

BEFORE KHYBER PAKHTUNKHWA SERVICE TRIBUNAL,
PESHAWAR.

SERVICE APPEALS NO. 1189/2014

Date of institution ... 11.9.2014

Date of judgment ... 30.5.2016

Mst. Shamshad Begum
Senior Primary School Teacher at Raza Korona, Charsadda
R/O Kamangar, Tehsil and District Charsadda.

... (Appellant)

VERSUS

1. District Education Officer (Female) Charsadda.
2. Director (E & S Education) Khyber Pakhtunkhwa, Peshawar.

... (Respondents)

APPEAL UNDER SECTION-4 OF KHYBER PAKHTUNKHWA SERVICE TRIBUNAL ACT, 1974, DIRECTING THE RESPONDENTS TO ADJUST APPELLANT AT NEAREST DUTY STATION AS ENVISAGED IN POLICY FOR PRIMARY SCHOOL TEACHERS BY THE GOVERNMENT OF KHYBER PAKHTUNKHWA FROM TIME TO TIME IN THE BEST INTEREST OF PUBLIC.

Mr Rehmanullah Shah, Advocate.
Mr. Ziaullah, Government Pleader

.. For appellant.
.. For respondents.

MR. AHMAD HASSAN
MR. MUHAMMAD AAMIR NAZIR

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

JUDGMENT

AHMAD HASSAN, MEMBER: Mst. Shamshad Begum, Senior Primary School Teacher, hereinafter referred as appellant has filed instant appeal against the impugned order dated 13.11.2013 against which she preferred departmental appeal on 4.6.2016 which was not responded within the statutory period.

2. Brief facts of the case as narrated in the contents of appeal are that the appellant was appointed as PST in 1990-91. She is serving in the Education Department for the

last 24 years. Upon promotion PSHT (B-15) she was transferred to GGPS Raza Korona, Nazir Abad, District Charsadda. The appellant took over the charge of the post in the above school and is still serving there. That the school is 16 Km away from her residence. One Mst. Shabana Sardar has been posted in place of the appellant, therefore, appellant preferred departmental appeal against the impugned transfer order which was not decided within the statutory period of ninety days, hence the present service appeal.

3. We have heard the learned counsel for the appellant and learned Government Pleader Ziaullah for the respondents and have perusal of the record with their valuable assistance.

4. Learned counsel for the appellant argued before the Tribunal that appellant has been transferred to a far flung school without any justification, hence she be adjusted to a nearest school.


5. Learned Government Pleader in rebuttal argued that in the light of Directorate of Elementary and Secondary Education circular letter No. 2412-250-A/promotion/Establishment this dated 21.1.2013, senior most PSHT B-15, SPST B-14, PST B-12(According to the Seniority list) may be retained in the school of their present posting and junior most may be transferred to other schools. It is pointed out that senior most teachers appearing at Serial No. 12 and 19 of the promotion order were retained. On the other hand appellant's name was appearing at serial No. 239 of the promotion order, while her seniority position was at serial No. 386 of the seniority list. Hence transfer of the appellant was strictly according to laid down policy instructions.

6. Having examined pros and cons of the case this Tribunal has of the view that is transfer of the appellant was made in accordance if the instructions of the Directorate of Elementary and Secondary Education content in letter dated 21.1.2013 and as such no

mala-fide on the part of respondents was involved in this case. It is pertinent to note that the appellant was transfer due to her promotion to BS-15 in accordance with rules. Hence there is hardly any room in the Tribunal to interfere in this case.

7. In view of the foregoing, the appeal is devoid of any merits is hereby dismissed. Parties are, however, left to bear their own costs. File be consigned to the record room.

ANNOUNCED
30.5.2016


(MUHAMMAD AAMIR ANZIR)
MEMBER



(AHMAD HASSAN)
MEMBER

30.5.2016

Counsel for the appellant and Mr. Ziaullah, GP for respondents present.

Vide our detailed judgment of to-day consists of three pages placed on file, in view of the foregoing, the appeal is devoid of any merits is hereby dismissed. Parties are, however, left to bear their own costs. File be consigned to the record.

Announced
30.05.2016


(MUHAMMAD AAMIR NAZIR)
MEMBER


(AHMAD HASSAN)
MEMBER

10.08.2015

None present for appellant. Mr. Javed Ahmed, Supdt. for respondent No. 2 alongwith Assistant A.G for respondents present. Requested for adjournment. To come up for written reply/comments on 29.10.2015 before S.B.


Chairman

29.10.2015

Counsel for the appellant and Syed Mudassar Shah, ADO (lit.) alongwith Addl: A.G for respondents present. Written reply submitted. The appeal is assigned to D.B for rejoinder and final hearing for 23.2.2016.


Chairman

23.02.2016

Counsel for the appellant and Mr. Muhammad Jan, GP for respondents present. Rejoinder submitted on behalf of the appellant which is placed on file. Arguments could not be heard due to non-availability of D.B. therefore, the case is adjourned to 30.05.2016 for arguments.


Chairman

10.03.2015

Appellant Deposited
Security & Process Fee



Counsel for the appellant present. Learned counsel for the appellant argued that the appellant was serving as PST (BPS-12) and was promoted as Head PST(BPS-15) but posted outside of the Union Council at a School almost 15km distant at Raza Koroona Charsadda though post of Head PST (BPS-15) was available within the premises of Union Council Shams Abad to which the appellant belongs and as such the policy approved by the Government including the provisions of Section-3(3) of the Khyber Pakhtunkhwa Appointment, Deputation, Posting and Transfer of Teachers Regulatory Act , 2011 were violated. That vide impugned order 13.11.2013 the appellant was posted as Head PST (BPS-15) against which departmental appeal was preferred on 04.06.2014. That due to subsisting cause of action time limitation would not run against the appellant and that after lapse of statutory period service appeal was preferred on 11.09.2014.

That the appellant is entitled to be appointed against the vacancy available within the premises of Union Council Shams Abad.

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 22.06.2015 before S.B.


Chairman

22.06.2015

None present for appellant. Mr. Javed Ahmed, Supdt. for respondent No. 2 alongwith Addl: A.G for respondents present. Requested for adjournment. To come up for written reply/comments on 10.8.2015 before S.B.


Chairman

3.
Reader Note:

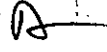
09.12.2014

Clerk of counsel for the appellant present. Since the Tribunal is incomplete, therefore, case is adjourned to 27.02.2015 for the same.


Reader

4.
30.01.2015

Clerk of counsel for the appellant present and filed an application for early hearing. Case file requisitioned. Application allowed. To come up for preliminary hearing on 13.02.2015 instead of 27.02.2015.


Member

13.02.2015

Learned counsel for the appellant argued that the appellant was initially appointed as PST in 1990 and was promoted as Head PST (BPS-15) on 13.11.2013 and was posted from GGPS Shams Abad Charsadda to GGPS Raza Koroona Khan Mai. That as per approved policy of the Government the appellant is entitled to be posted within the radius of 15 k.m of her abode provided a vacancy is available.


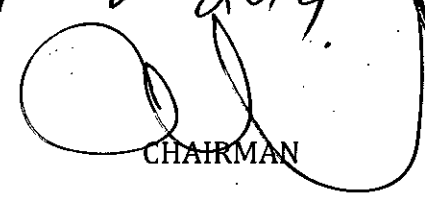
Learned counsel for the appellant seeks adjournment to produce the approved policy before this Tribunal. Adjourned for further preliminary hearing before S.B to 10.3.2015.


Chairman

Form- A
FORM OF ORDER SHEET

Court of _____

Case No. 1189 /2014


S.No.	Date of order Proceedings	Order or other proceedings with signature of judge or Magistrate
1	2	3
1	25/09/2014	<p>The appeal of Mst. Shamshad Begum resubmitted today by Mr. Rehmanullah Shah Advocate may be entered in the Institution register and put up to the Worthy Chairman for preliminary hearing.</p> <p style="text-align: right;"> REGISTRAR</p>
2	29-9-2014	<p>This case is entrusted to Primary Bench for preliminary hearing to be put up there on <u>9-12-2014</u>.</p> <p style="text-align: right;"> CHAIRMAN</p>

The appeal of Mst. Shamshad Begum D/o Wali Muhammad SPST at Raza Koroona Charsadda received today i.e. on 11.09.2014 is incomplete on the following score which is returned to the counsel for the appellant for completion and resubmission within 15 days.

- 1- Copy of impugned transfer order is not attached with the appeal which may be placed on it.
- 2- Copy of office order dated 13.11.2013 mentioned in para-2 of the memo of appeal is not attached with the appeal which may be placed on it.

No. 1357 /S.T.

Dt. 12/9 /2014.


REGISTRAR
SERVICE TRIBUNAL
KHYBER PAKHTUNKHWA
PESHAWAR.

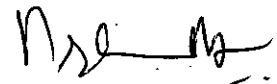
Mr. Rehman Ullah Shah Adv. Pesh.

Respected Sir,

The appeal is resubmitted as the said documents are annexed as mark "B" page 8-9.

This covers both the objections so raised.

Resubmitted



BEFORE THE KHYBER PAKHTUNKHWA SERVICES TRIBUNAL PESHAWAR

S. Appeal No 189/2014

Mst. SHAMSHAD BEGUM D/O WALI MUHAMMAD

APPELLANT

VERSUS

DISTRICT EDUCATION OFFICER (FEMALE) CHARSADE & ANOTHER

RESPONDENTS

INDEX OF DOCUMENTS

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	Wakalatnama		

Shamshad Begum
Appellant

Through:

Rehman Ullah Shah

Rehman Ullah Shah, Atiq Ur Rehman & Ibrahim Shah

MA, LL.M

Advocates

Ibn e Abdullah Law Associates

11 Azam Tower University Road, Peshawar

Phone & Fax # 091- 570 2021

www.ibneabdullah.com

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BEFORE THE KHYBER PAKHTUNKHWA SERVICES TRIBUNAL PESHAWAR

Service Appeal No. 1189 /2014

Mst. SHAMSHAD BEGUM D/O WALI MUHAMMAD
SENIOR PRIMARY SCHOOL TEACHER AT RAZA KORONA, CHARSADDA
R/O KAMANGAR, TEHSIL AND DISTRICT CHARSADDA

APPELLANT

VERSUS

1. DISTRICT EDUCATION OFFICER (FEMALE) CHARSADDA.
2. DIRECTOR (E & S EDUCATION) KHYBER PAKHTUNKHWA, PESHAWAR

RESPONDENTS

Appeal under Section 4 of the Khyber Pakhtunkhwa Service Tribunal Act, 1974 directing the Respondents to adjust Appellant at nearest duty station as envisaged in policy for primary school teachers by the Government of Khyber Pakhtunkhawa from time to time in the best interest of public

11/9/14

Respectfully submitted as under.

Brief facts of the case are as follows:

1. That the appellant got appointed with the respondents as Primary School Teacher in the year 1990 – 91. She served the department with zeal and zest and is a dedicated senior teacher having almost serving the department from last 24 years. She got her Master's degree qualification as well. During this period, no complaint or whatsoever has been preferred against the appellant.

{Copy of the Degree & CNIC is annexed as "A & A1"}

2. That through office order dated November 13, 2013, Departmental Promotion Committee and in pursuance of the Khyber Pakhtun Khwa Elementary and Secondary Education.

(Copy of the Office order is appended herewith as Annexure "B").

co-submitted to
and filed.

25/9/14

3. That upon promotion as Senior Primary School Teacher BPS 15, she was transferred to GGPS Raza Korona, Nazirabad, District Charsadda. It is worth to mention that the said school is situated some 16 kilometers away from the residence of the appellant.
4. That the Appellant resumed duty at the said school and is serving there since the date of her transfer. It is worth to mention that another lady, Mst. Shabbana Sardar has been posted against the vacant post some 4 months ago. Even appellant, preferred departmental appeal, but till date the same has not been considered.
5. That appellant has been ignored since date of her representation before Respondent No. 1. Though Respondent No.1 through its letter date 26/06/2014 asked SDO (F) Charsadda in response to the said representation, but no warm shoulder has been given to the representation of the Appellant.
{Copy of Dept Rep; and letter of Respondent 1 is annexed as "C & D"}
6. That the appellant time and again approached Respondent No. 1 for consideration of the departmental representation/ appeal, but the same has not been decided/ considered within the statutory period but till date no positive response is offered by the respondents.
7. That the appellant approaches this Honourable Tribunal for redress, inter-alia on the following:

GROUNDS.

- A. That the appellant is entitled to be considered for transfer to the nearest station as per policy of the Khyber Pakhtun Khwa {Elementary and Secondary Education} applicable to the Appellant.
- B. That numerous teachers in the respondents- department similarly placed Teachers have been allowed and adjusted/ transferred to the nearest and local duty station, but the request/ representation of the appellant has not been considered. Hence, the appellant is also entitled to a similar treatment without being discriminated under the law.
- C. That negligence lies on the part of Respondents and not on the part of the appellant. Hence appellant may not be panelized.

- D. That appellant being a mid-age, married woman is suffering from serious disease of backache and is unable to travel a distance of 16 kilometer from one side daily. Hence also liable to be treated on medical ground as well.
- E. That the appellant's case for the subject matter has been pending with the department since long and the respondents do strive to protract the same for no valid reason but to vex the appellant, hence, the indulgence of this Tribunal is need of the situation to curtail the agony of the appellant.
- F. That the respondents are following the principle of nepotism and favoritism which is clear violation of Article 4 and 25 of the Constitution of Islamic republic of Pakistan.
- G. That the appellant reserves his right to urge further grounds with leave of the tribunal at the time of arguments or when the stance of the Respondents comes in black in white.

It is, therefore, humbly prayed that on acceptance of this appeal this Honourable Tribunal may be pleased to make appropriate orders/directives to the respondents for consider the appellant's case for transfer in the nearest area/ locality in the best interest of justice.

Any other remedy to which the appellant is found fit in law, justice and equity may also be awarded.

Shoukat Begum
Appellant

Through:

Rehman Shah & Ibrahim Shah

Rehman Ullah Shah & Ibrahim Shah
MA, LLM
Advocates

Ibn e Abdullah Law Associates
11 Azam Tower University Road, Peshawar
Phone & Fax # 091- 570 2021
www.ibneabdullah.com

(4)

BEFORE THE KHYBER PAKHTUNKHWA SERVICES TRIBUNAL PESHAWAR

Service Appeal No. _____/2014

Mst. SHAMSHAD BEGUM D/O WALI MUHAMMAD

_____ APPELLANT

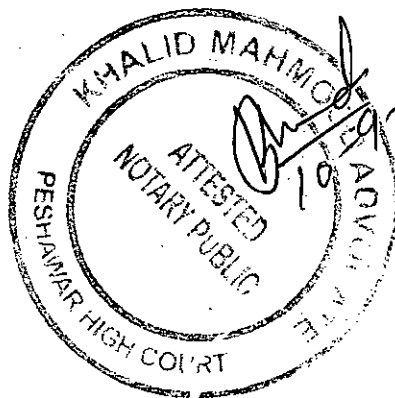
VERSUS

DISTRICT EDUCATION OFFICER (FEMALE) CHARSADDA & ANOTHER

_____ RESPONDENTS

AFFIDAVIT

I, Advocate Atiq Ur Rehman on behalf of my client and as per information received from client, do hereby solemnly affirm and declare on oath that the contents of the accompanying Appeal are true and correct to the best of my knowledge and belief and nothing has been kept concealed from this Hon'ble Court.



Deponent

Atiq Ur Rehman

Advocate

BEFORE THE KHYBER PAKHTUNKHWA SERVICES TRIBUNAL PESHAWAR

Service Appeal No. _____/2014

Mst. SHAMSHAD BEGUM D/O WALI MUHAMMAD

APPELLANT

VERSUS

DISTRICT EDUCATION OFFICER (FEMALE) CHARSADDA & ANOTHER

RESPONDENTS

MEMO OF ADDRESSES

APPELLANT:


Mst. SHAMSHAD BEGUM D/O WALI MUHAMMAD
SENIOR PRIMARY SCHOOL TEACHER AT RAZA KORONA, CHARSADDA
R/O KAMANGAR, TEHSIL AND DISTRICT CHARSADDA

RESPONDENTS:

1. DISTRICT EDUCATION OFFICER (FEMALE) CHARSADDA
2. DIRECTOR (E & S) KHYBER PAKHTUNKHWA, PESHAWAR

Appellant

Through.


Advocates



University of Peshawar

Pakistan

"A1" (7)

Session: Annual 2012

SHAMSHAD BEGUM daughter of WALI MUHAMMAD and a

Private Candidate of District Charsadda having Passed the

prescribed examination held in August 2012 is this day admitted by the University Of Peshawar to

the Degree of Master of Arts in Pashto in 2nd Division

The examination was taken as a whole

Registration No. 2008-PE-6270

Roll No. 35143

C.N.F.C No. 17101-9665639-0



[Signature]
Registrar

Result Declared on February 20, 2013

[Signature]
ATTESTED



069837

[Signature]
Vice Chancellor

[Handwritten notes and signatures]

"B"

08


OFFICE OF THE DISTRICT EDUCATION OFFICER (FEMALE) CHARSAJDA.

Phone NO.091-9220086

OFFICE ORDER.

Consequent upon the recommendation of the Departmental Promotion Committee and pursuance of the Government of Khyber Pakhtun Khwa Elementary and Secondary Education Notification No.SO(B&A)/1-18/E&SE/2012 Dated 11-07-2012 & Finance Department SO(FR/FD/10-22(E/2010 Dated 16-07-2012 & Govt: of KPK SO(PE4-5/SSRC/Meeting /2012 / Teacher Cadre Dated 13-11-2013 the following school teachers Sr. PST-B-14 are hereby promoted to the post of Senior Primary School teachers PSHT B-15(8500-700-29500)plus usual allowances as admissible under the rules on regular basis under the existing policy of the provincial Government, in teaching cadre on the terms on condition given below with immediate effect and further posted in the schools noted against each:-

S.NO	NAME OF TEACHER	Present School	Place Of Posting	Promoted From Sr. PST BPS-14 to PSHT BPS-15
1	NIZAKAT SHAHEEN	GGPS BABARA	GGPS BABARA	"do"
2	FEROZA BEGUM	GGPS MASOOD KHEL CHARSAJDA	GGPS MASOOD KHEL CHARSAJDA	"do"
3	DILSHAD BEGUM	GGPS ABDUL ABAD	GGPS ABDUL ABAD	"do"
4	SHAMIM AKHTAR	GGPS RAJJAR	GGPS RAJJAR	"do"
5	KAUSAR QAZI	GGPS UTMANZAI NO.1	GGPS UTMANZAI NO.1	"do"
6	RAZIA BEGUM	GGPS PRANG SAFAR KHEL	GGPS PRANG SAFAR KHEL	"do"
7	FARHAT JELIAN	GGPS TARNAB NO.1	GGPS TARNAB NO.1	"do"
8	SHAHIDA PARVEEN	GGPS QAZI KHEL QADIM	GGPS QAZI KHEL QADIM	"do"
9	ASMAT ARA	GGPS SAFO BARI BAND	GGPS SAFO BARI BAND	"do"
10	NAHID BEGUM	GGPS MOHMANDO KHELI	GGPS MOHMANDO KHELI	"do"
11	BAKHT MEEN BEGUM	GGPS STATION KOROONA	GGPS STATION KOROONA	"do"
12	NASEEM AKHTAR	GGPS SHAMS ABAD CHARSAJDA	GGPS SHAMS ABAD CHARSAJDA	"do"
13	SAEEDA BEGUM	GGPS KHYBARI KOROONA UMARZAI	GGPS KHYBARI KOROONA UMARZAI	"do"
14	TASLIM AKHTAR	GGPS RAJJAR	GGPS KHAN ABAD	"do"
15	KHALIDA BEGUM	GGPS PRANG SAFAR KHEL	GGPS PALOSA NO.1	"do"
16	SHAHIDA NASRIN	GGPS AKHTAR ABAD NO.1	GGPS AKHTAR ABAD NO.1	"do"
17	WAJAHAT BEGUM	GGPS TAMBOLAK	GGPS TAMBOLAK	"do"


ATTESTED

9

234	FARHAT	GGPS PRANG GARHI SHAHBAZ KHEL	GGPS GHULO GHUNDA	"do"
235	TASLIM BEGUM	GGPS FARMAN ABAD	GGPS ISMAT ABAD DHAKKI	"do"
236	SHEHNAZ BEGUM	GGPS IBRAHIMZAI	GGPS IBRAHIMZAI	"do"
237	SHAGUFTA BEGUM	GGPS AKHTAR ABAD NO.1	GGPS KODAI	"do"
238	SAJIDA BEGUM	GGPS PRANG GARHI SHAHBAZ KHEL	GGPS GUL JAN KILLI	"do"
239	SIAMSHAD BEGUM	GGPS SHAMS ABAD CHARSADDA	GGPS RAZA KOROONA KHAN MAI	"do"
240	SALMA JABEEN	GGPS.MATTA PALANG ZAI	GGPS MATTA PALANG ZAI	"do"
241	KHFAYAT BEGUM	GGPS AKHTAR ABAD NO.1	GGPS KANRO KILLI	"do"
242	TAJ BEGUM	GGPS ABAZAI	GGPS ABAZAI	"do"
243	SHAHIN ISMAIL	GGPS KOT BABA	GGPS GANJI DAG	"do"
244	ABIDA BEGUM	GGCMS ZIARAT KILLI	GGPS RAZIQ ABAD	"do"
245	NASRIN BEGUM	GGPS TARIQ ABAD	GGPS NOORANI	"do"
246	MUSARAT NAWAZ	GGPS AZIZ KHEL. CHARSADDA	GGPS SHAH PASAND KILLI	"do"
247	TANVIR SHABNAM	GGPS GARHI KAKA KHEL. RAJJAR	GGPS QALANDAR MIAN KILLI	"do"
248	PARISTAN	GGPS PAPRA KOROONA	GGPS JAMMAT	"do"
249	SARWAT JEHAN	GGPS JAHANGIR ABAD	GGPS DALA ZAK SKF	"do"
250	RIFAT BEGUM	GGPS PAREECH KHEL.	GGPS Khawaja Was	"do"
251	HASHMAT BEGUM	GGPS TARNAB NO.1	GGPS CHITA SHAHI	"do"
252	WAHIDA BEGUM	GGPS TANGI QILA	GGPS HALEEM ZAI SKF	"do"
253	RUKHSANA GHULAM	GGPS KOT BABA	GGPS QAMAR KHAN KILLI	"do"
254	RUKHSANA BEGUM	GGPS SHEIKH MALI NISATTA	GGPS SHEIKH MALI NISATTA	"do"
255	NILOFAR	GGPS TURLANDI CHARSADDA	GGPS TURLANDI CHARSADDA	"do"
256	GHAZALA SAHAR	GGPS IHKMAT KOROONA	GGPS SAIDANO KILLI	"do"
257	ROHIDA BEGUM	GGPS GANJYANO KILLI	GGPS GANJYANO KILLI	"do"
258	ROBINA ALI	GGPS NAJIM ABAD	GGPS NAJIM ABAD	"do"
259	NASIM AKHTAR	GGPS UMARZAI NO.1	GGPS QANDARO KILLI	"do"
260	HALEEMA BEGUM	GGPS PAPRA KOROONA	GGPS YAGHI BAND NO.1	"do"

ATTESTED

Shamsad

B/2

9/A

OFFICE OF THE DISTRICT EDUCATION OFFICER (FEMALE) CHARSADDA

OFFICE ORDER

Consequent upon the special approval of the Director Elementary and Secondary Education Khyber Pakhtunkhwa Peshawar dated 22.1.2014, Mr. Shahbaz Sadat, PHSF B-15 GGPS Margham Tangi is hereby transferred Adjusted on her own pay and scale at GGPS Shams Abadi Chahynee, Mst. Rassem Akhtar PHSF 15 GGPS Shams Abad will be relieved from service on 22.1.2014 in the best interest of public.

This order will be effective from 22.1.2014.

Note:

- 1. No T.L.D.A is allowed.
- 2. Charge report should be submitted to all concerned.

(RABIA ANEES)
DISTRICT EDUCATION OFFICER
(FEMALE) CHARSADDA

Emstt No. 4420-233 Dated Charsadda the 25/1/2014

Copy for Information & Necessary action to the:

- 1. P.A to Director, ESSE, Khyber Pakhtun Khwa Peshawar
- 2. SDEO (F) Charsadda, Tangi
- 3. Suptdt. Establishment, Local offices
- 4. official Concerned
- 5. DAO Charsadda
- 6. Office File

Rabia Anees 25/1/2014
DISTRICT EDUCATION OFFICER
(FEMALE) CHARSADDA

Attested

OFFICE OF THE DISTRICT EDUCATION OFFICER (FEMALE)
CHARSADDA

OFFICE ORDER

Consequent upon the special approval of the Director Elementary and Secondary Education Khyber Pakhtunkhwa Peshawar dated 22.1.2014 Mrs. Shabano Sardar PHST BS-15 GGPS Margham Tangi is hereby transferred Adjusted on her own pay and scale at GGPS Shams Mst Naseem Akhtar PHST to GGPS Shams

Note:-

1. No TADA allowed
2. Charge report should be submitted all concerned

RABIA ANEES
DISTRICT EDUCATION OFFICER
(FEMALE CHARSADDA)

Attended

To: Director Elementary & Secondary Education
Balgari Garden, Peshawar.

(10)

PKK

Subject: Departmental Representation / Appeal
of Transfer to the local / nearest station

Respected Sir,

With due respect that I have been transferred
Raza Kosona (Charasadda) from Shamsabad (Charasadda)

That on vacation of a post at a locality, the applicant
requested to the Concern SDO, but her request was not
considered. The applicant is a patient and suffering
from knee & backache severe problem.

I would like to draw your kind attention toward that
another teacher namely, Mrs. Sardar has been posted
at local station where applicant was supposed to be posted.

It is therefore most humbly requested that I
may be placed at nearest / local station so
that I may perform my duties with more commitment.
Hope your good office would consider every request/appeal.
Pray for your good health.

04/06/2014

yours truly,
Shamshad Begum
Mrs. Shamshad Begum
Senior Primary S. Teacher
Raza Kosona, Charasadda.

DISTRICT EDUCATION OFFICER
(FEMALE) CHARSADDA.
NO. _____ / DATED: 26/6/14.

To

"D" 11

The SDEO (F)
Charsadda.

SUBJECT:- APPLICATION FOR TRANSFER.

Memo

Please find enclosed herewith application along with a letter received from the Director E&SE Khyber Pakhtunkhwa for the transfer of Mst Shamshad Begum PHST BPS 15 GGPS Raza Koroonia to GGPS Shams Abad(Chd) against the vacant post for further necessary action as under the rules/policy.

Encl (3)

DISTRICT EDUCATION OFFICER
(Female)Charsadda.

Endst No 345 / Up
Copy forwarded for information to the;

- 1 PA to Director E&SE Khyber pakhtunkhwa Peshawar with reference Letter No5141 dated 20.6.2014.
- 2 Mst Shamshad Begum Headmistress GGPS Raza koroonia .

*D E O (F)
Charsadda*

24/6
DISTRICT EDUCATION OFFICER
(FEMALE)CHARSADDA.

*Through
Shirvan Sector
Lala Shas
Jahid Jaffer*

ATTESTED

Associate Professor

Dr. Amjad Taqweem Kakakhail
(Gold Medalist)



'E'

(12)

ایسوسی ایٹ پروفیسر

ڈاکٹر امجد تقویم کا کاخیل
گولڈ میڈلسٹ

ایم بی بی ایس (پشاور)

ایف سی پی ایس (میڈیسن)

ایم آری پی ایس (آئرلینڈ)

Physician & Rheumatologist
F.C.P.S. (Pak) MRCP (Ireland)

Associate Professor Medicine
Post Graduate Medical Institute
Lady Reading Hospital Peshawar.

Handwritten signature/initials

f

16/4/12

Handwritten initials 'OA'

Handwritten initials 'Dhara'

Handwritten initials 'Lec. 2012'

Handwritten initials 'fer. 2012'

Handwritten initials 'Ne'

ATTESTED

در دکی گولی کے ساتھ معدے کی دوائی ضرور رکھائیں

ناغذ بروز ہفتہ، اتوار

نوٹ: صبح 9:00 بجے سے شام 6:00 بجے تک نمبر حاصل کریں۔

Clinic: 29-30 A, Karachi Market, Khyber Bazar, Peshawar

Mob: 0300-5908048 - 0333-9389085

Physician

Dr. Said Muhammad

M.B.B.S (Pesh)

F.C.P.S (Med)

MEDICAL SPECIALIST,

D..H.Q Hospital Charsadda.

فریشن

ڈاکٹر سید محمد

ایم بی بی ایس، ایف سی پی ایس

میڈیکل اسپیشلسٹ

ڈی ایچ کیو ہسپتال چارسدہ

(13)

Name

Shamshad Begum

Age

Sex

F

Date

11/11/11

Gastritis Drug induced

Re.

Cap. Nexum 40

Tab. Vonclix
1-1-1

Tab. Spasler
1-1-1

- Tab. Levoxin 50
1-1-1

- Syp. Hydrolyt
2-1-2

Tab. Nuberol 1-1-1

neu 2

ATTESTED

[Signature]



Northwest General
Hospital & Research Centre

(14)

Dr. Raja Irfan Qadir

M.B.B.S. (Pesh) F.C.P.S. (Orth)
O.D.T.S.C. R.C.S. (England)
A. O Fellowship in Trauma (Germany)
Fellowship in Spinal Surgery

Orthopaedic and Spine Surgeon

Sector A-3, Phase-V, Hayatabad, Peshawar.
Ph: 091-5822612-21, Fax: 091-5822620
Email: iqadir@nwgh.pk, Web: www.nwgh.pk

Date: 04 / 1 / 13

Shamshad ♀ 40
Bilir

Bilkun Again
R > L

Sister R.A.

o SAA
o warm
Pain PAS
Joints
AA
SUA
RA
BSR

ob ①

Tah. Rotec 75
147
3X Tah Esoprot
Nil ① 20
31 Fastenid 5p
R & M S

ob ②

Tah. Jovif
147
Tah Bone Care C
Li ①

[Signature]

..... ماه بعد معانے کیلئے تشریف لائیں۔

A project of ALLIANCE HEALTHCARE (Pvt) Ltd.

[Signature]
ATTESTED

Associate Professor

Dr. Amjad Taqweem Kakakhail
(Gold Medalist)



15

ایسوسی ایٹ پروفیسر

ڈاکٹر امجد تقویم کا کاخیل

گولڈ میڈلسٹ

ایم بی بی ایس (پشاور)

ایف سی پی ایس (میڈیسن)

ایم آری پی ایس (آئر لینڈ)

Physician & Rheumatologist
F.C.P.S. (Pak) MRCP (Ireland)

Associate Professor Medicine
Post Graduate Medical Institute
Lady Reading Hospital Peshawar.

Slavina

f

573113

GA

Dibro

1-1

leoxies

1000

1-1

peridol

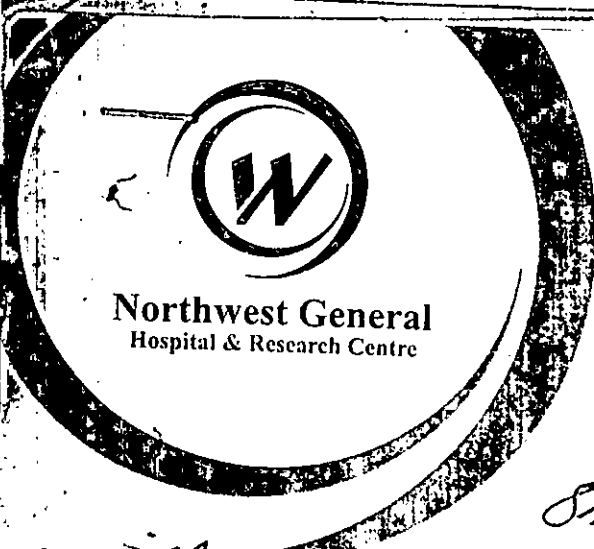
1-1

1/2

ATTESTED

درد کی گولی کے ساتھ معدے کی دوائی ضرور کھائیں
ناغہ بروز ہفتہ، اتوار

Clinic: 29-30 A, Karachi Market, Khyber Bazar, Peshawar
Mob: 0300-5908048 - 0333-9389085



Northwest General
Hospital & Research Centre

Dr. Khushnood Ali Baz
M.D., M.S (Ortho) Ph-D (Ortho)
Orthopaedic & Hand Surgeon
Sector A-3, Phase-V, Hayatabad, Peshawar.
Ph: 091-5822612-21, Fax: 091-5822620
Email: kabaz@nwgh.pk, Web: www.nwgh.pk

(16)

Date: 01 NOV 2013

Quines

Transhod 40

& Pleader Jacciti (P)

- 1. I vachal 11/1
- 2. I Even - D 1/100
- 3. ay Jacciti 1/100
- 4. Jacciti 1/100

بانی و مالک
ڈاکٹر کھوشنود علی باز

ATTESTED

..... ماہ بعد معائنے کیلئے تشریف لائیں۔

A project of ALLIANCE HEALTHCARE (Pvt) Ltd.

زحمت سے بچنے کیلئے مریضوں سے درخواست ہے کہ وزٹ کیلئے پیشگی نمبر حاصل کریں۔

۷ ن بروور ہسپتال، ۱۰/۱۱

ORTHOPAEDIC AND SPINE SURGERY CLINIC

Prof: Dr. Mohammad Arif Khan

F.C.P.S. (Ortho)

Fellowship in Joint Replacement Surgery

Fellowship in Spine Surgery

Head, Deptt Of Orthopaedic and Spine Surgery

KGMC/Hayat Abad Medical Complex, Peshawar.

Dr. Abdul Sattar

F.C.P.S. (ortho)

Senior Registrar

Deptt Of Orthopaedic Surgery

PGMI / Lady Reading Hospital Peshawar.

90
17

Patient Name Shamshada Age 40y Sex F Date 26/3/13.

O.A Both Knee.

R

Tab Ofek 20

1 + 1 + 1

Cap Alamep 20

1 + 1

Tab Durageric

1 + 1 + 1

Tab Karty

1 + 1

Inul

ATTESTED

For Appointment Ph:091-2570320

E-mail: a_khan37@yahoo.co.uk

دوباره معائنہ کیلئے بعد تشریف لائیں

امان ہسپتال ڈبگری گارڈن پشاور: 8-091-2570321

چھٹی بروز ہفتہ، اتوار

Farhat Ullah

M.B.B.S. R.M.P

Ex Registrar Surgical & Orthopedic

Lady Reading & Hayat Teaching Hospital, Peshawar.

Clinic: Main Bazar, Pabbi.

Mob: 0312-9182438

Mob: 0313-9126169



ڈاکٹر فرحت اللہ

ایم بی بی ایس، آرا ایم پی

سابقہ سرجیکل ارتھو پیڈک رجسٹرار

لیڈی ریڈنگ و حیات ٹیچنگ ہسپتال پشاور

کلینک: جی ٹی روڈ، نزد حبیب بینک، مین بازار مہی

ایٹ پروڈ
ط محمد

ایف سی
ہسپتال پشاور

15/5

Patient's Name Shan Ullah

F-35

Date 29/11/12

Clinical Record

Rx

Pain both calves - 3/4

Insidious
7 E work

O/E
NAD

B.P. 130/80

Δ Pain calves
Relieved by
Buyer?

Dr. Zahid Nabeel

10 - 3

2) Val Evicor 400

3) Topiramate

دوز 150 - ایک دفعہ صبح

4)

⊕

ATTESTED

ہال بالمقابل ڈسٹرکٹ ہیڈ کوارٹر ہسپتال چارسدہ۔ فون 091-6510045 تعطیل بروز اتوار

Associate Prof:

DR. MUHAMMAD ARSHAD

MBBS, FCPS

MEDICAL SPECIALIST

(19)

سیوسی ایٹ پروفیسر

ڈاکٹر محمد ارشد

ایم بی بی ایس - ایف سی پی ایس

سیرجیکل ہسپتال پشاور

میڈیکل سپیشلسٹ

Name

نمشادہ

Age

40

Sex

F

Date

15/5/14

Body aches
pain knee

Rx

1) Tab. Joint
063 - 1+1

2) Tab. Balsam D
1+1

3) Imp. D40 -
063 - 1+1

4) Tab. Cefixime
10/15 - 1+1

5) Cap. Cefprozil
10/14 - 1+1

o/
E
Bp 134/80
Shot
N/A

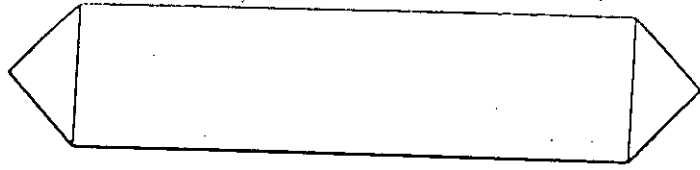
15/5/14

ATTESTED

تعطیل بروز اتوار

091-6510045 فون

کلینک: نواز میڈیکل ہال بالمقابل ڈسٹرکٹ ہیڈ کوارٹر ہسپتال چارسدہ۔



Mst. Shamsheer Begum

2 جناب
بنام

VS

مورخہ
مقدمہ

EDO (Education) Female Charsadda & others
جم

باعث تحریر آنکہ

مقدمہ مندرجہ عنوان بالا میں اپنی طرف سے واسطے پیروی و جواب دہی وکل کاروائی متعلقہ
آن مقام Peshawar ^{کلیئر} Atiq Ullah Rehman ^{کلیئر} Rehman Ullah Sheikh
مقرر کر کے اقرار کیا جاتا ہے۔ کہ صاحب موصوف کو مقدمہ کی کل کاروائی کا کامل اختیار ہوگا۔ نیز
وکیل صاحب کو راضی نامہ کرنے و تقرر ثالث و فیصلہ پر حلف دینے جواب دہی اور اقبال دعویٰ اور
بصورت ڈگری کرنے اجراء اور وصولی چیک دروپہ ارضی دعویٰ اور درخواست ہر قسم کی تصدیق
زرائیں پر دستخط کرانے کا اختیار ہوگا۔ نیز صورت عدم پیروی یا ڈگری یکطرفہ یا اپیل کی برآمدگی
اور منسوخی نیز دائر کرنے اپیل نکرانی و نظر ثانی و پیروی کرنے کا مختار 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 باختیارات حاصل ہوں گے
اور اس کا ساختہ پر داختم منظور و قبول ہوگا دوران مقدمہ میں جو خرچہ ہر جانہ التوائے مقدمہ کے
سبب سے ہوگا۔ کوئی تاریخ پیشی مقام دورہ پر ہو یا حد سے باہر ہو تو وکیل صاحب پابند ہوں
گے۔ کہ پیروی مذکور کریں۔ لہذا نکالت نامہ لکھ دیا کہ سند ہے۔

2016

المرقوم 06 ستمبر 2016

Shamsheer Begum

صدا شکاریم
G.G.P.S Raza Korona, Charsadda

کے لئے منظور ہے۔

مقام

Attested & accepted

Handwritten signature

BEFORE THE HON'BLE SERVICE TRIBUNAL PESHAWAR

In Re.....

Mst Shamshad Begum

Versus

District Education Officer & Others.

APPLICATION FOR EARLY HEARING IN THE ABOVE MENTION CASE

Respectfully submitted as under:

1. That the above titled case is pending before the Hon'ble court and is fixed for dated 27/02/2015.
2. That the petitioner is transferred to a remote area against the policy from a settled one which caused a huge problem/ in convenience for her.
3. That early hearing in the instant case would be in the interest of justice.

It is therefore humbly prayed that on acceptance of this application the case of the petitioner may kindly be fixed in the coming week.

Shamshad Begum
Applicant

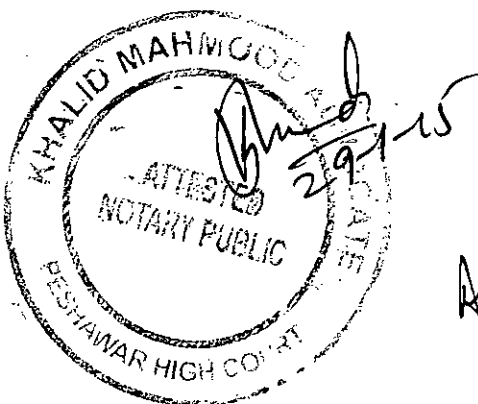
Through;

Dated Jan 27, 2015

Rehman Ullah Shah
Rehman Ullah Shah
Advocate

Affidavit

I Shamshad Begum solemnly affirmed on oath that the content of the application are true and correct to the best of my knowledge and belief.



Attested. P. P. P. m 13-2-15
30/1/15

Shamshad Begum
Deponent

BEFORE THE KHYBER PAKHTUNKHWA SERVICE TRIBUNAL, PESHAWAR

In Re: _____ /2016

Service Appeal No: 1189 /2014

Mst. Shamshad Begum

Appellant

Versus

Govt of Khyber Pakhtunkhwa & Others

Respondents

REJOINDER ON BEHALF OF APPELLANT

Respectfully Sheweth,

Preliminary Objections:

The objections raised by Respondents are false, unfounded, hence are not tenable. Appellant has a legal grievance and as such, a legal footing to file the instant appeal. No question of estoppel is pinpointed nor is there any to stop appellant from instituting the present lies. Similarly, the explanation and clarification given by the respondents are based on is a matter of records, hence no comments.

Para wise:

1. Para no. 01 is admitted correct, hence no reply.
2. Para no. 02 of comments is admitted correct, hence no reply.
3. Para no. 03 is incorrect hence denied.
4. Para no. 04 is incorrect, hence denied. Mst. Shabbana Sardar has been posted against the vacant post some 04 months ago. The appellant preferred departmental appeal, but till date the same has not been considered.
5. Para no. 05 is in correct, hence denied.
6. Para no. 06 is in correct, hence denied. The Respondent has not given any positive response to the appellant's appeal.

GROUNDS:

GROUND:

- A. Incorrect and wrong, hence denied. No proper inquiry has been conducted. Rest of the Para of the comments is denied as wrong and incorrect.
- B. Incorrect and wrong, hence denied. No proper inquiry has been conducted. Rest of the Para of the comments is denied as wrong and incorrect.
- C. Comments of the Respondents are wrong hence denied.
- D. Comments of the Respondents are wrong hence denied.
- E. Incorrect, hence denied.
- F. Incorrect, hence denied.
- G. Incorrect, hence denied.

Therefore, the august tribunal may be pleased to accept the appeal preferred by the appellant with the directions to the respondents for consider the appellant's case for transfer in the nearest area in the best interest of justice.

Any other remedy which this Hon'ble court deems appropriate in law, equity and justice may also be granted.

*Sham Shah
begam*
Petitioners

Through.

M. Ullah Shah *A. U. Rehman*
Rehman Ullah Shah, Attiq Ur Rehman

M.A. LLM

Advocates High Court