


FORM OF ORDER SHEET

Court of _____

Appeal No. 693/2024

S.No.	Date of order proceedings	Order or other proceedings with signature of judge
1.	2	3
1-	22/05/2024	<p>The appeal of Mr. Sharif Ullah resubmitted today by Mr. Nouman Ali Bukhari Advocate. It is fixed for preliminary hearing before Single Bench at Peshawar on 27.05.2024. Parcha Peshi given to the counsel for the appellant.</p> <p>By the order of Chairman</p> <p> REGISTRAR</p>

BEFORE THE KHYBER PAKHTUNKHWA SERVICE TRIBUNAL

PESHAWAR.

NO. 693 /2024

Shavefulla

VS GOVT. OF KPK & OTHERS

APPLICATION FOR FIXATION OF THE ABOVE TITLED AT
PRINCIPAL SEAT, PESHAWAR

Respectfully Sheweth:

1. That the above mentioned is pending adjudication before this Hon'ble Tribunal in which no date has been fixed so far.
2. That according to Rule 5 of the Khyber Pakhtunkhwa Service Tribunal Rules 1974, a Tribunal may hold its sittings at any place in Khyber Pakhtunkhwa which would be convenient to the parties whose matters are to be heard.
3. That it is worth mentioning that the offices of all the respondents concerned are at Peshawar and Peshawar is also convenient to the appellant/applicant meaning thereby that Principal Seat would be convenient to the parties concerned.
4. That any other ground will be raised at the time of arguments with the permission of this Hon'ble tribunal.

It is therefore prayed that on acceptance of this application the may please be fixed at Principal Seat, Peshawar for the Convenience of parties and best interest of justice.

Appellant/Applicant

Dated: 22/05/2024

Through


Shavefulla
Eyed Woman Ali Buldar
Atc

The appeal of Mr: Sharif Ullah received today i.e on 07.05.2024 is incomplete on the following score which is returned to the counsel for the appellant for completion and resubmission within 15 days.

- ① ✓ Check list is not attached with the appeal.
- 2- Affidavit is not attested by the Oath Commissioner.
- 3 ✓ Memorandum of appeal is not signed by the appellant.
- 4- Copy of Impugned dismissal order mentioned in para-2 of the memo of appeal is not attached with the appeal be placed on it.
- 5- Copy of departmental appeal is not attached with the appeal.
- 6- Documents referred to in the memo of appeal are not attached with the appeal be placed on it.
- ⑦ Address of respondent no.1 is incomplete.
- 8- The documents that are to be provided must be readable/legible.
- 9- Three copies/sets of the appeal along with annexures i.e. complete in all respect for Tribunal and one for each respondent may also be submitted with the appeal.

No. 1142 /S.T,


DL 8-5- /2024.


8/5/24
REGISTRAR
SERVICE TRIBUNAL
KHYBER PAKHTUNKHWA
PESHAWAR.

Syed Noman Ali Bukhari Adv.
High Court Peshawar.

Respected Sir,

All objections read & file Resubmitted.


22/5/2024

BEFORE THE KPK SERVICE TRIBUNAL PESHAWAR

APPEAL NO. 693/2024

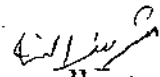
Shareef Ullah

V/S

Edu Deptt:

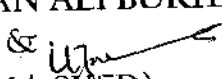
INDEX

S.NO.	DOCUHIMNTS	ANNEXURE	PAGE
1.	Memo of Appeal	//////	1-7
2.	Copy of appointment order, medical certificate	-A-	08-13
3.	Copy of attendance register	-B-	14-31
4.	Copy of Service Book	-C-	32-34
5.	Copy of Tribunal order	-D-	35-37
6.	Copy of impugned order	-E-	38
7.	Copy of departmental appeal	-F-	39-41
8.	Walakat Nama	//////	42


Appellant
Shareef Ullah

Through:


(SYED NOMAN ALI BUKHARI)


(UZMA SYED)

ADVOCATES, High Court

Cell NO: 0335-8390122

Office:

Room No. Fr#8, 4th Floor, Bilor
Plaza, Sadar Bazar, Peshawar
Cant.

Date: 07/05/2024.

**BEFORE THE HON'BLE SERVICE TRIBUNAL KHYBER
PAKHTUNKHWA PESHAWAR**

Service Appeal No. 693 of 2024

Sharif Ullah Ex Junior Clerk GGHS Amir Muharamad
Wali, District Lakki Marwat.

.....Appellant

VERSUS

- 1- Director Elementary and Secondary Education
Khyber Pakhtunkhwa Peshawar.
- 2- District Education Officer, District Lakki Marwat.

..... Respondents

**APPEAL UNDER SECTION 4 OF THE
KHYBER PAKHTUNKHWA SERVICE
TRIBUNAL ACT 1974 AGAINST THE
IMPUGNED WITHDRAWAL OF
APPOINTMENT DATED 28.04.2017
COMMUNICATED TO THE APPELLANT
THROUGH COURT ON 08.12.2023 AND
AGAINST NOT DECIDING
DEPARTMENTAL APPEAL OF THE
APPELLANT WITHIN STATUTORY
PERIOD.**

Prayer:

**ON ACCEPTANCE OF THIS APPEAL,
THE IMPUGNED ORDER DATED
28.04.2017 COMMUNICATED TO THE
APPELLANT ON 08.12.2023 MAY KINDLY
BE SET ASIDE AND THE APPELLANT
MAY BE REINSTATED INTO SERVICE
WITH ALL BACK AND CONSEQUENTIAL
BENEFITS.**

✓ ANY OTHER REMEDY WHICH THIS AUGUST TRIBUNAL DEEMS FIT AND APPROPRIATE THAT MAY ALSO BE AWARDED IN FAVOUR OF APPELLANT. (2)

RESPECTFULLY SHEWETH:

FACTS:

1. That the appellant was appointed as Junior Clerk against the vacant post vide order dated 20.04.2017 on proper recommendation of departmental selection committee under deceased son Quota and posted at GHS Amir Muhammad wali. The appellant properly submitted his charge report/Arrival report and medical fitness certificate.(Copy of appointment order and medical certificate is attached as Annexure-A)
2. That the appellant has performed his duties assigned to him with zeal and devotion and there was no complaint, what so ever regarding his performance and proper service nook was maintained. Copy of attendance register and service book is attached as annexure-B & C.
3. That the appellant performing his duties till September 2020 and suddenly the salary of the appellant has been stopped, when the appellant inquire about the stoppage of salary the clerk verbally told him the inquiry was constituted against the appellant regards the withdrawal of appointment order but neither the inquiry nor the suspension order of appointment was communicated to the appellant, which is against the law and rule the appellant feeling aggrieved filed service appeal no: 599/2023 for release of salary. The said appeal was heard on 08/12/2023 and during hearing, the deptt: produced the withdrawal order dated 28/04/2017 in light of which the appeal of the appellant was disposed off vide order dated 08/12/2023 leaving the appellant at liberty to challenge the withdrawal order. The coopt of the same was handed over 12/12/2023. The appellant feeling aggrieved from the withdrawal order filed departmental which was no responded with in statutory period of 90 days. Copy of the tribunal Order, impugned order and departmental appeal is attached as annexure-D, E & F.

- ✓ 4. Hence the appellant constrained to file the instant service appeal on the following grounds amongst others.

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GROUND:

- A. That the impugned withdrawal order are against the law, facts, norms of justice, and material on record, therefore not tenable and liable to be set aside.
- B. That the whole proceeding conducted by the respondent department is against the law and rules.
- C. That the appellant has been condemned unheard and has not been treated according to law and rules.
- D. That the appellant has not been treated under proper law despite he was a civil servant of the province, therefore, the impugned order is liable to be set aside on this score alone.
- E. That the appellant has been condemned unheard in violation of Article 10-A of the Constitution of Islamic republic of Pakistan and in violation of maxim "Audi Alterum Partum" and has not been treated according to law and rules. That according to reported judgment cited as *2019 CLC 1750* stated that Audi Alterum Partum" shall be read as part and parcel of the every statute. The same principle held in the Superior Court judgments cited as 2016 SCMR 943, 2010 SCMR 1554 and 2020 PLC(cs) 67.
- F. That the appellant have not been treated in accordance with law hence the appellant right secured and guaranteed under the law are badly violated.
- G. That the appellant have never committed any act or omission with bad or malafide intentions which could be termed as misconduct, albeit the appellant was dismissed from the service. Which is violation of reported judgment cited as 1997 PLC cs 564.
- H. That no charge sheet was issued to the appellant on the allegation appellant was dismissed from service which is violation of *Rule-10(b) of the E&D Rules 2011* and on the basis of fact finding inquiry

✓ appellant was awarded major penalty which is against the law, rules and norms of justice, because in case of imposing major penalty proper regular inquiry and proper procedure has to be conducted under *Rule-5, 10, 11 & 14 of the E&D Rules 2011* but in case of the appellant same was violated which is also violation of Supreme Court judgment Cited as 2008 SCMR 609 wherein clearly stated that inquiry conducted in absence of charge sheet is void-ab-initio and also violation of this tribunal judgment in appeal no: 905/2016 decided on 20.02.2018. In Supreme court judgment cited as 2004 SCMR 294, 2008 PLC cs 1107, 2008 PLC cs 1065 wherein clearly state that the major penalty cannot be imposed on the basis of fact finding inquiry.

- I. That no show cause notice was issued before taking adverse action which is violation of rule *Rule-5(a) Read with Rules -7* in case inquiry was not necessary and *Rule-14(b) of the E&D Rules 2011*, in case where regular inquiry is necessary. Which were totally ignored before taking adverse action. The same principle held in the Superior Court judgments cited as 1987 SCMR 1562, 2019 PLC cs 811, 2008 PLC cs 921 and 209 SCMR 605. Further it is added that inquiry report was also not provided to the appellant which was also violation of *Rule 14(c) of the E&D rules 2011*, so the impugned order was passed in violation of law and rules and norms of justice. The same principle held in the Superior Court judgments cited as 1981 PLD SC 176 and 1987 SCMR 1562.
- J. That no proper regular inquiry was conducted only fact finding inquiry was conducted but the appellant not associated with the inquiry, neither the statement recorded in presence of appellant nor was the chance of cross examination provided to the appellant which is violation of *Rule-10 (b) and Rule 11 (1) of the E&D Rules 2011*.
- K. That the opportunity of personal hearing and personal defense was not provided to the appellant which was violation of *Rule 7(d) in case inquiry was not necessary and 14(5) of the E&D rules 2011* in case where inquiry is necessary. The same principle held in the Superior Court judgments cited as 2006 SCMR 1641.
- L. That the appellant has not been treated under proper law despite he was a civil servant of the province, therefore, the impugned order is liable to be set aside on this score alone.

✓ M. That the appellant has been condemned unheard and no prior chance of defenses or hearing was provided to the appellant while stopping his monthly salaries.

3

N. That the appellant have not been treated in accordance with law hence the appellant right secured and guaranteed under the law are badly violated.

O. That the appellant seeks permission to advance others grounds and proofs at the time of hearing.

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

Shareef Ullah
Appellant
Shareef Ullah

Through:

Syed Noman Ali Bukhari
(SYED NOMAN ALI BUKHARI)

Uzma Syed
(UZMA SYED)

ADVOCATES, High Court

BEFORE THE KP SERVICE TRIBUNAL PESHAWAR

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APPEAL NO. ____/2024

Shareef Ullah

V/S

Edu Deptt:

CERTIFICATE:

It is certified that no other service appeal earlier has been filed between the present parties in this Tribunal, except the present one.


DEPONENT

LIT OF BOOKS:

1. Constitution of the Islamic Republic of Pakistan, 1973.
2. The ESTA CODE.
3. Any other case law as per need.


(SYED NOMAN ALI BUKHARI)
ADVOCATE HIGH COURT

(2)

BEFORE THE HON'BLE KHYBER PAKHTUNKHWA
SERVICE TRIBUNAL PESHAWAR

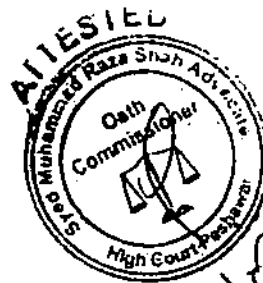
Service Appeal No. _____ of 2024

Sharif Ullah Versus Education Department

Affidavit

I, Sharif Ullah do hereby solemnly affirm and declare on oath that the contents of the accompanied service appeal is true and correct to the best of my knowledge and belief and nothing has been concealed from this Hon'ble Court.

Deponent





Office of the District Education Officer Male Lalaki Marwat

PH No. 0969-709234.
Fax 0969-538291

A (08)

APPOINTMENT ORDER.

Consequent upon recommendation of the Departmental Selection Committee, appointment of the following candidates is hereby ordered against the post of Junior Clerk (deceased Son quota) in BPS-11 Rs. (10510-740-32710) / - plus usual allowances as admissible under the rules on regular basis under the existing policy/notification issued vide SO (R-IV)/E&AD/1-3/2015 dated. 19-04-2016 of the Provincial Government in teaching cadre on the terms and conditions given below with immediate effect:-

S.No	Name	Father's Name	School to be Posted	Remarks
1.	Latif-Ur-Rehman	Mazullah Khan	GHS Adamzai	A.V.P
2.	Abdul Matin	Kabal Khan	GHSS Kot Kashmir	A.V.P
3.	Muhammad Sharif Ullah Khan	Saeed kh an	GHS Muhammad Amir Wali	A.V.P

TERMS AND CONDITION:-

- No TA/DA is allowed.
- Charge reports should be submitted to all concerned in duplicate.
- They should not be handed over charge, if he exceeds 30 years or below 18 years of age.
- Appointment is subject to the condition that the certificate/documents must be verified from the concerned authorities **by this office**, anyone found producing bogus/fake/forged/tempered certificates will be reported to the law enforcing agencies for further action.
- Their services are liable to termination on one month's notice from either side. In case of resignation without notice his one-month pay/allowances shall be forfeited to the Government.
- Pay will not be drawn by the DDO concerned until and unless a certificate is not issued by this office that their certificates are dully verified.
- They should join their posts within 15 days of the issuance of this notification. In case of failure to join their posts within 15 days of the issuance of this notification, their appointment will expire automatically and no subsequent appeal etc shall be entertained.
- Health and age certificate should be produced from the Medical Superintendent concerned before taking over charge.

Page 1 of 2


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HEAD MASTER
G.H.S. M.A. Amir Wali
Distt. Larkana Marwat

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09

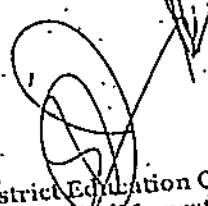
- 9. They will be governed by such rules and regulations as may be issued from time to time by the Govt.
- 10. Their services shall be terminated at any time, in case of their performance is found unsatisfactory during their contract period. In case of misconduct, he shall be proceeded under the rules framed from time to time.
- 11. Before handing over charge once again their original documents be checked by the concerned DDO, if they have not the requisite qualifications or they are overage, they may not be handed over charge.
- 12. The undersigned reserve the rights of amendment in this appointment order in case of any mistake/error or omission.
- 13. The order of those candidates who are serving under the competent authority (DEO Male Lakki) will take effect after submission of their resignation from such service.


 District Education Officer
 (Male) Lakki Marwat

Endst: No: 2148-56 / Appt: J. Clerk / Deceased / 2017 Dated: 22/06/2017
 1574

Copy forwarded for information to the:-

1. Director Elementary & Secondary Education Khyber Pakhtunkhwa Peshawar.
2. Principal GHSS Kot Kashmir.
3. District Accounts Officer, Lakki Marwat.
4. District Monitoring Officer Lakki Marwat.
5. Headmaster GHS Concerned
6. PA to DEO (Male) Local Office.
7. AP DEMIS Local Office.
8. Candidates concerned.
9. Master File.


 Deputy District Education Officer
 (Male) Lakki Marwat


 HEAD MASTER
 G.H.S M. Amir Wali
 Distt: Lakki Marwat

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MEDICAL FITNESS CERTIFICATE.

Name of Official Muhammad Sharifullah Khan

Religion Islam Muslim

Father/Husband Name Saeed Khan

Residence Nax Sahibdad Medad Khan

Town S/Naxsomy Distt Laleles Marwat

Dated of Birth 19-04-1999 (NIC No. 11282-0363685-9)

Exact Height by measurement 5'7"

Personal Mark of Identification

Signature of Official [Signature]

Signature of Head of Office

Took over Charge
20/4 (AM)
2017

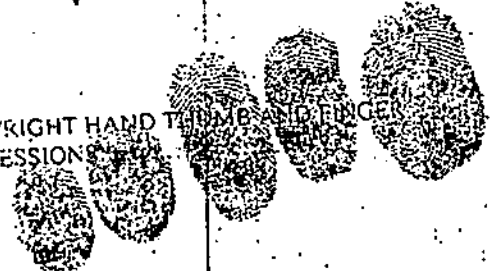
Seal of Office

HM in Charge
MASTER
G.H.S. Lakki Wali
Distt: Lakki Marwat

I do hereby certify I have examined Muhammad Sharifullah Khan
candidate for employment in the office of the D.E.O. (Male) Laleles
and can not discover that he/she had any diseases communicable or other constitutional affection
or bodily infirmity except NIL

I do not consider this as disqualification for employment in the office of the
D.E.O. (Male) Laleles Marwat His/Her
age according to his own Statement 18 years and by appearance
about 18 years (Eighteen years) years.

LEFT/RIGHT HAND THUMB AND FINGER IMPRESSIONS



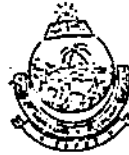
[Signature]
Medical Superintendent 20/4/17
DHQ Hospital Lakki Marwat
Medical Superintendent
D.H.Q Hospital Lakki Marwat

BOARD OF INTERMEDIATE AND SECONDARY EDUCATION, BANNU.

Dated: 26-04-2017

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To: 561 Certificates/BISE, Bannu



From: The Secretary,
BISE, Bannu.

To: District Education Officer
(Male) Takki

Subject: VERIFICATION

dated 24-04-2017

I am directed to refer to your letter No. 2210

on the subject noted above and to inform you that photocopy (s) of Certificate (s) of the following person (s) enclosed with the above mentioned letter have thoroughly checked and found as detail given below:

S.No.	ROLL NO.	NAME OF CANDIDATE	FATHER'S NAME	D.O.B	SESSION	REMARKS
1	30432	ABDUL MATHI	KABAL KHAN	02-01-1988	SSC(A)2004	Correct
2	46114	Mohammad Sharif Ullah Khan	Saeed Khan	19-04-1999	SSC(A)2015	Correct

Abdul Hanan
ABDUL HANAN
(ASSISTANT SECRETARY)
BISE, Bannu
Mobile No: 03469513955
Abdul Hanan
Assistant Secretary
BISE BANNU



OFFICE OF THE DISTRICT EDUCATION OFFICER (MALE) LAKKI MARWAT

Phone No: 0969-709234, Fax No: 0969-538291

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OFFICE ORDER:-

Certified that, all the documents relates to the merit list in respect of the below Junior Clerks, appointed Out of Deceased Son Employee vide this office No. 2148-56/Apptt:Jr Clerk/Deceased/2017 Dated 20-04-2017, have been checked / verified from the concerned Board.

S.No	Name/ Father Name	School
1.	Abdul Matin S/o Kabal Khan	GHSS Kot Kashmir
2.	Muhammad Sharif Ullah Khan S/o Saeed Khan	GHS Muhammad Amir Wali

Hence, their pay may please be released accordingly.

Dealing Assistant

Superintendent (Estb :)

Pay Released

District Education Officer
(Male) Lakki Marwat

Endst No. 2255-57 Dated 28/04/2017

Copy to the:-

1. District Accounts Officer, Lakki Marwat.
2. Principal/Head Masters concerned.
3. PA to DEO (Male) Local Office.

District Education Officer
(Male) Lakki Marwat

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پانچ روپے

پینسٹی محمد شریف اللہ خان نے پینسٹی الحاج زید اللہ

سے جو آج مورخہ 20/04/2017ء تک لکھنؤ پورہ پر موجود حکم نمبری 2148-56

20/04/2017ء آئندہ از دفتر DEO (M) لکھی مروت

تبدیل ہو چکا ہے جو نمبر بکر کٹی کا ... خالی پوسٹ کا چارج مستحال لیا ہے۔

مقام پانچ روپے ایس ایم ایس والی

مورخہ 20-04-2017

چارج گیر کنندہ

چارج دہندہ
محمد شریف اللہ خان
S. M. A. I. Wah.

Copy To Endst. No. 834

Dated 20/04/2017

(1) DEO (M) LAKKI MARWAT

(2) DISTT. ACCOUNT OFFICE LAKKI MARWAT

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رجسٹر ماسٹری اور ایس ایچ ٹی گورنمنٹ کولج اور ایس ایچ والی پبلک سکول
بابت ماہ اپریل

محمد شریف اللہ خان T.C.											
تاریخ	آمد	دستخط	رواگی	آمد	دستخط	رواگی	آمد	دستخط	رواگی	آمد	دستخط
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تعداد

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رہنما چھتری ماہرین گورنمنٹ ہائی سکول محمد زین والی علی پورہ شہر چھتری

بابت ماہ جلی

نمبر	شعبہ اول		شعبہ دوم		شعبہ سوم		شعبہ چہارم		شعبہ پنجم		شعبہ ششم		تاریخ
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17-11-2015

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رجسٹرڈ مشینری ملازمین گورنمنٹ سیکرٹری محمد اسمد اللہ علی صاحب سہیل پور
بابت ماہ اگست 2017

9-363685-478413-11

محمد رفیق انصاری		محمد رفیق انصاری		محمد رفیق انصاری		محمد رفیق انصاری		محمد رفیق انصاری		محمد رفیق انصاری		محمد رفیق انصاری		محمد رفیق انصاری	
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رجسٹرڈ ماہنامہ **گلستان** طرابلس
گورنمنٹ پبلسیشنز
بابت ماہ اگست 2017

9-0363685-478413-11202

محمد شرف اللہ خان		محمد شرف اللہ خان		محمد شرف اللہ خان		محمد شرف اللہ خان		محمد شرف اللہ خان		محمد شرف اللہ خان		محمد شرف اللہ خان		محمد شرف اللہ خان	
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جمعہ	مال	سابقہ	میزان	مال	سابقہ	میزان	مال	سابقہ	میزان	مال	سابقہ	میزان	مال	سابقہ	میزان
انفاقیہ	-	07	07	-	-	-	-	-	-	-	-	-	-	-	-
استحقاقیہ	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-
بیلڈی	-	-	-	-	-	-	-	-	-	-	-	-	-	-	-
میزان	-	03	03	-	-	-	-	-	-	-	-	-	-	-	-

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روزنامه‌های ملازمین محمد شریف والدہ خان

بابت ماه سنہ ۲۰۱۷

محمد شریف والدہ خان											
C-1											
ردیف	آمد	دستخط	ردیف	آمد	دستخط	ردیف	آمد	دستخط	ردیف	آمد	دستخط
1											
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3											
4											
5	7130	شریف	1135	شریف							
6	7130	شریف	1135	شریف							
7	7130	شریف	1135	شریف							
8	7150	شریف	1110	شریف							
9	7150	شریف	1135	شریف							
10											
11	7130	شریف	1135	شریف							
12											
13	7130	شریف	1135	شریف							
14	7150	شریف	1135	شریف							
15	7130	شریف	1110	شریف							
16	7130	شریف	1135	شریف							
17											
18	7130	شریف	1135	شریف							
19	7150	شریف	1135	شریف							
20	7150	شریف	1135	شریف							
21	7150	شریف	1135	شریف							
22											
23	7130	شریف	1135	شریف							
24											
25	7130	شریف	1135	شریف							
26	7150	شریف	1135	شریف							
27	7130	شریف	1135	شریف							
28	7170	شریف	1135	شریف							
29	7130	شریف	1110	شریف							
30											
31											
تم صرفت	حال	سابقہ	میزان	حال	سابقہ	میزان	حال	سابقہ	میزان	حال	سابقہ
انقاریہ	-	03		-	03		-	03		-	03
اختقاریہ	-	-		-	-		-	-		-	-
پیدا	-	-		-	-		-	-		-	-
میزان	-	03		-	03		-	03		-	03

1-17

محمد شریف

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روزنامه شریک و پانزدهمین

یابست ماه اسفند ۱۳۴۵

۲۰۱۹

ردیف		نوع		مقدار		واحد		مبلغ		توضیحات	
ردیف	نوع	مقدار	واحد	مبلغ	توضیحات	ردیف	نوع	مقدار	واحد	مبلغ	توضیحات
1	سود	15000	ریال	15000							
2	سود	8000	ریال	8000							
3	سود	4000	ریال	4000							
4	سود	4000	ریال	4000							
5	سود	4000	ریال	4000							
6	سود	4000	ریال	4000							
7	سود	4000	ریال	4000							
8	سود	4000	ریال	4000							
9	سود	4000	ریال	4000							
10	سود	4000	ریال	4000							
11	سود	4000	ریال	4000							
12	سود	4000	ریال	4000							
13	سود	4000	ریال	4000							
14	سود	4000	ریال	4000							
15	سود	4000	ریال	4000							
16	سود	4000	ریال	4000							
17	سود	4000	ریال	4000							
18	سود	4000	ریال	4000							
19	سود	4000	ریال	4000							
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23	سود	4000	ریال	4000							
24	سود	4000	ریال	4000							
25	سود	4000	ریال	4000							
26	سود	4000	ریال	4000							
27	سود	4000	ریال	4000							
28	سود	4000	ریال	4000							
29	سود	4000	ریال	4000							
30	سود	4000	ریال	4000							
31	سود	4000	ریال	4000							
مجموع											
میانگین											

31

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19

19

روستای شرفی و لایقین
 گورنمنده و حلالی سکول و غیره
 بابت ماه نومبر

محمد شریف الشرفان												محمد	
جوتیہ سکول													
تاریخ	آمد	دستخط	رواگی	آمد	دستخط	رواگی	آمد	دستخط	رواگی	آمد	دستخط	سابقہ	حال
1	8/15	شرفی	2/20	شرفی									
2	8/15	شرفی	2/20	شرفی									
3	8/15	شرفی	2/20	شرفی									
4	8/15	شرفی	2/20	شرفی									
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6	8/15	شرفی	2/20	شرفی									
7	8/15	شرفی	2/20	شرفی									
8	8/15	شرفی	2/20	شرفی									
9	8/15	شرفی	2/20	شرفی									
10	8/15	شرفی	2/20	شرفی									
11	8/15	شرفی	2/20	شرفی									
12													
13	8/15	شرفی	2/20	شرفی									
14	8/15	شرفی	2/20	شرفی									
15	8/15	شرفی	2/20	شرفی									
16	8/15	شرفی	2/20	شرفی									
17	8/15	شرفی	2/20	شرفی									
18	8/15	شرفی	2/20	شرفی									
19													
20	8/15	شرفی	2/20	شرفی									
21	8/15	شرفی	2/20	شرفی									
22	8/15	شرفی	2/20	شرفی									
23	8/15	شرفی	2/20	شرفی									
24	8/15	شرفی	2/20	شرفی									
25	8/15	شرفی	2/20	شرفی									
26													
27	8/15	شرفی	2/20	شرفی									
28	8/15	شرفی	2/20	شرفی									
29	8/15	شرفی	2/20	شرفی									
30	8/15	شرفی	2/20	شرفی									
31													
تہذیب	حال	سابقہ	بیران	حال	سابقہ	بیران	حال	سابقہ	بیران	حال	سابقہ	بیران	حال
انقاری	-	-	-	-	-	-	-	-	-	-	-	-	-
استغاثہ	-	-	-	-	-	-	-	-	-	-	-	-	-
بندی	-	-	-	-	-	-	-	-	-	-	-	-	-
بیران	-	-	-	-	-	-	-	-	-	-	-	-	-

محمد شریف الشرفان
 محمد شریف الشرفان

محمد شریف الشرفان

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GHS - M. Amir wahi Larki

گورنمنٹ ہائی اسکول

یابت ماہ دسمبر

گورنمنٹ ہائی اسکول												رقم
جونیئر سیکشن												عدد
تاریخ	آمد	دستخط	رواگی	آمد	دستخط	رواگی	آمد	دستخط	رواگی	آمد	دستخط	رواگی
1	8/15	شرف	2/20	شرف	2/20	شرف	2/20	شرف	2/20	شرف	2/20	شرف
2	8/15	شرف	2/20	شرف	2/20	شرف	2/20	شرف	2/20	شرف	2/20	شرف
3	8/15	شرف	2/20	شرف	2/20	شرف	2/20	شرف	2/20	شرف	2/20	شرف
4	8/15	شرف	2/20	شرف	2/20	شرف	2/20	شرف	2/20	شرف	2/20	شرف
5	8/15	شرف	2/20	شرف	2/20	شرف	2/20	شرف	2/20	شرف	2/20	شرف
6	8/15	شرف	2/20	شرف	2/20	شرف	2/20	شرف	2/20	شرف	2/20	شرف
7	8/15	شرف	2/20	شرف	2/20	شرف	2/20	شرف	2/20	شرف	2/20	شرف
8	8/15	شرف	2/20	شرف	2/20	شرف	2/20	شرف	2/20	شرف	2/20	شرف
9	8/15	شرف	2/20	شرف	2/20	شرف	2/20	شرف	2/20	شرف	2/20	شرف
10												
11	8/15	شرف	2/20	شرف	2/20	شرف	2/20	شرف	2/20	شرف	2/20	شرف
12	8/15	شرف	2/20	شرف	2/20	شرف	2/20	شرف	2/20	شرف	2/20	شرف
13	8/15	شرف	2/20	شرف	2/20	شرف	2/20	شرف	2/20	شرف	2/20	شرف
14	8/15	شرف	2/20	شرف	2/20	شرف	2/20	شرف	2/20	شرف	2/20	شرف
15	8/15	شرف	2/20	شرف	2/20	شرف	2/20	شرف	2/20	شرف	2/20	شرف
16	8/15	شرف	2/20	شرف	2/20	شرف	2/20	شرف	2/20	شرف	2/20	شرف
17												
18	8/15	شرف	2/20	شرف	2/20	شرف	2/20	شرف	2/20	شرف	2/20	شرف
19	8/15	شرف	2/20	شرف	2/20	شرف	2/20	شرف	2/20	شرف	2/20	شرف
20	8/15	شرف	2/20	شرف	2/20	شرف	2/20	شرف	2/20	شرف	2/20	شرف
21	8/15	شرف	2/20	شرف	2/20	شرف	2/20	شرف	2/20	شرف	2/20	شرف
22	8/15	شرف	2/20	شرف	2/20	شرف	2/20	شرف	2/20	شرف	2/20	شرف
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تم درست	حال	سابقہ	میزان	حال	سابقہ	میزان	حال	سابقہ	میزان	حال	سابقہ	میزان
انفاقیہ	50	40	50	50	40	50	50	40	50	50	40	50
استحقاقیہ	-	-	-	-	-	-	-	-	-	-	-	-
بیاری	-	-	-	-	-	-	-	-	-	-	-	-
میزان	50	40	50	50	40	50	50	40	50	50	40	50

12/12/2017

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روزنامه اشرفی و اندلسی

روزنامه اشرفی و اندلسی
 بنایت ماه
 جنوری

روزنامه اشرفی و اندلسی												ردیف	تاریخ
اشرفی						اندلسی						ردیف	تاریخ
آمد	دستخط	رواگی	آمد	دستخط	رواگی	آمد	دستخط	رواگی	آمد	دستخط	رواگی	ردیف	تاریخ
												1	21/2
												2	21/2
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												5	12
												6	21/2
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												13	21/2
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												15	21/2
												16	21/2
												17	21/2
												18	21/2
												19	21/2
												20	21/2
												21	Sund
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												23	21/2
												24	Sund
												25	21/2
												26	12/2
												27	21/2
												28	
												29	21/2
												30	21/2
												31	21/2
سابقه	حال	میزان	سابقه	حال	میزان	سابقه	حال	میزان	سابقه	حال	میزان	توضیح	
												انقاری	
												اختصاری	
												بیماری	
												میزان	

18/1/31

روزنامه مشرفی ملازمین

کمیته عالی مشرفی و مراقبت

بابت ماه شهری

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مشرفین														ردیف	
J/C														تاریخ	
آد	دستخط	روزگار	آد	دستخط	روزگار	آد	دستخط	روزگار	آد	دستخط	روزگار	آد	دستخط	روزگار	روزگار
															1
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															تفریح
															انقار
															احتیاج
															پدی
															بیزان

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کلاس ۲ فروردین

مدرس: حاج میرزا محمد باقر

در دفتر حضرت امام خمینی

سپتامبر ۲۰۱۸

بابت ماه ~~۱۳۹۸~~

شرفیاء											
J-C											
ردیف	آدم	دستخط	ردیف	آدم	دستخط	ردیف	آدم	دستخط	ردیف	آدم	دستخط
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31											
تفرصت	حال	سابقه	میزان	حال	سابقه	میزان	حال	سابقه	میزان	حال	سابقه
انقاری											
استحقاق											
بندی											
میزان											

۱۹۱۵۱۸

روزنامه مشرقی ملازمین
 بابت ماه نومبر 1943

مرد		مرد		مرد		مرد		مرد		مرد		مرد		مرد		مرد		مرد		مرد		مرد					
تاریخ	آمد	دستخط	رواگی	آمد	دستخط	رواگی	آمد	دستخط	رواگی	آمد	دستخط	رواگی	آمد	دستخط	رواگی	آمد	دستخط	رواگی	آمد	دستخط	رواگی	آمد	دستخط	رواگی	آمد	دستخط	رواگی
1	8/15	شریف	2/25	شریف																							
2	8/15	شریف	2/25	شریف																							
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8	8/15	شریف	2/25	شریف																							
9	8/15	شریف	2/25	شریف																							
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12	8/15	شریف	2/25	شریف																							
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15	8/15	شریف	2/25	شریف																							
16	8/15	شریف	2/25	شریف																							
17	8/15	شریف	2/25	شریف																							
18																											
19	8/15	شریف	2/25	شریف																							
20	8/15	شریف	2/25	شریف																							
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23	8/15	شریف	2/25	شریف																							
24	8/15	شریف	2/25	شریف																							
25																											
26	8/15	شریف	2/25	شریف																							
27	8/15	شریف	2/25	شریف																							
28	8/15	شریف	2/25	شریف																							
29	8/15	شریف	2/25	شریف																							
30	8/15	شریف	2/25	شریف																							
31																											
	میزان	میزان	میزان	میزان	میزان	میزان	میزان	میزان	میزان	میزان	میزان	میزان	میزان	میزان	میزان	میزان	میزان	میزان	میزان	میزان	میزان	میزان	میزان	میزان	میزان	میزان	میزان
	حال	حال	حال	حال	حال	حال	حال	حال	حال	حال	حال	حال	حال	حال	حال	حال	حال	حال	حال	حال	حال	حال	حال	حال	حال	حال	حال
	سابقہ	سابقہ	سابقہ	سابقہ	سابقہ	سابقہ	سابقہ	سابقہ	سابقہ	سابقہ	سابقہ	سابقہ	سابقہ	سابقہ	سابقہ	سابقہ	سابقہ	سابقہ	سابقہ	سابقہ	سابقہ	سابقہ	سابقہ	سابقہ	سابقہ	سابقہ	سابقہ
	میزان	میزان	میزان	میزان	میزان	میزان	میزان	میزان	میزان	میزان	میزان	میزان	میزان	میزان	میزان	میزان	میزان	میزان	میزان	میزان	میزان	میزان	میزان	میزان	میزان	میزان	میزان
	میزان	میزان	میزان	میزان	میزان	میزان	میزان	میزان	میزان	میزان	میزان	میزان	میزان	میزان	میزان	میزان	میزان	میزان	میزان	میزان	میزان	میزان	میزان	میزان	میزان	میزان	میزان
	میزان	میزان	میزان	میزان	میزان	میزان	میزان	میزان	میزان	میزان	میزان	میزان	میزان	میزان	میزان	میزان	میزان	میزان	میزان	میزان	میزان	میزان	میزان	میزان	میزان	میزان	میزان

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19
بابت ماہ جاری
GHS m. Amir wati Lakki Marwat راجپوتانہ

شرفین ج. آ													
تاریخ	آمد	دستخط	رواگی	آمد	دستخط	رواگی	آمد	دستخط	رواگی	آمد	دستخط	رواگی	آمد
1													
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30													
31													
میزان	میزان	میزان	میزان	میزان	میزان	میزان	میزان	میزان	میزان	میزان	میزان	میزان	میزان
میزان	میزان	میزان	میزان	میزان	میزان	میزان	میزان	میزان	میزان	میزان	میزان	میزان	میزان
میزان	میزان	میزان	میزان	میزان	میزان	میزان	میزان	میزان	میزان	میزان	میزان	میزان	میزان
میزان	میزان	میزان	میزان	میزان	میزان	میزان	میزان	میزان	میزان	میزان	میزان	میزان	میزان

رجسٹر حاضری ملازمین گورنمنٹ ہائی سکول محمد علی علی فروغی
 بابت ماہ جون ۱۹۶۹ء

مستحقین رقم											
جول											
تاریخ	آمد	دستخط	رواگی	آمد	دستخط	رواگی	آمد	دستخط	رواگی	آمد	دستخط
1	71-	شرفی	121-	شرفی							
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3	71-	شرفی	121-	شرفی							
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8	71/30	شرفی	11/35	شرفی							
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12	71/30	شرفی	11/35	شرفی							
13	71/30	شرفی	11/35	شرفی							
14	71/30	شرفی	11/35	شرفی							
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میزان											
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سابقہ											
میزان											
میزان											

۱۵/۱۹
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 ۱۵/۱۹
 ۱۵/۱۹

رجسٹریڈ ڈاکٹر صاحبی
 GHS. M. Amir wali & akki marwat
 بابت ماہ اکتوبر

شماره		تاریخ		ادامہ		ادامہ		ادامہ		ادامہ		ادامہ		ادامہ		ادامہ		ادامہ	
آدم	دستخط	ادامہ	دستخط	ادامہ	دستخط	ادامہ	دستخط	ادامہ	دستخط	ادامہ	دستخط	ادامہ	دستخط	ادامہ	دستخط	ادامہ	دستخط	ادامہ	دستخط
1	8/15	شرفی	2/20																
2	8/15	شرفی	2/20																
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16	ON duty																		
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18	8/15	شرفی	12/1																
19	8/15	شرفی	2/20																
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23	8/15	شرفی	2/20																
24	8/15	شرفی	2/20																
25	8/16	شرفی	12/1																
26	8/15	شرفی	2/20																
27	ON duty																		
28	8/15	شرفی	2/20																
29	8/15	شرفی	2/20																
30	8/15	شرفی	2/20																
31	8/15	شرفی	12/1																
حالت سابقہ	حالت	حالت سابقہ	حالت	میزان	حالت سابقہ	حالت	میزان	حالت سابقہ	حالت	میزان	حالت سابقہ	حالت	میزان	حالت سابقہ	حالت	میزان	حالت سابقہ	حالت	میزان

روزنامه شرفی ملازمین
 گوهرشاد پور سکول
 بابت ماه نومبر 2019

شماره	شرفی ملازمین												شماره
	آد	دستخط	رواگی	دستخط	آد	دستخط	رواگی	دستخط	آد	دستخط	رواگی	دستخط	
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رجسٹر کارکنان

بابت ماہ جنوری
 G.H.S
 سید

کلیں نوں											
شیریں الہیہ						T-C					
آد	دستخط	رواگی	آد	دستخط	رواگی	آد	دستخط	رواگی	آد	دستخط	رواگی
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ہمضہ	میزان	سابقہ	حال	میزان	سابقہ	حال	میزان	سابقہ	حال	میزان	سابقہ
انقاریہ											
استحقاق											
بیماری											
میزان											

SUNDAY =

3/20 شیریں
 3/10 شیریں
 4/25 شیریں
 2/20 شیریں
 12/1 شیریں
 2/20 شیریں

SUNDAY =

2/20 شیریں
 4/25 شیریں
 12/1 شیریں
 2/20 شیریں
 2/20 شیریں
 12/1 شیریں

SUNDAY =

2/20 شیریں
 4/25 شیریں
 2/20 شیریں
 2/20 شیریں

C. Leave -

20

روزنامه شریک مالدارین H.S. خیرالهیروالی ضلع لیپس
 بابت ماه اکتوبر 2010

H.S. خیرالهیروالی ضلع لیپس												شریک مالدارین J.C			
روز	آمد	دستخط	رواگی	آمد	دستخط	رواگی	آمد	دستخط	رواگی	آمد	دستخط	روز	آمد	دستخط	رواگی
1	-											1			
2	-											2			
3	-											3			
4	-											4			
5	-											5			
6	-											6	7/15	شریف	11/30
7	-											7	7/15	شریف	11/30
8	-											8	7/15	شریف	11/30
9	-											9	SUN DAY		
10	-											10	7/15	شریف	11/30
11	-											11	7/15	شریف	11/30
12	-											12	7/15	شریف	11/30
13	-											13	7/15	شریف	11/30
14	-											14	12-20-2010		
15	-											15	7/15	شریف	11/30
16	-											16	SUN DAY		
17	-											17	7/15	شریف	11/30
18	-											18	7/15	شریف	11/30
19	-											19	7/15	شریف	11/30
20	-											20	ON DUTY		
21	-											21	ON DUTY		
22	-											22	7/15	شریف	11/30
23	-											23	SUN DAY		
24	-											24	7/15	شریف	11/30
25	-											25	ON DUTY		
26	-											26	7/15	شریف	11/30
27	-											27	7/15	شریف	11/30
28	-											28	ON DUTY		
29	-											29	ON DUTY		
30	-											30	SUN DAY		
31	-											31	ON DUTY		

Under inquiry from DEO (M) Lallei due to withdrawal of his appointment order

20/09/2010

تمت	حال	میزان	سابقہ	حال	میزان	سابقہ	حال	میزان	سابقہ	تمت	حال	میزان	سابقہ
-	-	-	-	-	-	-	-	-	-	-	-	-	-
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-	-	-	-	-	-	-	-	-	-	-	-	-	-
-	-	-	-	-	-	-	-	-	-	-	-	-	-

- 1- Name (م) Muhammad Shafiq Ullah Khan
- 2- Nationality and Religion Pakistani / Islam
(قومیت اور مذہب)
- 3- Residence Nak Muzafar Top Dis: Larki Malawat
(مستقل رہائش)
- 4- Father's name and residence Saeed Khan
(والد کا نام اور پتہ)
- 5- Date of birth by christian era as 19-04-1999 (ninety nine)
nearly as can be ascertained Ashraf N/A (ninty nine)
(تاریخ پیدائش مطابق سن عیسوی)
- 6- Exact height by measurement 5-7
(قد و قامت)
- 7- Personal mark of identification nil
(نشان شناخت)

8. Left hand/right hand thumb and finger-impressions of (Non-gazetted officer)

(مرد کی صورت میں بائیں اور عورت کی صورت میں دائیں ہاتھ کی انگلیوں کے نشانات)

Little Finger

(چھٹکنا)

Ring Finger

(چھٹکنا کے ساتھ کی انگلی)

Middle Finger

(چھٹکنا)

Fore Finger

(انگلی کے ساتھ)

Thumb

9. Signature of Govt. Servent

(سرکاری ملازم کے دستخط)

(Handwritten signature)

10. Signature and designation of the Head of the Office or other Attesting officer

(تصدیق کنندہ افسر کے دستخط اور مہر)

9th HMA
HEAD MASTER
District Amir Warwat

Note: The entries in this page should be renewed or re-attested at least every five years and the signatures in lines 9 and 10 should be dated. Finger prints need not be taken after every 5 years under this rule.

اس صفحے کے مندرجہ کم از کم پانچ سال بعد تصدیق ہونا ضروری ہے اور نمبر 9 اور 10 میں دستخطوں کے نیچے تاریخ لکھنی چاہیے۔

انگلیوں کے نشانات کے لئے ہر پانچ سال کے بعد تصدیق کی ضرورت نہیں

8	9	10	11	12	13		14	15
Signature of Government servant	Signature and designation of the Head of the office or other attesting officer in attestation of column 1 to 8	Date of termination or appointment	Reason of termination (such as promotion, transfer, dismissal)	Signature of the head of the office or other Attesting officer	Nature and duration of leave taken	Allocation of period of leave of average pay up to four months (or earned leave net exceeding 120 days) to which leave salary is debitable to another Government	Signature of the Head of the office or other attesting Officer	Reference to any recorded punishment or censure, reward or praised of the Government servants
						پارہدکن کی رخصت کے لئے ارسد خواہ کانس Government to which debitable کو رخصت ہے رقم اور مہی Period عرصہ	دستخط افسر مجاز	سزا یا عتاب یا پرستش کے کارکردگی کا ریکارڈ
	دستخط افسر مجاز	تاریخ انتظام ملازمت	وجہات انتقال ملازمت ترقی جابلہ یا بر طرفی	دستخط افسر مجاز	رخصت کی نوعیت و مہیاری			
	دستخط							

(Handwritten signature)

Service verified up to 1/12/17 from 30/1/17 and other relevant

Service verified up to 1/12/17 from 30/1/17 and other relevant

AM

BEFORE THE KPK SERVICE TRIBUNAL PESHAWAR

APPEAL NO. 599/2023

D (35)

Mr. Shareef Ullah Khan S/o Saeed Khan, Ex- Junior Clerk
R/o Medad kheil, tehsil Saraye Norung, District Lakki Marwat.

(Appellant)

VERSUS

1. The Director Education, Elementary & Secondary Education Peshawar.
2. The District Education Officer (Male) lakki Marwat.

(Respondents)



APPEAL UNDER SECTION 4 OF THE SERVICE TRIBUNAL ACTS, 1974, AGAINST THE IMPUGNED WITHDRAWAL OF APPOINTMENT ORDER DATED 28.04.2017 COMMUNICATED TO THE APPELLANT THROUGH COURT ON 08/12/2023 AND AGAINST NOT DECIDING DEPARTMENTAL APPEAL OF THE APPELLANT WITHIN STATUTORY PERIOD OF 90 DAYS.

PRAYER:

THAT ON ACCEPTANCE OF THIS APPEAL, THE IMPUGNED ORDER OF WITHDRAWAL OF APPOINTMENT DATED 28.04.2017 COMMUNICATED TO THE APPELLANT THROUGH COURT ON 08/12/2023 MAY PLEASE BE SET-ASIDE AND THE APPELLANT MAY BE REINSTATED INTO SERVICE WITH ALL BACK AND CONSEQUENTIAL BENEFITS.

ATTESTED

EXAMINED
Kyber Pakhtunkhwa
Service Tribunal
Peshawar

22/12/24

27th Sep, 2023

1. Learned counsel for the appellant present. Mr. Muhammad Jan learned District Attorney for the respondents present.

2. Learned counsel for the appellant requested for adjournment on the ground that he has not made preparation for arguments. Adjourned. To come up for arguments on 08.12.2023 before D.B.

Parcha Peshi given to the parties.

(Muhammad Akbar Khan)
Member (E)

(Rashida Bano)
Member (J)



Service Appeal No.599/2022 titled "Sharif Ullah Vs. Government of Khyber Pakhtunkhwa"

ORDER

8th Dec, 2023

1. Learned counsel for the appellant present. Mr. Asad Ali Khan, Assistant Advocate General alongwith Mr. Kashif Munir, ADEO (Secondary) office of the DEO (M) Lakki Marwat for the respondents present.

2. Representative of the respondents produced copy of an order bearing Endst: No. 255-57/AE/JC/DEO(M)/Lakki dated 28.04.2017, whereby the very appointment order of the appellant was withdrawn/cancelled from the date of its issuance. When confronted with the situation, learned counsel for the appellant says that the appellant was not communicated this order nor was the order in the knowledge of the appellant. He, however, agitated that the appellant had

ATTESTED
Khyber Pakhtunkhwa Service Tribunal
Peshawar

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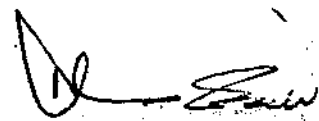
been getting salaries till September, 2020. It is very strange and astonishing to observe that the department is sleeping so deep sleep that despite withdrawal/cancellation of appointment order just within thirty days, somebody at the helm of affairs has not only activated the salary but allowed the appellant to perform the duties as is evident from the attendance register attached with the appeal. We, therefore, direct the Secretary Elementary and Secondary Education, Khyber Pakhtunkhwa Peshawar to look into the matter as to how the salary was activated when the appointment order was withdrawn/cancelled and why the appellant was being paid salaries till September, 2020. It is also noted with concern that despite presence of the representative of the respondents on 08.12.2022 and opportunities provided to them to file reply/comments, the matter was not being contested even till date as no reply was submitted, constraining the Tribunal to strike of the defense of the respondents. Learned counsel for the appellant says that he would challenge the order of withdrawal of appointment being brought in the notice today during the court proceedings. This appeal is disposed of in view of the withdrawal order dated 28.04.2017. The appellant is at liberty to challenge the withdrawal order, which, if challenged, will be decided on its own merits in accordance with law. Consign.

3. *Pronounced in open Court at Peshawar under our hands and seal of the Tribunal on this 8th day of December, 2023.*

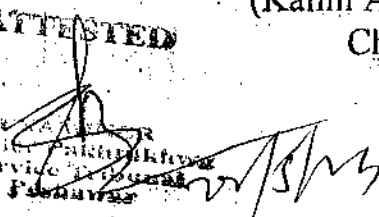


(Salah Ud Din)
Member(J)

Adnan Shah



(Kalim Arshad Khan)
Chairman

ATTESTED

Secretary Elementary and Secondary Education
Peshawar

E (38) (8)
OFFICE OF THE
DISTRICT EDUCATION OFFICER (MALE)
LAKKI MARWAT

OFFICE ORDER

After issuance of appointment orders of junior clerks against the deceased son quota vide NO. 2148-56 Dated 20-04-2017, irregularity has pointed out when record was thoroughly checked regarding all appointment holders by the deputation assistant.

And whereas appointment of Mr. Muhammad Saifullah Khan S/O Saeed Khan was issued against the vacant post of Junior clerk at GHS Amir Wali under deceased son quota vide this office NO. 2148-56 Dated 20-04-2017.

And whereas his brother Mr. Saif Khan S/O Saeed Khan had already availed the said deceased son quota under this office Enclt NO. 2262-68 Dated 27.05.2014 and was appointed as chowkidar at GPS Ker budai Khs.

And whereas the scrutiny committee pointed out the concealment so committed which is clear violation of the recruitment of deceased son policy.


And whereas double claim under the deceased son quota is barred by standing rules and liable for punishment under the policy in practice.

In view of the above the appointment order in r/o Muhammad Sharif Ullah J.C. S/O Saeed Khan is hereby withdrawn/Cancelled from the date of issue.

Enclt No. 2255-57/AE/IC/DEO(M)/Lakki

Copy for information to:

1. Director EC&SE KPK
2. District Account Officer Lakki Marwat.
3. District Mentoring Officer Lakki Marwat.
4. Headmaster GHS Amir Wali District Lakki Marwat.


DISTRICT EDUCATION
OFFICER (MALE) LAKKI

Dated: 28.04.2017


DISTRICT EDUCATION
OFFICER (MALE) LAKKI

Better Copy

(E) 38

OFFICE OF THE
DISTRICT EDUCATION OFFICER (MALE)
LAKKI MARWAT

OFFICE ORDER

After issuance of appointment order of Junior Clerks against the deceased son quota vide No. 2148-56 dated 20.04.2017 in regularity has pointed and when record was thoroughly checked regarding all appointment holders by the dealing assistance.

And whereas appointment of Mr Muhammad Sharif Ullah Khan S/o Saeed Khan was issued against the vacant post of Juniors Clerk at GHS Amir Wali under deceased son quota vide this office order No. 2148-56v dated 20.04.2017.

And whereas his brother Mr Nazeef Khan S/o Saeed Khan had already availed the said deceased son quota under the office endst No 2262-68 dated 27.05.2014 and was appointed as Chowkider at GPS Ker Badni Khel.

And whereas the scrutiny pointed out the concealment so committed which is clear violation of the recruitment of deceased son quota.

And whereas double claim under the deceased son quota is barred by standing rules and liable for punishment under the policy in practice.

In view of the above the appointment order in r/o Muhammad Sharif Ullah J/C S/o Saeed Khan is hereby withdrawn/canceled from the date of issue.

DISTRICT EDUCATION OFFICER
MALE LAKKI MARWAT

Endst No 2255-57/AE/JC/DEO (M)/Lakki

Copy for information to

1. Director E&SE KPK.
2. District Account Officer Lakki Marwat.
3. District Monitoring Officer Lakki Marwat.
4. Headmaster GHS Amir Wadai District Lakki Marwat

DISTRICT EDUCATION OFFICER
MALE LAKKI MARWAT

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To.

The Director Education,
Elementary & Secondary Education Peshawar.

THROUGH: PROPER CHANNEL

Subject: DEPARTMENTAL APPEAL AGAINST THE IMPUGNED
WITHDRAWAL OF APPOINTMENT ORDER DATED
28.04.2017 COMMUNICATED TO THE APPELLANT
THROUGH COURT ON 08/12/2023.

PRAYER:

THAT ON ACCEPTANCE OF THIS DEPARTMENTAL
APPEAL, THE IMPUGNED ORDER DATED 28/04/2017 OF
WITHDRAWAL OF APPOINTMENT NEVER
COMMUNICATED TO APPELLANT MAY PLEASE BE SET-
ASIDE AND THE APPELLANT MAY BE REINSTATED INTO
SERVICE WITH ALL BACK AND CONSEQUENTIAL
BENEFITS.

RESPECTFULLY SUBMITTED:

FACTS:

1. That the appellant was appointed as Junior Clerk against the vacant post vide order dated 20.04.2017 on proper recommendation of departmental selection committee under deceased son Quota and posted at GHS Amir Muhammad wali. The appellant properly submitted his charge report/Arrival report and medical fitness certificate. (Copy of appointment order and medical certificate is attached as Annexure-A)
2. That the appellant has performed his duties assigned to him with zeal and devotion and there was no complaint, what so ever regarding his performance. Copy of attendance register is attached as annexure-B.
3. That the appellant performing his duties till September 2020 and suddenly the salary of the appellant has been stopped, when the appellant inquire about the stoppage of salary the clerk verbally told him the inquiry was constituted against the appellant regards the withdrawal of appointment order but neither the inquiry nor the suspension order of appointment was communicated to the appellant, which is against the law and rule the appellant feeling aggrieved filed service appeal no: 599/2021 for release of salary. The said appeal was heard on 08/12/2023 and during hearing, the deptt: produced the withdrawal order dated 28/04/2017 in light of which the appeal of the appellant was disposed off leaving the appellant at liberty to

challenge the withdrawal order. Hence the appellant feeling aggrieved from the withdrawal order, now filing this departmental on the following grounds amongst others .

GROUND:

- A. That the withdrawal order and stoppage of salary are against the law, facts, norms of justice, and material on record, therefore not tenable and liable to be set aside.
- B. That the whole proceeding conducted by the respondent department is against the law and rules.
- C. That the appellant has been condemned unheard and has not been treated according to law and rules.
- D. That the appellant has not been treated under proper law despite he was a civil servant of the province, therefore, the impugned order is liable to be set aside on this score alone.
- E. That the appellant has been condemned unheard in violation of Article 10-A of the Constitution of Islamic republic of Pakistan and in violation of maxim "Audi Alterum Partum" and has not been treated according to law and rules. That according to reported judgment cited as *2019 CLC 1750* stated that "Audi Alterum Partum" shall be read as part and parcel of the every statute. The same principle held in the Superior Court judgments cited as 2016 SCMR 943, 2010 SCMR 1554 and 2020 PLC(es) 67.
- F. That the appellant have not been treated in accordance with law hence the appellant right secured and guaranteed under the law are badly violated.
- G. That the appellant have never committed any act or omission with bad or malafide intentions which could be termed as misconduct, albeit the appellant was dismissed from the service. Which is violation of reported judgment cited as 1997 PLC es 564.
- H. That no charge sheet was issued to the appellant on the allegation appellant was dismissed from service which is violation of *Rule-10(b) of the E&D Rules 2011* and on the basis of fact finding inquiry appellant was awarded major penalty which is against the law, rules and norms of justice, because in case of imposing major penalty proper regular inquiry and proper procedure has to be conducted under *Rule-5, 10, 11 & 14 of the E&D Rules*

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2011 but in case of the appellant same was violated which is also violation of Supreme Court judgment Cited as 2008 SCMR 609 wherein clearly stated that inquiry conducted in absence of charge sheet is void-ab-initio and also violation of this tribunal judgment in appeal no: 905/2016 decided on 20.02.2018. In Supreme court judgment cited as 2004 SCMR 294, 2008 PLC es 1107, 2008 PLC es 1065 wherein clearly state that the major penalty cannot be imposed on the basis of fact finding inquiry.

- I. That no show cause notice was issued before taking adverse action which is violation of rule Rule-5(a) Read with Rules -7 in case inquiry was not necessary and Rule-14(b) of the E&D Rules 2011, in case where regular inquiry is necessary. Which were totally ignored before taking adverse action. The same principle held in the Superior Court judgments cited as 1987 SCMR 1562, 2019 PLC es 811, 2008 PLC es 921 and 209 SCMR 605. Further it is added that inquiry report was also not provided to the appellant which was also violation of Rule 14(c) of the E&D rules 2011, so the impugned order was passed in violation of law and rules and norms of justice. The same principle held in the Superior Court judgments cited as 1981 PLD SC 176 and 1987 SCMR 1562.
- J. That no proper regular inquiry was conducted only fact finding inquiry was conducted but the appellant not associated with the inquiry, neither the statement recorded in presence of appellant nor was the chance of cross examination provided to the appellant which is violation of Rule-10 (b) and Rule 11 (1) of the E&D Rules 2011.
- K. That the opportunity of personal hearing and personal defense was not provided to the appellant which was violation of Rule 7(d) in case inquiry was not necessary and 14(5) of the E&D rules 2011 in case where inquiry is necessary. The same principle held in the Superior Court judgments cited as 2006 SCMR 1641.

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


Appellant
Shareef Ullah
Ex-Judge Clerk
GCHS Am, waki
District Leekhi Mardan

DATE: 05/01/2024

KP Service Rules

مورخہ
مقدمہ
دعویٰ
جرم

Shaufulah
۷۷
Education Dept

۲۰ منجانب
بنام

باعث تحریر آنکہ

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

آن مقام سپر ر کیلئے سپر لیٹننٹ علی بیگم

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 کے تقرر ثالث و فیصلہ پر حلف دیئے جواب دہی اور اقبال دعویٰ اور بصورت ڈگری کرنے اجراء اور وصولی چیک و روپیہ ارضی دعویٰ اور درخواست ہر قسم کی تصدیق و زرائیں پر دستخط کرانے کا اختیار ہوگا۔ نیز صورت عدم پیروی یا ڈگری یکطرفہ یا اپیل کی برآمدگی اور منسوخی نیز دائر کرنے اپیل نگرانی و نظر ثانی و پیروی کرنے کا محتاج 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 مذکور با اختیارات حاصل ہوں گے اور اس کا ساختہ پر داختم منظور و قبول ہوگا دوران مقدمہ میں جو خرچہ ہر جانہ التوائے مقدمہ ہوں گے سب سے وہوگا۔ کوئی تاریخ پیشی مقام دورہ پر ہو یا حد سے باہر ہو تو وکیل صاحب پابند ہوں گے۔ کہ پیروی مذکور کریں۔ لہذا وکالت نامہ لکھ دیا کہ سند ہے۔

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ماہ

المرقوم

العبد د گ واہ العبد