerk to counsel for the appellant and Addl. AG for respondents present. Written reply not submitted. Requested for adjournment. To come up for written reply/comments on 15.03.2017 before S.B.


(AHMAD HASSAN)
MEMBER.

15.03.2017

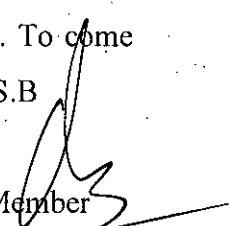
Counsel for the appellant and Mr. Hameed ur Rehman, AD (Litigation) alongwith Addl. AG for respondents present. Written reply submitted. To come up for rejoinder and arguments on 05.06.2017 before D.B.


(AHMAD HASSAN)
MEMER

29.09.2016

Counsel for the appellant present. Through the instant appeal, the appellant has impugned order dated 18.02.2003 vide which the appellant was appointed as DPE (BPS-16) on regular basis. The appellant claimed that he should have been appointed in (BPS-17) as personal. Against the impugned order the appellant filed departmental appeal on 8.04.2016 which was not responded within the statutory period.

Since the matter required further consideration of this Tribunal therefore, pre-admission notice be issued to the learned Additional AG to assist of the court. To come up for further proceedings on 27.10.2016 before S.B


Member

27.10.2016




Counsel for the appellant has sent an application for adjournment. Assistant A.G for the respondents present. Adjourned for preliminary hearing to 17.11.2016 before S.B.


Chairman

Form- A
FORM OF ORDER SHEET

Court of _____

Case No. 820/2016


S.No.	Date of order proceedings	Order or other proceedings with signature of judge or Magistrate
1	2	3
1	11/08/2016	<p style="text-align: center;">The appeal of Mr. Muhammad Sharif resubmitted today by Syed Younas Jari Advocate, may be entered in the Institution Register and put up to Learned Member for proper order please.</p> <p style="text-align: right;"> REGISTRAR</p>
2-	16-8-2016	<p style="text-align: center;">This case is entrusted to S. Bench for preliminary hearing to be put up there on. <u>31-08-2016</u></p> <p style="text-align: right;"> MEMBER</p>
	31.08.2016	<p style="text-align: center;">None present on behalf of the appellant. The appeal be relisted for preliminary hearing for 29.09.2016 before S.B.</p> <p style="text-align: right;"> Member</p>

The appeal of Mr. Muhammad Sharif DPE GHSS Mandra Kalan D.I.Khan received to-day i.e. on 02.08.2016 is incomplete on the following score which is returned to the counsel for the appellant for completion and resubmission within 15 days.

- 1- In the memo of appeal places have been left blank which may be filled up.
- 2- Copies of memo of Service appeal and judgment passed on it by this Tribunal mentioned in para-3 of the memo of appeal (Annexure-E) are not attached with the appeal which may be placed on it.

No. 1243/S.T,

Dt. 4/8 /2016



REGISTRAR
SERVICE TRIBUNAL
KHYBER PAKHTUNKHWA
PESHAWAR.

Syed Younas Jan Adv. Pesh.

Sir,

1) The objection NO 1 removed and as the objection NO 2 is concerned in this regard it is submitted that the contents of Para 3 may only kindly be considered to the extent that the appellant has now been promoted to BPS 17 (regular) the remaining contents may kindly be considered as omitted.

Re-submitted with the above today
on 11.8.2016


Syed Younas Jan
Advocate Peshawar

BEFORE THE KHYBER PAKHUNKHWA SERVICE TRIBUNAL, PESHAWAR

SERVICE APPEAL NO. 820 / 2016

Muhammad Sharif APPELLANT

VERSUS

The Secretary Elementary & Secondary Education,
Khyber Pakhtunkhwa Peshawar and others RESPONDENTS.

I N D E X

S.No.	Description of documents	Annexures	Pages
1.	Grounds of appeal with affidavit		1 - 4
2.	Addresses of the parties		0 - 5
3.	Copy of departmental appeal	'A'	6 - 7
4.	Copy of Certificate	'B'	0 - 8
5.	Copies of promotion orders	'C&D'	9 - 14
6.	Copy of relevant order/Notification Copy of relevant order/Notification	'E'	15 - 17
7.	Orders No. BPs 17 Personal of other colleagues Application for condonation of delay	'F', 'G', 'H'	18 - 19A 20 - 22
8.	Vakalat Nama in original		0 - 23

Appellant

through



(Syed Younas Jan)
Advocate, Peshawar

PESHAWAR

01 -08-2016

BEFORE THE KHYBER PAKHTUNKHWA SERVICE TRIBUNAL, PESHAWAR

SERVICE APPEAL NO. 820 / 2016

Muhammad Sharif, Director Physical Education (D.P.E)
Govt. Higher Secondary School, Mandra Kalan, D.I.Khan

.....APPELLANT.

Khyber Pakhtukhwa
Service Tribunal

Diary No. 793
Dated 02-8-2016

VERSUS

1. The Secretary, Elementary & Secondary Education, Khyber Pakhtunkhwa Civil Secretariat, Peshawar.
2. The Director, Elementary & Secondary Education, Khyber Pakhtunkhwa near GHSS No.1, G.T.Road, Peshawar City.
3. The Secretary Finance Department, Khyber Pakhtunkhwa Civil Secretariat, Peshawar.
4. The Secretary Establishment, Khyber Pakhtunkhwa Civil Secretariat, Peshawar
- 5: Government of K.PK. through its Chief Secretary, Civil Secretariat, Khyber Pakhtunkhwa, Peshawar.

... ..

RESPONDENTS

APPEAL UNDER SECTION 4 OF THE KHYBER PAKHTUNKHWA SERVICE TRIBUNAL ACT, 1973, ACCORDING TO THE DEPARTMENTAL APPEAL OF THE APPELLANT DATED 8-04 2016 WHICH IS STILL PENDING BEFORE RESPONDENT NO.1 AND AFTER LAPSE OF STATUTORY PERIOD NO ORDER/COMMUNICATION HAS BEEN MADE ON THE SAME SO FAR. (COPY OF DEPARTMENTAL APPEAL WITH POSTAL RECEIPT IS ANNEXURE 'A').

Prayer-in-Appeal

That on acceptance of this appeal, the Department/competent authority may kindly be directed to award BPS-17 as personal grade to the appellant with all other service benefits from 30-08-2000 i.e. the date of 1st promotion order of the appellant against the post of B.P.E. in Govt.Higher Secondary School to the date of his regular promotion to BPS-17 and filed.

Filed to-day
Registrar
2/8/16

Re-submitted to-day
Registrar 11/8/16

RESPECTFULLY SUBMITTED:

The appellant submits as under :-

1. That the qualifications of the appellant is M.A/M.Sc. in Health & Physical Education (HPE) who passed the prescribed examination held in August, 1995 and whose result was declared on 20-11-1995 . (Copy of the Certificate is attached as Annexure 'B').
2. That the appellant was promoted to the post of Director, Physical Education (DPE) and was posted/adjusted at Govt. Higher Secondary School, ~~XXXXXX~~ ^{Guern} vide order dated 30-08-2000 but in his own pay and grade instead of BPS-17 personal and then was promoted on regular basis vide order dated 18-02-03 but again in BPS-16 instead of BPS-17 as personal grade. (Copies of both the orders are attached as Annexures 'C' and 'D').
3. That the appellant was again promoted to BPS-17(regular) vide order dated 19-05-2009 which order was challenged by the appellant and on acceptance of his appeal his promotion order was intimated by this Hon'ble Tribunal. (Copy of relevant order is attached as Annexure 'E').
4. That as BPS-17 as personal grade was awarded to so many other colleagues of the appellant on the basis of their postings in Higher Secondary Schools and possessing M.A/M.Sc. degrees in Health & Physical Education and as on this score also the appellant was entitled for the same relief, therefore, he started to agitate the matter with the Department lastly through a departmental appeal/representation (Annex: A above) before respondent No.1 which is still pending before him and after lapse of statutory period no order/communication has been made on the same so far, hence this appeal for the redressal of his grievances on the following amongst:-

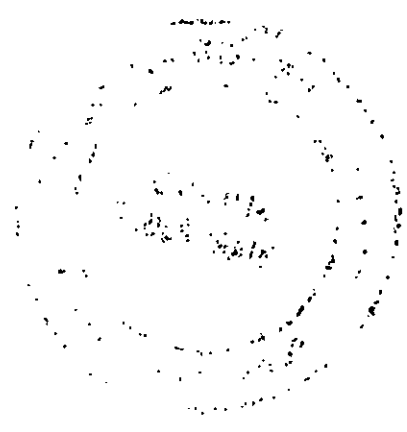
other grounds :-

G R O U N D S

- A) That the act and omission of the respondents is illegal, un-constitutional, against facts and material on the record therefore, need the interference of this Hon'ble Tribunal.
- B) That the act and omission of the respondents is not only factually incorrect and legally untenable but also is based malafide intention of the respondents.
- C) That the act and omission of the respondents is not only against the well-established principles of natural justice but also is against the laws/Rules/Policies and Notifications of the Provincial Government in this regard.
- D) That as the status of the Higher Secondary Schools is not more or less from the status of Inter-Colleges so keeping the appellant in his own pay and grade or in BPS-16 is his gross discrimination and is also against the constitutional provision which is neither legal nor justified.
- E) That as the appellant was highly qualified, fit and senior and thus was fully eligible and entitled for BPS-17 as personal grade at the time of his first promotion in his own pay and grade, so keeping him as such or in BPS-16 is illegal, un-constitutional, against facts and material on the record therefore, is not sustainable in the eye of law.
- F) That the appellant is/was a Government/Civil serving and legal/constitutional guarantee is/was available to him to be treated equally and in accordance with law he however, has not been treated as such.
- G) That the case of the appellant is very much similar and identical with those numerous cases in which not only the higher and superior courts and Tribunals have granted a similar

1911

1911



relief to other colleagues of the appellant but this Hon'ble Tribunal as well as the Department itself has also granted a similar relief to so many other colleagues of the appellant and the appellant is also entitled for the same treatment/relief and the refusal of the same to the appellant is again his gross discrimination.

H) That other grounds available in the circumstances of the case may also kindly be allowed to argue at the time of arguments.

It is, therefore, humbly prayed that on acceptance of this appeal, the department/competent authority may kindly be directed to award BPS-17 as personal grade to the appellant with all other service benefits from 30-08-2000 i.e. the date of first promotion order of the appellant against the post of D.P.E. in Higher Secondary School to the date of his regular promotion to BPS-17. Any other remedy/relief available in the circumstances of the case may also kindly be granted to the appellant.

PESHAWAR

01-08-2016

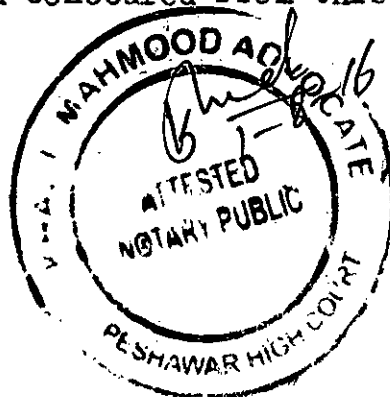
AFFIDAVIT

M. Sharif
Appellant

through

(Syed Youngs Jan)
Advocate, Peshawar

I, Muhammad Sharif (the appellant) do hereby solemnly affirm and declare on oath that the contents of this appeal are true and correct to the best of my knowledge and belief and nothing has been concealed from this Hon'ble Court/Tribunal.



M. Sharif
Deponent

BEFORE THE KHYBER PAKHTUNKHWA SERVICE TRIBUNAL, PESHAWAR.

Service Appeal No. _____ / 2016

Muhammad SharifAPPELLANT.

VERSUS

The Secretary, Elementary & Secondary Education, K.P.K.
and othersRESPONDENTS.

ADDRESSES OF THE PARTIES

APPELLANT

Muhammad Sharif, Director Physical Education(D.P.E)
Govt. Higher Secondary School, Mandra Kalan, D.I.Khan

RESPONDENTS

1. The Secretary, Elementary & Secondary Education,
Khyber Pakhtunkhwa, Civil Secretariat, Peshawar
2. The Director, Elementary & Secondary Education,
Khyber Pakhtunkhwa, near GHSS No.1 G.T.Road, Peshawar City.
3. The Secretary Finance Department, Khyber Pakhtunkhwa,
Civil Secretariat, Peshawar.
4. The Secretary Establishment, Khyber Pakhtunkhwa
Civil Secretariat, Peshawar.
5. The Government of Khyber Pakhtunkhwa through its
Chief Secretary, Civil Secretariat, Peshawar.

Appellant

through



(Syed Younas Jan)
Advocate, Peshawar

PESHAWAR

01 -07-2016

To

Annex "A"
6

The Worthy Secretary
Elementary & Secondary Education
Khyber Pukhtoon Kwa, Peshawar.

Subject :- Departmental Appeal/Representation
for BPS-17 Personal Grade from the
date of appointment/promotion to the
Post of D.P.E. till the date of regularization
of the appellant in BPS-17

Respected Sir,

- 1- That the qualifications of the appellant/applicant are M.Sc in Health & Physical Education HPS who passed the prescribed examination in Aug: 1995 and whose result was declared on 20-11-1995
- 2- That the appellant/applicant was appointed/promoted to the post of Director Physical Education (DPE) in the Higher Secondary School vide order dated 30-08-2000 but in his own pay and scale instead of BPS-17 Personal and then was promoted on regular basis vide order ^{dated} 18-02-2003 but again in BPS-16 instead of BPS-17 Personal.
- 3- That BPS-17 Personal is/was awarded to so many other colleagues of the appellant working in Higher Secondary Schools possessing the MA / MSc Degrees in Health and Physical Education HPE.
- 4- That the appellant was very much fit, qualified, fully eligible and thus was fully entitled for award of BPS-17 as Personal Grade but he/she illegally, un-constitutionally and malafidely been ignored for the same.

Contd...P-2...

Admitted
[Signature]
SYED YOUNUS JAR
B.A.B.B. B Ed. Certificate Kharni Law
Advocate High Court Peshawar
Federal Shariat Court.

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- 5- That not only the Departmental, but the Higher/ Superior Courts and Tribunals including the K.P.K Service Tribunal has also awarded the same relief to the other Colleagues of the appellant and the case of the appellant is also at par with the cases of his other colleagues therefore the appellant is also entitled for award of **SPS-17** as Personal Grade on this score also.
- 6- That the appellant agitated the matter with the authority time and again but of no use hence this appeal/representation.

Your goodself is therefore requested Sir,
that **SPS-17** Personal may kindly be awarded to the appellant/
applicant from the date of his appointment/promotion i.e.
from 30-08-2000 till the date of award of **SPS-17**
on regular basis with all other service benefits.

Appellant/Applicant

M. Sharif
(Muhammad Sharif)
Director, Physical Education,
Govt. Higher Secondary School,
Mandra Kalan, D.I. Khan

Dated 6-04-2016

Attested
[Signature]
SYED YOUSUF JAM
B.A.L.L.B. B.Ed. - certificate Sharia Law
Advocate High Court Peshawar
Federal Shariat Court.

S.No. 82

Serial No GU 02154

بِسْمِ اللَّهِ الرَّحْمَنِ الرَّحِيمِ

Annex "B"
8

GOMAL UNIVERSITY

DERA ISMAIL KHAN

(N.W.F.P) PAKISTAN



VERIFIED

Controller of Examinations
Gomal University
Dera Ismail Khan
29/7/88

(Session 1992-93)

MUHAMMAD SHERIF. SON of OMER DRAZ. and

a student of the DEPT: OF H.P.E.

having passed the prescribed examination in AUGUST, 19 95

is this day admitted by the Gomal University to the DEGREE of

MASTER OF SCIENCE

in the FIRST Class

The subject of examination being H.P.E.

The Examination was taken as a whole ~~in parts.~~

Registered No. 4715-GUP-87

Roll No. 3824

NOVEMBER 20, 1995

Countersigned

Controller of Examinations

Vice-Chancellor

ATTACHED
SYED YOUNUS JAW
B.A., B.L.S., B.Ed., Certificate Shariat Law
Advocate High Court Peshawar
Federal Shariat Court.

Prepared by Ali
Checked by 5/10/16

Hafizullah
Assistant R 5/16/16
General U.S. Army,
Dera Ismail Khan

Annex 'C'
9

OFFICE OF THE DIRECTOR SECONDARY EDUCATION NWFP, PESHAWAR.

NOTIFICATION.

The following qualified SDPE Teachers/Physical Supervisors, serving in the Education Department in NWFP/FATA due for promotion on seniority Basis are hereby adjusted against the posts of D.P.E.s/A.D.E.O(Phy:) in their own pay and Scale in the exigency of service in the interest of public Service on the terms & conditions in vogue or the ones to be framed in future with immediate effect.

<u>S.No.</u>	<u>NAME & DESIGNATION</u>	<u>WHERE ADJUSTED</u>	<u>REMARKS</u>
1,	Muhammad Akram PET, GHSS, Dara-pezu Lakki Marwat	GHSS, Ustarzai Kohat	Vacant Post
2,	Shor Azam Khan, PET GHS, Gara Baloch Tank	GHSS, Richban Abbottabad	-do-
3,	Siraj-ud-Din PET, GHS, Asala Swat.	GHSS, Khawaza Khela Swat	-do-
4,	Wahid Ullah SET, GHS, Sheikh Uttar Tank.	GHSS, Darosh Chitral	-do-
5,	Ibrahim-ud-Din PET, GHS, Jandari Karak.	GHSS, Lachi Kohat	-do-
6,	Anwar Saqad, PET, GHS, Fazal Shah Metta Khel Bannu.	GHSS, Bareela Hari Pur	-do-
7,	Bahadar Nawaz PET, GHS, Sufaid Dheri Peshawar.	GHSS, No.2. Peshawar Cantt:	-do-
8,	Falak Naz PET, GHS, Gud Khawar Mardan	GHSS, Manga Dargai Charsadda	-do-
9,	Noor-ud-Din Physical Supervisor S.W.A.	GHSS, Khair Abad Nowshera	-do-
10,	Deedar Khan PET, _____ GHSS, Chamkani Peshawar.	GHSS, Chamkani Peshawar	-do-
11,	Daud Khan PET, GHS, Nar Muhammad Lakki Marwat	GHSS, Madyan Swat	-do-
12,	Muhammad Jalal PET, GHS, Ghori Wala Bannu.	GHSS, Kakki Bannu	-do-
13,	Abdul Sattar PET, _____ GHSS, Gul Imam Tank.	GHSS, Gul Imam Tank	-do-
14,	Jamal Abdul Nasar PET, GHSS, Bannu.	GHSS, Totakan Malakand Agency	-do-
15,	Muhammad Faisal Physical Supervisor Orkzai Agency	GHSS, Bari Kot Swat	-do-
16,	Muhammad Naseem, PET GHS, Labour Colony Mardan	GHSS, Gari Kapura Mardan	-do-
17,	Shoukat Hayat PET, GHS, No.1. Skha Kot MKD	GHSS, Kot Malakand Agency	-do-
18,	Bashir Ahmad PET, GHS, Pahar Khel Lakki Marwat	GHSS, Dousara Charsadda	-do-
19,	Ali Bad Shah PET, GHS, Parshai Kohat	GHSS, Gumbat Kohat	-do-
20,	Sajid Firdus PET, GHS, Jangi A-Abad.	GHSS, Bignotar A-Abad	-do-
21,	Muhammad Shamal PET, GHSS, Dara-Pezu Lakki Marwat.	G.E.C.(M) A-Abad	-do-
24,	Aqal Daraz PET, PE GHS, Shah Salim Kohat	GHSS, Tough Bala Kohat	-do-
23,	Asiz Ullah PET, GHS, No.1. Pahar Pur D.I.Khan.	GHSS, Kat Garh D.I.Khan	-do-

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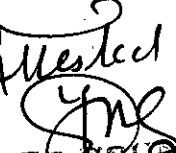
Witnessed
SYED YOUSUF JAFAR
B.A.L.S. J.D. Advocate High Court Peshawar
Federal Shariat Court.

24,	Abdul Maheed Physical Supervisor Khyber Agency.	G.E.C. (M) Peshawar	Vacant Post
25,	Mohib Ullah PET, GHS, Nurar Bannu.	GHSS, Nizam Pur Nowshera	-do-
26,	Muhammad Saeed Shah PET, GHS, Paras Mansehera.	ADEO(Phy:) O/O DEO(M/S) Mansehera	-do-
27,	S. Bakht Shah PET, GHS, Mansabdar Swabi	GHSS, Zaida Swabi	-do-
28,	Hamid Ullah Khan PET, GHS, Kotla Lodhian D.I. Khan	GHSS, Muryali D.I. Khan	-do-
29,	Muhammad Israr PET, GHS, Alo Kili Mardan	GHSS, Dakki Charsadda	-do-
30,	Shams-ur-Rehman PET, GHSS, Sher Pur Manshera	GHSS, Sher Pur Mansehera	-do-
31,	Muhammad Farooq PET, GHS, Landi-Wah Lakki Marwat	GHSS, Admazai Peshawar	-do-
32,	Nameem Khan PET, GHS, Bannu.	Govt: Elementary College H/Pur	-do-
33,	Shah Mehmood PET GHS, Ghori Wala Bannu.	GHSS, Urmar Payan Peshawar	-do-
34,	Tali Zar PET, GHSS, Kot Long Mardan	GHSS, Kot Long Mardan	-do-
35,	Rais Khan PET, GHS, Landi Khan Khel Lakki Marwat.	GHSS, Kheshgai Rajan NSR	-do-
36,	Inayat Khan PET, GHS, No.1. Rajjar Chd:	GHSS, Umar-zai Charsadda	-do-
37,	Sandhar Khan PET, GHS, Kharghali Khyber Agency.	GHSS, Palai Malakand Agency	-do-
38,	Ihtisham-ud-Din PET, GHS, Ghundi Kili Karak	GHSS, Billi Tang Kohat	-do-
39,	Abdullah Shah PET, GHS, No1. Tank	GHSS, Akbar Pura Nowshera	-do-
40,	Gul Bad Shah PET, GHSS, No.4, Peshawar City	GHSS, Hazar Khani Peshawar	-do-
41,	Muhammad Nawaz PET, GHS, Ranwal Tank.	GHSS, Samar Bagh Dir	-do-
42,	Rukh Niaz PET, GHS, Wanda Urangzeb Lakki Marwat	GHSS, Khan Pur A-Abad	-do-
43,	Abdul Ghaffar PET, GHS, Lalozai Bannu.	GHSS, Lal Qila Dir	-do-
44,	Mumtaz Khan PET, GHS, Abdul Lakki Marwat.	GHSS, Dhodial Mansehera	-do-
45,	Muhammad Safdar PET, GHSS, Karak.	GHSS, Doaba Kohat	-do-
46,	Safdar Jan PET, G.T.H.S Peshawar City.	GHSS, No.1. Peshawar City	-do-
47,	Fazal-e-Rabi PET GEC(M) Swabi	G.E.C.(M) Swabi	-do-
48,	Khaki Rehman Ic/DPE GEC(M) Mirali NWA	GEC(M) Mirali NWA	-do-
49,	Muhammad Ismail Physical Supervisor Muhmand Agency.	GHSS, Utmanzai Chd:	-do-
50,	Roshan Akbar PET, GHS, Dagai Swabi	GHSS, Gandaf Swabi	-do-
51,	Habib Ullah PET, GHS, Sawal Dher Mardan	A.D.E.O(Phy:) O/O DEO(M/S) Charsadda	-do-
52,	Lal Mar Jan PET, GHS, Shaidan Banda Karak.	GHSS, Shabqadar Fort Chd:	-do-

Attest

M.A.L.B. A.S. ED. PESHAWAR
Advocate High Court Peshawar
Federal Shariat Court.

53,	Khawazalat Khan PET, GHS, Surgha SWA.	GHSS, Ziarat Talash Dir	Vacant Post
54,	Ahmad Nawaaz PET, GHS, Shabaz Ahmad Khel Bannu.	GHSS, Darband Mansehera	-do-
55,	Zarbahisht Khan PET GHS, No.1. Buner. (D.I.Khan)	GHSS, Nawagai Buner	-do-
56,	S.Ibad Ur Rehman PET, GHS, K. Laktari Muhmand Agency.	GHSS, Oeh Dir	-do-
57,	Kirammat Ullah PET, GHSS, T.Nasrati Karak.	GHSS, Bogara Karak.	-do-
58,	Salar Khan PET, GHS, Gujrat Mardan	GHSS, Risal Pur NSR	-do-
59,	Rashi Din PET GHS, Paloski Karak.	GHSS, Warana Karak	-do-
60,	S.Fazal Abbas Zaidi PET, GHS, Kachi Pind Khan D.I.Khan	GHSS, Khan Pur Dir	-do-
61,	Falak Naz PET, GHS, Dheri Saidan Bannu.	G.E.C.(Tahan) Malakand Agency	-do-
62,	Fazal Wahid PET, GHS, Chakdara Dir.	GHSS, Bat Khola Malakand Agency	-do-
63,	Mushtaq Khan PET, GHS, Mandan Bannu.	GHSS, Mathra Peshawar	-do-
64,	Arbab Fawad Khalil PET GHSS, Pir Pai NSR	GHSS, Pir Pai NSR	-do-
65,	Habib Ullah PET, GHSS, No1. Bannu.	G.E.C.(M) Dir	-do-
66,	Mujeeb Ur Rehman PET, GHS, Ghundi Shamshaki Karak	GHSS, Shakar Dara Kohat	-do-
67,	Muhammad Javed PET GHSS, Nawar Sher A-Abad.	ADEO(Phy:) O/O DEO (M/S) Abbottabad	-do-
68,	Jehan Alam PET, GHS, Topi Buner.	GHSS, Mingora Swat	-do-
69,	Abdul Qadeer Khan PET, GMS, Daiyal D.I.Khan	GHSS, Dhakki D.I.Khan	-do-
70,	Chamni Khan PET, GMS, Khan Pur Mardan.	GHSS, Kab Gani Swabi	-do-
71,	Amjad Khan PET, GMS, Ziarat Kili Chd:	GHSS, Sher Pao Chd:	-do-
72,	Nekhat Ullah PET, Ic/DPE GEC(M) Kotka Habib Ullah FR Bannu.	GEC(M) Kotka Habib Ullah FR Bannu.	-do-
73,	Farid Zaman CT GHS, Multani Bannu.	G.E.C (M) Mathra Peshawar	-do-
74,	Muhammad Usman PET, GHSS, No.3. D.I.Khan	GHSS, Darlhan Kulan D.I.Khan	-do-
75,	Waris Khan PTC GPS, Sher Zaman Dalo Khel Lakki Marwat	GHSS, Munda Dir	-do-
76,	Muhammad Nawaz PET, GHS, Nawar Kili Swabi.	GHSS, Shabaz Garhi Mardan	-do-
77,	Ihsan Ullah PET, GHS, Bidara Swat.	GHSS, Fatch Pur Swat	-do-
78,	Ashraf Ali PET, GHS, Ismaial Khel Bannu.	GHSS, Biroate A-Abad	-do-
79,	Zahoor Zaman PTC, GPS, Emal Khel Bannu.	GHSS, Kalam Swat	-do-
80,	Tawab Ali Shah PET GHS, Mama Khel Banochi Bannu.	GHSS, Tarbela Town Ship Hari Pur	-do-
81,	Fatch Sher PET, GMS, Wanda Baloch D.I.Khan.	GHSS, Kabal Swat	-do-

Attested

 B.A.L.L.B. B. Ed. Certificate, Peshawar
 Advocate High Court Peshawar
 Federal Shariat Court.

12

No.	Name	Post	Vacant
82	Muhammad Sharif PET, GHS, Rotta D.I.Khan.	GHSS, Kot Najeeb Ullah Hari Pur	Vacant Post
83	Said Khan PET, GHS, Toran (NAU) Tanik.	GHSS, Lora A-Abad	-do-
84	Q. Ikram Ullah PET, GHS, Bazar Ahmad Bannu.	GHSS, Bagh Maidan Dir	-do-
85	Ghulam Hussain PET, GHS, Rustam Mardan.	GHSS, Totalai Buner	-do-
86	Ghulam Nabi PET, GHSS, Gujar Ghari Mardan	GHSS, Pir Saddi Mardan	-do-
87	Muhammad Gul PET, GHSS, No.2. D.I.Khan.	GHSS, No2. D.I.Khan	-do-
88	Rais Ullah PIC, GPS, Sikotri Jabbar Bannu.	GHSS, Charbagh Swat	-do-
89	Nasir Khan PET, GHS, Bahadari D.I.Khan	GEC(M) Mansehra	-do-
90	Zahoor Ahmad PET, GHS, Spin Khak NSR.	GHSS, Jalozai Nowshera	-do-
91	Muhammad Haroon PET, GHSS, Ismaila Swabi	GHSS, Ismaila Swabi	-do-
92	Muhammad Iqbal PET, GHS, Zangi Khel Lakki Marwat.	GHSS, Natiagali A-Abad.	-do-
93	Farman Ullah PET, Kotka GHS, Kotka Saadat Khan Bannu.	GHSS, Nawan Sher A-Abad	-do-
94	Ikram Ullah PET, GMS, Kachozai Bannu.	GHSS, Siri Kot Hari Pur	-do-

Notes:-

- 1, Charge report should be submitted to all concerned.
- 2, The promotion of the above candidates is subject to the approval of the Departmental Selection Committee.


(S.ABU SAEED BACHA)
 Director Secondary Education
 NWFP, Peshawar.

Endst: No. 9189-9439 / Dated. 30-08- /2000.

Copy forwarded for information and n/action to the:-

- 1, Director Bureau of Curr: Dev: & Edu: Extension Services NWFP, Abbottabad.
- 2, Director of Education FATA NWFP, Peshawar
- 3, Director Primary Education NWFP, Peshawar.
- 4, Accountant General NWFP, Peshawar.
- 5, All District Education Officers concerned Secondary and Primary Male in NWFP.
- 6, Agency Education Officers concerned.
- 7, All District Account Officers concerned in NWFP.
- 8, All the Principals /Head Masters concerned in NWFP.
- 9, P/S to Secretary to Govt: of NWFP, Education Department.
- 10, P-A to Director Secondary Education NWFP, Peshawar.

Jan. Sher
30082000

Attested


Deputy Director
 for/ Director Secondary Education
 NWFP, Peshawar.

398/2 k

SYED YUNUS JAN
 B.A.B.S. B Ed. Certificate Khama Law
 Advocate High Court Peshawar
 Federal Shariat Court.

DIRECTORATE OF SCHOOLS AND LITERACY N.W.F.P. PESHAWAR.

Annex "D" (13)

OFFICE ORDER.

Consequent upon the approval by the Departmental Selection Committee Schools & Literacy NWFP in its meeting held on 26-12-2002. The following CT/PET/PTC, etc are hereby promoted to the posts of DPE/ADO (Physical) B-16 on regular basis in the interest of public service with immediate effect.

S.#	Name & Designation	Promoted as	Place of posting	Remarks
1	Mr. Sher Azam Khan PET	DPE	GEC, Ghorri Wala Bannu	Against the post already occupied by him
2	Mr. Siraj-ud-Din PET	DPE	GHSS, Khowaza Khela Swat	Against the post already occupied by him
3	Muht Ibrahim-ud- Din PET	DPE	GHSS, Lachi Kohat	Against the post already occupied by him
4	Mr. Bahadar Nawaz PET	DPE	GHSS No. 2 Pesh: Cannti	Against the post already occupied by him
5	Mr. Falak Naz PET	DPE	GHSS Manga Dargai Charsadda	Against the post already occupied by him
6	Mr. Deedar Khan PET	DPE	GHSS Chamkani Peshawar	Against the post already occupied by him
7	Mr. Muhammad Jalal PET	DPE	GHSS Kakki Bannu	Against the post already occupied by him
8	Mr. Abdus Sattar PET	DPE	GHSS Gul Imam Tank	Against the post already occupied by him
9	Mr. Jamal Abdul Nasir PET	DPE	GHSS Totakan Mkd Agy:	Against the post already occupied by him
10	Muht Faisal Phy: Supervisor	DPE	GHSS Daag Peshawar	Against the post already occupied by him
11	Mr. Muhammad Nacem PET	DPE	GHSS Ghahri Kapura MDN	Against the post already occupied by him
12	Mr. Saikat Hayat PET	DPE	GHSS Kot Malakand Agy:	Against the post already occupied by him
13	Mr. Bashir Ahmad PET	DPE	GHSS Dosehra Charsadda	Against the post already occupied by him
14	Mr. Shamal Khan PET	DPE	GHSS Dara Pezu Lak.	Against the post already occupied by him
15	Mr. Aqal Daraz PET	DPE	GHSS Tough Bala Kohat	Against the post already occupied by him
16	Mr. Azizullah Khan PET	DPE	GHSS Kotgarhi D I Khan	Against the post already occupied by him
17	Abdul Majeed Phy: Supervisor	DPE	GEC (M) Peshawar	Against the post already occupied by him
18	Mr. Muhibullah PET	DPE	GHSS Nizampur NSR	Against the post already occupied by him
19	Mr. M. Saeed Shah PET	DPE	GHSS Kawai Manshra	Against the post already occupied by him
20	Mr. S. Bakht Shah PET	DPE	GHSS Zaida Sawabi	Against the post already occupied by him
21	Mr. Hameedullah Khan PET	DPE	GHSS Dakki D. I. Khan	Against the post already occupied by him
22	Mr. Muhammad Israr PET	DPE	GHSS Bughdad Mardan	Against the post already occupied by him
23	Mr. Nacem Khan PET	DPE	Phy: Edu: Collage Karak	Against the post already occupied by him
24	Mr. Shah Mehmood PET	DPE	GHSS Urmay Payan Pesh:	Against the post already occupied by him
25	Mr. Tali Zar Khan PET	DPE	GHSS Katlang Mardan	Against the post already occupied by him
26	Mr. Rais Khan PET	DPE	GHSS Khesghai NSR	Against the post already occupied by him
27	Mr. Inayat Khan PET	DPE	GHSS Umar Zai Chd:	Against the post already occupied by him
28	Mr. Sardar Khan PET	DPE	GHSS Mayar Mardan	Against the post already occupied by him
29	Mr. Ihtishamud Din PET	DPE	GHSS Bilitang Kohat	Against the post already occupied by him
30	Mr. Abdullah Shah PET	DPE	ADO (Phy:) at EDO (S&L) Tank	Against the post already occupied by him
31	Mr. Rukh Niaz PET	DPE	GHSS Khanis Pur Abbottabad	Against the post already occupied by him
32	Mr. Abdul Ghaffar PET	DPE	GHSS Lal Qilla Dir	Against the post already occupied by him
33	Mr. Gul Badshah PET	DPE	GHSS Hazar Khwani Pesh:	Against the post already occupied by him
34	Mr. Muhanamad Safdar PET	DPE	GHSS Doaba Kohat	Against the post already occupied by him
35	Mr. Safdar Jan PET	DPE	GHSS No. 1 Peshawar city	Against the post already occupied by him
36	Mr. Fazli Rabbi PET	DPE	GHSS Totalai Buner	Against the post already occupied by him
37	Mr. Khaki Rehman PET	DPE	GEC (M) Mir Ali NWA	Against the post already occupied by him
38	Mr. Roshan Akber PET	DPE	GHSS Gandaf Swabi	Against the post already occupied by him
39	Mr. Habibullah PET	DPE	ADO (Phy) at EDO (S&L) Charsadda	Against the post already occupied by him
40	Mr. Lal Marjan PET	DPE	GHSS Shabqadar For. lid:	Against the post already occupied by him
41	Mr. Ahmad Nawaz PET	DPE	ADO (Phy:) at EDO (S&L) Battagram	Against the post already occupied by him
42	Mr. Zar Sahisht Khan PET	DPE	ADO (Phy:) at EDO (S&L) Buner	Against the post already occupied by him
43	Mr. Kiramatu Nah PET	DPE	GHSS Bogara Karak	Against the post already occupied by him
44	Mr. Salar Khan PET	DPE	GHSS Baghicha Dhari Mardan	Against the post already occupied by him
45	Mr. Rashi Din PET	DPE	GHSS Warana Karak	Against the post already occupied by him
46	S. Fazal Abbas Zaidi PET	DPE	GHSS Utmanzai Charsadda	Against the post already occupied by him
47	Mr. Falak Naz PET	DPE	GHSS Adezai Peshawar	Against the post already occupied by him
48	Mr. Fazli Wahid PET	DPE	GHSS Khanpur Dir	Against the post already occupied by him
49	Mr. Mushtaq Khan PET	DPE	GHSS Wazir Bagh Peshawar	Against the post already occupied by him
50	Mr. Arbab Fawad Khalil PET	DPE	ADO (Phy:) at EDO (S&L) NSR	Against the post already occupied by him

SYED
B.A.L.L.B. S.B.
Advocate High Court Peshawar
Federal Shariat Court.

14

51	Mr. Habibullah PET	DPE	GEC (M) Dir	Against the post already occupied by him
52	Mr. Mujeebur Rehman PET	DPE	GHSS Shakar Dara Kohat	Against the post already occupied by him
53	Mr. Jehan Ali PET	DPE	ADO (Phy:) at EDO(S&L) Shangla	Against the post already occupied by him
54	Mr. Abdul Qadeer Khan PET	DPE	GHSS, Parova D.I.Khan	Against the post already occupied by him
55	Mr. Chamni Khan PET	DPE	GHSS, Takkar GHSS Mardan	Against the post already occupied by him
56	Mr. Amjad Khan PET	DPE	GHSS Sherpao Charsadda	Against the post already occupied by him
57	Mr. Nikhat ullah PET	DPE	GEC (M) Kotka Habibullah FR Banna	Against the post already occupied by him
58	Mr. Farid Zaman C.T.	DPE	Phy: Edu: Collage Karak	Against the post already occupied by him
59	Mr. Ikramullah PET	DPE	GHSS Sirkot Haripur	Against the post already occupied by him
60	Mr. Muhammad Usman PET	DPE	GHSS Muryali D.I.Khan	Against the post already occupied by him
61	Mr. Waris Khan P.T.C.	DPE	GHSS Munda Dir Lower	Against the post already occupied by him
62	Mr. Muhammad Nawaz PET	DPE	GHSS Shabaz Gijari Mardan	Against the post already occupied by him
63	Mr. Ihsan Ullah PET	DPE	GHSS Fatehpur Swat	Against the post already occupied by him
64	Mr. Ashraf Ali Khan PET	DPE	GHSS Ustarzai Kohat	Against the post already occupied by him
65	Mr. Zahoor Zaman P.T.C.	DPE	GHSS Kalam Swat	Against the post already occupied by him
66	Mr. Fateh Sher PET	DPE	GHSS Kabal Swat	Against the post already occupied by him
67	Mr. Muhammad Sharif PET	DPE	GHSS Kot Najibullah II/Pur	Against the post already occupied by him
68	Mr. Said Khan PET	DPE	GHSS Lora Abbottabad	Against the post already occupied by him
69	Mr. Ghulam Hussain PET	DPE	GEC(M) Mardan	Against the post already occupied by him
70	Mr. Ghulam Nabi PET	DPE	GHSS Takh Bhai Mardan	Against the post already occupied by him
71	Mr. Muhammad Gul PET	DPE	GHSS No.2 D.I.Khan	Against the post already occupied by him
72	Mr. Raeesullah P.T.C.	DPE	GHSS Charbagh Swat	Against the post already occupied by him
73	Mr. Nasir Khan PET	DPE	ADO (Phy:) at EDO (S&L) Hangu	Against the post already occupied by him
74	Mr. Zahoor Ahmad PET	DPE	GHSS Jallozai Nowshera	Against the post already occupied by him
75	Mr. Muhammad Haroon PET	DPE	GHSS Ismaila Swabi	Against the post already occupied by him
76	Mr. Muhammad Iqbal PET	DPE	GHSS Turbela T. Ship H/Pur	Against the post already occupied by him
77	Mr. Farmanullah PET	DPE	GHSS Pir Pai Nowshera	Against the post already occupied by him

- Note: -
1. Charge report should be submitted to all concerned.
 2. No TA/DA etc: are allowed.

(HAFIZ BAHADAR KHAN)
Director Schools & Literacy
NWFP Peshawar

Endst No. 3542-3628 1A-14/Promo:/DPE B-16. Dated Peshawar the 18/2 /2003

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

1. Director of Education (FATA) NWFP Peshawar.
2. Director Bureau and Teacher Education NWFP Abbottabad.
3. Accountant General NWFP Peshawar.
4. Executive District Officers (Schools & Literacy) in NWFP.
5. District/Agency Accounts Officers in NWFP.
6. Principal GEC (M) concerned.
7. Principal Govt: College of Physical Education Karak.
8. Principal GHSS concerned.
9. PS to Minister for Education NWFP Peshawar.
10. PS to Secretary Schools & Literacy Department Govt: of NWFP Peshawar.
11. DPE/ADO Physical concerned.
12. PA to Director Schools & Literacy NWFP Peshawar.

Attested
[Signature]

SYED YOUSUF JAF
M.A.L.L.B. B.Ed. Certificate & Advocate
Advocate High Court Peshawar
Federal Shariat Court.

[Signature]
17/02/03
Deputy Director Establishment
Directorate Schools & Literacy
NWFP Peshawar

Annex "E" (15)



GOVERNMENT OF KHYBER PAKHTUNKHWA
ELEMENTARY & SECONDARY EDUCATION DEPARTMENT
Dated Peshawar the 29-04-2014.

NOTIFICATION.

NO.SO(PE)9-10/DPE/Ghulam Nabi. In pursuance of the judgement of Khyber Pakhtunkhwa Service Tribunal Peshawar dated 4-3-2010 in appeal No. 1667/2009 (Ghulam Nabi) 1668/2009 (Sarwar Shah), 1669/2009 (Muhammad Naeem), 1670/2009 (Sardar Khan), 1671/2009 (Sabir Ali), 1672/2009 (Muhammad Israr), 1673/2009 (Sher Kamal), 1674/2009 (Salar Khan), 1675/2009 (Muhammad Nawaz), 1676/2009 (Azra Naz), 1677/2009 (Danish Begum), 1678/2009 (Sheraz Taj), 1679/2009 (Muhammad Ali) and 1680/2009 (Chamni Khan), the competent authority is pleased to promote the following Directors Physical Education (DPEs) BS-16 To BS-17 on regular basis wef; 13-11-2007 instead of 19-5-2009 as notified vide this department No. SO(PE)/2-6/E&SE/DPC/DPEs dated 19-5-2009:-

S. No.	Name & Designation	Date of acquiring Master Degree in Physical Education
1	Ghulam Nabi DPE	20-11-1995
2	Sarwar Shah DPE	30-5-2005
3	Muhammad Naeem DPE	24-8-1993
4	Sardar Khan DPE	7-1-1993
5	Sabir Ali DPE	21-12-2002
6	Muhammad Israr DPE	30-5-2005
7	Sher Kamal DPE	30-5-2005
8	Salar Khan DPE	23-10-1994
9	Muhammad Nawaz DPE	19-9-2006
10	Azra Naz DPE	30-5-2005
11	Danish Begum DPE	23-6-2007
12	Sheraz Taj DPE	1-12-2007
13	Muhammad Ali DPE	30-5-2005
14	Chamni Khan DPE	30-5-2005

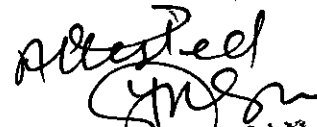
2. The competent authority has further been pleased to promote the following DPEs who acquired prescribed qualification on or before 13-11-2007 but they did not challenge this department notification of even No. dated 19-5-2009

Attested
[Signature]

SYED YOUSUF JAN
B.A.L.L.B. & B.Ed, Certificate holder
Advocate High Court Peshawar
Federal Shariat Court.

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28	Mr. Saigir Jan DPE	3-11-1990
29	Mr. Lal Mar Jan DPE	23-8-1992
30	Mr. Ahnjad Nawaz DPE	24-8-1993
31	Mr. S. Ibadur Rahman DPE	7-1-1993
32	Mr. Kiramatullah DPE	12-4-1994
33	Mr. Mushtaq Khan DPE	15-3-1992
34	Mr. Mujeebur Rahman DPE	20-11-1995
35	Mr. Abdul Qadir Khan DPE	24-8-1993
36	Mr. Amjad Khan DPE	30-5-2005
37	Mr. Nikhatullah Khan DPE	16-12-2006
38	Mr. Farid Zaman DPE	24-8-1993
39	Mr. Ikramullah DPE	23-10-1994
40	Mr. Muhammad Usman DPE	6-7-1995
41	Mr. Waris Khan DPE	24-8-1993
42	Mr. Ashraf Ali DPE	12-8-1997
43	Mr. Fatch Sher DPE	17-7-1996
44	Mr. Muhammad Sharif DPE	20-11-1995
45	Mr. Said Khan DPE	23-10-1994
46	Mr. Muhammad Gul DPE	20-11-1995
47	Mr. Nasir Khan DPE	30-4-1995
48	Mr. Muhammad Haroon DPE	18-11-1996
49	Mr. Muhammad Iqbal Khan DPE	7-10-1998
50	Mr. Farmanullah DPE	1-12-1996
51	Mr. Hamza Ali Khan DPE	3-11-1990
52	Mr. Abdul Majeen Khan DPE	25-11-1995
53	Mr. Altaullah Khan DPE	15-3-1992
54	Mr. Sadiqur Rahman DPE	19-6-1995
55	Mr. Wali Dad Khan DPE	2-8-1994
56	Mr. Shahid ur Rahman DPE	19-6-1995


AYED YOUNUS JAN
 B.A., B.L.D., B. Ed., Certificate Shariah Law
 Advocate High Court Peshawar
 Federal Shariat Court.

29.	Mst. Nighat Seema DPE	1-6-2004
30.	Mst. Afsheen Mumtaz DPE	6-5-2006
31.	Mst. Rehana Yasmin DPE	6-5-2006
32.	Mst. Hassan Basri DPE	6-5-2006

SECRETARY

Dated Pesh: the, 29-04-2014

Endst. No. SO(PE)9-10/DPE/Ghulam Nabi.

Copy forwarded to:-

1. Secretary to Govt. of Khyber Pakhtunkhwa, Establishment Department.
2. Special Secretary (Regulation), Establishment Department.
3. Secretary to Govt. of Khyber Pakhtunkhwa, Finance Department w/r to his letter No. SO(FR)/FD/10-22/9-10/ DATED 12-7-2012.
4. Secretary to Chief Minister Khyber Pakhtunkhwa.
5. PS to Chief Secretary Khyber Pakhtunkhwa.
6. All Directors in Elementary & Secondary Education Department.
7. Director Education FATA Warsak Road Peshawar.
8. All Commissioners/Deputy Commissioners in Khyber Pakhtunkhwa.
9. All District Education Officers (M/F) Elementary & Secondary Education in Khyber Pakhtunkhwa.
10. All Agency Education Officers in FATA.
11. Director Information Khyber Pakhtunkhwa Peshawar with the request to give wide publicity through media.
12. Secretary Public Service Commission Khyber Pakhtunkhwa, Peshawar.
13. PS to Minister E&SE Department.
14. PS to Secretary / Special Secretary / Additional Secretary E&SE Department Gov. of Khyber Pakhtunkhwa.
15. PA to Deputy Secretary (Admn.) Khyber Pakhtunkhwa.
16. Officers concerned.

(ZAMIN KHAN-MOMAND)
SECTION OFFICER (PRIMARY)

Attested
Younus
SYED YOUNUS IAN
B.A.B.L.H. B Ed. Certificate Shariat Law
Advocate High Court Peshawar
Federal Shariat Court.

TO BE SUBSTITUTED BEARING THE SAME NO. & DATE

GOVERNMENT OF NWFP
SCHOOLS & LITERACY DEPTT:
No. SO (B& A)/2-1/2003/DPEs.
Dated Peshawar, the 03.06.2003.

NOTIFICATION.

An order to implement the judgement of Supreme Court of Pakistan vide dated 12.03.2003 the Government of NWFP is pleased to award BPS-17 as personal to the following officers of Schools & Literacy Department from the date of regular appointment or acquiring Master Degrees which ever is relevant.

Sr.No.	Name & Designation	Date of Acquiring Master Degrees.	Date of appointment.
1.	Gul Aslam DPE GHSS Khairabad Nowshera.	21.10.1986.	10.02.1991.
2.	Gul Said Khan DPE GHSS Tekhal Peshawar.	02.12.1993.	22.10.1990.
3.	Misal Khan A.D.O. (Physical) O/O EDO (S&L) Peshawar.	30.05.1988.	-do-
4.	Anwar Zaid DPE GHSS S.K. Bala Bannu.	31.12.1989.	-do-
5.	Sheraz Khan ADO (Physical) O/O EDO (S/L) Timergara (Dir Lower).	31.12.1989.	-do-
6.	Janoosh Khan DPE GHSS Bidar Swat.	13.12.1992.	-do-
7.	Muhammad Bashir DPE GHSS Dhodial (Mansehra).	17.09.1995.	-do-

SECRETARY TO GOVT. OF NWFP
SCHOOLS & LITERACY DEPTT:

Endst. No. FD (PRC) /8-81/2003, Dated Peshawar, the 3/6/2003.
Copy of the above is forwarded for information & necessary action to:

- 1) The Accountant General NWFP, Peshawar.
- 2) The District Account Officer Nowshera.
- 3) The District Accounts Officer Bannu.
- 4) The District Accounts Officer (Dir Lower).
- 5) The District Accounts Officer (Mansehra).
- 6) The District Accounts Officer (swat).

(SYED BAQAR SHAH)
SECTION OFFICER (SR-1)

Endst. Of even Number & date.

- Copy of the above is forwarded to:-
- 1) The Director of Schools & Literacy NWFP, Peshawar.
 - 2) The Section officer (SR-1) Finance Deptt: w/r to his letter No. FD (PRC)/8-81/2003, dated 21.05.2003.
 - 3) The Executive District Officer (School & Literacy) Bannu.
 - 4) The Executive District Officer (School & Literacy) Nowshera.
 - 5) The Executive District Officer (School & Literacy) Dir Lower.
 - 6) The Executive District Officer (School & Literacy) Swat.
 - 7) The Executive District Officer (School & Literacy) Mansehra.
 - 8) The Executive District Officer (School & Literacy) Peshawar.

(MANZOOR HUSSAIN)
SECTION OFFICER (B&A)

The old date as 13-12-94 have been replaced as 17-9-95 as the indication of SO (B&A) S & L.

Attested
[Signature]
SYED YOUNUS JAB
B.A.L.L.B. & B.L. Certificate holder
Advocate High Court Peshawar

GOVERNMENT OF NWFP
SCHOOLS & LITERACY DEPTT

DATED PESHAWAR THE, 4-4-2006

NOTIFICATION

NO. SO (PE) 9-2/2005. The Competent Authority is pleased to accord sanction to the grant of personal BPS-17 to Ms. Safina Baber DPE Govt Girls Higher Secondary School University Town, Peshawar with effect from the date of her arrival report as DPE subject to the following:-

- 1- It will be personal to her.
- 2- She will not be entitled to any arrears on this account.

SECRETARY

Enclst. No. FD (SR.1) 6-36/2003

Dated Peshawar the, 4-4-2006

Copy forwarded to the Accountant General NWFP, Peshawar.

SECTION OFFICER (SR-1)
FINANCE DEPARTMENT

Enclst. No. SO (PE) 9-2/2006

Dated Peshawar the, 4-4-2006

Copy forwarded for information & necessary action to:-

- 1- PSO to Chief Secretary, NWFP, w/r to his letter No. PSO/CS/NWFP/1-9/2006/114 dated 23-2-2006.
- 2- Director, Schools & Literacy NWFP, Peshawar.
- 3- Section Officer (SR.1) Finance Department w/r to his letter No. FD (SR.1) 6-36/2003 dated 21-3-2006.
- 4- Section Officer (B&A) Schools & Literacy Department.
- 5- Executive District Officer Schools & Literacy Peshawar.
- 6- Principal, Govt. Girls Higher Secondary School University Town Peshawar.
- 7- MS. Safina Baber, DPE, GGHSS University Town Peshawar.


SECTION OFFICER (PRIMARY)

Attested



GOVERNMENT OF NWFP
EDUCATION DEPARTMENT.

Dated Peshawar, the 07-05-2001.

Annex "H" (1999)

NOTIFICATION.

NO. SO(E-III)2-1/DPEs. The Competent authority is pleased to accord sanction to the award of BPS-17 to Mohammad Hashim Khan Director Physical Education, (BPS-16) Government Higher Secondary School No.1, Peshawar Cantt. with effect from 10 February, 1991 on the basis of Master Degree in Physical Education, possessing at the time of his appointment in 1991 i.e prior to the date of issuance of Notification No. FD(SR-1) 6-36/93, dated 3rd August 1993, where by the benefit of grant of B-17 to DPE, on the basis of Master Degree in Physical Education was withdrawn.

SECRETARY TO GOVT. OF NWFP,
EDUCATION DEPARTMENT

Dated Peshawar 7/5/2001

Endst: No. FD(SR-1)6-36/2000/Vol-II

Copy forwarded to the Accountant General, NWFP, Peshawar

SECTION OFFICER (SR-I)
FINANCE DEPARTMENT
7/5/2001

Endst: No. & date even.

Copy forwarded for information and necessary action to:-

1. The Director Education (Secondary), NWFP, Peshawar.
2. The Section Officer (SR-I), Govt. of NWFP, Finance Department, Peshawar w/r to his letter No. FD (SR-I) 6-36/2000/Vol-II, Dated 12-03-2001.
3. The Section Officer (Schools), Govt. of NWFP, Edu: Deptt: Peshawar.
4. The District Education Officer (Male) Secondary, Peshawar.
5. Principal GHSS, No.1, Peshawar Cantt.
6. The Officer concerned.

Manzoor Hussain
(MANZOOR HUSSAIN)
SECTION OFFICER (E-III)

Attested
BYED YOUSUF JAR
B.A.L.L. S. A B.L. Certificate Examin. Lab
Advocate High Court Peshawar
Federal Shariat Court.

BEFORE THE KHYBER PAKHTUNKHWA SERVICE TRIBUNAL, PESHAWAR

In Service appeal No. _____ / 2016

Muhammad Sharif APPELLANT

VERSUS

The Secretary E&SE K.P.K. and others RESPONDENTS.

APPLICATION FOR CONDONATION OF DELAY (IF ANY).

Respectfully submitted:

The applicant/appellant submits as under:-

That firstly the act and omission of the respondents /department is illegal, unconstititutional and void and secondly as financial matter is involved in the matter and the cause of action is the running cause of action, therefore, no limitation runs against the appellant/applicant, but even if this Honourable Tribunal considers the departmental appeal time barred then this application for dondonation of delay if any on the following amongst other grounds:-

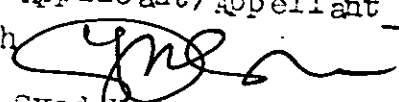
GRUNDS:

1. That in the matter in hand the cause of action is continuous cause of action and the impugned act and omission of the respondents come in the purview of the definition of continous wrong, therefore, in the matter the cause of action starts on first date and ends on the last date of every months/every year, therefore, no question of delay arises in the matter.
2. That the law requires that the matters should/must be decided on merits rather than on technical grounds including the limitation.

3. That the appellant/applicant has got a very good case in his favour therefore, technicalities including the point of limitation (The delay if any) are ignorable.
4. That the appeal of the appellant before this Honourable Tribunal is well within time and strictly in accordance with law contained in Section 4 of the NWFP now Khyber Pakhtunkhwa Service Tribunal Act 1974,
5. That if the delay if any is not condoned the applicant/appellant will suffer an irreparable loss to his seniority, promotion and all other service benefits.
6. That the delay if any has been caused by the delaying tactics of respondents/department and the appellant cannot be held responsible for the same. Specially in the presence of the principles of legitimate expectancy.
7. That in so many similar and identical cases this Honourable Tribunal has ignored the point of limitation and in so many cases has condoned the delay, therefore, in this case also the same point is ignorable/condonable.

It is, therefore, respectfully prayed that on acceptance of this application in the best interest of justice the delay if any in filing departmental appeal may kindly be condoned/ignored and the appeal of the appellant/applicant may kindly be decided on merits. Any other remedy/relief available in the circumstances of the case may also kindly be granted to the applicant/appellant.

Dated 01/8/2015

Applicant/Appellant
 Through 
 (Syed Younus Jan)
 Advocate Peshawar High Court
 Peshawar.

BEFORE THE KHYBER PAKHTUNKHWA SERVICE TRIBUNAL, PESHAWAR

Service Appeal No. _____ / 2016

Muhammad Sharif APPELLANT

VERSUS

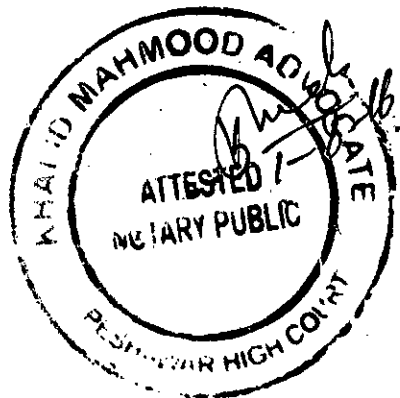
The Secretary E&SE, K.P.K. and othersRESPONDENTS.

AFFIDAVIT.

I, Muhammad Sharif (appellant) to hereby solemnly affirm and declare on Oath that the contents of the attach application are true and correct to the best of my knowledge and belief and nothing has been concealed from this Honourable Tribunal

Dated 01/8/2015

Deponent M. Sharif





بعد الت KPK سروس کے سپورٹ

2 جناب محمد شریف ایدو صاحب
بنام سکریٹری 'ESSE' KPK اور
رہنما

محمد شریف
ایڈووکیٹ

موزخہ 2017/2016
مقدمہ
دعویٰ
جزم سال 2016

باعث تحریر آئیکہ

مقدمہ مندرجہ عنوان بالا میں اپنی طرف سے واسطے پیروی و جواب دہی وکل کاروائی متعلقہ
آن مقام کے لیے ~~سید یونس جان ایدو صاحب~~ کیلئے
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 ثالثہ فیصلہ برحلف دیئے جواب دہی اور اقبال دعویٰ اور
بصورت ڈگری کرنے اجراء اور صولی چیک دروپیہ ارضی دعویٰ اور درخواست ہر قسم کی تصدیق
زرائیں پر دستخط کرانے کا اختیار ہوگا۔ نیز صورت عدم پیروی یا ڈگری یا اپیل کی برآمدگی اور مشورتی
نیز دائر کرنے اپیل نگرانی و نظر ثانی و پیروی کرنے کا اختیار ہوگا۔ از بصورت ضرورت مقدمہ مذکور
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 بھی وہی جملہ مذکورہ اختیارات حاصل ہوں گے اور اس کا ساختہ
پرواختہ منظور قبول ہوگا۔ دوران مقدمہ میں جو خرچہ ہر جانہ التوائے مقدمہ کے سبب سے ہوگا۔
کوئی تاریخ پیشی مقام دورہ پر ہو یا حد سے باہر ہو تو وکیل صاحب پابند ہوں گے۔ کہ پیروی
مذکور کریں۔ لہذا ادکالت نامہ لکھ دیا کہ سند ہے۔

المرقوم 30 ماہ جولائی 2016

واہ العی

بمقام سروس کے سپورٹ KPK کے لئے منظور ہے۔ Attested & Accepted

Younus

SYED YOUNUS JAN
B.A., B.L.S., B.E.J. Certificate Shari Law
Advocate High Court Peshawar
Federal Shariat Court.

محمد شریف ایدو صاحب

BEFORE THE HONORABLE KHYBER PAKHTUNKHWA SERVICE TRIBUNAL PESHAWAR.

Service Appeal No: 820/2016

Muhammad Sharif DPE GHSS Mandra Kalan, District D I Khan Appellant.

VERSUS

Secretary E&SE Department, Khyber Pakhtunkhwa & others. Respondents

JOINT PARAWISE COMMENTS FOR & ON BEHALF OF RESPONDENTS No: 1-5.

Respectfully Sheweth :-

The Respondents submit as under:-

PRELIMINARY OBJECTIONS.

- 1 That the Appellant has got no cause of action locus / standi .
- 2 That the instant Service Appeal is badly time barred.
- 3 That the Appellant has concealed material facts from this Honorable Tribunal.
- 4 That the instant service appeal is based on mala fide intentions.
- 5 That the Appellant has not come to this Honorable Tribunal with clean hands.
- 6 That this Honorable Tribunal has got no jurisdiction to adjudicate upon the present appeal.
- 7 That the Appellant has been treated as per law, rules & policy.
- 8 That the appeal is not maintainable in its present form.
- 9 That the appeal is bad for mis-joinder & non-joinder of the necessary parties.
- 10 That the instant Service Appeal is barred by law.
- 11 That the Appellant has not ^{been} awarded BPS-17 (Personal) & was promoted from PET to the DPE Post vide Notification dated 30/8/2000, which has not been challenged by the appellant.
- 12 That as per Finance Department Notification dated 03/8/1993, the appellant is not entitled for the grant of back benefits against the said Post.
- 13 That as per Govt: of Khyber Pakhtunkhwa, Pay Revised Rules, 1978, BPS-17 (Personal) was awarded to those DPEs working in BPS-16 along with Master Degree in the relevant subject.

ON FACTS

- 1 That Para-1, needs no comments being pertains to the service record of the appellant.

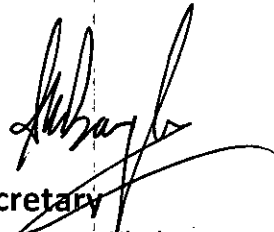
- 2 That Para-2 is incorrect. ~~that~~ The appellant has been promoted against the DPE Post from PET vide Notification dated 30/8/2000, in his own pay & scale with immediate effect & later on he has been promoted against the said Post on regular basis vide Notification dated 18/2/2003 in BPS-16(Regular). (Copies of the same are Annexures-A&B).
- 3 That Para-3, is correct. However the appellant did not challenged any of the promotion order for anti dation.
- 4 That Para-4 is incorrect & denied on the grounds that the appellant has acquired his M. Sc Degree in HPE from Gomal University D I Khan on 20/11/1995 & was adjusted against the DPE Post from PET vide Notification dated 30/8/2000 on the basis of his qualification of SDPE with immediate effect. Upon the approval of the DPC Meeting held on 18/2/2003, the appellant was promoted to the DPE Post in BPS-16 on Regular basis with immediate effect. The appellant was further promoted against the DPE in BPS-17 (Regular) Post vide Notification dated 19/5/2009 with immediate effect. It is further submitted that in view of the Pay Revised Rules, 1978 of the Provincial Govt: , BPS-17 was awarded those DPEs who were already working in BPS-16 having M. Sc Degree in the relevant subject. However, vide Notification dated 03/8/1993 amendments in the said rules were made by declaring junior DPEs in BPS-16 & Senior DPEs in BPS-17(Personal). Furthermore, the appellant has failed to challenged any of the orders mentioned in the foregoing Paras, nor any Departmental Appeal is available on record so the present appeal is liable to be dismissed on this score ^{or} on the following grounds inter alia :-

GROUNDS

- A Incorrect & not admitted. The act of the Respondent Department in view of the above made submissions in the foregoing Paras of the present reply is within legal sphere & is liable to be maintained.
- B Incorrect & not admitted. The statement f the appellant is against the law, rules & circumstance of the case. Hence deserves to be dismissed.
- C Incorrect & not admitted. Detailed reply of this ground has already been given in the foregoing Paras. Hence needs no further comments.
- D Incorrect & not admitted. The Respondents have acted as per law, rules & policy in the instant case in terms of the above mentioned Notifications, hence deserves to be maintained in the interest of justice.
- E Incorrect & not admitted. The statement f the appellant is against the law, rules & circumstance of the case. Hence deserves to be rejected.
- F Incorrect & denied on the grounds that the appellant has been found in eligible in view of the above cited rulings. Hence this Para is also liable to be rejected.
- G Incorrect & denied. Each & every case has its own parameter & the case of the appellant is totally different from those who have been treated as per law, rules & Policy in view of the above made rulings & Notifications.
- H Legal. However, the Respondents further seek leave of this Honorable Tribunal to submit additional grounds & case law /record at the time of arguments.

In view of the above made submissions, it is requested that this Honorable Tribunal may very graciously be pleased to dismiss the instant service appeal with cost in favour of the Respondent Department.

Dated 02/01/2017.




Secretary
E&SE Department Khyber
Pakhtunkhwa, Peshawar
(Respondents No:1&5)



Secretary
Establishment Department
Khyber Pakhtunkhwa,
Peshawar.
(Respondent No:4)



Director
E&SE Department Khyber
Pakhtunkhwa, Peshawar.
(Respondent No: 2)



Secretary
(Finance) Department Khyber
Pakhtunkhwa, Peshawar
(Respondent No: 3)

AFFIDAVIT

I Hameed Ur Rehman Asstt: Director (Litigation-II) E&SE Department do hereby solemnly affirm and declare On oath that the contents of the instant Parawise Comments are true & correct to the best of my knowledge & belief.



Deponent

MINISTRY OF EDUCATION AND LITERACY N.W.F.P. PESHAWAR.

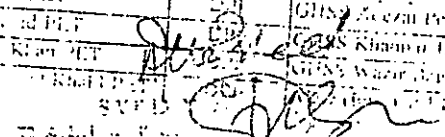
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ORDER.

Annex 'A' (13)

Consequent upon the approval by the Departmental Selection Committee Schools N.W.F.P. in its meeting held on 26-12-2002. The following CT/PET/PTC, etc are hereby promoted to the posts of DPE/ADO (Physical) B-16 on regular basis in the interest of public service with effect from:

Name & Designation	Promoted as	Place of posting	Remarks
Mr. Amir Azam Khan PET	DPE	GEC, Ghoru Wala Banna	Against the post already occupied by him
Mr. Farooq Din PET	DPE	GHSS, Khownza Khela Swat	Against the post already occupied by him
Mr. Farooq Din PET	DPE	GHSS, Loran Kohat	Against the post already occupied by him
Mr. Farooq Nawaz PET	DPE	GHSS, Peshawar	Against the post already occupied by him
Mr. Farooq Naz PET	DPE	GHSS Mangla Dargai Charsadda	Against the post already occupied by him
Mr. Farooq Khan PET	DPE	GHSS Chamkani Peshawar	Against the post already occupied by him
Mr. Muhammad Jalal PET	DPE	GHSS Kakkai Banna	Against the post already occupied by him
Mr. August Sartar PET	DPE	GHSS Gul Imam Tank	Against the post already occupied by him
Mr. Farooq Abdul Nasir PET	DPE	GHSS Torakan Mkd Agy:	Against the post already occupied by him
Mr. Farooq Naeem PET	DPE	GHSS Daag Peshawar	Against the post already occupied by him
Mr. Farooq Mehat PET	DPE	GHSS Ghulam Tapura MDN	Against the post already occupied by him
Mr. Farooq Ahmad PET	DPE	GHSS Eha Malakand Agy:	Against the post already occupied by him
Mr. Farooq Khan PET	DPE	GHSS Doshina Char - da	Against the post already occupied by him
Mr. Farooq Daraz PET	DPE	GHSS Dara Pezu Lak - da	Against the post already occupied by him
Mr. Farooq Khan PET	DPE	GHSS Toghul Bala Kohat	Against the post already occupied by him
Mr. Farooq Khan PET	DPE	GHSS Kotgarh DT Khan	Against the post already occupied by him
Mr. Farooq Khan PET	DPE	GEC (M) Peshawar	Against the post already occupied by him
Mr. Farooq Khan PET	DPE	GHSS Suroopar NSR	Against the post already occupied by him
Mr. Farooq Khan PET	DPE	GHSS Kawan Mangera	Against the post already occupied by him
Mr. Farooq Khan PET	DPE	GHSS Darji Sawain	Against the post already occupied by him
Mr. Farooq Khan PET	DPE	GHSS Dargai P.I. Kohat	Against the post already occupied by him
Mr. Farooq Khan PET	DPE	GHSS Toghul Maridan	Against the post already occupied by him
Mr. Farooq Khan PET	DPE	Phys. Collage Karak	Against the post already occupied by him
Mr. Farooq Khan PET	DPE	GHSS Dargai Peshawar	Against the post already occupied by him
Mr. Farooq Khan PET	DPE	GHSS Dargai Maridan	Against the post already occupied by him
Mr. Farooq Khan PET	DPE	GHSS Dargai NSR	Against the post already occupied by him
Mr. Farooq Khan PET	DPE	GHSS Dargai Chah	Against the post already occupied by him
Mr. Farooq Khan PET	DPE	GHSS Nayan Maridan	Against the post already occupied by him
Mr. Farooq Khan PET	DPE	GHSS Rihang Kohat	Against the post already occupied by him
Mr. Farooq Khan PET	DPE	ADO (Physical) DTI (S&L) Tank	Against the post already occupied by him
Mr. Farooq Khan PET	DPE	GHSS Khamas P.I. Abbotabad	Against the post already occupied by him
Mr. Farooq Khan PET	DPE	GHSS Lal Qila Lh	Against the post already occupied by him
Mr. Farooq Khan PET	DPE	GHSS Hazar Khan Pesh	Against the post already occupied by him
Mr. Farooq Khan PET	DPE	GHSS Dargai Kohat	Against the post already occupied by him
Mr. Farooq Khan PET	DPE	GHSS Na - Peshawar city	Against the post already occupied by him
Mr. Farooq Khan PET	DPE	GHSS Toraji Buner	Against the post already occupied by him
Mr. Farooq Khan PET	DPE	GEC (M) Mir Ali NWA	Against the post already occupied by him
Mr. Farooq Khan PET	DPE	GHSS Gomal Sassi	Against the post already occupied by him
Mr. Farooq Khan PET	DPE	ADO (Physical) DTI (S&L) Charsadda	Against the post already occupied by him
Mr. Farooq Khan PET	DPE	GHSS Shikhar P.I. - Lh	Against the post already occupied by him
Mr. Farooq Khan PET	DPE	ADO (Physical) DTI (S&L) B. Nagar	Against the post already occupied by him
Mr. Farooq Khan PET	DPE	ADO (Physical) DTI (S&L) Tank	Against the post already occupied by him
Mr. Farooq Khan PET	DPE	GHSS Dargai Karak	Against the post already occupied by him
Mr. Farooq Khan PET	DPE	GHSS Dargai Maridan	Against the post already occupied by him
Mr. Farooq Khan PET	DPE	GHSS Waram Karak	Against the post already occupied by him
Mr. Farooq Khan PET	DPE	GHSS Dargai Charsadda	Against the post already occupied by him
Mr. Farooq Khan PET	DPE	GHSS Dargai Peshawar	Against the post already occupied by him
Mr. Farooq Khan PET	DPE	GHSS Dargai Peshawar	Against the post already occupied by him
Mr. Farooq Khan PET	DPE	GHSS Dargai Peshawar	Against the post already occupied by him


 Director of Education, NWFP
 Peshawar

51	Mr. Habibullah PET	DPE	GEC (M) Dir	Against the post already occupied by him
52	Mr. Mujeebur Rehman PET	DPE	GHSS Shakar Dara Kohat	Against the post already occupied by him
53	Mr. Jahan Ali PET	DPE	ADO (Phy:) at EDO, S&L, Shangla	Against the post already occupied by him
54	Mr. Abdul Qadeer Khan PET	DPE	GHSS, Parova D.I. Khan	Against the post already occupied by him
55	Mr. Chamni Khan PET	DPE	GHSS, Takkar GHSS Mardan	Against the post already occupied by him
56	Mr. Amjad Khan PET	DPE	GHSS Sherpao Charsadda	Against the post already occupied by him
57	Mr. Nikhat ullah PET	DPE	GEC (M) Kotla Habibullah PK Banna	Against the post already occupied by him
58	Mr. Farid Zaman C.T.	DPE	Phy: Edu: Collage Karak	Against the post already occupied by him
59	Mr. Ikramullah PET	DPE	GHSS Sirkot Haripur	Against the post already occupied by him
60	Mr. Muhammad Usman PET	DPE	GHSS Muryah D.I. Khan	Against the post already occupied by him
61	Mr. Waris Khan P.T.C.	DPE	GHSS Munda Dir Lower	Against the post already occupied by him
62	Mr. Muhammad Nawaz PET	DPE	GHSS Shahbaz Ghari Mardan	Against the post already occupied by him
63	Mr. Ihsan Ullah PET	DPE	GHSS Fatehpur Swat	Against the post already occupied by him
64	Mr. Ashraf Ali Khan PET	DPE	GHSS Usarzal Kohat	Against the post already occupied by him
65	Mr. Zahoor Zaman P.T.C.	DPE	GHSS Kalam Swat	Against the post already occupied by him
66	Mr. Fateh Sher PET	DPE	GHSS Kabal Swat	Against the post already occupied by him
67	Mr. Muhammad Sharif PET	DPE	GHSS Kot Rajibullah Haripur	Against the post already occupied by him
68	Mr. Said Khan PET	DPE	GHSS Lora Abbottabad	Against the post already occupied by him
69	Mr. Ghulam Hussain PET	DPE	GEC(M) Mardan	Against the post already occupied by him
70	Mr. Ghulam Nabi PET	DPE	GHSS Taka Bhai Mardan	Against the post already occupied by him
71	Mr. Muhammad Gul PET	DPE	GHSS No. 2 D.I. Khan	Against the post already occupied by him
72	Mr. Raeesullah P.T.C.	DPE	GHSS Charbagh Swat	Against the post already occupied by him
73	Mr. Nasir Khan PET	DPE	ADO (Phy:) at EDO (S&L) Shangla	Against the post already occupied by him
74	Mr. Zahoor Ahmad PET	DPE	GHSS Jalozai Nowshera	Against the post already occupied by him
75	Mr. Muhammad Haroon PET	DPE	GHSS Ismaila Swabi	Against the post already occupied by him
76	Mr. Muhammad Iqbal PET	DPE	GHSS Turbela T. Ship Haripur	Against the post already occupied by him
77	Mr. Farmanullah PET	DPE	GHSS Dir Pail Nowshera	Against the post already occupied by him

- Note: -
1. Charge report should be submitted to all concerned.
 2. No TA/DA etc. are allowed.

(HAFIZ BAHADAR KHAN)
Director Schools & Literacy
NWFP Peshawar

Endst No. 3542-3628 1A-14/Promo/DPE B-16.

Dated Peshawar the 18/2 2022

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

1. Director of Education (FATA) NWFP Peshawar.
2. Director Bureau and Teacher Education NWFP Abbottabad.
3. Accountant General NWFP Peshawar.
4. Executive District Officers (Schools & Literacy) in NWFP.
5. District/Agency Accounts Officers in NWFP.
6. Principal GEC (M) concerned.
7. Principal Govt. College of Physical Education Karak.
8. Principal GHSS concerned.
9. PS to Minister for Education NWFP Peshawar.
10. PS to Secretary Schools & Literacy Department Govt. of NWFP Peshawar.
11. DPE/ADO Physical concerned.
12. PA to Director Schools & Literacy NWFP Peshawar.

Attested
[Signature]
S.A.L.E. [Signature]
[Signature]

[Signature]
Deputy Director Establishment
Directorate Schools & Literacy
NWFP Peshawar

Annex Bⁿ 10
8

OFFICE OF THE DIRECTOR SECONDARY EDUCATION NWFP, PESHAWAR.

NOTIFICATION

The following qualified SDPE Teachers/Physical Supervisors, serving in the Education Department in NWFP/FATA due for promotion on seniority Basis are hereby adjusted against the posts of D.P.E.s/A.D.E.O(Phy:) in their own pay and Scale and the exigency of service in the interest of public Service on the terms & conditions in vogue or the ones to be framed in future with immediate effect.

<u>S.No</u>	<u>NAME & DESIGNATION</u>	<u>WHERE ADJUSTED</u>	<u>REMARKS</u>
1.	Muhammad Akram PET, GHSS, Dara-Pozu Lakki Marwat	GHSS, Ustarzai Kohat	Vacant Post
2.	Shur Asan Khan, PET GHS, Gara Baloch Tank	GHSS, Richban Abbottabad	-do-
3.	Siraj-ud-Din PET, GHS, Asala Swat.	GHSS, Khawaza Khela Swat	-do-
4.	Mohid Ullah SET, GHS, Sheikh Uttar Tank.	GHSS, Darosh Chitral	-do-
5.	Ibrahim-ud-Din PET, GHS, Gandari Karak.	GHSS, Hachi Kohat	-do-
6.	Anwar Saqad, PET, GHS, Fazal Shah Motta Khel Bannu.	GHSS, Bareela Hari Pur	-do-
7.	Bahadar Nawas PET, GHS, Sulaid Dheri Peshawar.	GHSS, No.2. Peshawar Cantt:	-do-
8.	Fakir Naz PET, GHS, Ind Peshawar Mardan	GHSS, Manga Dargai Gharsadda	-do-
9.	Noor-ud-Din Physical Supervisor P.W.A.	GHSS, Khair Abad Nowshera	-do-
10.	Deedar Khan PET, GHSS, Dheri Dheri Peshawar.	GHSS, Chankani Peshawar	-do-
11.	Daud Khan PET, GHS, Mar Muhammad Lakki Marwat	GHSS, Madyan Swat	-do-
12.	Muhammad Jalal PET, GHS, Dheri Kala Bannu.	GHSS, Kakki Bannu	-do-
13.	Abdul Sattar PET, GHS, Gul Imam Tank.	GHSS, Gul Imam Tank	-do-
14.	Jamil Abdul Nasir PET, GHSS, Banna.	GHSS, Totakan Malakand Agency	-do-
15.	Muhammad Faisal Physical Supervisor Orkoni Agency	GHSS, Bari Kot Swat	-do-
16.	Muhammad Naeem, PET GHS, Labour Colony Mardan	GHSS, Gari Kapura Mardan	-do-
17.	Shoukat Hayat PET, GHS, No.3. Saha Kot MCD	GHSS, Kot Malakand Agency	-do-
18.	Bakir Ahmad PET, GHS, Pahar Khel Lakki Marwat	GHSS, Dousara Charsadda	-do-
19.	All Bad Shah PET, GHS, Panchai Kohat	GHSS, Gumbat Kohat	-do-
20.	Sajid Firdus PET, GHS, Jongi A-Abad.	GHSS, Bignotar A-Abad	-do-
21.	Muhammad Shomal PET, GHSS, Dara-Pozu Lakki Marwat.	G.E.C.(M) A-Abad	-do-
22.	Aqal Daraz PET, GHS, Shah Salim Kohat	GHSS, Tough Bala Kohat	-do-
23.	Arif Ullah PET, GHS, No.1. Pahar Pur D.I.Khan.	GHSS, Kat Garh D.I.Khan	-do-

BYED YOUSUF JAN
H.A.L.B. B.Ed. Graduate Teacher I/II
Advocate High Court Peshawar
Federal Judicial Commission

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24,	Abdul Maheed Physical Supervisor Khyber Agency.	G.E.C. (M) Peshawar	Vacant Post
25,	Mohib Ullah PET, GHS, Nurar Bannu.	GHSS, Nizam Pur Nowshera	-do-
26,	Muhammad Saced Shah PET, GHS, Paras Mansehera.	ADEO(Phy:) O/O DEO(M/S) Mansehera	-do-
27,	S. Bakht Shah PET, GHS, Mansabdar Swabi	GHSS, Zaida Swabi	-do-
28,	Hamid Ullah Khan PET, GHS, Kotla Lodhian D.I. Khan	GHSS, Maryali D.I. Khan	-do-
29,	Muhammad Israr PET, GHS, Alo Kili Mardan	GHSS, Dakki Charsadda	-do-
30,	Shams-ur-Rehman PET, GHSS, Sher Pur Mansehera	GHSS, Sher Pur Mansehera	-do-
31,	Muhammad Farooq PET, GHS, Landi-Wah Lakki Marwat	GHSS, Adizai Peshawar	-do-
32,	Naseem Khan PET, GHS, Bannu.	Govt: Elementary College H/Pur Gdo-	
33,	Shah Mahmood PET GHS, Ghori Wala Bannu.	GHSS, Umar Poyan Peshawar	-do-
34,	Tali Zar PET, GHSS, Kot Long Mardan	GHSS, Kot Long Mardan	-do-
35,	Rais Khan PET, GHS, Landi Khan Khel Lakki Marwat.	GHSS, Khesgai Razaq NSR	-do-
36,	Inayat Khan PET, GHS, No. 1. Rojjar, Chd:	GHSS, Umar-zai Charsadda	-do-
37,	Saidar Khan PET, GHS, Kharghali Khyber Agency.	GHSS, Palai Malakand Agency	-do-
38,	Tatisham-ud-Din PET, GHS, Chundi Kili Karak	GHSS, Billi Tang Kohat	-do-
39,	Abdullah Shah PET, GHS, No. 1. Tank	GHSS, Akbar Pura Nowshera	-do-
40,	Gul Bad Shah PET, GHSS, No. 4, Peshawar City	GHSS, Hazar Khani Peshawar	-do-
41,	Muhammad Nawaz PET, GHS, Rantari Tank.	GHSS, Samar Bagh Dir	-do-
42,	Rukh Niaz PET, GHS, Wanda Urungzeb Lakki Marwat	GHSS, Khan Pur A-Abad	-do-
43,	Abdul Ghaffar PET, GHS, Lalozai Bannu.	GHSS, Lal Qila Dir	-do-
44,	Munazzar Khan PET, GHS, Abdul Lakki Marwat.	GHSS, Dhodial Mansehera	-do-
45,	Muhammad Saifdar PET, GHSS, Karak.	GHSS, Doaba Kohat	-do-
46,	Saifdar Jan PET, G.T.H.S Peshawar City.	GHSS, No. 1. Peshawar City	-do-
47,	Fazal-e-Rabi PET GEC(M). Swabi	G.E.C.(M) Swabi	-do-
48,	Khaki Rehman Ic/DPE GEC(M) Mirali NWA	GEC(M) Mirali NWA	-do-
49,	Muhammad Ismail Physical Supervisor Muhmand Agency.	GHSS, Utmanzai Chd:	-do-
50,	Roshan Akbar PET, GHS, Dagai Swabi	GHSS, Gandaf Swabi	-do-
51,	Habib Ullah PET, GHS, Sawal Dher Mardan	A.D.E.O(Phy:) O/O DEO(M/S) Charsadda	-do-
52,	Lal Mar. Jan PET, GHS, Shaidan Banda Karak.	GHSS, Shahqadar Post Chd:	-do-

A. D. E. O. (Phy.)

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33.	Khawazelat Khan PET, GHS, Surgha Swat.	GHS, Ziarat Talash Dir	Vacant Post
34.	Ahmad Nawaz PET, GHS, Shahbaz Ahmad Khel Bannu.	GHS, Darband Manshera	-do-
35.	Sarshisht Khan PET, GHS, No. 1. Buner. (P.S. 1)	GHS, Nawagai Buner	-do-
36.	S. Ibad Ur Rehman PET, GHS, K Lakhari Muhammad Agency.	GHS, Och Dir	-do-
37.	Kiranat Ullah PET, GHS, T. Nasrati Karak.	GHS, Bogara Karak.	-do-
38.	Salat Khan PET, GHS, Gujrat Mardan	GHS, Risal Pur NSR	-do-
39.	Rashi Din PET GHS, Paloski Karak.	GHS, Warana Karak	-do-
40.	S. Fazal Abbas Zaidi PET, GHS, Machi Pind Khan D.I. Khan	GHS, Khan Pur Dir	-do-
41.	Falok Naz PET, GHS, Dhori Saidan Bannu.	G.E.C. (Tahar) Malakand Agency	-do-
42.	Fazal Wahid PET, GHS, Chakdara Dir.	GHS, Bat Khela Malakand Agency	-do-
43.	Mushtaq Khan PET, GHS, Mandan Bannu.	GHS, Mathra Peshawar	-do-
44.	Arbab Nawaz Khan PET GHS, Pir Pai NSR	GHS, Pir Pai NSR	-do-
45.	Sabib Ullah PET, GHS, No. 1. Barak.	G.E.C. (M) Dir	-do-
46.	Mushtaq Ur Rehman PET, GHS, Ghundi Shanshaki Karak	GHS, Shaker Para Kohat	-do-
47.	Muhammad Javed PET GHS, Kolan Sher A-Abad.	ADDC (Phy:) O/O DEO (M/S) Abbottabad	-do-
48.	Johan Alan PET, GHS, Topi Buner.	GHS, Mangora Swat	-do-
49.	Abdul Qameer Khan PET, GHS, Daiyal D.I. Khan	GHS, Dhakri D.I. Khan	-do-
50.	Ghamni Khan PET, GHS, Khan Pur Mardan.	GHS, Kab Gani Swabi	-do-
51.	Amjad Khan PET, GHS, Ziarat Kili Chd:	GHS, Sher Pao Chd:	-do-
52.	Nekhat Ullah PET, Ic/DPE GEC(M) Kotka Habib Ullah FR Bannu.	GEC(M) Kotka Habib Ullah FR Bannu.	-do-
53.	Farid Zaman CT GHS, Multani Bannu.	G.E.C (M) Mathra Peshawar	-do-
54.	Muhammad Usman PET, GHS, Fo. D. D.I. Khan	GHS, Dardisau Kulan D.I. Khan	-do-
55.	Waris Khan PET GHS, Sher Zaman Dolo Khel Lakri Marwat	GHS, Munda Dir	-do-
56.	Muhammad Nawaz PET, GHS, Nawab Kili Swabi.	GHS, Shahbaz Garhi Mardan	-do-
57.	Ihsan Ullah PET, GHS, Eidara Swat.	GHS, Fatch Pur Swat	-do-
58.	Mahraf Ali PET, GHS, Ismail Khel Bannu.	GHS, Bizoate A-Abad	-do-
59.	Zaheer Zaman PET, GHS, Ewal Khel Bannu.	GHS, Kalam Swat	-do-
60.	Fawaz Ali Shah PET GHS, Maza Khel Banochi Bannu.	GHS, Tarbela Town Ship Hari Pur	-do-
61.	Fatch Sher PET, GHS, Wanda Baloch D.I. Khan.	GHS, Kabal Swat	-do-

ADDC (Phy:) O/O DEO (M/S) Abbottabad
BYND
L. S. & Co. Peshawar
Advocate High Court Peshawar
Peshawar

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Page No. 4.

GHSS, Kot Najeeb Ullah Bari, Peshawar. Vacant

82. Muhammad Sharif PFT,
GHS, Sothe D.I. Khan.

GHSS, Lora N-Abad -do-

83. Saidu Khan PFT,
GHS, Soran (NAW) Tank.

GHSS, Fagh Maidan Dir -do-

84. Q. Ikram Ullah PFT,
GHS, Bazar Ahmad Soran.

GHSS, Totalai Buncy -do-

85. Ghulam Hussain PFT,
GHS, Rustan Mardan.

GHSS, Pir Saddi Mardan -do-

86. Ghulam Nabi PFT,
GHSS, Gufar Ghari Mardan.

GHSS, No. 2, D.I. Khan -do-

87. Muhammad Gul PFT,
GHSS, No. 2, D.I. Khan.

GHSS, Charbagh Swat -do-

88. Rais Ullah PFC,
GPS, Sikotri Jakhbar Bannu.

GPC(M) Mansabera -do-

89. Nasir Khan PFT,
GHS, Bahaduri D.I. Khan.

GHSS, Jalozai Nowshera -do-

90. Zahoor Ahmad PFT,
GHS, Spin-Mak-NBR.

GHSS, Ismaila Swabi -do-

91. Muhammad Haroon PFT,
GHSS, Ismaila Swabi.

GHSS, Natingali A-Abad. -do-

92. Muhammad Iqbal PFT,
GHS, Bangi Khel Laddai Marwat.

GHSS, Mawan Sher A-Abad -do-

93. Pawan Ullah PFT, Kotlix,
GHS, Nakhon Saadit Naran Daman.

GHSS, Siri Kot Hari Pur -do-

94. Iqbal Ullah PFT,
GHS, Kachoral Bannu.

Notes:-

1. Charney report should be submitted to all concerned.
2. The promotion of the above candidates is subject to the approval of the Departmental Selection Committee.


(S. ABU SAHEB BACHA)
Director Secondary Education
NWFP, Peshawar.

Distt. No. 9189-9439 /

Dated, 30-08- / 2000.

Copy forwarded for information and n/action to the:-

1. Director Bureau of Govt. Dev: & Edn: Extending Services NWFP, Abbottabad.
2. Director of Education, PATA NWFP, Peshawar.
3. Director Primary Education NWFP, Peshawar.
4. Accountant General NWFP, Peshawar.
5. All District Education Officers concerned Secondary and Primary Male in NWFP.
6. Agency Education Officers concerned in NWFP.
7. All District Account-Officers concerned in NWFP.
8. All the Principals / Head Masters concerned in NWFP.
9. P/S to Secretary to Govt: of NWFP, Education Department.
10. P-A to Director Secondary Education NWFP, Peshawar.


Deputy Director
for/ Director Secondary Education
NWFP, Peshawar. 30/8/20

Ver. No. 30082000



SYED YOUNUS KHAN
M.A.L.S. H.E.S. Section, Sharda, Peshawar.
Address: [illegible] Peshawar.

BEFORE THE KHYBER PAKHTUNKHWA SERVICE TRIBUNAL,
PESHAWAR

In Re:- Service Appeal No. ____/ 2016

Muhammad Sharif Khan

..... Appellant

Versus

Secretary E & SE KP & others..... Respondents

Replication on behalf of appellant to the Joint Reply
/ Para-wise Comments of Respondents

Respectfully Submitted:

Replication to the preliminary objections

1 - 10 & 12 The preliminary objections raised by the Respondents in these paras are incorrect, false, misconceived and are based on no evidence, hence mainly for the reasons of paras 11 & 13, hence denied. Moreover, it is submitted that the appellant has got a valid cause of action/locus standi to challenge the illegal

acts and commissions of the respondents. The appeal is well within time, no facts have been concealed from this Hon'ble Tribunal and no drifty hands have been shown or proved each and every facts has been narrated by the appellant in his appeal and all the necessary parties have been arrayed by him in his appeal, no mis-joinder or non-joinder has been shown or proved by the respondents. No malafide on the part of the appellant has been shown or proved while the same is proved on the part of the respondents. The appeal is maintainable in its present form and in the present circumstances and there could be no other form but in which it has been submitted and the same is not barred by any law but has been submitted strictly in accordance with laws/rules. Moreover, being a matter of terms and conditions of service this Hon'ble Tribunal has got a valid jurisdiction.

11 & 13: That in para-13, award of BPS-17 as personal to those DPES working in BPS-16 having Master Degree in the relevant subject has been admitted by the respondents and in Para-11

non award of BPS-17 (personal) to the appellant has been admitted and even the promotion of the appellant from PET Post to DPE Post is also admitted so in these circumstances the appellant working in BPS-16 in Govt. Higher Secondary School with Master Degree in the relevant subject was very much entitled for award of BPS-17 as personal grade but illegally, unconstitutionally and malafidely has been ignored for award of the same BPS which act of the department is neither legal, nor constitutional and not only based on malafide intention of the department / respondent but also is against the well establishment principles of natural justice.

Replication to the facts

- 1 & 3: These paras need no replication in light of para-1 and 3 of the appeal, which are repeated.
2. In this para, the contents of Para-2 of the Appeal have been repeated, therefore needs no replication.

4. In this para the stance of the appellant taken in his appeal has been admitted by the replying respondents i.e. the respondents have admitted qualification of the appellant, the adjustment against the post of DPE, the promotion of the appellant to the said post on the promotion of the appellant to the said post on regular basis and award of BPS-17 personal to those DPEs working in BPS-16, having Master Degree in the relevant subject and even under the notification mentioned in this para, the appellant was fully entitled for award of BPS-17 personal being similarly paced person from the date of his adjustment against the DPE post. Regarding the fact that "the appellant failed to challenge any of the orders in the foregoing paras" is concerned in this regard, it is submitted that the respondents themselves had antedated his promotion vide annex E with the appeal therefore, there was no need to challenge the same.

Replication to the Grounds

A – H: The contents of these paras of the Reply are incorrect, false, misconceived and are based

on no evidence, proof, therefore denied, while the contents of these pars of the appeal are correct, true, crystal-clear and are based on cogent proof, which are reiterated once again. Moreover, the stance/entitlement of the appellant for award of BPS-17 personal has been admitted by the respondents one way or the other in their Reply.

It is, therefore, humbly prayed that on acceptance of the above and facts narrated and grounds mentioned in the appeal, the appeal of the appellant may kindly be accepted and the relief claimed in the appeal may kindly be granted to the appellant.

Any other remedy/relief available in the circumstances of the case may also kindly be granted to the appellant.

Dated: 24.02.2018

Appellant

Through


Syed Younas Jan

Advocate, Peshawar

BEFORE THE KHYBER PAKHTUNKHWA SERVICE TRIBUNAL,

PESHAWAR

In Re:- Service Appeal No. ____/ 2016

Muhammad Sharif Khan

..... Appellant

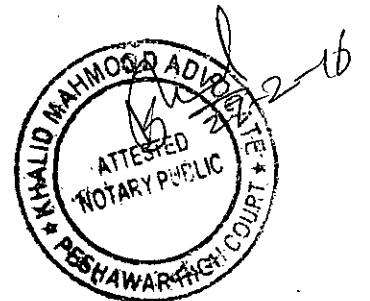
Versus

Secretary E & SE KP & others..... Respondents

AFFIDAVIT / COUNTER AFFIDAVIT

I, Muhammad Sharif Khan (The Appellant), do hereby solemnly affirm and declare on oath that the contents of this Replication are true and correct to the best of my knowledge and belief and nothing has been concealed from this Hon'ble Tribunal while the contents of the Reply of the respondents, which goes against the appellant are incorrect, false, misconceived and are without proof/evidence.

M. Sharif
DEPONENT



BEFORE THE KHYBER PAKHTUNKHWA SERVICE TRIBUNAL,

PESHAWAR

In Re:- Service Appeal No. ____/ 2016

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Dated: 24.02.2018

Appellant

Through


Syed Younas Jan

Advocate, Peshawar

BEFORE THE KHYBER PAKHTUNKHWA SERVICE TRIBUNAL,
PESHAWAR

In Re:- Service Appeal No. _____/ 2016

Muhammad Sharif Khan

..... Appellant

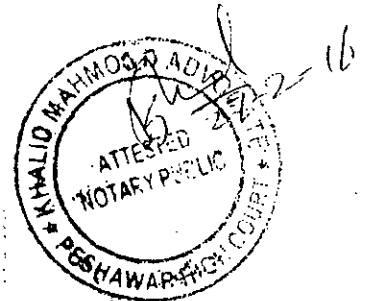
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Secretary E & SE KP & others..... Respondents

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M. Sharif
DEPONENT



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PESHAWAR

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Through


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..... Appellant

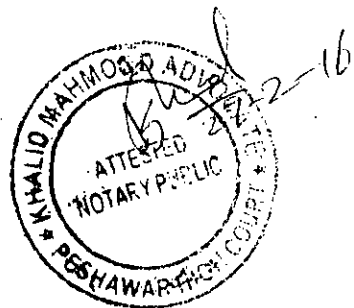
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Secretary E & SE KP & others..... Respondents

AFFIDAVIT / COUNTER AFFIDAVIT

I, Muhammad Sharif Khan (The Appellant), do hereby solemnly affirm and declare on oath that the contents of this Replication are true and correct to the best of my knowledge and belief and nothing has been concealed from this Hon'ble Tribunal while the contents of the Reply of the respondents, which goes against the appellant are incorrect, false, misconceived and are without proof/evidence.

M. Sharif
DEPONENT



BEFORE THE KHYBER PAKHTUNKHWA SERVICE TRIBUNAL,
PESHAWAR

In Re:- Service Appeal No. ____/ 2016

Muhammad Sharif Khan

..... Appellant

Versus

Secretary E & SE KP & others..... Respondents

Replication on behalf of appellant to the Joint Reply
/ Para-wise Comments of Respondents

Respectfully Submitted:

Replication to the preliminary objections

1 - 10 & 12 The preliminary objections raised by the Respondents in these paras are incorrect, false, misconceived and are based on no evidence, hence mainly for the reasons of paras 11 & 13, hence denied. Moreover, it is submitted that the appellant has got a valid cause of action/locus standi to challenge the illegal

acts and commissions of the respondents. The appeal is well within time, no facts have been concealed from this Hon'ble Tribunal and no drift hands have been shown or proved each and every facts has been narrated by the appellant in his appeal and all the necessary parties have been arrayed by him in his appeal, no mis-joinder or non-joinder has been shown or proved by the respondents. No malafide on the part of the appellant has been shown or proved while the same is proved on the part of the respondents. The appeal is maintainable in its present form and in the present circumstances and there could be no other form but in which it has been submitted and the same is not barred by any law but has been submitted strictly in accordance with laws/rules. Moreover, being a matter of terms and conditions of service this Hon'ble Tribunal has got a valid jurisdiction.

11 & 13: That in para-13, award of BPS-17 as personal to those DPES working in BPS-16 having Master Degree in the relevant subject has been admitted by the respondents and in Para-11

non award of BPS-17 (personal) to the appellant has been admitted and even the promotion of the appellant from PET Post to DPE Post is also admitted so in these circumstances the appellant working in BPS-16 in Govt. Higher Secondary School with Master Degree in the relevant subject was very much entitled for award of BPS-17 as personal grade but illegally, unconstitutionally and malafidely has been ignored for award of the same BPS which act of the department is neither legal, nor constitutional and not only based on malafide intention of the department / respondent but also is against the well establishment principles of natural justice.

Replication to the facts

- 1 & 3: These paras need no replication in light of para-1 and 3 of the appeal, which are repeated.

2. In this para, the contents of Para-2 of the Appeal have been repeated, therefore needs no replication.

7
4.

In this para the stance of the appellant taken in his appeal has been admitted by the replying respondents i.e. the respondents have admitted qualification of the appellant, the adjustment against the post of DPE , the promotion of the appellant to the said post on the promotion of the appellant to the said post on regular basis and award of BPS-17 personal to those DPEs working in BPS-16, having Master Degree in the relevant subject and even under the notification mentioned in this para, the appellant was fully entitled for award of BPS-17 personal being similarly paced person from the date of his adjustment against the DPE post. Regarding the fact that "the appellant failed to challenge any of the orders in the foregoing paras" is concerned in this regard, it is submitted that the respondents themselves had antedated his promotion vide annex E with the appeal therefore, there was no need to challenge the same.

Replication to the Grounds


A - H: The contents of these paras of the Reply are incorrect, false, misconceived and are based

on no evidence, proof, therefore denied, while the contents of these pars of the appeal are correct, true, crystal-clear and are based on cogent proof, which are reiterated once again. Moreover, the stance/entitlement of the appellant for award of BPS-17 personal has been admitted by the respondents one way or the other in their Reply.

It is, therefore, humbly prayed that on acceptance of the above and facts narrated and grounds mentioned in the appeal, the appeal of the appellant may kindly be accepted and the relief claimed in the appeal may kindly be granted to the appellant.

Any other remedy/relief available in the circumstances of the case may also kindly be granted to the appellant.

Dated: 24.02.2018

Appellant
Through 
Syed Younas Jan
Advocate, Peshawar

BEFORE THE KHYBER PAKHTUNKHWA SERVICE TRIBUNAL,
PESHAWAR

In Re:- Service Appeal No. ____/ 2016

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..... Appellant

Versus

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AFFIDAVIT / COUNTER AFFIDAVIT

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M. Sharif
DEPONENT

