

in Govt; Girls High School Koza Nawagai Buner. Further relief to which the appellant is otherwise entitled, under the law, though not specifically prayed for, in the instant service appeal, may also be granted.

03. The prayer is regarding declaration of order dated 14.12.2023 to be illegal without jurisdiction, against law and Khyber Pakhtunkhwa Government Servants (Appointment, Promotion and Transfer) Rules 1989. The said order is found placed on file at page-21 but that pertains to respondent No. 5, having nothing to do with the terms and conditions of service of the appellant. The prayer of the appellant is against Section-10 of the Khyber Pakhtunkhwa Civil Servants Act, 1973. Besides there is no original or appellate order enabling the appellant to file appeal before this Tribunal in accordance with Section 4 of Khyber Pakhtunkhwa Service Tribunal Act, 1974. This being so this appeal is dismissed in limine. Consign.

04. *Pronounced in open court at camp court Swat and given under my hand and seal of the Tribunal on this 10th day of May, 2024.*



(RashidaBano)
Member (J)
Camp Court, Swat

Kaleemullah

S.No.	Date of order/ proceedings	Order or other proceedings with signature of Judge or Magistrate and that of parties where necessary.
1	2	3
	10 th May, 2024	<p style="text-align: center;"><u>KHYBER PAKHTUNKHWA SERVICE TRIBUNAL,</u> <u>AT CAMP COURT SWAT</u></p> <p style="text-align: center;">Service Appeal No. 410/2024</p> <p>Miss. Rabia SST BPS-16 W/O Saeedul Islam, GGHSS Shadman Amazai District Buner..... (Appellant)</p> <p style="text-align: center;"><u>Versus</u></p> <ol style="list-style-type: none"> 1. Secretary, Elementary & Secondary Education, Khyber Pakhtunkhwa, Peshawar. 2. Chief Secretary to Government of Khyber Pakhtunkhwa, Peshawar. 3. The Director, Elementary & Secondary Education, Khyber Pakhtunkhwa, Peshawar. 4. The District Education Officer (Female), Buner. 5. Miss. Sarwar Bibi, SST GGHSS Jowar /now GGHSS Kuza Nawagai District Buner..... (Respondents) <p><u>ORDER</u></p> <p><u>RASHIDA BANO, MEMBER (JUDICIAL):-</u> Learned counsel for the appellant present and has been heard.</p> <p>02. This appeal has filed with the following prayer:-</p> <p style="text-align: center;"><i>“On acceptance of the instant appeal of the appellant, the order impugned dated, 14/12/2023, passed by the respondent No.1, by giving the normal routine matter, extra ordinary importance & even during ban, against the merit and transfer and spouse policies and pre-mature having, by passed, the respondents No. 3 & 4, even No. 4 normally, being competent authority, without any reasonable grounds or cause, just on mala fide intention with the appellant, to post and accommodate the respondent No.5, being his blue eyed, after 07 days stay, in her existing station /Govt; Girls Higher Secondary School Jowar Buner, may be set aside and be directed the respondent No.4, to transfer and post the appellant, on the same post of STT (BPS-16), newly upgraded,</i></p>