

## FORM OF ORDER SHEET

Appel No. 405/2024

\_\_\_\_\_ for other proceedings with signature of judge

3

5/03/2024

The appeal of Mr. Hakeem Khan resubmitted today by Mr. Daris Khan Advocate. It is fixed for preliminary hearing before Single Bench at Peshawar on 18.03.2024. Parcha Peshi is given to the counsel for the appellant.

By the order of Chairman

  
REGISTRAR


This is an appeal filed by Mr. Hakeem Khan today on 26.01.2024 against the order dated 29.11.2023 against which he made/preferred departmental appeal/representation on 08.12.2023 the period of ninety days is not yet lapsed as per section 4 of the Khyber Pakhtunkhwa Service Tribunal Act 1974, which is premature as laid down in an authority reported as 2005-SCMR-890.

As such the instant appeal is returned in original to the appellant/Counsel. The appellant would be at liberty to resubmit fresh appeal after maturity of cause of action and also removing the following deficiencies.

- 1- Appeal has not been flagged/marked with annexures marks.
- 2- Annexure-B of the appeal is illegible which may be replaced by legible/better one.
- 3- Check list is not is unsigned.

No. 196 /ST,

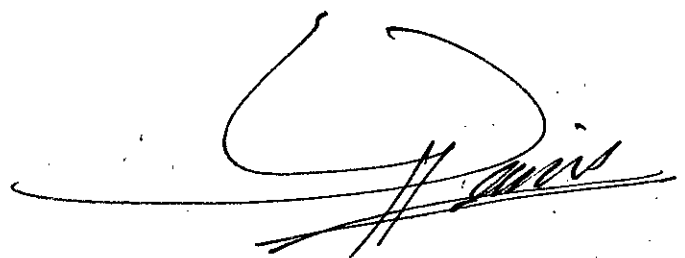
DL 30/1/2023.

  
30/1/24  
REGISTRAR  
SERVICE TRIBUNAL  
KHYBER PAKHTUNKHWA  
PESHAWAR.

Mr. Daris Khan Adv.  
High Court Peshawar.

Nota:  
30.1.24

it is humbly submitted that cause of action has earlier been matured ~~in~~ vide order/letter dated 21-12-2023 placed at page no 21 of appeal. The case is resubmitted after fulfilling other requirements and be placed before bench as earlier as possible.



Daris Khan Adv.  
30-1-2024

BEFORE THE KHYBER PAKHTUNKHWA SERVICES TRIBUNAL,  
PESHAWAR.

S.A.No. 405 /2024

Hakam Khan.....Appellant

Versus

Govt. of KPK through Secretary Education & others.....Respondents

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Dated: 26.01.2024

*H/Khan*  
Appellant

Through:

**Daris Khan**  
Advocate Supreme Court

THE KHYBER PAKHTUNKHWA SERVICES TRIBUNAL, PESHAWAR.

S.A. No. 405 /2024

①

**Hakam Khan, PST,**  
GPS Fateh Shah Kaley, BZK District Khyber.....Appellant

VERSUS

1. Government of Khyber Pakhtunkhwa, through Secretary Education, Civil Secretariat, Peshawar.
2. District Education Officer (merged area) at Peshawar
3. Director E & SE Khyber Pakhtunkhwa, Peshawar.
4. District Education Officer (male) District Khyber at Jamrud
5. Assistant Director (Estab) Elementary and Secondary Education Pakhtunkhwa, Peshawar.

.....Respondents

SERVICE APPEAL UNDER SECTION 4 OF THE  
SERVICES TRIBUNAL ACT, 1974

Respectfully Sheweth:

1. That the appellant is rendering his services at District Khyber as PST regularly, punctually and devotedly.
2. That respondent No.4 ordered the appellant along with other teachers to single school teacher as per direction of the highups upon the proposal of SDEO Bara letter No.601 dated 14.11.2023 and SDEO letter No.297 dated 22.11.2023 vide office order endorsement No.13434-79 dated 29.11.2023. (Copy of the office order is Annexure "A").
3. That appellant filed an application/ representation with respondents against the aforementioned office order. (Copy of application/ representation is annexed as Annexure "B").
4. That being aggrieved from the impugned office order dated 29.11.2023. the appellant filed W.P.No.5861-P/2023 with interim relief before the

Hon'ble Peshawar High Court, Peshawar, which was not entertained being not maintainable and the appellant also approached this honorable Tribunal in light of policy on 01.01.2024 but appeal was returned on the ground of pre-maturity on 02.01.2024. (Copies of relevant documents are annexure C)

5. That appellant time and again approached respondents to grant relief to the appellant or pass any order over the representation of the appellant but they delayed it on one pretext or the other.
6. That respondent No.5 issued a letter dated 21.12.2023 to respondent no 4 vide which the case of the appellant was remanded to the respondent no 4 to solve it at his own level as per rules and policy, copy of said letter / order was received today after hectic effort by the appellant from respondent's department. (Copy of letter/ order dated 21.12.2023 is annexure D)
7. That being aggrieved from the aforementioned office order dated 29.11.2023 and letter / order dated 21.12.2023 appellant approaches this honorable Tribunal for the redressal of his grievance on the following grounds amongst other;

GROUND:

- A. That the impugned office order is against law, rules and policy.
- B. That most of the teachers have not spent three or four months on their posts and respondents have issued impugned office order, which is premature and against the rules and policy.
- C. That the impugned office order is against the policy prevailed in the province as the respondents have transferred two teachers from one school to another and two were re-transferred to same school.
- D. That respondents have not exercised their power justly, fairly and transparently, thus, violated section 24-A of General Clauses Act.
- E. That the appellants have not been treated in accordance with law and have been discriminated against which is violation of Article 4 and 25 of the constitution of Islamic Republic of Pakistan, 1973.

(3)

- F. That the impugned office order is based on favoritism, malafide, premature and issued in violation of law, rule and policy.
- G. That the impugned office order has been issued on the direction of the highups, therefore, requires interference of this Hon'ble Tribunal to wriggle out the rationale behind the public interest.
- H. That the appellant is regular employee/ teacher, serving on his sanctioned post, so under the law and policy appellant should be retained at his local station.
- I. That through the impugned office order most of the senior teachers were transferred to hard areas while junior were left, which is against the norms of justice, equity and fair play.
- J. That the appellant crave permission to agitate any point / ground at the time of arguments.

It is therefore humbly prayed that on acceptance of this appeal, the impugned office order dated 29.11.2023 and letter/ order dated 21.12.2023 may kindly be set aside and the appellant may please be retained at his post and station.

Any other relief which this Hon'ble Court deems appropriate in the circumstances of the case may also be granted in favour of appellant.

*H Khan*  
Appellant

Through:

*Daris Khan*  
Advocate Supreme Court

&

*Muhammad Uzair Safi*  
Advocate

Dated: 26.01.2024

BEFORE THE KHYBER PAKHTUNKHWA SERVICES TRIBUNAL.  
PESHAWAR.

(4)

S.A.No. \_\_\_\_\_/2024

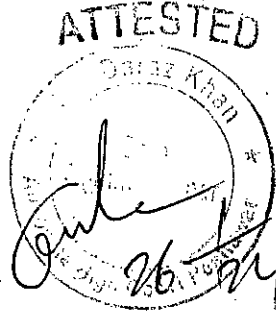
Hakam Khan.....Appellant

Versus

Govt. of KPK through Secretary Education & others.....Respondents

AFFIDAVIT

I, Hakam Khan son of Akbar Khan R/o Zakha Khel, Neki Khel, Tehsil Landi Kotal District Khyber (appellant), do hereby affirm and declare on oath that the contents of the accompanying **Service Appeal** are true and correct to the best of my knowledge and belief and nothing has been concealed from this Hon'ble Tribunal.



*H. Khan*  
Deponent  
Cell: 21203-6735888-5

BEFORE THE KHYBER PAKHTUNKHWA SERVICES TRIBUNAL.  
PESHAWAR.

S.A.No. \_\_\_\_\_/2024

(5)

Hakam Khan.....Appellant

Versus

Govt. of KPK through Secretary Education & others.....Respondents

APPLICATION FOR SUSPENSION OF  
OPERATION OF IMPUGNED OFFICE  
ORDERS AND LETTER DATED 29.11.2023  
AND 21.12.2023 TILL THE FINAL DISPOSAL  
OF THE INSTANT APPEAL.

Respectfully Sheweth;

- 1) That the above noted appeal is being filed before this Hon'ble Tribunal in which no date has yet been fixed.
- 2) That grounds of appeal may be read as part and parcel of this application.
- 3) That a prima facie arguable case exists in favour of petitioner and are sanguine about its success.
- 4) That balance of convenience also lies in favour of petitioner.
- 5) That if the operation of the impugned order is not suspended, petitioner will suffer an irreparable loss.

It is, therefore, humbly prayed that on acceptance of this application, operation of impugned office order and letter dated 29.11.2023 and 21.12.2023 may kindly be suspended till the final disposal of the instant appeal.

  
Appellant

Through:

  
Daris Khan

Advocate Supreme court



BEFORE THE KHYBER PAKHTUNKHWA SERVICES TRIBUNAL  
PESHAWAR

S.A.No. \_\_\_\_\_/2024

6

Hakam Khan.....Appellant

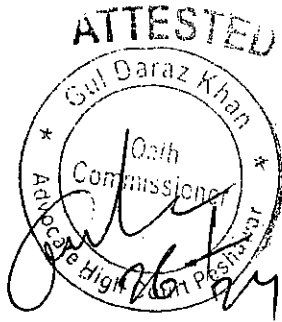
Versus

Govt. of KPK through Secretary Education & others.....Respondents

AFFIDAVIT

I, Hakam Khan son of Akbar Khan R/o Zakha Khel, Neki Khel, Tehsil Landi Kotal District Khyber (appellant), do hereby affirm and declare on oath that the contents of the accompanying **Application** are true and correct to the best of my knowledge and belief and nothing has been concealed from this Hon'ble Tribunal.

*H. Khan*  
Deponent  
Cell: 21203-6735888-5



BEFORE KHYBER BEFORE THE KHYBER PAKHTUNKHWA SERVICES  
TRIBUNAL, PESHAWAR.

S.A.No. \_\_\_\_\_/2024

(7)

Hakam Khan.....Appellant

Versus

Govt. of KPK through Secretary Education & others.....Respondents

APPLICATION FOR CONDONATION OF  
DELAY IF CAUSED IN FILING OF  
ACCOMPANYING APPEAL.

Respectfully Sheweth;

1. That the above noted appeal is being filed before this Hon'ble Tribunal in which no date has yet been fixed.
2. That grounds of appeal may be read as part and parcel of this application.
3. That petitioner had no knowledge regarding the impugned order dated 21.12.2023. Petitioner filed writ petitioner no 5861-P/2023 in honorable Peshawar High Court Peshawar which was not entertained on ground of jurisdiction and then petitioner filed service appeal no.10151 on 01.01.2024 on the basis of transfer policy which was returned in original to the petitioner on 02.01.2024 to file fresh appeal after maturity of cause of action and other deficiency. (Copies of relevant documents are already annexed).
4. That the petitioner time and again approached respondents to grant relief to the petitioner or issue any order over the representation of the petitioner but they have not given any response to the requests of the petitioner.
5. That petitioner approached respondent-department on 25.01.2024 where it came into his knowledge regarding aforementioned order/ letter dated 21.12.2023, after hectic efforts received its copy from respondents at about 2:00 pm, hence approaches this honorable Tribunal.

(8)

6. That, if the petitioner would have the knowledge of the said order/ letter. could file appeal with mature cause of action on 01.01.2024.
7. That neither the petitioner had knowledge nor respondents have issued the impugned copy of letter/ order to the petitioner in time malafidely, is main cause of delay, if any, caused in filing of appeal.
8. That valuable rights of the petitioner are involved in the case and law always favour adjudication of cases on basis of merit rather on technicalities.

It is, therefore, humbly requested that on acceptance of this application, the delay, if any caused in filing of accompanying appeal may kindly be condoned.

*H. Khan*  
Appellant

Through:

*Daris Khan*  
Advocate Supreme Court

*[Signature]*

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BEFORE THE KHYBER PAKHTUNKHWA SERVICES TRIBUNAL  
PESHAWAR.

S.A.No. \_\_\_\_\_/2024

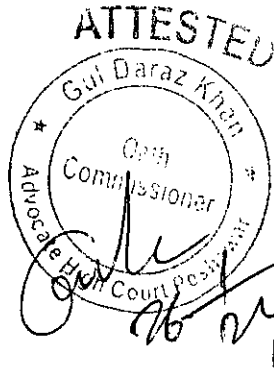
Hakam Khan.....Appellant

Versus

Govt. of KPK through Secretary Education & others.....Respondents

AFFIDAVIT

I, Hakam Khan son of Akbar Khan R/o Zakha Khel, Neki Khel, Tehsil Landi Kotal District Khyber (appellant), do hereby affirm and declare on oath that the contents of the accompanying **Application** are true and correct to the best of my knowledge and belief and nothing has been concealed from this Hon'ble Tribunal.



*Hakam Khan*  
Deponent  
Cell: 21203-6735888-5

BEFORE KHYBER BEFORE THE KHYBER PAKHTUNKHWA SERVICES  
TRIBUNAL, PESHAWAR.

(15)

S.A.No. \_\_\_\_\_/2024

Hakam Khan.....Appellant

Versus

Govt. of KPK through Secretary Education & others.....Respondents

ADDRESSES OF THE PARTIES

APPELLANT:

Hakam Khan, PST,  
GPS Fateh Shah Kaley, BZK District Khyber

RESPONDENTS:

1. Government of Khyber Pakhtunkhwa, through Secretary Education, Civil Secretariat, Peshawar.
2. District Education Officer (merged area) at Peshawar
3. Director E & SE Khyber Pakhtunkhwa, Peshawar.
4. District Education Officer (male) District Khyber at Jamrud
5. Assistant Director (Estab) Elementary and Secondary Education Pakhtunkhwa, Peshawar.

*H. Khan*  
Appellant

Through:

Daris Khan  
Advocate Supreme Court

(11)

Annex "A"

**OFFICE ORDER**

Consequent Upon the proposal of SDEO Bara letter No. 601 dated, 14/11/2023 and SDEO Landi Kotal Letter No. 297 dated, 22/11/2023, the competent authority is pleased to order the following teachers to single school teacher as per direction of the high up in the interest of public service till further order with immediate effect.

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S.No.	Name/Dastg.	School from	School to	Remarks
1	Muhammad Haroon STT	GPS Lal Muhammad Bara	GPS Sama Ghari No.1 Bara	High Enrollment
2	Abdul Hanan PST	GPS Khawang Bara	GPS Ismail Killi Bara	Single Teacher
3	Mir Akbar PST	GPS Mandi Kass Bara	GPS Jamal Khan Ghari Bara	Single Teacher
4	Muhammad Ishaq PST	GPS Sher Khan Bara	GPS Habib Shah Bara	Single Teacher
5	Muhammad Ishaq PST	GPS Barami Alam Sher Bara	GPS Mastak Bara	Single Teacher
6	Karna Khel PST	GPS Raja Khan Bara	GPS Sra Ghari Bara	Single Teacher
7	Abdul Qadeem PST	GPS Karna Khel Bara	GPS Khana Mir Bara	Single Teacher
8	Ghulam Shah PST	GPS Mesri Khel Mela Bara	GPS Khapora Said Karon Bara	Single Teacher
9	Muhammad Ibrahim TT	GPS Madghali Attari Bara	GPS Mamal Mela Bara	Single Teacher
10	Ishaq Khan PST	GPS Waris Khan Bara	GPS Mesri Khan Takhtaki	Single Teacher
11	Tanq TT	GPS Hissara No.2 Bara	GPS Haji Ghulam Killi Elara	Single Teacher
12	Muhammad Mustafa TT	GPS Yarzamad Bara	GPS Mathra Dada Nika Bara	Single Teacher
13	Maz Ullah PST	GPS Sultan Khel Bara	GPS Zafar Killi Bara	Single Teacher
14	Abdul Qadeer PST	GPS Jan Khan Bara	GPS Amrozi Toor Toor Bara	Single Teacher
15	Irfan Ullah PST	GPS Hissara No.2 Bara	GPS Sher Khan Ali Bara	Single Teacher
16	Halder Ali SPST	GPS Ghulam Ghari Bara	GPS Cheena BZK	Single Teacher
17	Zia Ul Haq PST	GPS Latif Khan	GPS Muhammad Raheem Killi	Single Teacher
18	Sarif Shah SPST	GPS Noor Khel	GPS Zarjan BZK	Single Teacher
19	Dishad Khan TT	GPS Ghulam Dastagir	GPS Nazar Khel BZK	Single Teacher
20	Bakhtai Khan TT	GPS Muhammad Khan Killi	GPS Malang Killi BZK	Single Teacher
21	Muhammad Arif PST	GPS Landi Kotal No. 01	GPS Hakeem Khan Killi BZK	Single Teacher
22	Zahoor Ahmad TT	GPS Abdul Latif Khan Killi	GPS Malaki BZK	Single Teacher
23	Adil Nawaz PST	GPS Gul Ahmad	GPS Raees Killi BZK	Single Teacher
24	Arbab Khan PST	GPS Zintara	GPS Pastoki	Single Teacher
25	Shah Hussain PST	GPS Gul Ahmad	GPS Amal Chin BZK	Single Teacher
26	Hakim Khan PST	GPS Shah Zahir	GPS Fatch Shah BZK	Single Teacher
27	Muhammad Raza TT	GPS Sher Rehman Allaha	GPS Gagreena BZK	Single Teacher
28	Hayat Ullah SPST	GPS Rehmat Ullah	GPS Tagheer BZK	Single Teacher
29	Fandi Ullah PST	GPS Landi Kotal No.02	GPS Kharay Mula	Single Teacher

ATTESTED

BETTER COPY

School

12

**OFFICE ORDER**

Consequent upon the proposal of SDEO Bara letter No 601 dated 14.11.2023 and SDEO landi kotal Letter No. 297 dated 22.11.2023, the competent authority is pleased to order the following teachers to single teacher as per direction of the high ups in the interest of public service till further order with immediate effect.

S. #	Name/ Desig	School From	School To	Remarks
1.	Muhammad Haroon SST	GPS Lal Muhammad Bara	GPS Sama Ghari No.1 Bara	High Enrollment
2.	Abdul Hanan PST	GPS Khawangi Bara	GPS Isail Killi Bara	Single Teacher
3.	Mir Akbar PST	GPS Mandi kass Bara	GPS Jamal Khan Ghari Bara	Single Teacher
4.	Muhammad Ishaq PST	GPS shera Khan Bara	GPS Habib Shah Bara	Single Teacher
5.	Muhammad Ishaq PST	GPS Barami Alam Sher Bara	GPS Mastak Bara	Single Teacher
6.	Karna Khel PST	GPS Raza Khan Bara	GPS Sra Ghari Bara	Single Teacher
7.	Abdul Qadeem PST	GPS Charha Khel Bara	GPS Khana Mir Bara	Single Teacher
8.	Ghiran Shah PSHT	GPS Mesri Khel Mela Bara	GPS Kapoor Said Kasan Bara	Single Teacher
9.	Muhammad Ibrahim TT	GPS Madhhati Attari Bara	GPS mammal Mela Bara	Single Teacher
10.	Ishaq Khan PST	GPS Waris Khan Bara	GPS Mesri Khan Takhtaki	Single Teacher
11.	Tariq TT	GPS Hissara No.2 Bara	GPS Haji Ghulam Killi Bara	Single Teacher
12.	Muhammad Mustafa TT	GPS Yarzamad Bara	GPS Mathra Da Nika Bara	Single Teacher
13.	Maz Ullah PST	GPS Sultan Khel Bara	GPS Zafar Killi Bara	Single Teacher
14.	Abdul Qadeer	GPS Jan Khan Bara	GPS amrozi Toor Toor Bara	Single Teacher
15.	Irfan Ullah PST	GPS sangar Ghari Bara	GPS Sher Khan Ali Bara	Single Teacher
16.	Haidar Ali SPST	GPS Ashraf Killi	GPS Cheena BZK	Single Teacher
17.	Zia Ul Haq PST	GPS Latif Khan	GPS Muhammad raheem Killi	Single Teacher
18.	Sarif Shah SPST	GPS Noor Khel	GPS Zarjan BZK	Single Teacher
19.	Dilshad Khan TT	GPS Ghulam Dastaqir	GPS Nazar Khel bzk	Single Teacher
20.	Bakhtyal Khan TT	GPS Muhammad Khan Killi	GPS Malang Killi BZK	Single Teacher
21.	Muhammad Akif PST	GPS Landi Kotal No.1	GPS Hakeem Khan Kili BZK	Single Teacher
22.	Zahoor Ahmad TT	GPS Abdul Latif Khan Killi	GPS Malaki BZK	Single Teacher
23.	Adil Nawaz PST	GPS Gul Ahmad	GPS Raees Killi BZK	Single Teacher
24.	Arbab Khan PST	GPS Zintara	GPS Pastoki	Single Teacher
25.	Shah Hussain PST	GPS Gul Ahmad	GPS Amal Din BZK	Single Teacher
26.	Hakim Khan PST	GPS Shah Zamir	GPS Fateh Shah BZK	Single Teacher
27.	Muhammad Raza PST	GPS Sher Rehman Allacha	GPS Gagreena BZK	Single Teacher
28.	Hayat Ullah SPST	GPS Rehmat Ullah	GPS Tagheer BZK	Single Teacher
29.	Farid Ullah PST	GPS Landi Kotal No.2	GPS Landi Kharay Mela	Single Teacher

ATTESTED

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32	Akhtar Zada PST	GPS Ugda Dara	GPS Sarobi Lol Shalman	Single Teacher
33	Akbar Ullah TT	GPS Ugda Dara	GPS Bar Shanoll Lol	Single Teacher
34	Mustaqim TT	GPS Lol Shalman	GPS Dargal Lol Shalman	Single Teacher
35	Taseer Ullah PST	GPS Amir Khan	GPS Ugda Dara	Single Teacher
36	Uzair Ali TT	GPS Sadu Khel	GPS Ugda Dara	Single Teacher
37	Mairat Akbar PST	GPS Muhammad Khan Kilil	GPS Samsal Sind Ghara	Single Teacher
38	Abdul Bari TT	GPS Lol Shalman	GPS Bacha Subidar	Single Teacher
39	Abid Zai PST	GPS Amir Khan Lol Kilil	GPS Badshah Mir BZK	Single Teacher
40	Azeem Ullah PST	GPS Muhammad Khan Kilil	GPS Khalil Bat BZK	Single Teacher
41	Waseem Akrami TT	GPS Ashraf Kilil Landi Kotal	GPS Toad Kamar BZK	Single Teacher

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Note:

1. Charge report should be submitted to all concerned.
2. TA/DA is not allowed

Encl. No. 13434-79

DISTRICT EDUCATION OFFICER  
DISTRICT KHYBER AT JAMRUD  
Dated 25/11/2023

- Copy of the above is forwarded to the,
1. Director Education (Merged Areas) at Peshawar.
  2. Deputy Commissioner District Khyber at Peshawar.
  3. District Accounts Officer District Khyber.
  4. S.Os concerned.
  5. EMIS Local Office.
  6. Official Concerned.

DISTRICT EDUCATION OFFICER  
DISTRICT KHYBER AT JAMRUD

ATTESTED



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30.	Akhtar Zada PST	GPS Ugda Dara	GPS Sarobi Loi Shalman	Single Teacher
31.	Akbar Ullah TT	GPS Ugda Dara	GPS Bar Shanoli Loi	Single Teacher
32.	Mustaqim TT	GPS Karim Shalman	GPS Dargai loi Shalman	Single Teacher
33.	Taseer Ullah PST	GS Amir Khan	GPS Ugda Dara	Single Teacher
34.	Liaqat Ali TT	GPS Saud Khel	GPS Ugda Dara	Single Teacher
35.	Hazrat Akbar PST	GPS Muhammad Khan Killi	GPS Saamsai Sind Ghara	Single Teacher
36.	Abul Bari TT	GPS Loi Shalman	GPS Bacha Subidar	Single Teacher
37.	Abdi Ali PST	GPS Ahmad Gul Killi	GPS Badshah Mir BZk	Single Teacher
38.	Areem Ullah PST	GPS Muhammad Khan Killi	GPS Khail Bai BZk	Single Teacher
39.	Waseem Akram TT	GPS Ashraf Killi Landi Kotal	GPS Tood Kamar BZK	Single Teacher

Note:

1. Charge report should be submitted to all concerned.
2. TA/DA is not allowed.

District Education Officer  
District Khyber Jamrud

Endst No. 13434-79

Dated 29.11.2023

Copy of the above is forwarded to the:

1. Director Education (Merged Areas) at Peshawar.
2. Deputy Commissioner District Khyber at Peshawar.
3. District Accounts Officer District Khyber.
4. SDEO s Concerned.
5. EMIS Local Office.
6. Official Concerned.

District Education Officer  
District Khyber Jamrud

ATTESTED



(16)

اکھنڈ صحافت انسٹیٹیوٹ مکیشن (A/C) لاڈ بیلوئٹل تحصیل حیدر

صحافت عالی  
عنوان: درخواست نمبر اردو نظر ثانی بات ٹرانسفر

موضوع: ٹرانسفر کی حاجت ہے کہ نمبر 29 جولائی 2023

کو جو اساتذہ کے ٹرانسفر آرڈر جاری کیے گئے ہیں۔ یہ موجودہ پالیسی کے

مطابق ہے اور (Rationalization) کے مطابق ہے۔ (اسناد اللہ)

ریٹو (40-1) اس آرڈر سے نہ صرف اساتذہ متاثر

ہوئے ہیں بلکہ متعلقہ سکولوں کے لکچرار بھی بڑی طرح متاثر

ہوئے ہیں اور درسی و تدریسی کا جو سلسلہ ہے وہ بھی بڑی طرح

متاثر ہو جائے گا۔

لہذا اب صاحبان سے التجا ہے کہ مذکورہ ٹرانسفر آرڈر کو

منسوخ کیا جائے۔

یکم جمادی الثانیہ 1445ھ مطابق 11/11/2023

Steno

المترجم: 11/11/2023

TESTED

(17)

محضور جناب ڈسٹرکٹ ایجوکیشن آفیسر خیبر ایبٹ جھرور

جناب عالی

گزارش ہے کہ آپ کے معزز آفس کی جانب سے مورخہ 29-11-2023 جو جدولوں اور تعیناتی کا حکم نامہ جاری ہوا ہے اس میں ہم مندرجہ ذیل اساتذہ بھی شامل ہے جو کہ ہر لحاظ سے ہمارے ساتھ زیادتی ہوئی ہے کیونکہ یہ پالیسی اور رولز کے بانگل منافی ہیں۔ جن سکولوں سے ٹیچر کا تبادلہ ہوا ہے۔ ان میں بچوں کی تعداد بھی زیادہ ہیں۔ اور ٹیچر کی کمی کا بھی سامنا ہے اس کے علاوہ ان اساتذہ کی ذاتی مشکلات کی وجہ سے علاقے BZK علاقہ حلیمان میں ڈیوٹی بھی ناممکن ہے اس اساتذہ میں TT اور PST اساتذہ دونوں شامل ہے۔ چونکہ اس ایریا میں TT پوسٹ نہیں ہے۔ لہذا آپ صاحبان سے التماس ہے کہ اس حکم نامہ پر نظر ثانی کرے کیونکہ ہمارے لئے اس حکم نامے پر عمل کرنا ناممکن ہے۔

العارضان

x	حیدر علی PST	Zahoor	ظہور الرحمان TT	بھونڈی	لیاقت TT	عذرا نواز PST
	عابد PST	Qulatta	حیات اللہ PST	شیرانی	فرید اللہ PST	تحسین PST
	حاکم خان PST	(17/11/23)	حضرت اکبر PST	SH	شاہ حسین PST	ارباب PST
	ایشاد TT	(17/11/23)	عائف PST	بھٹ	بھٹل TT	صارف PST
	اشفاق احمد	(17/11/23)	فیاض الحق PST	(17/11/23)	عظیم اللہ PST	وسیم اکرم TT

کاپی برائے اطلاع:

(3) ڈائریکٹر ایجوکیشن اینڈ سیکنڈری ایجوکیشن خیبر پختونخواہ

1- سیکرٹری ایجوکیشن خیبر پختونخواہ

2- ڈپٹی کمشنر ضلع خیبر

ATTESTED

دستخط	شناختی کار نمبر	رہ	سیریل نمبر
	21203-1923346-7	✓ حسین علی	01
	21203-4816562-7	عابد علی	02
	21203-4809528-7	شہان حسین	03
	21203 180 82393-3	عظیم اللہ	04
	21203-8888750-1	✓ عادل انوار	05
	21203-2947756-7	حسرت اکبر	06
	21203-7383372-1	ضیاء الحق	07
	21203-6735388-5	حاکم خان	08
	<sup>21203</sup> 6688633-5	دنستان خان	09
	21203-2792114-3	صباح اللہ	10
Zahoor	21203-2090630-1	لبیزا الزمان	11
	21203-8532846-9	مجلد شہان	12
	21203-60855836-1	✓ مہر ابرار خان	13
	<sup>17301</sup> <del>21203</del> -179480684-5	فرید اللہ	14
	21203-23601377	ساروف شہان	15
	21202-8266834-3	✓ عابد علی	16
(S)	21203-0441098-3	بیگم شہان	17
		رضا علی	18
	21201-8778708-9	شہان علی	19
			20

ATTESTED

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Annex - CV

BEFORE THE KHYBER PAKHTUNKHWA SERVICES TRIBUNAL

PESHAWAR

S.A. No. \_\_\_\_\_/2023

10/51  
01/01/24

- 1) Tehseen Ullah, PST
  - 2) Adil Nawaz, PST
  - 3) Arbab Khan, PST
  - 4) Sarif Shah, PST
  - 5) Farid Ilahi, PST
  - 6) Shah Hussain, PST
  - 7) Bakhmal Khan, TT
  - 8) Azimullah, PST
  - 9) Zahoor Rehman, TT
  - 10) Hayat Ullah, PST
  - 11) Hazrat Akbar, PST
  - 12) Muhammad Aqif, PST
  - 13) Zia ul Haq, PST
  - 14) Abid Ali, PST
  - 15) Hakim Khan, PST
  - 16) Dilshad Khan, TT
  - 17) Raza Muhammad, TT
  - 18) Muhammad Ashfaq, PST
- All PST and TT teachers, serving at Khyber .....Appellants

VERSUS

1. Government of Khyber Pakhtunkhwa, through Secretary Education, Civil Secretariat, Peshawar.
2. District Education Officer (merged area) at Peshawar
3. Director E & SE Khyber Pakhtunkhwa, Peshawar
4. District Education Officer District Khyber at Jamrud.....Respondents

SERVICE APPEAL UNDER SECTION 4 OF THE  
SERVICES TRIBUNAL ACT, 1974

Respectfully Sheweth:

1. That the appellants are rendering their services at different area in District Khyber on different posts regularly, punctually and devotedly.

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This is a joint appeal filed by Mr. Tehseenullah & 17 others today on 01.01.2024 against the order dated 29/11/2023 against which they preferred/made a departmental appeal on 08.12.2023. The period of ninety days is not yet lapsed as per section 4 of the Khyber Pakhtunkhwa Service Tribunal Act 1974 which is premature as laid down in an authority reported as 2005-SCMR-890.

As such the instant appeal is returned in original to the appellants/counsel. The appellants would be at liberty to file fresh appeals after maturity of cause of action and also removing the following deficiencies.

- 1- Memorandum of appeal may be got signed by the appellants.
- 2- Addresses of appellants are incomplete be completed according to rule-6 of the Khyber Pakhtunkhwa Service Tribunal rules 1974.
- 3- Sub-rule-2 of rule-3 of the Khyber Pakhtunkhwa appeal rules 1986 requires that every affected civil servant shall prefer the appeal separately. Therefore the appeal of the above named appellants be filed separately/individually.
- 4- Three copies/sets of the appeal along with annexures i.e. complete in all respect for Tribunal and one for each respondent in each case may also be submitted with the appeal.

No. 11 /S.T.

Dt. 2/1 /2024

  
REGISTRAR  
SERVICE TRIBUNAL  
KHYBER PAKHTUNKHWA  
PESHAWAR.

Mr. Daris Khan Adv. Pesh.



Directorate of Elementary and Secondary Education

Khyber Pakhtunkhwa Peshawar

PH No. 091-9330242 Fax 091-9210936

No. 29158-59 /EM/II M/Khyber Vol: I. Dated 21/12/2023



To

(21)

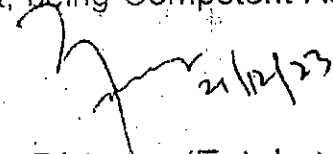
Annex. 'D' V

The District Education Officer (Male)  
Khyber at Jamrud.

Subject:  
Memo:

APPEAL FOR CANCELLATION OF TRANSFER.

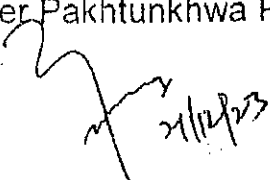
I am directed to refer to the subject cited above and to enclose herewith a copy of Self-explanatory Application/Appeal in respect of Mr. Abid Ali PST and 18<sup>th</sup> Others Tehsil Landi Kotal District Khyber and to ask you to solve the issue at your own level as per rules and policy intact, being Competent Authority please.

  
21/12/23  
Assistant Director (Estab : )  
Elementary and Secondary Education  
Pakhtunkhwa Peshawar

Endst. of even No. & Date:

Copy forwarded for information to the;

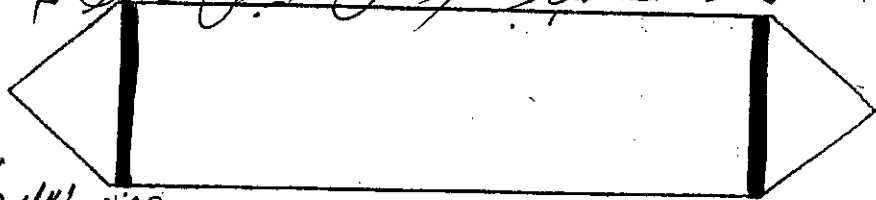
1. PA to Addl: Director E&SE (Estab : ) NMDs E&SE Khyber Pakhtunkhwa Peshawar.

  
21/12/23  
Assistant Director (Estab : )  
Elementary and Secondary Education  
Khyber Pakhtunkhwa Peshawar



(29)

بعد التجدد برس برس اس کی



بنا نام

گورنمنٹ

ص ۲۰۰

S-A No.

2024

باعث تحریر آنک

موزعہ  
مقدمہ  
دعوی  
ج ۳

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

آن مقام کے اقرار کیا جاتا ہے کہ صاحب موصوف کو مقدمہ کی کل کاروائی کا کامل اختیار ہوگا۔ نیز اکیل صاحب کو راضی نامہ کرنے و تقررات ہ فیصلہ بر حلف دیئے جواب دہی اور اقبال دعویٰ اور بصورت ڈگری کرنے اجراء اور صولی چیک و روپیہ اور عرضی دعویٰ اور درخواست ہر قسم کی تصدیق زرائیں پر دستخط کرانے کا اختیار ہوگا۔ نیز بصورت عدم پیروی یا ڈگری کی طرف یا اپیل کی برادگی اور منسوخی 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 پروا خستہ منظور قبول ہوگا۔ دوران مقدمہ میں جو خرچہ ہر جانب 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 نہ کر کریں۔ لہذا وکالت نامہ لکھ دیا کہ سند ہے۔

المرقوم 26

ماہ 20

کے لئے منظور ہے۔

Accepted by

Ishaq photostate (HCP)

Signature

Signature

حکم خان و لہ ایکسٹرنل نیٹی جیل راجستری لہور

03005896747