

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-17 but that pertains to respondent No. 3, 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 Swat and given under my hand and seal of the Tribunal on this 10th day of May, 2024.*



(Rashida Bano)
Member (J)
Camp Court, D.I.Khan

Kaleemullah

| S.No. | Date of order/ proceedings | Order or other proceedings with signature of Judge or Magistrate and that of parties where necessary. |
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| 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. 472/2024</p> <p>Miss. Lubna Baseer PET BPS-15 W/O Ghafoor Gul, GGMS Channar District Buner..... (Appellant)</p> <p style="text-align: center;"><u>Versus</u></p> <ol style="list-style-type: none"> 1. District Education Officer (F), Buner. 2. Director, Elementary & Secondary Education Department, Khyber Pakhtunkhwa, Peshawar. 3. Miss, Zeenat Begum PET BPS-15 GGHSS Sarwat Bibi, STT GGHSS Jowar /now GGHSS Kuaza Nawagai District Buner(Respondents) <p style="text-align: center;"><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>i. On acceptance of the instant service appeal of the appellant, the impugned order End; No.4547-53 dated 14.12.2023 passed by the respondent No.1, just to accommodate the private respondent No,3, being her blue eyed, on the seat of her choice by clear discrimination, against the vacant post of PET BPS-15, in GGHS Sura, fraudulently and tactfully, against which the appellant has superior right to be posted, whom spouse has been serving, in GHSS Nawagai as Senior clear Drawing Master BPS-16 and as per pre assurance and acknowledgment and declaration of due right of the appellant, made by the respondent No.1, may be set aside in favour of the appellant by retransferring and reposting of the appellant on the same seat of PET BPS-15 in the GGHS Sura. Further relief to which the appellant is</i></p> |