


22nd Feb, 2024

1. Appellant alongwith his counsel present. Mr. Asif Masood Ali Shah, Deputy District Attorney alongwith Mr. Umar Zaman, District Education Officer (Male) Kohistan for the respondents present.

2. On the previous date, the Directress Education, Khyber Pakhtunkhwa was directed to appear in person and assist the Tribunal in this case but today again she has not put appearance. The Deputy Director present in the court requested for adjournment. Adjourned on the cost of Rs.20000/- to be recovered from personal pay of Directress Education, who was very clearly directed to appear in person to assist the Tribunal on certain points. The salary of Directress Education be attached in the manner as prescribed under section 60(1)(i) of the Code of Civil Procedure, 1908 till further orders of the Tribunal. The Accountant General Khyber Pakhtunkhwa, Peshawar shall submit report in writing that the salary of the Directress Education is actually attached. We also direct that T.A/D.A which the DEO (Male) Kohistan would claim, should be paid from the pocket of the Directress Education. Copy of this order sheet be sent to the Secretary Establishment, Khyber Pakhtunkhwa to place it on the dossier of the Directress Education and shall be considered at the time of writing of PER by the Secretary Elementary and Secondary Education. Secretary Elementary and Secondary Education, Khyber Pakhtunkhwa is also directed to proceed against her under the relevant rules. Copy of this order sheet be also sent to the worthy Chief Secretary, Khyber Pakhtunkhwa by name with the request to check how casual are the court cases being dealt with by the concerned officials of different departments. To come up for arguments on 23.02.2023 before D.B. P.P given to the parties.


(Fareeha Paul)
Member(E)


(Kalim Arshad Khan)
Chairman

Service Appeal No.530/2019 titled "Fazal Ghufran Vs. Education Department"

ORDER


23rd Feb. 2024


Kalim Arshad Khan, Chairman. Learned counsel for the appellant present.

Mr. Asif Masood Ali Shah, Deputy District Attorney present. Respondents No.4 & 5 in person present.

2. Arguments were heard at some length. Consensus was developed that let the matter be sent back to the District Education Officer Kohistan who will resolve it at his end within a period of two months and whatever is the entitlement of the appellant under the rules, he would be paid the same and in case there is any legal hurdle or impediment in the way of payment of any emoluments of the retirement, the appellant will be apprised in writing and confronting with the same, so that he will be able to resort to avail available to him under the law. Disposed of accordingly. Consign.

3. *Pronounced in open Court at Peshawar under our hands and seal of the Tribunal on this 23rd day of February, 2024.*


(Farzeha Paul)
Member (E)


(Kalim Arshad Khan)
Chairman

Mutazem Shah