

BEFORE THE KHYBER PAKHTUNKHWA SERVICE TRIBUNAL,
PESHAWAR

Appeal No. 681/2016

Date of Institution ... 20..06.2016

Date of Decision ... 29.11.2018

Nasrullah Ex-SET (Retired) GHS Kula Dhand District Charsadda.
... (Appellant)

VERSUS

The Secretary, Elementary & Secondary Education, Peshawar and 4 others.
... (Respondents)

SYED NUMAN SHAH BUKHARI,
Advocate. ... For appellant

MR. MUHAMMAD JAN,
Deputy District Attorney ... For respondents.

MR. HAMID FAROOQ DURRANI, ... CHAIRMAN
MR. HUSSAIN SHAH, ... MEMBER(E)

JUDGMENT

HAMID FAROOQ DURRANI, CHAIRMAN:-

Learned counsel for the appellant stated that the appellant was not paid salary for the period commencing from 01.09.2005 to 14.03.2005 (6 months and 14 days). To verify the said fact the respondents were required to apprise the Tribunal from their record regarding attendance of duty by the appellant or otherwise at the place of his posting during relevant period.

2. Today the record including attendance register of GHS Maryamzai, for the disputed period, has been produced in original which reflects that in the month of September 2004 the appellant had availed 9 days casual leave, in October 2004 the appellant remained absent throughout, in November 2004 he remained absent for 13 days, in December 2004 he was absent for 6 days, in January 2005 absence was for 18

days, in February 2005 he remained absent throughout and in March 2005 he was absent upto his last day of duty in the said school.

3. The appellant stated at the bar that he would be satisfied if his salary for the disputed period is released against the number of days on which he had performed his duty.

4. Learned counsel for the respondents, on the other hand, opposed the appeal and stated that the appellant, though retired now, had dubious conduct throughout his service and had remained away from duty at different intervals of time. In his view, the respondents had already remained lenient with the appellant by not initiating punitive proceedings against him for his faults.

5. At this stage, when the appellant already stands retired, we consider it appropriate to dispose of the appeal in hand in the manner that his salary for the days on which he performed duty as per documentary evidence available with the respondents during the disputed period i.e. between 01.09.2004 to 14.3.2015, shall be released forthwith in accordance with the law. File be consigned to the record room.



(HUSSAIN SHAH)
MEMBER(E)



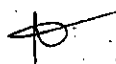
(HAMID FAROOQ DURRANI)
CHAIRMAN


ANNOUNCED
29.11.2018

Service Appeal No. 681/2016.

28.08.2018

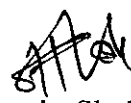
Appellant with counsel and Mr. Kabirullah Khattak, Additional AG for the respondents present. Learned counsel for the appellant seeks adjournment. Adjourned. To come up for arguments on ~~18~~ 10.2018 before D.B.


(Ahmad Hassan)
Member


(Muhammad Amin Khan Kundi)
Member

18.10.2018

Counsel for the appellant present. Mr. Muhammad Riaz Paindakhel, Asst: AG alongwith Mr. Arshad Ali ADO Litigation & Mr. Kafil Ahmed Junior Clerk for the respondents present. Learned counsel for the appellant seeks adjournment. Granted. Case to come up for arguments on 29.11.2018 before D.B.


(Hussain Shah)
Member


(Ahmad Hassan)
Member

29.11.2018

Appellant alongwith counsel and Mr. Muhammad Jan, Deputy District Attorney alongwith Kafeel Ahmad, Junior Clerk for the respondents present.

Arguments heard and record perused.

Vide our detailed judgment of today, this appeal is disposed of. Parties are left to bear their respective costs. File be consigned to the record room.


Member


Chairman

Announced:
29.11.2018

09.03.2018

Appellant with counsel and Mr. Muhammad Jan, Deputy District Attorney for the respondents present. Representative of the department namely Arshed Ali absent. Further progress of the case in hand could not be made due to absent of the representative of respondent-department hence, adjourned at the cost of Rs. 100/- which shall be borne by the representative of the department and will be paid to the appellant. Adjourned. To come up for arguments on 10.05.2018 before D.B.



(Muhammad Amin Khan Kundi)
Member



(Muhammad Hamid Mughal)
Member

10.05.2018

The Tribunal is defunct due to retirement of Hon'ble Chairman. Therefore, the case is adjourned. To come on 25.07.2018



READER

25.07.2018


Since 25.07.2018 has been declared as public holiday on account of General Election. Therefore, case is adjourned on 28.08.2018 before D.B



READER

21.11.2017

Counsel for the appellant present. Mr. Zia Ullah, Deputy District Attorney Arshad Ali, EDO for the respondents present. Representative of the respondent department produce incomplete record. The respondent department is directed to produce complete record on the date fixed. Last opportunity granted. To come up for such record and arguments on 25-1-18 before D.B.

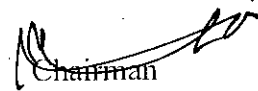

(Gul Zeb Khan)
Member


(Muhammad Hamid Mughal)
Member

25.01.2018

Counsel for the appellant present. Mr. Riaz Painsdakhel, Assistant AG alongwith Mr. Arshad Ali, EDO for the respondents present. Representative of the respondent department submitted record which is placed on file. To come up for arguments on 09.03.2018 before D.B.


Member


Chairman

18.01.2017

Counsel for appellant and Mr. Muhammad Adeel Butt, Additional AG for respondents present. Learned counsel for appellant submitted rejoinder and copy whereof handed over to learned Additional AG. To come up for arguments on 09.06.2017 before D.B.


(AHMAD HASSAN)
MEMBER


(ASHFAQUE TAJ)
MEMBER

09.06.2017


Appellant alongwith his counsel present. Mr. Ziaullah, Deputy District Attorney for the respondents also present. Learned Deputy District Attorney for the respondents requested for adjournment. Adjourned. To come up for arguments on 05.09.2017 before D.B.



(GUL ZEB KHAN)
MEMBER


(MUHAMMAD AMIN KHAN KUNDI)
MEMBER

05.09.2017

Counsel for the appellant present. Mr. Muhammad Jan, Deputy District Attorney present. Learned Deputy District Attorney seeks adjournment to produce complete record. Adjourned. To come up for arguments on 21.11.2017 before D.B.


(Muhammad Amin Khan Kundi)
Member


(Muhammad Hamid Mughal)
Member

31.08.2016

Appellant with counsel, M/S Hameed-ur-Rehman, AD (lit.) and Raham Taj, ADO alongwith Mr. Ziaullah, GP for respondents present. Written reply not submitted. Requested for further time. Last opportunity granted. To come up for written reply/comments on 18.10.2016 before S.B.



Member

18.10.2016

Appellant in person and Mr. Raham Taj, ADO alongwith Addl. AG for respondents present. Written reply not submitted. Requested for adjournment. To come up for written reply/comments on 17.11.2016 before S.B.



Member

17.11.2016

Appellant in person, Raham Taj, ADO, Khurshid Khan, SO and Hameed ur Rehman, AD (Litigation) alongwith Addl. AG for respondents present. Written reply submitted. The appeal is assigned to D.B for rejoinder and final hearing on 18.01.2017.



Chairman

28.6.2016.

Counsel for the appellant present. Learned counsel for appellant argued that the appellant was serving as SET when his salary for the period commencing from 01.09.2014 to 14.3.2005 was declined to him regarding which he preferred service appeal which was decided in his favour. Salary for the period commencing from 01.09.2004 to 14.3.2005 was not paid to the appellant and this Tribunal vide order dated 12.2.2016 observed that the appellant may agitate his grievances in the prescribed manners before the competent forum. That the appellant preferred departmental appeal for recovery of amount of salaries for the said period on 01.3.2016 which was not responded and hence the instant service appeal on 20.06.2016.

That the appellant is entitled to the salary etc. for the period mentioned above and withholding the same by the respondents is an act not tenable in the eyes of law.

Points urged need consideration. Admit. Subject to deposit of security and process fee within 10 days, notices be issued to the respondents for written reply/comments for 31.08.2016 before S.B.



Appellant Deposited
Security & Process Fee

Chairman

Form- A
FORM OF ORDER SHEET

Court of _____

Case No. 681/2016


S.No.	Date of order proceedings	Order or other proceedings with signature of judge or Magistrate
1	2	3
1	24/06/2016	<p style="text-align: center;">The appeal of Mr. Nasrullah resubmitted today by Syed Noman Ali Bukhari Advocate may be entered in the Institution Register and put up to the Worthy Chairman for proper order please.</p> <p style="text-align: right;"> REGISTRAR</p>
2-	27-07-2016	<p style="text-align: center;">This case is entrusted to S. Bench for preliminary hearing to be put up there on. <u>28-06-2016</u></p> <p style="text-align: right;"> CHAIRMAN</p>

The appeal of Mr. Nasrullah Ex-SET (R) GHS Kula Dhand Distt. Charsadda received to-day i.e. on 20.06.2016 is incomplete on the following score which is returned to the counsel for the appellant for completion and resubmission within 15 days.

- 1- Annexure- A of the appeal is illegible which may be replaced by legible/better one.
- 2- Address of respondent No. 5 is incomplete which may be completed according to the Khyber Pakhtunkhwa Service Tribunal rules 1974.

No. 1052 /S.T.

Dt. 20/6 /2016


REGISTRAR
SERVICE TRIBUNAL
KHYBER PAKHTUNKHWA
PESHAWAR.

Mr. Muhammad Asif Yousafzai Adv. Pesh.

Objection Removed.

A file is re-submitted
M. Asif Yousafzai
Adv. Pesh.

BEFORE THE KPK SERVICE TRIBUNAL, PESHAWAR

APPEAL NO. 681 /2016

Nasrullah

V/S

Education Deptt:

I N D E X

S.No.	Documents	Annexure	Page No.
1.	Memo of Appeal	-----	01-04
2.	Copy of order dated 31.8.2004	-A-	05-10
3.	copy of service book	-B -	11
4.	copy of order of LPR	-C-	12
5.	Copy of judgment	-D-	13-17
6.	Copy of order dated: 16.7.2009	-E-	18
7.	Copy of Execution Petition	-F-	19-21
8.	Copy of order 15.2.2016	-G-	22-23
9.	Copy of departmental appeal	-H-	24
10.	Vakalat Nama	-----	25

APPELLANT

THROUGH:

Noman Ali Bukhari
(SYED NOMAN ALI BUKHARI)

Taimur Ali Khan
&
(TAIMUR ALI KHAN)
(ADVOCATES, PESHAWAR)

BEFORE THE KPK SERVICE TRIBUNAL PESHAWAR

APPEAL NO. 681 /2016

Nasrullah Ex- SET, (Retired) GHS Kula Dhand,
District Charsadda.

Khyber Pakhtukhwa
Service Tribunal

Diary No. 642

Dated 20/6/2016

(Appellant)

VERSUS

1. The Secretary Education, (E&SE), KPK, Peshawar.
2. The Director Education (E&SE) KPK, Peshawar.
3. The District Education Officer, ^{(male) Pesh} Peshawar.
4. The Secretary Finance, KPK, Peshawar.
5. The Headmaster GHS Maryamzai, ^{Peshawar. Pesh} Peshawar.

(Respondents)

APPEAL UNDER SECTION 4 OF THE SERVICE TRIBUNAL ACT, 1974
FOR DIRECTING THE RESPONDENTS TO PAY THE SALARIES TO THE
APPELLANT FROM 01.09.2004 TILL 14.3.2005 AND AGAINST NOT
TAKING ACTION ON THE DEPARTMENTAL OF THE APPELLANT
WITHIN THE STATUTORY PERIOD OF NINETY DAYS.

PRAYER:

THAT THE ACCEPTANCE OF THIS APPEAL, THE RESPONDENTS
MAY BE DIRECTED TO PAY THE SALARIES OF THE APPELLANT
FROM 01.09.2004 TILL 14.03.2005 DATE. ANY OTHER REMEDY
WHICH THIS AUGUST TRIBUNAL DEEMS FIT AND APPROPRIATE
THAT MAY ALSO BE AWARDED IN FAVOUR OF APPELLANT.

RESPECTFULLY SHEWETH:

Filed to day FACTS:

Somesh
20-6-16
Registrar

1. That the appellant was appointed against CT post on dated 12.11.1987 in GHSS Tehkal in District Peshawar and performed his duty up to the entire satisfaction of his superior and no complaint has been filed against him.

Re-submit to day
and filed.

[Signature]
Registrar

24/6/16

2. That the appellant was transferred to GHS Maryamzai on 1.5.2000 and was promoted as SET post in the same School on vide order dated 31.8.2004. **(Copy of order is attached as Annexure-A).**
3. That after the promotion the appellant took over charge of the post of SET in GHS Marayumzai on 1.9.2004 despite the fact of that the salary of the appellant was stopped but the appellant continued his duty there till his further transfer to GMS Kher Kheri and the appellant was not paid his salaries for the period spent at GHS Marayumzai and the said salaries are still outstanding against the respondents. The appellant was then transferred to GMS Kher kheri on 15.3.2005 which is evident from the Service Book of the appellant, and the appellant was lastly retired on 1.12.2015 on attaining the age of superannuation which is evident from the order of LPR of the appellant, however the department did not paid salaries from 1.9.2004 to 14.3.2005 to the appellant till date. **(Copies of Service Book and LPR order are attached as Annexure-B&C).**
4. That the appellant filed service appeal NO. 2603/2000 for adjustment and grant of salaries the case was accepted by the Honorable Tribunal on 4.8.2003, then appellant filed execution ^{application} ~~petition~~ which was finally heard on 16.07.2009 and the august tribunal observed that the major portion of the judgment has been stood implemented and for the remaining claim the case was remanded to the respondent Deptt:. **(Copy of judgment and order dated. 16.07.2009 is attached as Annexure – D & E).**
5. That the appellant has also filed execution petition no. 02/2014 for his claim as per order dated 16.07.2009. The said execution petition was heard on 12.02.2016 and the august Tribunal was kind enough to observe that the judgment dated 04.08.2003 stood implemented; however the appellant could seek further remedy for his claim of salaries w.e.from 1.9.2004 to 14.3.2005 through a separate appeal. **(Copy of execution petition and order are attached as Annexure-F & G).**
6. That then the appellant filed departmental appeal for the salaries from 1.9.2004 to 14.3.2005 on 1.3.2016, which was not responded with in the statutory period of ninety days. **(Copy of departmental appeal is attached as annexure-H).**

7. That now the appellant has no other remedy, but constrain to file the instant appeal on the following grounds amongst others.

GROUNDS:

- A) That the non-payment of the salaries from 1.9.2004 to 14.3.2005 and not taking action on the departmental appeal of the appellant are against the law, facts and norms of justice.
- B) That according to Sec: 17 of the Civil Servant Act 1973, every Civil Servant is entitled for the payment for the service which he rendered and as the appellant was employee of the Education Deptt:, at that time therefore he is entitled to full pay.
- C) That not paying monthly salary from 1.9.2004 to 14.3.2005 to the appellant despite of the employee of the Deptt: amounts to forced labour which is prohibited under Article-11 of the Constitution of Pakistan.
- D) That the appellant has not been treated according to law and rules and has been kept deprive from his legal of pay.
- E) That the appellant has been deprived from his legal right of pay for the period mentioned above in an arbitrary manner which is not permissible under the norms of justice and fair play.
- F) That after the promotion the appellant took over charge of the post of SET in GHS Marayumzai on 1.9.2004 without drawing his salaries because the salaries were stopped and the appellant has performed his duty there up to 14.3.2005 without any salary being paid to appellant.

4

- G) That the appellant had performed his full duty for the period mentioned above and as such he is fully entitled for the payment of salaries for the period mentioned above.
- H) That the appellant seeks permission to advance other grounds and proofs at the time hearing.

It is therefore, most humbly prayed that the appeal of the appellant may be accepted as prayed for.

Nasrullah

APPELLANT

Nasrullah

THROUGH:

Noman Ali Bukhari

(S. NOMAN ALI BUKHARI)

&

Taimur Ali Khan

(TAIMUR ALI KHAN)

ADVOCATES, PESHAWAR

DIRECTORATE OF SCHOOLS AND LITERACY NWFP PESHAWAR

ORDER

Consequent upon the recommendation of the Departmental Selection Committee, the Director Schools and Literacy NWFP Peshawar is pleased to appoint the following Candidates on P.T.C. (General) on R.T.C.B. AS BASIS in (PS-16 (Rs. 3000-295-12655) plus usual allowances as admissible under the rules, with effect from 1/9/2001 and post them in the Schools noted against their names

Session:	1986	Category:	General			
1	Asfaq Ahmad Sakhawat Shah Regular	PTC GMS Ambar	GMS Ambar Swabi	SWABI	Regular	Post Occu
				47.71		
Session:	1990	Category:	General			
2	Halam Khan Alam Khan Regular	PET GMS Sarband	GHS Khararal Duner	MARDAN	Regular	Vac
				49.74		
Session:	1991	Category:	General			
3	S. Qasim Din M. Fazal Din Regular	CT GHS Rustam	GHS Battal Duner	MARDAN	Regular	Vac
				52.15		
4	Muhammad Nisar M. Ghafoor Regular	CT GHS Hund	GHS Baghbanpura Nowshera	SWABI	Regular	Vac
				48.07		
5	Zubair Ahmad M. Naseer Shah Regular	PTC GPS Platoo	GHS Karkala Duner	MARDAN	Regular	Vac
				47.84		
6	Gul Mohd Zurqand Khan Regular	PTC Ghakzal Agency	GHS Dakada Duner	MARDAN	Regular	Vac
				43.80		
7	Nasrullah S. Ishaq Ullah Regular	CT GHS Maryanzai	GHS Maryanzai Peshawar	CHARSADDA	Regular	Vac
				43.39		
8	Shakir Ullah Khan Pur Regular	PTC GPS Gula Dgali	GHS Khararal Duner	MARDAN	Regular	Vac
				40.13		
9	Lal Bahader Ali Bahader Regular	CT GHS Cadra	GHS Gandhal Duner	SWABI	Regular	Vac
				39.36		
10	Jaffar Shah Abdul Sattar Regular	CT GHSS Kattang	GHS Ghazi Kote Duner	MARDAN	Regular	Vac
				32.25		
Session:	1992	Category:	General			
11	Ali Sarwar Lal Hussain Regular	OT GHS No 1 NSR Cant	GHS Jabbi Nowshera	NOWSHERA	Regular	Vac
				54.20		
12	Said Bahadur Muqtadin Regular	PTC GPS Shamir	GHS Khairabad Nowshera	NOWSHERA	Regular	Vac
				57.71		
13	Muht Farooq Muht Hamid Regular	CT GHS Sikanda	GHS Gandhal Duner	MARDAN	Regular	Vac
				50.47		

DIRECTORATE OF SCHOOL AND LITERACY NWFP PESHAWAR

ORDER

Consequent upon the recommendation of Departmental Promotion Committee the Director School and Literacy NWFP Peshawar is pleased to appoint the following candidate as SET (General) on REGULAR BASIS in BPS-16 (Rs. 3805 295-12655) plus usual Allowances as admissible under the rules with effect from 1.9.2004 and post them in the schools noted against them names.

Session	1986	Category	General			
1. Asfaq Ahmad Sakhawat Shah Regular	SET GMS Anmbar	GMS Anmbar Swabi	Swabi 47.71	Regular	post occupied	
Session	1990	Category	General			
2. Halim Khan Afridi Khan Regular	SET GMS sarband	GMS Khararai Buner	Mardan 49.74	Regular	Vacant post	
Session	1991	Category	General			
3. S. Qiamud Din M Fazal Din Regular	CT GMS Rustam	GHS Battal Buner	Mardan 52.15	Regular	Vacant post	
4. Muhammad Nisar M Ghafoor Regular	CT GMS Hund	GHS BaghbanPura Nowshera	Swabi 48.07	Regular	Vacant post	
5. Zubair Ahmad Afridi Khan Regular	PTC GPS Platoo	GHS Katkala Buner	Mardan 47.84	Regular	Vacant post	
6. Gul Mohd Zarqabnd Khan Regular	PTC Orakzai Agency	GHS Dakada Buner	Mardan 43.80	Regular	Vacant post	
7. Nasrullah S. Ishaq Ullah Regular	CT GHS Maryamzai	GHS Maryamzai Peshawar	Charsadda 43.39	Regular	Vacant post	
8. Shakir Ullah Khan Pur Regular	PTC GPS Guli Bgah	GHS Khararal BunIr	Mardan 40.13	Regular	Vacant post	
9. Lal Bahader Ali Bahader Regular	CT GHS Qadra	GHS Ganshal Buner	Swabi 39.36	Regular	Vacant post	
10. Jafar Shah Abdul Sattar Regular	CT GHSS Kattang	GHS Ghazi Kote Buner	Mardan 32.25	Regular	Vacant post	
Session	1992	Category	General			
11. Ali Sarwar Lal Hussain Regular	OT GHS No.1 NSR Cant	GHS Jabbi Nowshera	Nowshera 54.20	Regular	Vacant post	
12. Said Bahadur Muqtadin Regular	PTC GPS Shandu	GHS Khararal Nowshera	Nowshera 51.71	Regular	Vacant post	

Muhtaram Shah	CT GMS Kurvi	GHS Ali baig Nowshera	NOWSHERA	Regular	Vacant Post
Muzaffar Shah			57.61		
Regular					
31 Shahras Khan	CT GHS S Khan-1	GHS Ghazi kot Bunir	SWABI	Regular	Vacant Post
Nawab Khan			57.19		
Regular					
32 Ibadullah	CT GHS Turnab	GHS Masho Gagher Peshawar	CHARBADDA	Regular	Vacant Post
Aziz ur Rahman			57.10		
Regular					
33 Khaista Gul	CT GHS Shaidu	GHS Shaidu Nowshera	NOWSHERA	Regular	Vacant Post
Zar Gul			56.91		
Regular					
34 Ikhtiar Zaman	CT GHS Shahcol(NSR)	GHS Pahari Kati Khel Nowshera	NOWSHERA	Regular	Vacant Post
Arab Gul			56.74		
Regular					
35 Muhammad Ayaz	CT GHS-1 S.Khan	GMS Palesi Nowshera	SWABI	Regular	Vacant Post
Parwarish			56.46		
Regular					
36 Akram Suhail	CT GMS Watter	GMS Watter Nowshera	NOWSHERA	Regular	Vacant Post
H.Akbar			56.34		
Regular					
37 S. Muhd: Raza	CT GMS Passani	GMS Banda bazid Khel Peshawar	PESHAWAR	Regular	Vacant Post
S.M. Basit Shah			56.19		
Regular					
38 S. Zulfqar All Shah	CT GHS AC (NSR)	GMS Walal Nowshera	NOWSHERA	Regular	Vacant Post
Said Badshah			56.00		
Regular					
39 Shah Nawaz	CT GHS-3 Pesh City	GHS Barbar Opazal Peshawar	CHARBADDA	Regular	Vacant Post
Anwar Khan			55.77		
Regular					
40 Fazil Hadi	CT GHSS No1 City	GHS Kafoor Dheri Peshawar	PESHAWAR	Regular	Vacant Post
Akhtar Biland			55.72		
Regular					
41 Said Ul Amin	GMS M.aman Korona	GMS Zara Malina Nowshera	NOWSHERA	Regular	Vacant Post
Mohd Afzal			55.69		
Regular					
42 Muhd Irshad	CT GHSS Kallang	GCMHS Dir	MARDAN	Regular	Vacant Post
Zarfarosh Khan			55.56		
Regular					
43 Mohd. Amin	DM GHS Zakhai Qabristan	GHS Mall Khola Nowshera	NOWSHERA	Regular	Vacant Post
Mobin Khan			55.51		
Regular					
44 Abdur Rashid	CT GMS Jhangira	GHS Jhangira Road Nowshera	SWABI	Regular	Vacant Post
Muhib-Ullah			55.46		
Regular					
45 Mohd: Saleem	CT GHS Dubra	GHS Dhoda Khat	CHARBADDA	Regular	Vacant Post
Rahuddin			55.40		
Regular					

46	Ahmad Saeed Hidayat ur Rahman Regular	CT GHS MMKhel-2	GHS Gul Bela Peshawar	CHARSADDA	Regular	Vacant Post
47	Muhammad Dust Firdus Khan Regular	CT GHS Azu Khat Bala	GHS Dagi Bangla Nowshera	NOWSHERA	Regular	Vacant Post
48	Anwar Ali Shah Munir Shah Regular	PTC GPS No.2 S/Dher	GHS Jabbi Nowshera	MARDAN	Regular	Vacant Post
49	Fazal Ihsan Dilawar Khan Regular	CT GHS Kunda	GMS Malikpur Kohat	SWABI	Regular	Vacant Post
50	Azizur Rehman M. Hazrat Hussain Regular	CT GHS Mansabdar	GMS Garrai Bunir	SWABI	Regular	Vacant Post
51	Noorul Basar Zulqadar Regular	CT GHS M. Payan	GHS Nogram Bunir	SWABI	Regular	Vacant Post
52	Mir Badshah Mir Nawaz Khan Regular	CT GHS kheski payan	GHS Khair Abad Nowshera	NOWSHERA	Regular	Vacant Post
53	S. Nazar Ali S. Zafar Ak Sh Regular	CT GHS Gubahar	GMS Jani Garhi Peshawar	PESHAWAR	Regular	Vacant Post
54	Fazil Amin Gul Zada Regular	CT GHS Malak Abad	GHS No.2 Daggar Bunir	SWABI	Regular	Vacant Post
55	Ghani Rohman Amir Khan Regular	CT GHS Adina	GMS Khushal Garh Kohat	SWABI	Regular	Vacant Post
56	Muhammad Nazir Gul Zareen Regular	CT GHS shaidu	GHS Marooba Nowshera	NOWSHERA	Regular	Vacant Post
57	Javed Khan Sheereen Khan Regular	CT GHS samander Garhi	GHS AC Contro Nowshera	NOWSHERA	Regular	Vacant Post
58	Alam Zeb Afsar Khan Regular	CT GHS Sher Garh	GHS Biliitang Kohat	MARDAN	Regular	Vacant Post
59	Mohd Ibrahim Wahid Gul Regular	PTC GPS Umerabad	GHS Saib Kohat	CHARSADDA	Regular	Vacant Post
60	Eesar All Mukhtyar Khan Regular	CT GMS Suhat Abad	GMS Suhat Abad Mardan	MARDAN	Regular	Vacant Post
61	Pervez Khan Zafarosh Khan Regular	PTC GPS Babuzai	GHS Jabbi Nowshera	MARDAN	Regular	Vacant Post

62	M. Ismail Maqsood uddin Regular	AT GHS Prang	GHS Nandraka Kohat	CHARSADDA	Regular	Vacant Post
					54.38	
63	Zahoor Ali Rahmy Shah Regular	GHS 4 City	GHS Darlahur Peshawar	PESHAWAR	Regular	Vacant Post
					54.37	
64	Hamd Ullah Jan Mohd Ullah Regular	CT GMS Kaniwar	GHS Gumbat Kohat	CHARSADDA	Regular	Vacant Post
					54.26	
65	Mian Nusrat Shah Ktk Mian Hazrat Gul Late Regular	ptc GPS No. 6 DI khel NSR	GHS Kotli Nowshera	NOWSHERA	Regular	Vacant Post
					54.17	
66	Jamshed Khan Nazar Gul Regular	CT GHS Fathma	GMS Kamar Kohat	MARDAN	Regular	Vacant Post
					54.05	
67	S. Maqsood Ali Shah S. Amir Badshah Regular	CT GHS NSR Kalan No. 1	GHS Khairabad Nowshera	NOWSHERA	Regular	Vacant Post
					53.79	
68	G. Farid Ullah S. Iraq Shah Regular	CT GHS 3 Pesh Cantt	GMS Gerna Badaber Peshawar	PESHAWAR	Regular	Vacant Post
					53.77	
69	Mohd Saleem Ashrafud Din Regular	PTC GPS No. Zando Dhari	GHS Darh Kohat	MARDAN	Regular	Vacant Post
					53.63	
70	Nazar Mohd; Abdul Ghani Regular	CT GHS Ibrahimzar	GHS Nakband Kohat	CHARSADDA	Regular	Vacant Post
					53.52	
71	Haji Muhammad H. Sher Muhd: Regular	DM GHS MMKhel-2	GHS Mathra Peshawar.	CHARSADDA	Regular	Vacant Post
					53.51	
72	Sardar Ali Abdul Lali Regular	PTC GPS No.2 Mayar	GMS Khawajkhol Kohat	MARDAN	Regular	Vacant Post
					53.49	
73	Naveed Alam Mukhtiar Shah Regular	GHS D.I.K. Nowshera	GHS Jaba Khushk Nowshera	NOWSHERA	Regular	Vacant Post
					53.45	
74	Mukhtaram Mohd Zaman Regular	PTC GPS M.M.Khel	GMS Chisham Ghunda Kohat	CHARSADDA	Regular	Vacant Post
					63.27	
75	Niaz Amin Khair Muhd: Regular	PTC GPS Dinbahar	GHS Aza Khel Mattani Peshawar	PESHAWAR	Regular	Vacant Post
					53.25	
76	Abdul Wakeel Nimal Wakeel Regular	PTC GPS A.Gul Kili	GMS Tolang Jadeed Kohat	MARDAN	Regular	Vacant Post
					53.22	
77	Javed Gul Hameed Regular	CT CMS Pesh Cantt	GHS Surezal Peshawar	PESHAWAR	Regular	Vacant Post
					53.20	

M. Wisal Mohd. Younas Regular	PTC GPS Qazi Khol	GHS Ghorzal Payan Kohat	CHARSADDA Regular	Vacant Post
70. M. Shualb Dawud Khan Regular	CT GMS 1 Tardhor	GHS Gandall Payan Kohat	SWADI Regular	Vacant Post
80 Shamsularifin Abdul Sattar Regular	PTCGPSCH Pura	GHS G. Ghulam shah Peshawar	PESHAWAR Regular	Vacant Post
81 Yousaf Khan Mohd. Iqbal Regular	CT GMS Turangzal	GHS Chakarkot Bala Kohat	CHARSADDA Regular	Vacant Post
82 Ahmad Din Awal Din Regular	CT GMS Jhangira Road	GHS Jhangira Road Nowshera	NOWSHERA Regular	Vacant Post

TERMS AND CONDITIONS OF THEIR APPOINTMENTS

- They will be governed by such rules and regulations as may be prescribed from time to time by the Govt. for the category of the Govt. servants to whom they belong.
- Their services will be liable to termination on one month's prior notice from either side. In case of resignation without prior notice, their one month's pay with allowances, shall be forfeited to Government.
- They will take over charge within TWO WEEKS and compliance reported to this Directorate.
- Their inter-se-seniority will be determined in accordance with the merit fixed by the Departmental Selection Committee.
- They shall be on probation for a period of two years.
- The EDOs concerned should ensure that the newly appointed SETs had been working on regular basis on their previous posts and not on Contract Basis before their taking over of charge as SET.
- They shall be required to furnish copies of all their certificates/degrees alongwith the original receipts and photo copies thereof pertaining to the verification fee of the concerned examining body (Board/University) to the EDOs (SL) concerned. The latter shall arrange verification of all the certificates/degrees of the appointee of their respective District and will issue a clearance certificate to each appointee for the release of his/her pay. His/her pay bill should not be submitted to the District Accounts Office concerned before verification of all certificates/degrees from the concerned institution of each candidate.
- No TA/DA etc. is allowed.
- Charge report should be submitted (in duplicate) to all concerned.

(SHAMAS KHAN)
DIRECTOR

F.No. 151/A-14/SET (MF) Appointments-2004/DSL/AD Estab-I.

Endst.No. 3444-3620 /

Dated Peshawar the 31/08/2004.

Copy forwarded to the:-

- Executive District Officers Concerned.
- District Accounts Officers concerned.
- Deputy District Officers (Male and Female) concerned.
- Principals/Headmaster/Headmistresses of school concerned
- Section Officer (Schools) Govt of NWFP Schools and Literacy Department Peshawar.
- PS to Minister for Education NWFP Peshawar.
- PS to Secretary to Govt of NWFP Schools and Literacy Department Peshawar.
- Candidates concerned.
- PA to Director Schools and Literacy NWFP Peshawar.

(Syed Manzar Jan Sajid)
Deputy Director (Establishment)

ATTESTED

- ① Service Book in original along with attested photo copy.
- ② LPC original
- ③ Attested codes copy.
- ④ Pay Release codes
- ⑤ N.I.C copy attested
- ⑥ Photograph attested
- ⑦ Change Report
- ⑧ Change Referring
- ⑨ Pay may be fix from Pay fixation party of 1-12-2001.

BDO (P+D)

 DDO Office

C (12)

(11)

DIRECTORATE OF ELEMENTARY & SECONDARY EDUCATION KHYBER
PAKHTUNHWA, PESHAWAR.

OFFICE ORDER.

Sanction is hereby accorded to the grant of Encashment of leave in lieu of LPR for 337 days in respect of Mr. Nasr Ullah SST GHS, Kuladhand District Charsadda as due and admissible to him under the Revised Leave Rules, 1981.

The District Accounts Officer Charsadda has certified that leave Encashment for 337 days is admissible to the SST concerned under the revised leave Rules, 1981.

He shall stand to be retired from service w.e.f. 01-12-2015 (AN) on attaining the age of superannuation.


DIRECTOR

Endst: No. 4009-11 / F.No.08/SST (M) Retirement/LPR/KP.

Dated Peshawar the 30/12/2015.

Copy of the above is to the:-

1. District Education Officer (M) Charsadda.
2. District Accounts Officer Charsadda.
3. Principal GHS, Kula hand Charsadda.
4. SST concerned.
5. PA to Director (E&SE) Khyber Pakhtunkhwa, Peshawar.
6. Master File.


Deputy Director (Estab)
Elementary & Secondary Education
Khyber Pakhtunkhwa

29/12/15

ATTESTED



BEFORE THE N.W.F.P. SERVICE TRIBUNAL PESHAWAR.

Appeal No.2603/2000

Date of institution-6.11.2000/

date of decision -4.8.2003.

Nasrullah Khan C.T. Teacher,
G.H.S Maryanzai, Peshawar. (APPELLANT).

VERSUS.

1.D.E.O. (M)Secondary Peshawar.
2. Director of Education Secdry,
NWFP Peshawar.
3. Secretary Education NWFP Peshawar... (RESPONDENTS).

Hafiz Habibur Rehman Advocate .. For appellant.
Mr. Abdul Qayum Govt: Pleader. .. For Respondents.

Mr. ATTAULLAH KHAN ... MEMBER.
MR. MUHAMMAD SHAUKAT ... MEMBER.

JUDGEMENT.

ATTAULLAH KHAN, MEMBER:- This order will dispose of an appeal filed by the appellant for direction to the respondents to pay him the monthly salaries w.e.f. 1.5. 2000 and onwards.

Brief fact of the case as averred in the memo of appeal are that the appellant was initially appointed as C.T. Teacher on 11.11.1987. He was transferred for dozens of times from one school to another. Finally he was transferred on 17.4.98 from GHS Hasanzai to GHS Maryanzai Peshawar. The same was challenged in the court of Senior Civil Judge Peshawar on 19.5.98. The impugned order was stayed but the suit was dismissed on 6.7.98 on the point of jurisdiction. The appellant thereafter filed an appeal No.933/98 on 8.8.98 before this Tribunal but the same was withdrawn on 23.10.99. The said order was submitted to the department

Attested
Signature
SEAN ZEB KHAN
High Court Peshawar

to adjust the appellant in any school. The appellant was adjusted on 26.4.2000 in the notification of the said date at s.No.33. in the said notification the appellant was shown posted/transferred from GHS Hassanzai Charsadda to GHS Maryanzai Peshawar against a vacant post. The appellant tookover the charge in the said School on. 1.5.2000 on 8.7.2000 the appellant submitted an appeal to respondent No.2, to pay him the due salaries but with no response.

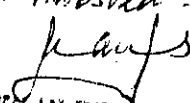
The appellant has assailed the impugened order/ refusal on the grounds that since 11.11.87 the appellant served the department to the best of his ability with good results. The department is legally bound to pay appellant the salaries for the following months:-

<u>From</u>	<u>to</u>	<u>amount.</u>
October, 96	November 96, 2 months	8184.34.
December 1996	April 1997, 5 months	21322.20
May 1997	November 97, annual incre	
difference of pay becasue ments		
1996 of annual increment, Dec:98)		1894.97.
April 1998	Nov:1998 8months	35493.68.
Dec, 1998	Nov:1990 12 months	55307.76.
December 1999	April 2000, 5months.	23906.25.
Total:-32months		146109-20.

The respondents were submmoned. They appeared through their representative/counsel, submitted written reply, contested the appeal and denied the claim of the appellant.

The appellant has also submitted his re-joinder in which he has rebutted all the objections of the respondents.

Arguments of the learned, counsel for the appellant and Government pleader for the respondents have been heard and recoord perused.

Attested

 JEYAN ZEH KHAN
 Advocate
 High Court Peshawar.

The learned counsel for the appellant argued that the appellant is serving as C.T. Teacher in the respondent department since 11.11.1987 and has been transferred a number of times from one school to another. The appellant while working as C.T. Teacher at GHS Hasanzai Charsadda was transferred to GHS Maryanzai Peshawar on 17.4.98 in violation of the Government transfer policy. The appellant, therefore, challenged the said transfer order in the court of Senior civil Judge Peshawar who granted him stay. Later on the senior Civil Judge dismissed the appeal of the appellant on the point of jurisdiction on 6.7.98 and the appellant lodged appeal before the service Tribunal on 8.8.98. The Service Tribunal directed the respondent department to adjust the appellant at any other school in the department vide order dated 23.10.99. The respondent department transferred the appellant from GHS Hasanzai to GHS Maryanzai Peshawar vide order dated 26.4.2000 and the appellant in pursuance of the said order reported for duty/took over the charge of the post on 1.5.2000 but he was not allowed to perform his duty by the Head Master of the school on the plea that there is no vacant post of C.T. in the school. The learned counsel submitted that the appellant has not been paid his due salaries from 17.4.98 till 1.5.2000 and onward by the respondent department for unknown reasons. The learned counsel contended that the appellant has been made to suffer due to wrong orders of the respondent department and has been deprived of his salaries for no fault on his part. The learned counsel submitted that the appellant be paid his learned counsel submitted that the appellant be paid his salaries to meet the ends of justice.

The learned counsel for the state/respondent department stated that the appellant was transferred from GHS Hasanzai to Maryanzai Peshawar vide order dated 17.4.98. The appellant did not comply with the said transfer order and not reported for duty and remained absent. The appellant.

Ali uted.
Janis
 JEBAN YER KHAN
 High Court, Peshawar

was again transferred vide order dated 26.4.98 but the appellant did not report for duty at the school to which he was transferred and he remained absent and as such he has not been paid his salaries. The learned counsel for the state contended that as the appellant remained absent and did not perform his duties he is not entitled to the payment of salaries.

The Tribunal observes that the appellant was serving as C.T. at GHS Hassanzai without any complaint and was transferred from there to GHS Maryanzai vide order dated 17.4.98 without any reason prematurely in violation of the transfer policy. The transfer order of the appellant was suspended and he was granted stay by the court. The appeal continued to serve at GHS Hassan Zai Charsadda till 26.4.2000 as evident from his second transfer order dated 26.4.2000. The contention of the respondent department that the appellant remained absent from 17.4.98 to 26.4.2000 do not appear correct as had the appellant been absent he would have been issued notices, charge sheet and proceeded against under the E.D rules for his absence. As regards the contention of the respondent department that the appellant did not take over charge at GHS Maryanzai in pursuance of the transfer order dated 26.4.2000 that is also not correct as the appellant took over charge against the vacant post of C.T. at GHS Maryanzai, on 1.5.2000 as evident from the charge report duly signed by the then head Master. The appellant was however, not allowed to perform his duty by the Head Master at the school and the appellant brought the matter to the notice of respondent department as evident from the applications dated 9.5.2000 addressed to the Director of Education and dated 14.10.2000 addressed to the concerned Minister and direction of the DEO and deputy Director Secondary Education to the Head Master vide office Note dated 9.5.2000/19.6.2000. Thus the appellant was not allowed to perform his duty and as such he could not be

Attested.
 [Signature]
 High Court, Peshawar.

deprived of his salary. The appellant could not be penalised except under the E&D rules.

In view of the above exposition of the case, the appellant is held to be entitled for the payment of his salaries.

The appeal is disposed of accordingly with no order as to costs. File be consigned to the record.

ANNOUNCED.

4.8.2003.

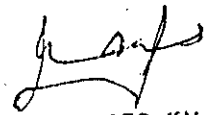
sdt-

(ATTULLAH KHAN)
MEMBER.

sdt-

(MUHAMMAD SHAUKAT)
MEMBER.

Attested



IRFAN IRFAN KHAN
ASSISTANT
High Comm. Pakistan

No. of Order or Proceedings

Date of Order or Proceedings

Order or other Proceedings with Signature of Judge or Magistrate and that of parties or counsel where necessary

9

16.7.2009

Annexure - E

Petitioner in person, Ghulam Mustafa
A.G.P. alongwith Khaista Rehman A.D.O
representative of respondents present. Major
portion of the judgment has been
implemented. The case is remanded to the
respondent department to redress the
grievance of the petitioner. The application is
therefore, filed. File be consigned to the
record.

ANNOUNCED.
16.7.2009.

Member

Member

APPROVED TO BE FILED
[Signature]
Secretary
District Jail
Ghazipur

Number
Date of completion

450 29/7/09
4-00
4-00
17/8/09
17/8/09

Amirul

F

19

BEFORE HON'BLE SERVICE TRIBUNAL
KHYBER PAKHTUNKHWA PESHAWAR

Execution Petition No. 02 /2014

IN
Service Appeal No.2603/2000

Nasrullah, S.E.T Teacher GHS Agra, District Charsadda
R/O Tehsil Tangi, Nasrat Zai, Qila Miangan, District
Charsadda.

...Petitioner

VERSUS

1. Director of Education Khyber Pakhtunkhwa Peshawar.
2. District Education Officer Charsadda.
3. District Education Officer Peshawar.
4. Headmaster Government High School Maryamzai.

...Respondents

EXECUTION PETITION FOR IMPLEMENTATION
OF THE JUDGMENT OF THE HON'BLE TRIBUNAL
DATED 04-08-2003 PASSED IN SERVICE APPEAL

NO.2603/2000 AND ORDER SHEET DATED 16-
07-2009.

20

Respectfully Sheweth,

1. That the above titled Service Appeal was accepted by the Hon'ble Tribunal vide judgment dated 04-08-2003 and then Hon'ble Tribunal order sheet dated 16-07-2009 (Annex "A") the last Para of Hon'ble Tribunal decision (Appeal No.2603/2000 is reproduced as under:
 - i. In view of the above exposition of the case, the appellant is held to be entitled for the payment of his salaries the appeal is disposed of accordingly with no order as to costs. File be consigned to the record.
2. That in the order of the Hon'ble Tribunal dated 16-07-2009 it is mentioned that ""Major part of the judgment has been implemented. The case is remanded to the respondent department to redress the grievance of the petitioner. The appeal is therefore filed. File be consigned to the record.
3. That after obtaining the copy of the judgment and order sheet dated 16-07-2009, petitioner applied



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to the respondents to pay salaries for the remaining period but till date respondents did not pay salaries of the remaining period which is as follows:-

- a. The respondents did not pay salaries to appellant from 01-10-1996 to 30-04-1997.
- b. That the respondents did not pay salaries to appellant from 01-04-1998 to 30-04-2000.
- c. That the respondent did not pay salaries to appellant from ~~04~~-09-2004 to 14-03-2005.

It is, therefore, most humbly prayed that on acceptance of this petition, the respondents be directed to implement the judgment of the Hon'ble Tribunal and to pay salaries for the remaining period as mentioned above.

Dated: 06-01-2014

Nasrullah
APPLICANT

*Nasrullah S.E.T. Teacher
Agra District Charsadda.
R/o Tangi Nasratzai, Qila
Miagan, District Charsadda*

Amma 'G' (22)



BEFORE HON'BLE SERVICE TRIBUNAL
KHYBER PAKHTUNKHWA PESHAWAR

Execution Petition No. 02 /2014

IN

Service Appeal No.2603/2000

19
06-01-2014

Nasrullah, S.E.T Teacher GHS Agra, District Charsadda
R/O Tehsil Tangi, Nasrat Zai, Qila Miangan, District
Charsadda.

...Petitioner

VERSUS

1. Director of Education Khyber Pakhtunkhwa Peshawar.
2. District Education Officer Charsadda.
3. District Education Officer Peshawar.
4. Headmaster Government High School Maryamzai.

...Respondents

ATTESTED

EXAMINER
Khyber Pakhtunkhwa
Service Tribunal,
Peshawar

EXECUTION PETITION FOR IMPLEMENTATION
OF THE JUDGMENT OF THE HON'BLE TRIBUNAL
DATED 04-08-2003 PASSED IN SERVICE APPEAL

Execution Petition No. 02/2014
Nasrullah vs Govt



12.02.2016

Petitioner in person, M/S Hameed-ur-Rehman, AD (Lit.) and

Raham Taj, ADO alongwith Addl: A.G for respondents present.
Informed the Tribunal that the salary in respect of period mentioned in the judgment has been paid to the petitioner. He, however, expressed his reservations as he has not paid the salary for the period effective from 1.9.2004 to 14.3.2005. The said period is not covered by the judgment of this Tribunal as such it is held that the judgment of this Tribunal dated 4.8.2003 stood implemented. The petitioner may however agitate his grievances regarding the afore-stated claim before the competent forum in the prescribed manners, if so advised. Orders of attachment of salaries of respondents are withdrawn. The petition is disposed of accordingly. File be consigned to the record room.

Sd/-
Chairman

ANNOUNCED
12.02.2016

Date of Presentation of Application 22-06-16
Number of Words 850
Copying Fee 6
Urgent 2
Total 8
Name of Copyist SMD
Date of Completion of Copy 22-06-16
Date of Delivery of Copy 22-06-16

Certified to be true copy
EXAMINER
Khyber Pakhtunkhwa
Service Tribunal,
Peshawar

خدمت جناب ڈائریکٹر صاحب، محکمہ خیر و خیر خواتین، ضلع پشاور



عنوان: اپیل برائے تنخواہ 1/9/2004 تا 14/3/2005

جناب عالی

موصیاً نہ گزارش ہے کہ مقررہ سروس کے ٹریبونل اپیل نمبر 2603/2000 کے فیصلے مورخہ 4/8/2003 کے بعد میں 2007 تک تنخواہ بند تھی اور بندہ نے G.H.S. مہرازی

ضلع پشاور میں S.F.T. سے S.F.T. پوسٹ پر مہرازی کے بعد 1/9/2004 کو چارج

لیا اور بندہ تنخواہ پر G.H.S. مہرازی ضلع پشاور سے G.M.S. مہرازی ضلع پشاور

تبادلہ کر دیا گیا اور وہ پاب 15/3/2005 کو چارج لیا اور بندہ تنخواہ پر ڈپلومی سرانجام

دیباہ لیا بعد 1/9/2004 سے 14/3/2005 تک تنخواہ بھی تک ادا نہیں کی گئی

برائے مہربانی مجھے G.H.S. مہرازی سکول ضلع پشاور میں S.F.T. پوسٹ

پر 1/9/2004 تا 14/3/2005 تنخواہ ادا کی جائے اور اس کے لئے احکامات

صادر فرمائیں۔ آپ کی رٹلی مہربانی ہوگی۔

113,2006

الم

آپ کا تابع و فرمان

Nasrullah

S.E.T. پشاور، ولد سید اسحاق اللہ

(G.H.S. مہرازی ضلع پشاور سے مہرازی)

مستقل تپہ، تحصیل منگی، ٹورٹ زئی قلعہ میانگان، ضلع چارسدہ

ATTESTED

Handwritten signature

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Mr. P. K.

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... ..

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... ..

BEFORE THE SERVICE TRIBUNAL KHYBER PAKHTUNKHWA PESHAWAR

SERVICE APPEAL NO. 681/2016

Nasrullah

V/S

GOVT.

Reply on behalf of Respondents

Respectfully Sheweth:-

The Respondents submit below:-

Preliminary objections:-

- 1.** That the Appellant has got no cause of action/ locus standi.
- 2.** That the instant appeal is badly time barred.
- 3.** That the instant Appeal is not maintainable in its present form.
- 4.** That the instant Appeal is bad for mis- joinder and non- joinder of the necessary parties.
- 5.** That the Appellant has not come with clean hands to this Hon, able Tribunal.
- 6.** That the instant appeal is barred by law.
- 7.** That this Hon, able Tribunal has got no jurisdiction to adjudicate upon the instant Service Appeal.
- 8.** That the Appellant has been estopped by his own conduct.

On Facts:-

1. That Para-1 is correct to the extent that the Appellant was appointed as C.T teacher while rest of the Para is incorrect and against the facts. The Appellant was not regular in his duties and was not obeying the orders of his officers. Many complaints were filed against him by the school officials as well by the student community. (Register Daily Attendance – Order Books & Complaints are attached as Annex: A – B & C)
2. That Para-2 is correct to the extent that the Appellant was transferred and promoted but he was not regular in his duties.
3. That in reply to Para-3, it is submitted that the Appellant was not performing his duties, therefore, his salaries were stopped and is not entitled for relief as claimed because he did not perform his duty.

4. That in reply to Para-4, it is submitted that the impugned period i.e. 1-9-2004 to 14-3-2005 was not the part of Service Appeal No.2603/2000, hence Para-4 needs no comments.
5. That Para-5 pertains to record.
6. That the Appellant has no cause of action, therefore, his Departmental Appeal is not maintainable.
7. That Para-7 is incorrect and denied. The Appellant has no cause of action.

Grounds.

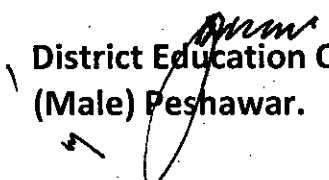
- A. That in reply to Ground-A, it is submitted that the Appellant was not regular in his duties, therefore, the Appellant is not entitled for the relief as claimed in the instant service appeal.
- B. That Ground-B is replied in Ground-A.
- C. That in reply to Ground-C, it is submitted that the Appellant was not regular in his duties and had taken the law in his hands by not obeying the orders of the school authorities, therefore, Appellant is not entitled for the pay for the impugned period.
- D. That Ground-D is incorrect and denied. It was the Appellant who taken the law in his hands and was not performing his duties, therefore, the Appellant is not entitled for the pay for the impugned period.
- E. That Ground-E is replied in Ground-D.
- F. That in reply to Ground-F, it is submitted that the Appellant was not performing his duties, therefore, the is not entitled for the pay for the impugned period.
- G. That Ground-G is fully replied in the above Para.
- H. That the Respondents also seek leave of this Hon, able Tribunal to present case law and raise additional grounds at the time of arguments.

It is therefore, very humbly prayed that on the acceptance of this reply, the instant appeal may very kindly be dismissed.


Secretary,
(E & SE) KPK Peshawar


Director,
(E & SE) KPK Peshawar


Secretary,
Finance, KPK Peshawar


District Education Officer
(Male) Peshawar.


Head Master,
GHS, Maryamzai Peshawar.

رجسٹر حاضری معلمین

گورنمنٹ سیکولر کالج (سائبریا)

ادارہ

ستمبر 2004

تاریخ	S.E.T			T.T			غائبہ
	آمد	روٹائی	دستخط	آمد	روٹائی	دستخط	
1	7/30	7/30	7/30	7/30	7/30	7/30	
2	7/30	7/30	7/30	7/30	7/30	7/30	
3	7/30	7/30	7/30	7/30	7/30	7/30	
4	7/30	7/30	7/30	7/30	7/30	7/30	
5	7/30	7/30	7/30	7/30	7/30	7/30	
6	7/30	7/30	7/30	7/30	7/30	7/30	
7	7/30	7/30	7/30	7/30	7/30	7/30	
8	7/30	7/30	7/30	7/30	7/30	7/30	
9	7/30	7/30	7/30	7/30	7/30	7/30	
10	7/30	7/30	7/30	7/30	7/30	7/30	
11	7/30	7/30	7/30	7/30	7/30	7/30	
12	7/30	7/30	7/30	7/30	7/30	7/30	
13	7/30	7/30	7/30	7/30	7/30	7/30	
14	7/30	7/30	7/30	7/30	7/30	7/30	
15	7/30	7/30	7/30	7/30	7/30	7/30	
16	7/30	7/30	7/30	7/30	7/30	7/30	
17	7/30	7/30	7/30	7/30	7/30	7/30	
18	7/30	7/30	7/30	7/30	7/30	7/30	
19	7/30	7/30	7/30	7/30	7/30	7/30	
20	7/30	7/30	7/30	7/30	7/30	7/30	
21	7/30	7/30	7/30	7/30	7/30	7/30	
22	7/30	7/30	7/30	7/30	7/30	7/30	
23	7/30	7/30	7/30	7/30	7/30	7/30	
24	7/30	7/30	7/30	7/30	7/30	7/30	
25	7/30	7/30	7/30	7/30	7/30	7/30	
26	7/30	7/30	7/30	7/30	7/30	7/30	
27	7/30	7/30	7/30	7/30	7/30	7/30	
28	7/30	7/30	7/30	7/30	7/30	7/30	
29	7/30	7/30	7/30	7/30	7/30	7/30	
30	7/30	7/30	7/30	7/30	7/30	7/30	
31	7/30	7/30	7/30	7/30	7/30	7/30	
شماره	مال	سابقہ	میزان	مال	سابقہ	میزان	شماره
14	2	12	13	1	12	15	11

HEAD MASTER
G.H.S. Maryamzai
Peshawar

رجسٹر حاضرین معلمین

گورنمنٹ ہائی اسکول سرگم زئی لہارہ

ماہ اکتوبر 2004ء

اوارہ

عبدالرحمن A.T.			SET لبر الہی			SET قاضی علاؤ الدین			SET محمد یعقوب			نام
آمد	رواقی	دستخط	آمد	رواقی	دستخط	آمد	رواقی	دستخط	آمد	رواقی	دستخط	تاریخ
7:30	11								7:35	11/30		1
7:30	17:50								7:35	11/30		2
7:30	12/50								7:35	12/50		3
7:30	12/50								7:35	14/50		4
7:30	12/50								7:35	12/50		5
7:30	12/50								7:35	12/50		6
7:30	11								7:35	12/50		7
7:30	12/50								7:35	12/50		8
7:30	12/50								7:15	12/50		9
7:30	12/50								7:15	12/50		10
7:30	12/50								7:15	12/50		11
7:30	12/50								7:15	12/50		12
7:30	12/50								7:15	12/50		13
7:30	12/50								7:15	12/50		14
7:30	12/50								7:15	12/50		15
7:30	12/50								7:15	12/50		16
7:30	12/50								7:15	12/50		17
7:30	12/50								7:15	12/50		18
7:30	12/50								7:15	12/50		19
7:30	12/50								7:15	12/50		20
7:30	12/50								7:15	12/50		21
7:30	12/50								7:15	12/50		22
7:30	12/50								7:15	12/50		23
7:30	12/50								7:15	12/50		24
7:30	12/50								7:15	12/50		25
7:30	12/50								7:15	12/50		26
7:30	12/50								7:15	12/50		27
7:30	12/50								7:15	12/50		28
7:30	12/50								7:30	11/30		29
7:30	12/50								7:30	12/50		30
7:30	12/50								7:30	12/50		31
مال	سائیکل	میزان	مال	سائیکل	میزان	مال	سائیکل	میزان	مال	سائیکل	میزان	
3	14	17	3	13	13	3	6	13	3	6	13	

مدرسہ
 13
 17 14 3
 13
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 13
 6
 13

رجسٹر حاضرین معینین

گورنمنٹ ہائی اسکول، درگم زئی، ایسٹ وار

۰۶ نومبر ۱۹۵۹ء

عبدالرحمن صاحب			انصاری صاحب			قاسمی مسلاؤ الدین			محمد یعقوب صاحب			ردیف
A.T			SET			SET (SC)			SET			نمبر
آمد	روٹائی	دستخط	آمد	روٹائی	دستخط	آمد	روٹائی	دستخط	آمد	روٹائی	دستخط	نمبر
7/35									7/35			1
7/35									7/35			2
7/35									7/35			3
7/35									7/35			4
7/35									Leave			5
7/35									7/35			6
7/30									7/35			7
7/30									7/25			8
7/30									7/25			9
7/30									7/25			10
7/30									7/25			11
7/30									7/25			12
												13
												14
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												25
												26
												27
												28
												29
												30
مال	سابقہ	میزان	مال	سابقہ	میزان	مال	سابقہ	میزان	مال	سابقہ	میزان	مجموعہ
20	17	3	15	13	2				16	13	3	

Attested
2/11/59

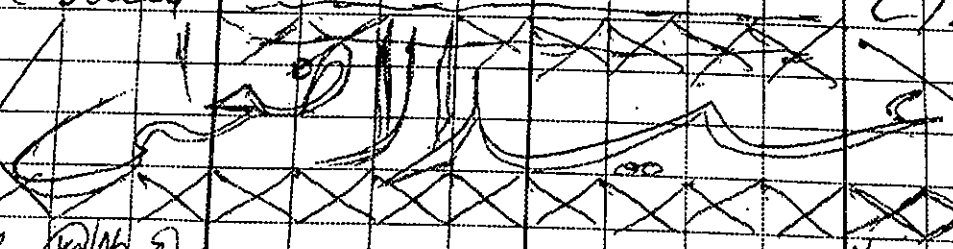
جسٹریٹری اڈیشن

بابت ماہ جنوری

2005

پولیس

تصویر اور نام			لر القہہ			علاقہ الہ آباد			لر قلعہ			نمبر
J. Clark			SET			SET (sc)			SET			آرٹیکل
دستخط	روائی	آدم	دستخط	روائی	آدم	دستخط	روائی	آدم	دستخط	روائی	آدم	تاریخ
on duty	on duty	on duty	on duty	on duty	on duty	on duty	on duty	on duty	on duty	on duty	on duty	1
on duty	on duty	on duty	on duty	on duty	on duty	on duty	on duty	on duty	on duty	on duty	on duty	2
on duty	on duty	on duty	on duty	on duty	on duty	on duty	on duty	on duty	on duty	on duty	on duty	3
on duty	on duty	on duty	on duty	on duty	on duty	on duty	on duty	on duty	on duty	on duty	on duty	4
on duty	on duty	on duty	on duty	on duty	on duty	on duty	on duty	on duty	on duty	on duty	on duty	5
on duty	on duty	on duty	on duty	on duty	on duty	on duty	on duty	on duty	on duty	on duty	on duty	6
on duty	on duty	on duty	on duty	on duty	on duty	on duty	on duty	on duty	on duty	on duty	on duty	7
on duty	on duty	on duty	on duty	on duty	on duty	on duty	on duty	on duty	on duty	on duty	on duty	8
on duty	on duty	on duty	on duty	on duty	on duty	on duty	on duty	on duty	on duty	on duty	on duty	9
on duty	on duty	on duty	on duty	on duty	on duty	on duty	on duty	on duty	on duty	on duty	on duty	10
on duty	on duty	on duty	on duty	on duty	on duty	on duty	on duty	on duty	on duty	on duty	on duty	11
on duty	on duty	on duty	on duty	on duty	on duty	on duty	on duty	on duty	on duty	on duty	on duty	12
on duty	on duty	on duty	on duty	on duty	on duty	on duty	on duty	on duty	on duty	on duty	on duty	13
on duty	on duty	on duty	on duty	on duty	on duty	on duty	on duty	on duty	on duty	on duty	on duty	14
on duty	on duty	on duty	on duty	on duty	on duty	on duty	on duty	on duty	on duty	on duty	on duty	15
on duty	on duty	on duty	on duty	on duty	on duty	on duty	on duty	on duty	on duty	on duty	on duty	16
on duty	on duty	on duty	on duty	on duty	on duty	on duty	on duty	on duty	on duty	on duty	on duty	17
on duty	on duty	on duty	on duty	on duty	on duty	on duty	on duty	on duty	on duty	on duty	on duty	18
on duty	on duty	on duty	on duty	on duty	on duty	on duty	on duty	on duty	on duty	on duty	on duty	19
on duty	on duty	on duty	on duty	on duty	on duty	on duty	on duty	on duty	on duty	on duty	on duty	20
on duty	on duty	on duty	on duty	on duty	on duty	on duty	on duty	on duty	on duty	on duty	on duty	21
on duty	on duty	on duty	on duty	on duty	on duty	on duty	on duty	on duty	on duty	on duty	on duty	22
on duty	on duty	on duty	on duty	on duty	on duty	on duty	on duty	on duty	on duty	on duty	on duty	23
on duty	on duty	on duty	on duty	on duty	on duty	on duty	on duty	on duty	on duty	on duty	on duty	24
on duty	on duty	on duty	on duty	on duty	on duty	on duty	on duty	on duty	on duty	on duty	on duty	25
on duty	on duty	on duty	on duty	on duty	on duty	on duty	on duty	on duty	on duty	on duty	on duty	26
on duty	on duty	on duty	on duty	on duty	on duty	on duty	on duty	on duty	on duty	on duty	on duty	27
on duty	on duty	on duty	on duty	on duty	on duty	on duty	on duty	on duty	on duty	on duty	on duty	28
on duty	on duty	on duty	on duty	on duty	on duty	on duty	on duty	on duty	on duty	on duty	on duty	29
on duty	on duty	on duty	on duty	on duty	on duty	on duty	on duty	on duty	on duty	on duty	on duty	30
on duty	on duty	on duty	on duty	on duty	on duty	on duty	on duty	on duty	on duty	on duty	on duty	31



HEAD G.H.

2

2

تفصیلات

H.S. در تمام زنی و استوار
 تاریخ: 3/05
 بابت ماه: 3/05

جسٹریا حاضری اندرین

نمبر		علاؤ الدین			کجوتوب			تاریخ	نمبر
A.T		SET			SET				
دستخط	روان	دستخط	روان	دستخط	روان	دستخط	روان	نمبر	
Call	2/-	Call	8/-	Call	2/-	Call	8/-	1	
Call	2/-	Call	8/-	Call	2/-	Call	8/-	2	
Call	11/-	Call	8/-	Call	11/30	Call	8/-	3	
Call	11/30	Call	8/-	Call	11/30	Call	8/-	4	
Call	11/30	Call	8/-	Call	11/30	Call	8/-	5	
Call	12/-	Call	8/-	Call	12/-	Call	8/-	6	
Call	12/-	Call	8/-	Call	12/-	Call	8/-	7	
Call	2/-	Call	8/-	Call	2/-	Call	8/-	8	
Call	2/-	Call	8/-	Call	2/-	Call	8/-	9	
Call	11/30	Call	8/-	Call	11/30	Call	8/-	10	
Call	2/-	Call	8/-	Call	2/-	Call	8/-	11	
Call	2/-	Call	8/-	Call	2/-	Call	8/-	12	
Call	2/-	Call	8/-	Call	2/-	Call	8/-	13	
Call	2/-	Call	8/-	Call	2/-	Call	8/-	14	
Call	2/-	Call	8/-	Call	2/-	Call	8/-	15	
Call	2/-	Call	8/-	Call	2/-	Call	8/-	16	
Call	1/55	Call	8/-	Call	1/55	Call	8/-	17	
Call	12/55	Call	8/-	Call	12/55	Call	8/-	18	
Call	12/55	Call	8/-	Call	12/55	Call	8/-	19	
Call	12/55	Call	8/-	Call	12/55	Call	8/-	20	
Call	11/55	Call	8/-	Call	11/55	Call	8/-	21	
Call	12/-	Call	8/-	Call	12/-	Call	8/-	22	
Call	12/-	Call	8/-	Call	12/-	Call	8/-	23	
Call	12/55	Call	8/-	Call	12/55	Call	8/-	24	
Call	12/55	Call	8/-	Call	12/55	Call	8/-	25	
Call	12/55	Call	8/-	Call	12/55	Call	8/-	26	
Call	12/55	Call	8/-	Call	12/55	Call	8/-	27	
Call	12/55	Call	8/-	Call	12/55	Call	8/-	28	
Call	12/55	Call	8/-	Call	12/55	Call	8/-	29	
Call	12/55	Call	8/-	Call	12/55	Call	8/-	30	
Call	12/55	Call	8/-	Call	12/55	Call	8/-	31	

Relieved from the school to B.P.M.S. Kharakhan vide No. 89/21-20 dt 11/3/05

نومبر 2005

نمبر	تاریخ	نمبر	تاریخ	نمبر	تاریخ
3	3	3	3	3	3

اساتذہ صاحب

22-2000
22/11

مادہ نمبر کی سلیٹ لکھنے کو یاد رہے کہ اساتذہ صاحب
لیکن جس کتاب میں یہ سوالات ہیں ان کے جواب میں سے کوئی بھی سوالات
پہلے لکھیں۔ میں دیکھ رہی ہوں کہ اساتذہ صاحب نے سوالات
کو اس طرح لکھا ہے کہ

10 9

اساتذہ صاحب

32-2000
32/11

آج صبح کی آواز سن کر اساتذہ صاحب نے
میں کو یاد دلایا کہ اساتذہ صاحب نے
Multiple choice کے سوالات لکھے ہیں۔
اساتذہ صاحب نے یہ سوالات لکھے ہیں کہ

33-2000
11/2/2000

اساتذہ صاحب نے سوالات لکھے ہیں کہ
اساتذہ صاحب نے سوالات لکھے ہیں کہ

اساتذہ صاحب نے سوالات لکھے ہیں کہ
اساتذہ صاحب نے سوالات لکھے ہیں کہ

اساتذہ صاحب نے سوالات لکھے ہیں کہ
اساتذہ صاحب نے سوالات لکھے ہیں کہ

HEAD MASTER
G.H. Muzamil
Peshawar

سکول میں پتھر اوردیو عرف ایک سہ ماہی حد تک نہ پڑھ کر پتھر پتھر کی لکڑی لکڑی سے
پتھر کی لکڑی سے پتھر پتھر سے پتھر پتھر سے پتھر پتھر سے پتھر پتھر سے پتھر پتھر سے

- 6) تم آج تک کچھ نہیں پڑھا ہے سہ ماہی پتھر پتھر سے پتھر پتھر سے
- 7) پتھر پتھر سے پتھر پتھر سے پتھر پتھر سے پتھر پتھر سے
- 8) تم نے پتھر پتھر کی جاننے کی پتھر پتھر سے پتھر پتھر سے پتھر پتھر سے
- 9) پتھر پتھر سے پتھر پتھر سے پتھر پتھر سے پتھر پتھر سے
- 10) تم پتھر پتھر سے پتھر پتھر سے پتھر پتھر سے پتھر پتھر سے

ABDUL HADI

2001-2002
6/11/2001

پتھر پتھر سے

پتھر پتھر سے پتھر پتھر سے پتھر پتھر سے پتھر پتھر سے
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پتھر پتھر سے پتھر پتھر سے پتھر پتھر سے پتھر پتھر سے

Attestation
G.H.S. Maljamzal
Peshawar

From

The Head Master
G.H.S. Maryanizai


To

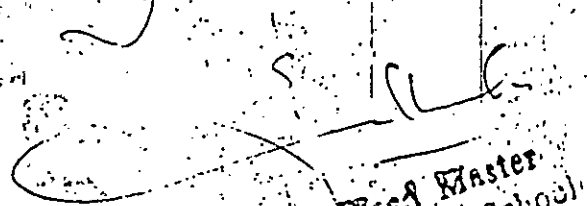
The EDD (SET) Peshawar

Subject - Complaint against
Mr. Nasrullah SET
G.H.S. Maryanizai

Memo - I have the to state that
Mr. Nasrullah SET has been appointed
as SET in this school. He has taken over charge
on 1/10. In the month of October, November and
December he remained absent from the school.
In the month of January 2005 he comes to school
and leaves on his wish. I have already submitted
complaints about him but its result is null. He is
an irresponsible teacher. Therefore
serious action may kindly be taken against him.

Yours obedtly,


HEAD MASTER
G.H.S. Maryanizai
Peshawar


Head Master
Govt. High School
Maryanizai Peshawar

Handwritten notes at the top of the page, including the word "صورت" (Form) and "لا" (La).

① محمد رفیق

② عبدالکبیر

③ حاجی محمد

Handwritten signature or name on the left side.

Handwritten signature or name in the middle left.

Head Master
Govt. High School
Maryamzai P.

صورت نمبر

Handwritten text in Urdu, starting with "گورنمنٹ ہائی اسکول" (Government High School).

Handwritten text in Urdu, continuing the message or report.

Handwritten signature of Abdul Buzg
Naib Nazim
Maryamzai

Handwritten signature and stamp of the Head Master
G.H.S. Maryamzai
Peshawar

امیر اللہ علیہ السلام کے بارے میں اس قدر ہم اس قدر حور

دیکھ کر ہم یہ کہتے ہیں کہ اس استاد کو اللہ تعالیٰ نے بھاری بھاری

کے اصول کو سراہ کر لیا ہے۔ اسے ساتھ لکھنا لایا ہے

استاد کم اور یہ معاشق زیادہ ہے۔ استاد کھنکھاتا ہے
یہ استاد اور لڑکوں سے لڑتا ہے۔ اکثر کبیر صاحب لکھتے
ایسا میر سے آتا ہے اور اس میں سے کچھ جاتا ہے

یہ استاد اور لڑکوں سے لڑتا ہے

اس سے صبر سے آکر حد اقل اس سے لکھتا
نیچ لیا گیا اور واقعہ پیش ہوا
تو ہم دفعہ دار نہ بن سکتے

(1) لڑکوں کے بارے میں (2) کچھ لکھنا

Head Master
Govt. High
Mary...

Atterley
HEAD MASTER
G.H.S. Maryanzai
Peshawar

(3) کچھ لکھنا

صباحی بیان در باره نبرد اللہ اکبر

مجموعہ طلبہ جماعت اولیہ نے اس بارے میں ایک نثر لکھی ہے جو اس بارے میں لکھی گئی ہے۔ اس نثر کو پڑھ کر آپ کو اس نثر کی خوبیوں کی اطلاع ہوگی۔ اس نثر کو پڑھ کر آپ کو اس نثر کی خوبیوں کی اطلاع ہوگی۔ اس نثر کو پڑھ کر آپ کو اس نثر کی خوبیوں کی اطلاع ہوگی۔

Altaf

- | | |
|-----------------|-------------------|
| Muhammad | (1) محمد علی |
| J. Saad | (2) حیات سید |
| Abdullah | (3) جمال محمد |
| <u>Abdullah</u> | (4) حیات شاہ |
| Wahid | (5) محمد اسماعیل |
| Leela S. | (6) نیاس خان |
| Teharish | (7) حفار علی |
| MIR LAZIM SINGH | (8) میر حسن شاہ |
| Abdullah | (9) علی امیر اللہ |
| Zeemat Ali | (10) واور خان |
| Muhammad | (11) زینت گل |
| Harisat Ali | (12) محمد عارف |
| noorullah | (13) حضرت ولی |
| | (14) نور اللہ |

HEAD MASTER
G.H.S. Chiranzai
Pashtun

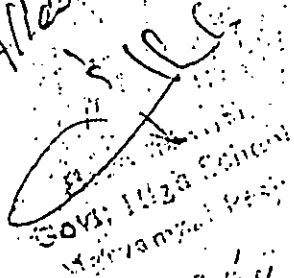
Handwritten signature

1. Tom - دکٹر محمد نور
 2. Bob - سی بلال
 3. Sam - دکٹر شہزاد
 4. Ali - دکٹر شہزاد جہان
 5. Amal - دکٹر امجد خان
 6. Carl - دکٹر عرفان اللہ
 7. Muhammad - دکٹر محمد شہزاد
 8. Musa - دکٹر موسیٰ خان
 9. Arif - دکٹر عرفان اللہ
 10. Basim - دکٹر مختار احمد
 11. Ali - دکٹر علی
 12. Muhammad - دکٹر محمد احسان اللہ
 13. Basim - دکٹر سعید
 14. Ali - دکٹر علی
 15. Muhammad - دکٹر محمد علی
 16. M. Tahir - دکٹر محمد تھریان
 17. Basim - دکٹر سعید
 18. M. Tahir - دکٹر محمد تھریان
 19. Basim - دکٹر سعید
 20. M. Tahir - دکٹر محمد تھریان

M. Tahir
 Basim
 M. Tahir
 Basim
 M. Tahir
 Basim

M. Tahir
 Basim
 M. Tahir
 Basim

الحمد لله



بیان دربارہٴ لغت اللہ استاد

بسم اللہ تعالیٰ۔ طالبانِ جماعت ہشتم جنہیں بیان کرنے میں کہ لغت اللہ استاد نے جب

اس سے سکول میں خارج کیا ہے اس وقت اس سے اس کے ہمارے ساتھ

صرف کتب شریعتی وقت اندازا ہے۔ اس کے ساتھ ہمارے ریاضی، عربی، سنسکرت

اور مطالعہ پاکستان کے مضامین میں ہیں اس آئیٹ یا دو سوال کے

علاوہ کچھ نہیں لیا ہے۔ جمعیہ کے بعد مسئلہ دو جاہ غیر حاضر رہا۔

اور اگر آپ سکول آنا بھی ہے تو کرنا ہے اس کے پاس پانچ سو روپے سکول آنا ہے

اور ایسی صورتی سے چلا جاتا ہے۔ دیوانوں کا طرح بائیں کرنا ہے۔ اور اپنے

کیا بیان بیان کرنا ہے۔ ہم اس استاد کو ایسی سکول میں ہیں دیکھا ہے

صدر کو ~~کچھ~~ لکھنا ہے کہ اس کے ساتھ ہمارے ساتھ ہجرت کر

لکھنے لکھنا تو اس سے انکار کیا اور عالی گلوچ بھی ہے۔

جماعت ہشتم طالبانِ نام اور دستخط

hakeem
اس کے

پن خان
اس کے

علاء الدین سائنس جاسٹری کے بارے میں وہاں

ہم جملہ طلباء جماعت ایم ایف کو حاضر ناظر جانے کی بات کرتے

کہ سٹریڈن علاؤ الدین اسٹریڈن کے ماسٹر کے طور پر

سے سکولوں میں سائنس سائبر کا تجربہ کیا ہے

ستمبر 2004ء کو چند دن سکول آیا۔ لیکن آئیٹو

اور دستبر کے تیوں تیوں میں مسلسل تیسرا حاضر رہا۔

سائنس کے مفاہیم پر اسکا ملنا نڈ بھی ہے یہی ہے

اور اس کے جو دو تین دن میں ہمیں پڑھایا ہے

اس سے ہم مطمئن ہیں ہے اس کے غیر حاضری کا

پر یہاں بڑا اثر پڑا ہے۔ اسکا کہ امتحان میں

ناکامی کی بڑی وجہ ہیں اسناد ہوگا

لہذا ہم سب مطالبہ کرتے ہیں کہ اسناد مندرجہ

ایسی خبر کی ایسی سزا دی جائے جو اس کے

سبق ہے

جملہ طلباء جماعت ایم ایف کو اس کے سکولوں میں

① اختر خواجہ ② فضل عثمان ③ احسان احمد

④ ارشد علی ⑤ اسناد مندرجہ

⑥ اسناد مندرجہ

⑦ اسناد مندرجہ

⑧ اسناد مندرجہ

سرمد والدین کے ساتھ

و صحیح بیان

مجموعہ طلباء و جماعت دم اللہ کو عارفین کے نام سے
 کرتے ہیں کہ چھٹیوں کے بعد چاہ ستمبر میں مندرجہ
 والدین کے ایجن - ایجن سائنس کا کارڈ
 سنبھال لیا تھا۔ ستمبر کے پہلے میں چند دن سکول
 رہے۔ لیکن اکتوبر - نومبر اور دسمبر 2005ء کو
 سکول نہیں آیا۔ جس وجہ سے ہماری کلاس
 ٹرانا اثر پڑا۔ علاوہ ازیں صورتی کے ہمراہ
 تین دن حاضر رہا۔ اس کے بعد تین خاص
 کم اسکا دستہ میں نہیں آئے اور ہم سب
 14/05 کو سکول آیا اور ستمبر 2005ء
 کی عہدیت کی کہ یہی کتابیں لیں

کام صدف میں
 M.S. احمد
 ① امتیاز خان صاحب (Mastia) ② محمد شاہ ③
 ④ سید فاروق ⑤ راشد خان صاحب
 ⑥ شائستہ

HEAD MASTER
 G.H.S. Maryamzal
 Pashawar

کتابت علی درجہ چہارم، مدرسہ اراکین

معلم عبدالرحمن علی درجہ چہارم، مدرسہ اراکین

کتابت علی درجہ چہارم، مدرسہ اراکین
عبدالرحمن علی درجہ چہارم، مدرسہ اراکین

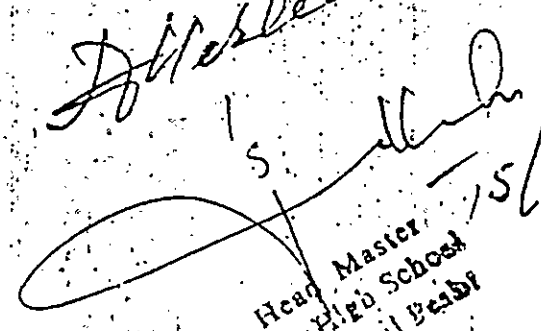
Mohammad

(1) - نو مہینوں کی لیساری اسٹریٹ

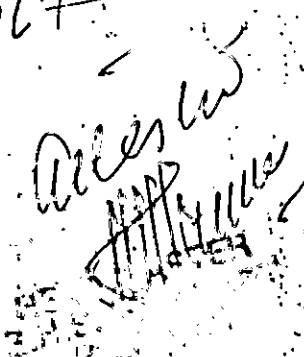
(2) - سلطان پور

(3) - گورنمنٹ

Attested


15/1/55

Head Master
Govt. High School
Muzaffargarh

Attested


ایم علاؤ الدین SET (ناسی) کے بارے میں جملہ سائنس اور طبی تلامذہ

بسم مندرجہ ذیل جملہ سائنس و طبی تلامذہ کو اطلاع دیا جا رہا ہے کہ ایم علاؤ الدین سائنس ماسٹر کے سکول بعد میں ایم ستمبر 2004ء خارجہ لیا گیا ہے۔
ایکٹوبر - نومبر اور دسمبر 2004ء میں مکمل طور پر غیر حاضر رہے۔
اسد علی صہریہ صاحب نے 15 جنوری 2005ء کو سکول آئے اور 7/1 اور 14/15 کو سکول آئے۔
یہاں رپورٹ ارسال کر رہی ہے۔

(1) محمد رفیق SET 50

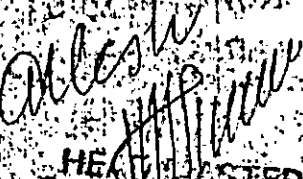
(2) صالحی محمد رفیق II

(3) عبدالرحمن صاحب A.T. Peshawar

attested

Head Master
(Govt. High School
Maryamzal Peshawar)

صاحبان کرام
جسٹس ڈیپٹی کمشنر صاحبان اور سائنس ماسٹر صاحبان اور دیگر تلامذہ کو
کہہ دیا گیا ہے کہ ان کے تلامذہ کو سکول آئے اور 7/1 اور 14/15 کو سکول آئے۔
اسد علی صہریہ صاحب نے 15 جنوری 2005ء کو سکول آئے اور 7/1 اور 14/15 کو سکول آئے۔
یہاں رپورٹ ارسال کر رہی ہے۔

attested

HEAD MASTER
G.H.S. Maryamzal
Peshawar

Abdul Baqi
Naib Nazim
JC No. 55 Maryam Zal

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

Service Appeal No. 681/2016

Nasrullah

VS

Education Deptt:

.....

REJOINDER ON BEHALF OF APPELLANT

.....

RESPECTFULLY SHEWETH:

Preliminary Objections:

(1-8) All objections raised by the respondents are incorrect and baseless. Rather the respondents are estopped to raise any objection due to their own conduct.

FACTS:

- 1 Respondent's department in his first portion of para-1 of the reply admitted half portion of the appeal as correct while rest of the contention of the respondent's department is incorrect. moreover Para-1 of the appeal is correct.
- 2 Admitted correct by the respondents department while rest of the contention of the respondent department is incorrect. Moreover, if the appellant was not regular how the appellant got promotion, why any disciplinary action not taken against the appellant? The plea of the respondents department is incorrect and only deprived the appellant from pay benefits.
- 3 Incorrect. While para-3 of the appeal is correct as mentioned in the main appeal of the appellant. Moreover, the salary of the appellant was stopped from the judgment dated 4.8.2003 till 2007 due to non-

execution of judgment and the department admitted that in his para-3 of the reply the salary was not paid to the appellant. If the appellant was not performing his duties. He would have been issued notices, charge sheet and proceeded under E&D Rules for his not performing his duties. But they did not deprive appellant from the salaries in illegal manner.

- 4 NO comments endorsed by the respondents which mean that they have admitted para-4 of the appeal as correct.
- 5 NO comments endorsed by the respondents which mean that they have admitted correct para-5 of the appeal as record is already in the custody of the department.
- 6 Incorrect. While para-6 of the appeal is correct as mentioned in the main appeal of the appellant. the appellant has good cause of action and not responding to the departmental appeal of the appellant is against the law and rules.
- 7 Incorrect. While para-7 of the appeal is correct as mentioned in the main appeal of the appellant. the appellant has good cause of action and the appeal is liable to be accepted on following grounds.

GROUND:

- A) Incorrect. While para-A of the appeal is correct as mentioned in the main appeal of the appellant. Moreover, the appellant was on strength of the department and legally entitled to the salaries. Furthermore, non-payment of salaries from 1.9.2004 to 14.3.2015 and not taking action on the departmental appeal of the appellant are against the law, facts and norms of justice.
- B) Incorrect. While para-B of the appeal is correct as mentioned in the main appeal of the appellant.

- C) Incorrect. While para-C of the appeal is correct as mentioned in the main appeal of the appellant. Moreover, the appellant never taken law in hands. The every order of the department was obeyed by the appellant, which was evident from the transfer orders and arrival reports.
- D) Incorrect. While para-D of the appeal is correct as mentioned in the main appeal of the appellant. moreover as explained in above paras.
- E) Incorrect. While para-E of the appeal is correct as mentioned in the main appeal of the appellant.
- F) Incorrect. While para-F of the appeal is correct as mentioned in the main appeal of the appellant. moreover, as explained in above para-2 & 3.
- G) Incorrect. While para-G of the appeal is correct as mentioned in the main appeal of the appellant.
- H) Legal.

It is, therefore, most humbly prayed that the appeal of appellant may kindly be accepted as prayed for.

Nasrullah
APPELLANT
Nasrullah

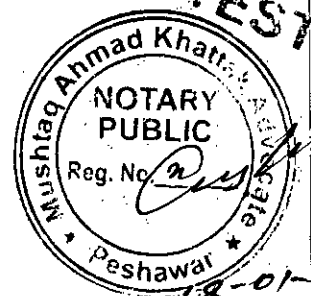
Through:

Noman Ali Bukhari
(Syed NOMAN ALI BUKHARI)
ADVOCATE, PESHAWAR.

AFFIDAVIT

It is affirmed and declared that the contents of rejoinder and appeal are true and correct to the best of my knowledge and belief.

Nasrullah
DEPONENT



KHYBER PAKHTUNKWA SERVICE TRIBUNAL, PESHAWAR

No. 2339 /ST

Dated 3 / 12 / 2018

To


The Director E&SE,
Government of Khyber Pakhtunkhwa,
Peshawar.

Subject: -

JUDGMENT IN APPEAL NO. 681/2016, MR. NASRULLAH.

I am directed to forward herewith a certified copy of Judgement dated 29.11.2018 passed by this Tribunal on the above subject for strict compliance.

Encl: As above


REGISTRAR
KHYBER PAKHTUNKHWA
SERVICE TRIBUNAL
PESHAWAR.