


# FORM OF ORDER SHEET

Court of \_\_\_\_\_

**Appeal No.** 727/2024


S.No.	Date of order proceedings	Order or other proceedings with signature of judge
1	2	3
1-	29/05/2024	<p>The appeal of Mst. Arifa Saleem resubmitted today by Mr. Saadullah Khan Marwat Advocate. It is fixed for preliminary hearing before Single Bench at Peshawar 31.05.2024. Parcha Peshi given to the counsel for the appellant.</p> <p>By the order of Chairman</p> <p> REGISTRAR</p>

The appeal of Mst. Arifa Saleem received today i.e on 27.05.2024 is incomplete on the following score which is returned to the appellat for completion and resubmission within 15 days.

- 1- Copy of service appeal filed by the appellat before this Tribunal mentioned in her departmental appeal is not attached with the appeal be placed on it.

No. 81 /Inst;/2024/KPST,

Dt. 29/05 /2024.

  
29/5/24  
REGISTRAR  
SERVICE TRIBUNAL  
KHYBER PAKHTUNKHWA  
PESHAWAR.

Saadullah Khan Marwat Adv.  
High Court Peshawar.

*sin*  
Resubmitted. The matter is already  
being disposed before the appellate Tribunal.  
Hence, the same is not annexed with  
the appeal. As present the record  
attached with appeal is sufficient.  
Case be law before the Bench for  
for hearing. *29/5/24*

*Handwritten signature*

**BEFORE THE KPK SERVICE TRIBUNAL PESHAWAR**

S.A No. 727/2024

Arifa Saleem

versus

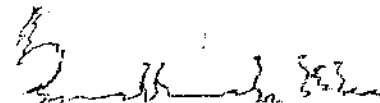
Director & Others

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Appellant

Through

  
Saadullah Khan Marwat  
Advocate.  
21-A Nasir Mansion,  
Shoba Bazaar, Peshawar.  
0311-9266609

Dated: 21-05-2024

**BEFORE KPK SERVICE TRIBUNAL PESHAWAR**

S.A No. 727 /2024

Arifa Saleem W/O Sardar Naeem,  
Senior Instructor, Physical Education,  
GGHSS, Nishter Abad, Peshawar . . . . . Appellant

**VERSUS**

1. Director, Elementary and  
Secondary Education, KP,  
Peshawar.
2. Secretary, Government of KP,  
Elementary & Secondary  
Education Department,  
Peshawar.
3. Mst. Raheela Bano, Senior Instructor,  
Physical Education, Govt. Girls Higher  
Secondary School No. 05 Qasaban  
D. I. Khan. (S. No. 10)
4. Mst. Parveen Akhtar, Senior Instructor,  
Physical Education, Govt. Girls Higher  
Secondary School Akora Khattak. (16)
5. Mst. Yahya Begium, Senior Instructor,  
Physical Education, Govt. Girls Higher  
Secondary School Comprehensive at  
Dabgari, Peshawar. (S. No. 19)
6. Mst. Mufeeda Begium, Senior Instructor,  
Physical Education, Govt. Girls Higher  
Secondary School Shahbaz Ghari Kohat. (22)
7. Mst. Samina Akhtar, Senior Instructor,  
Physical Education, Govt. Girls Higher  
Secondary School Lady Griffith Peshawar. (23)

8. Mst. Ghazala Naeem, Senior Instructor,  
Physical Education, Govt. Girls Higher  
Secondary School Regional Professional  
Development Centre Kohat. (S. No. 27)
9. Mst. Baserat Afzal, Senior Instructor,  
Physical Education, Govt. Girls Higher  
Secondary School Regional Professional  
Development Centre Malakand. (S. No. 29)
10. Mst. Tasleem Kausar, Senior Instructor,  
Physical Education, Govt. Girls Higher  
Secondary School Skhakot Malakand. (35)
11. Mst. Maryum Rasool, Senior Instructor,  
Physical Education, Govt. Girls Higher  
Secondary School Regional Professional  
Development Centre Abbotabad. (39)
12. Mst. Mussaraj Iqbal, Senior Instructor,  
Physical Education, Govt. Girls Higher  
Secondary School Esak Chuntra Karak. (41)
13. Mst. Sardar Bibi, Senior Instructor,  
Physical Education, Govt. Girls Higher  
Secondary School Chukara Karak. (42)
14. Mst. Shahida Begium, Senior Instructor,  
Physical Education, Govt. Girls Higher  
Secondary School Esak Chuntra Karak  
(S. No. 46)
15. Mst. Nazma Shaheen, Senior Instructor,  
Physical Education, Govt. Girls Higher  
Secondary School Larama Peshawar (50)
16. Mst. Robina Shaheen, Senior Instructor,  
Physical Education, Govt. Girls Higher  
Secondary School Rashakai Nowshera  
(S. No. 51) . . . . . Respondents

**APPEAL U/S 4 OF SERVICE TRIBUNAL ACT, 1974**  
**AGAINST REVISED FINAL SENIORITY LIST OF**  
**SENIOR INSTRUCTORS PHYSICAL EDUCATION B-**  
**18 (F) ELEMENTARY AND SECONDARY EDUCATION**  
**DEPARTMENT KP PESHAWAR NO. 2015-16 / AD**  
**DATED 03-01-2024 OF R. NO. 01 WHEREBY**  
**APPELLANT WAS PLACED AT S. NO. 53 INSTEAD**  
**OF S. NO. 09 AND THAT R. NO. 02 FAILED TO**  
**HONOR REPRESENTATION OF APPELLANT DATED**  
**01-02-2024 IN STATUTORY PERIOD OF 90 DAYS:**

**Respectfully Sheweth;**

1. That on 20-10-1993, appellant was appointed as Physical Education Teacher (Female) B-09 and was promoted to the post of Director Physical Education B-16 on 10-02-2009. On 15-06-2009, she was further promoted to the said post of DPE, B-17.
2. That the department did stage whole drama in Notification dated 13-11-2007 and this Notification created disturbance inter-se the employees and made dispute amongst them by giving seniority to juniors, leaving aside seniors. This Notification shall not be acted in every grade / scale between the employees of the department. (Copy as annex "A")
3. That appellant was awarded B-18 on 23-05-2018 and in the impugned seniority list, she was placed at S. No. 53, while respondents who were promoted later on were placed senior to appellant i.e. on different later dates as is evident from the same.
4. That on 03-01-2024, only covering letter was issued with reference to seniority list dated 02-03-2021 and no fresh seniority list was issued by showing the incumbents at proper position / date wise position by showing appellant at S. No. 53 instead of at S. No. 09 above the name of Raheela Bano. (Copy as annex "B")

5. That on 01-02-2024, appellant submitted representation before R. No: 02 for correction of the impugned seniority list and to place every one on proper position but without any response till date. (Copy as annex "C")

Hence, this appeal, Inter alia on the following grounds:-

**GROUND**

- a. That as and when appellant was given seniority with effect from the 2009 in B-17, then it was the legal duty of the respondents to issue fresh seniority list by placing appellant over and above the competing respondents.
- b. That the impugned seniority list is in total disregard of law and seniority rules, so is liable to struck down and to correct the same.
- c. That in the impugned seniority list, extra ordinary relief / favor was extended to competing respondents to give them promotion to the next higher grade, being most junior, leaving aside the eligible and qualified candidates by not placing appellant at proper position / place.
- d. That the department is going to make promotion at the impugned disputed seniority list and if promotion was made, then vested rights of promotion of appellant shall infringe and she will not see promotion in future as prior to the same, earlier promotion was also made on the disputed seniority list. It is against the judgment of the apex court.
- e. That the department did stage whole drama in Notification dated 13-11-2007 and this Notification created disturbance inter-se the employees and made dispute amongst them by giving seniority to juniors, leaving aside seniors. This Notification shall not be acted in every grade / scale between the employees of the department.

- f. That for the first time, Rules were framed in the year 2012 and thereafter, slight amendment was made therein in the year 2018 which thrashed out Notification dated 13-11-2007 regarding word **Intact**. So word Intact shall not be used time and again for defeating cause of eligible employees like appellant.
- g. That the impugned seniority list is against the law and seniority rules, so is based on discrimination, favoritism and malafide which requires for correction interference of the hon'ble Tribunal in the matter.

It is, therefore, most humbly prayed that on acceptance of appeal, the impugned seniority list dated 03-01-2024 stood on 02-03-2021 of R. No. 01 be set aside and appellant be placed at S. No. 09 above the name of Raheela Bano instead of 53 over and above the contesting respondents, with further direction to the respondents to issue fresh seniority list as per law / seniority rules by placing all at proper position, with such other relief as may be deemed proper and just in the circumstances of the case.


It is further requested that much water has been flown beneath the bridge by changing grade / scale, so Notification dated 13-11-2007 be treated of no legal effect.

  
Appellant

Through

  
Saadullah Khan Marwat

  
Arbab Saiful Kamal

  
Amjad Nawaz  
Advocates

Dated: 21-05-2024



13-11-07

GOVERNMENT OF N.W.F.P.  
SCHOOLS & LITERACY DEPARTMENT  
Dated, Peshawar the 13-11-2007.

**NOTIFICATION.**

No. SOG/S&L/1-69/06/Vol-1/DPE/LIB: Sanction of the competent authority is hereby accorded to the upgradation of the posts of Librarians and Directors Physical Education (D.P.Es) from BS-16 to BS-17 (Regular) for the existing incumbents who hold Master Degree in the relevant subject Schools & Literacy Department NWFP with immediate effect as per following details:-

1. Promotion against the upgraded posts (from BS-16 to BS-17) shall be made in the prescribed manner, and in accordance with the service rules to be framed as per relevant provisions of the NWFP Civil Servants (Appointment, Promotion and Transfer) Rules 1989 read with the NWFP, Civil Servants Act, 1973.
2. The Librarians and D.P.Es who hold the diploma in the relevant subject will stay in BS-16 till such time, they acquire Master Degree in the respective subject. On acquiring Master Degree in the relevant subject, their posts will be upgraded on case to case basis from BS-16 to BS-17 (Regular) and promotion (from BS-16 to BS-17) would be given as per laid down procedure and in accordance with the service rules to be framed. However their existing seniority will remain intact.
3. All the vacant posts of Librarians and D.P.Es in Schools & Literacy department in BS-16 are hereby upgraded to BS-17 appointments against which would be made from amongst the persons who hold Master Degree in the relevant subject, in the prescribed manner.
4. In future Librarians and D.P.Es will initially be recruited on the basis of Master Degree in the relevant subject in BS-17 (Regular).
5. Henceforth no appointment of Librarians and D.P.Es in BS-16 shall be made on the basis of diploma, being declared as "Denying Cadre".

Sd/-

SECRETARY TO GOVERNMENT OF NWFP  
SCHOOLS & LITERACY DEPARTMENT.

Attested to be True  
Copy

8

2-1

Endst: No: FD(SOSR-II) 10-7/03/VOL-III Dated, Peshawar the, 13/11/2007.  
Copy forwarded for information and necessary action to:-

1. The Accountant General, NWFP, Peshawar.
2. All Districts Accounts Officers In NWFP.
3. All Agency Accounts Officers In NWFP.

Endst: No. & Date Even.

Copy forwarded to:-

1. Secretary to Government of NWFP, Establishment Department.
2. Secretary to Government of NWFP, Finance Department.
3. P.S to Chief Minister NWFP, Peshawar.
4. P.S to Chief Secretary NWFP, Peshawar.
5. Director Schools & Literacy, NWFP, Peshawar.
6. Director. Curr: & Teachers Edu: NWFP, Mandian Abbottabad.
7. Director of Education FATA NWFP, Peshawar.
8. P.S to Minister of Education, NWFP, Peshawar.
9. P.S to Secretary Schools & Literacy NWFP, Peshawar.
10. Office File.

Attested to be True  
Copy

**AFFIDAVIT**

I, Arifa Saleem, Senior Instructor, Physical Education, GGHSS Nishtar Abad, Peshawar (Appellant), do hereby solemnly affirm and declare that contents of **Service Appeal** are true and correct to the best of my knowledge and belief.

  
DEPONENT

**CERTIFICATE:**

As per instructions of my client, no such like Service Appeal has earlier been filed by the appellant before this Hon'ble Tribunal.

  
ADVOCATE



DIRECTORATE OF ELEMENTARY SECONDARY EDUCATION  
KHYBER PAKHTUNKHWA PESHAWAR

No. 2015/161 (AD Lit-II)

Dated Peshawar the 31/1/2024

To

The Worthy Secretary,  
E&SE Department Khyber Pakhtunkhwa Peshawar.

Attention: The Section Officer (Litigation-II),  
E&SE Department Khyber Pakhtunkhwa Peshawar.

Subject: IMPLEMENTATION OF THE ORDER DATED 27-07-2023 PASSED BY THE HONOURABLE KHYBER PAKHTUNKHWA SERVICE TRIBUNAL PESHAWAR IN SERVICE APPEAL NO. 231/2022 TITLED "REHANA YASMEEN VS DIRECTOR E&SE & OTHERS."

Memo:

I am directed & to refer to the subject as cited above & to state that the subject case has been disposed of vide order dated 27-07-2023 by the Honorable Khyber Pakhtunkhwa Service Tribunal, wherein, it has been held that the date of promotion of the appellant in the impugned seniority list dated 02-03-2023 may be mentioned as 13-11-2007 instead of 19-05-2009 in pursuance of the promotion Notification dated 29-04-2014, whereafter, the matter was referred to the Law Department which was made unfit for filling CPLA before the apex Court. However, as per advice of the Law Department an application under Section 12(2) of CPC-1908 was filed against the order ibid which was also dismissed vide order sheet dated 07-11-2023 by the Honorable Tribunal.

It is further added that a meeting under the chairmanship of Additional, Secretary (General) E&SE Department was held on dated 28-12-2023 for implementation of the judgement ibid, wherein, the chair has directed this Directorate that other similarly placed IPEs (Female) may also be treated equally with the petitioners and may not be discriminated, meaning thereby, all those IPEs (Female), whose promotion have been anti-dated vide Notification dated 29-04-2014 w.e.f 13-11-2007 instead of 19-05-2009 along with the petitioners, their date of promotion in impugned seniority list dated 02-03-2021 may be written as 13-11-2007 instead of 19-05-2009 on the analogy of petitioners in the light of Notification dated 29-04-2014.

Therefore, pursuant to the decisions taken in the afore-noted meeting with regard to the implementation of the order dated 27-07-2023 of the Honorable Service Tribunal, Peshawar in the titled case, the date of promotion of all the concerned IPEs (Female) has been modified in the impugned seniority list dated 02-03-2021 (DFA enclosed) and is hereby forwarded for approval of the competent authority, so as to be submitted to the Honorable Service Tribunal in the pending Execution Petition please.

Assistant Director (Litigation-II)

Encls No: \_\_\_\_\_/File No. (AD)/(Lit-II)

Dated Peshawar the: \_\_\_/\_\_\_/2024

Copy forwarded for information to the:-

1. Learned Registrar Honorable Khyber Pakhtunkhwa Service Tribunal Peshawar.
2. Additional Secretary (G) E&SE Department Khyber Pakhtunkhwa Peshawar.
3. Additional Director (PE&S) E&SE Khyber Pakhtunkhwa Peshawar.
4. Deputy Director (Legal) E&SE Khyber Pakhtunkhwa.
5. PA to Director (E&SE) Khyber Pakhtunkhwa Peshawar.
6. Master file.

Assistant Director (Litigation-II)

DFA

ORDERED FINAL SENIORITY LIST OF SENIOR INSTRUCTORS PHYSICAL EDUCATION BS-18 (FEMALE) ELEMENTARY AND SECONDARY EDUCATION DEPARTMENT KHYBER PAKHTUNKHWA AS STOOD 02-03-2021

S.No	Name of Officer with Academic Qualification	Domicile	Date of Birth	D/O Ist Entry into Govt Service	D/O Appt: as DPE BS-16 (Regular)	D/O Award of BS-17 (Regular)	Regular Appt/Promotion to the present post			Place of Posting
							D/O Award of BS-18 (Regular)	BPS	Method of recruitment	
							8	9	10	11
1	MST. SAFINA BABAR MSC (HPE)	NOWSHERA	06.01.1962	26.08.1996	26.08.1990	19.05.2009	23.05.2018	18	By promotion	GGHSS University Town Peshawar
2	MST. SHAHEEN ANWAR MSC (HPE)	ABBOTTABAD	03.06.1963	24.07.1991	24.07.1991	13.11.2007	23.05.2018	18	By promotion	GGCHSS Abbottabad
3	MST. REHANA PARVEEN MSC (HPE)	DI KHAN	10.02.1963	24.07.1991	24.07.1991	13.11.2007	23.05.2018	18	By promotion	GGHSS Provs DI Khan
4	MST. SHAHIDA BEGUM MSC (HPE)	NOWSHERA	01.09.1967	07.01.1990	16.05.1997	13.11.2007	23.05.2018	18	By promotion	GGHSS Nowshera Kalan.
5	MST. SHAHNAJ JADOON MSC (HPE)	ABBOTTABAD	05.04.1968	16.05.1997	16.05.1997	13.11.2007	23.05.2018	18	By promotion	GGHSS Dhamtour Abbottabad
6	MST. TAMELLA NAZ MSC (HPE)	DI KHAN	31.08.1967	06.03.1990	16.05.1997	13.11.2007	23.05.2018	18	By promotion	R.I.T.E (F) Peshawar.
7	MST. NAUREEN ANWAR MSC (HPE)	KOHAT	03.05.1968	16.05.1997	16.05.1997	13.11.2007	23.05.2018	18	By promotion	GGHSS Chamkani Peshawar
8	MST. SAEEDA BEGUM MSC (HPE)	PESHAWAR	01.01.1964	13.03.1986	18.02.2003	13.11.2007	23.05.2018	18	By promotion	GGHSS Chah Said Munawar Shah No. 6 DI Khan
9	MST. MISBAH SEEMA MSC (HPE)	DI KHAN	14.05.1964	11.02.1992	18.02.2003	13.10.2010	23.05.2018	18	By promotion	GGHSS No.5 Qasaban DI Khan
10	MST. RAHILA BANO MSC (HPE)	DI KHAN	24.03.1966	31.05.1992	18.02.2003	13.10.2010	23.05.2018	18	By promotion	GGHSS Mathra Peshawar
11	MST. RAFIA KHATTAK MSC (HPE)	KARAK	09.09.1967	16.11.1994	18.02.2003	13.11.2007	23.05.2018	18	By promotion	GGHSS No. 9 Din Pur D.I.Khan
12	MST. HAMIDA BAGEM MSC (HPE)	DI KHAN	01.01.1967	11.01.1996	18.02.2003	13.11.2007	23.05.2018	18	By promotion	GGHSS Malakpura Abbottabad
13	MST. ABIDA PARVEEN MSC (HPE)	ABBOTTABAD	20.10.1966	01.10.1992	18.02.2003	15.06.2009	23.05.2018	18	By promotion	GGHSS Sikandar Khel Bala Barnu.
14	MST. ROBINA SHAHEEN MSC (HPE)	BANNU	02.01.1972	07.11.1992	18.02.2003	13.11.2007	23.05.2018	18	By promotion	GGHSS No.2 Peshawar Cantt.
15	MST. NABILA TABASUM MSC (HPE)	DI KHAN	25.04.1970	25.06.1997	18.02.2003	13.11.2007	23.05.2018	18	By promotion	GGHSS Akora Khattak NSR
16	MST. PARVEEN AKHTAR MSC (HPE)	MARDAN	15.11.1966	15.11.1984	18.02.2003	24.10.2013	18.04.2019	18	By promotion	GGHSS Shah Dhand Mardan
17	MST. DANISH BEGUM MSC (HPE)	MARDAN	14.04.1969	28.02.1995	18.02.2003	13.11.2007	23.05.2018	18	By promotion	GGHSS Rustam Khel Mardan.
18	MST. SUGHRA AFANDI MSC (HPE)	MARDAN	01.05.1970	10.10.1995	18.02.2003	15.06.2009	23.05.2018	18	By promotion	GGHSS Nowshera Cantt
19	MST. YAHYA BEGUM MSC (HPE)	KARAK	08.06.1973	03.10.1995	06.06.2005	24.10.2013	18.04.2019	18	By promotion	GGHSS Nowshera Cantt
20	MST. NIGAR AKHTAR MSC (HPE)	MARDAN	03.04.1976	30.08.1995	06.06.2005	13.11.2007	23.05.2018	18	By promotion	GGCHSS Peshawar City
21	MST. NAHEED GOHAR MSC (HPE)	MANSEHRA	04.03.1969	17.03.1993	06.06.2005	13.11.2007	23.05.2018	18	By promotion	GGHSS Jangal Khel Kohat
22	MST. MUFEEDA BEGUM MSC (HPE)	SWABI	31.08.1971	11.12.1990	06.06.2005	16.05.2013	05.11.2018	18	By promotion	GGHSS; Shabbaz Garhi Mardan
23	MST. SAMINA AKHTAR MSC (HPE)	KARAK	15.03.1974	23.05.1992	06.06.2005	24.10.2013	18.04.2019	18	By promotion	GGHSS Pir Pai Nowshera
24	MST. ASMA QUARSHI MSC (HPE)	PESHAWAR	06.06.1976	20.01.1995	06.06.2005	13.11.2007	23.05.2018	18	By promotion	GGHSS Lady Griffith Peshawar
25	MST. MUNAZA JABEEN MSC (HPE)	PESHAWAR	10.10.1975	23.11.1995	06.06.2005	13.11.2007	23.05.2018	18	By promotion	GGHSS Tarnab Peshawar
26	MST. AZRA NAZ MSC (HPE)	MARDAN	01.02.1970	08.03.1998	06.06.2005	13.11.2007	23.05.2018	18	By promotion	GGHSS Toru Mardan
27	MST. GHAZALA NAEEM MSC (HPE)	KOHAT	15.02.1968	01.01.1982	06.06.2005	13.10.2010	23.05.2018	18	By promotion	GGHSS Behzadi Chakarkot Kohat
28	MST. SUJHAT BEGUM MSC (HPE)	MARDAN	05.09.1972	30.09.1996	06.06.2005	15.06.2009	23.05.2018	18	By promotion	GGHSS Takhthai Mardan
29	MST. BASREET AFZAL MSC (HPE)	MARDAN	20.02.1984	27.05.2006	27.05.2006	13.10.2010	23.05.2018	18	By promotion	GGHSS Hathian Mardan.
30	MST. ROHILA GUL MSC (HPE)	BANNU	12.10.1980	27.05.2006	27.05.2006	13.11.2007	23.05.2018	18	By promotion	GGHSS Koti Sadat Barnu

DPB

31	MST. SAJMA ANDALEEB MSC (HPE)	HARIPUR	05.04.1980	01.09.2004	27.05.2006	13.11.2007	23.05.2018	18	By promotion	GGHSS Kot Najibullah Haripur
	MST. SHAJANA MSC (HPE)	BANNU	05.05.1983	27.05.2006	27.05.2006	13.11.2007	23.05.2018	18	By promotion	GGHSS Domel Bannu
33	MST. IMTAZ TABASSUM MSC (HPE)	PESHAWAR	15.12.1978	14.01.1998	27.05.2006	13.11.2007	23.05.2018	18	By promotion	GGHSS Jogiwara Peshawar.
34	MST. SAJMA GUL MSC (HPE)	DI KHAN	28.04.1979	27.05.2006	27.05.2006	15.06.2009	23.05.2018	18	By promotion	GGHSS Sherazi No. 8 DI Khan
35	MST. TASLEEM KAUSAR MSC (HPE)	MALAKAND	12.10.1974	27.05.2006	27.05.2006	16.05.2013	05.11.2018	18	By promotion	GGHSS Sakhakot Malakand
36	MST. MIARYAM MUSTAFA MSC (HPE)	ABBOTTABAD	27.11.1978	27.05.2006	27.05.2006	13.11.2007	23.05.2018	18	By promotion	RITE (Female) Abbottabad
37	MST. FAKHAR-E-ANUM MSC (HPE)	MARDAN	13.04.1977	01.12.1999	12.12.2006	13.11.2007	23.05.2018	18	By promotion	GGHSS Sawal Dher Mardan
38	MST. NIGHAT SEEMA MSC (HPE)	NOWSHERA	05.11.1970	13.03.1993	12.12.2006	13.11.2007	23.05.2018	18	By promotion	GGHSS Kahu Khan Swabi
39	MST. MARYAM RASOOL MSC (HPE)	HARIPUR	07.01.1970	01.09.1993	12.12.2006	24.10.2013	18.04.2019	18	By promotion	GGHSS Kalabat Township No.2 Haripur
40	MST. SHAHEEN ALI MSC (HPE)	SWABI	12.12.1975	04.01.2004	12.12.2006	27.05.2009	23.05.2018	18	By promotion	GGHSS Shewa Swabi
41	MST. MUSSARJ IQBAL MSC (HPE)	KARAK	08.01.1970	13.11.1990	12.12.2006	24.10.2013	18.04.2019	18	By promotion	GGHSS Esak Chuntra Karak
42	MST. SARDAR BIBI MSC (HPE)	KARAK	30.05.1970	12.01.1994	12.12.2006	25.10.2011	23.05.2018	18	By promotion	GGHSS No.1 Karak
43	MST. SHERAZ TAJ MSC (HPE)	MARDAN	09.11.1976	08.01.1996	12.12.2006	13.11.2007	23.05.2018	18	By promotion	GGHSS Gujrat Mardan.
44	MST. AFSHEEN MUMTAZ MSC (HPE)	PESHAWAR	23.12.1974	20.11.1994	12.12.2006	13.11.2007	23.05.2018	18	By promotion	GGHSS Khyber Colony Peshawar
45	MST. SADIA HAZRAT MSC (HPE)	MALAKAND	05.03.1983	02.12.2004	12.12.2006	15.06.2009	23.05.2018	18	By promotion	GGHSS Koper Malakand
46	MST. SHAHIDA BEGUM MSC (HPE)	KARAK	15.12.1976	17.05.1993	12.12.2006	24.10.2013	18.04.2019	18	By promotion	GGHSS Esak Chuntra Karak
47	MST. SHAHIDA BEGUM MSC (HPE)	KARAK	15.12.1976	17.05.1993	12.12.2006	24.10.2013	18.04.2019	18	By promotion	GGHSS Wadpaga Peshawar
47	MST. RAHANA YASMEEN MSC (HPE)	PESHAWAR	30.04.1971	17.11.1994	12.12.2006	13.11.2007	23.05.2018	18	By promotion	GGHSS Landi Arbab Peshawar.
48	MST. HUSSAN BASRI MSC (HPE)	PESHAWAR	02.03.1972	10.07.1997	12.12.2006	13.11.2007	23.05.2018	18	By promotion	GGHSS Kakul Abbottabad
49	MST. SAJRA ILTAF MSC (HPE)	ABBOTTABAD	01.01.1981	26.06.2005	12.12.2006	15.06.2009	23.05.2018	18	By promotion	GGHSS Larana Peshawar
50	MST. NAZMA SHAHEEN MSC (HPE)	PESHAWAR	30.05.1977	01.10.1996	12.12.2006	16.05.2013	05.11.2018	18	By promotion	GGHSS Rashakai Nowshera
51	MST. ROBINA SHAHEEN MSC (HPE)	MARDAN	24.01.1965	04.02.2005	10.02.2009	15.06.2009	23.05.2018	18	By promotion	GGHSS Baffa Manshra
52	MST. RIFFAT SHAHEEN MSC (HPE)	MANSEHRA	01.03.1967	19.02.2004	10.02.2009	15.06.2009	23.05.2018	18	By promotion	GGHSS Nishtar Abad Peshawar
53	MST. ARIFA SALEEM MSC (HPE)	PESHAWAR	01.09.1972	20.10.1993	10.02.2009	15.06.2009	23.05.2018	18	By promotion	GGHSS Nishtar Abad Peshawar

Assistant Director (Sports)  
Elementary & Secondary Education  
Khyber Pakhtunkhwa

C 12

Secretary  
E&S Edu;  
Diasy No: 1118  
Dated 01-02-24

To,

Secretary, Govt. of KP,  
Elementary and Secondary  
Education Department,  
Peshawar.

Subject:

**APPEAL AGAINST REVISED FINAL SENIORITY LIST OF SENIOR INSTRUCTORS PHYSICAL EDUCATION B-18 (FEMALE) ELEMENTARY AND SECONDARY EDUCATION DEPARTMENT NO. 2015-16 / AD LIT-II DATED 03-01-2024 STOOD ON 02-03-2021 OF ASSISTANT DIRECTOR (LIT-II) WHEREBY APPELLANTS WERE PLACED AT S. NO. 44, 47, 48 AND 53 INSTEAD OF AT S. NO. 20 (AFSHEEN MUMTAZ), 21 (REHANA YASMEEN), 22 (HUSSAN BASRI) AND 28 (ARIFA SALEEM) OR AS THE CASE MAY BE:**

**Respectfully Sheweth.**


1. That appellants were initially appointed as a Physical Education Teacher on 17-11-1994, 17-11-1994, 10-07-1997 and 20-10-1993 respectively and were promoted to B-16 on 12-12-2006 (03 numbers) and 10-02-2009 respectively.
2. That on 13-11-2007, appellants were promoted to the post of DPE B-17 and 15-06-2009 respectively.
3. That appellants filed appeals before the hon'ble Service Tribunal which were accepted with direction to place them on proper places but instead the impugned seniority list stood on 02-03-2021 were placed again at their improper position and only date of promotion was changed from 2009 to 2007. (Copies Attached)
4. That appellants were awarded B-18 on 23-05-2018 and in the impugned seniority list appellants were placed at S. No. 44, 47, 48 and 53, while others who were promoted on different dates were placed senior to appellants i.e. 2009, 2013, 2011 etc. as is evident from the impugned seniority list. (Copy Attached)
5. That the impugned seniority list is of the year 2021 only covering letter was issued on 03-01-2024 showing appellants in the covering letter with effect from 13-11-2007 instead of 19-05-2009.

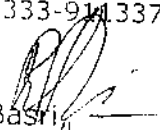
- 6. That it was incumbent upon the authority to issue fresh seniority list giving them year 2022 or 2023 and not to give year 2021.
- 7. That the impugned seniority list is in total disregard of law and seniority list so is liable to struck down and to correct the same.
- 8. That in the impugned seniority list extra ordinary relief favor was extended to favorites leaving aside the eligible candidates by not placing them on proper positions.
- 9. That the department is going to make promotion at the impugned disputed seniority list and if promotion was made, then vested rights of promotion of appellants shall infringe and they will not see promotion in future as prior to the same, earlier promotion was also made on the disputed seniority list.
- 10. That the impugned seniority list is against the law and is based on favoritism and malafide.


It is, therefore, most humbly requested that the appeal be accepted as prayed for in the heading and fresh seniority list of the year 2022 / 2023 be issued by placing appellants at proper positions as per year wise promotion to the dates mentioned against their names.

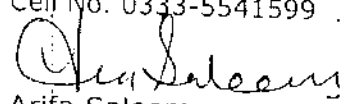
**Note:- It is to bring into your kind notice that for making promotion to BPS-19, PSB has been scheduled probably for 15-02-2024 and if such illegal promotion was made, then the purpose of the appeal would defeat and would become infructuous. The same shall be stayed till the decision of the appeal.**

Applicants

  
 Afsheen Muntaz,  
 Senior Instructor Physical Education  
 GGHS Khyber Colony, Peshawar  
 Cell No. 0333-9113375

  
 Hussan Basri  
 Senior Instructor Physical Education  
 GGHS Landi Arbab, Peshawar  
 Cell No. 0322-9175075

  
 Rehana Yasmeeen  
 Senior Instructor Physical Education  
 GGHS Wadpaga, Peshawar  
 Cell No. 0333-5541599

  
 Arifa Saleem  
 Senior Instructor Physical Education  
 GGHS Nishter Abad, Peshawar  
 Cell No. 0310-9941877

Dated 01-02-2024



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**BEFORE THE KPK SERVICE TRIBUNAL, PESHAWAR**

Misc. A. No. /2024

IN

S. A. No. /2024

Arifa Saleem

versus

Director & Others

**APPLICATION FOR DIRECTION TO  
RESPONDENTS TO NOT FILL UP THE  
DISPUTED POSTS OF CHIEF INSTRUCTOR  
PHYSICAL EDUCATION B-19 TILL THE  
FINAL DISPOSAL OF THE CASE:**

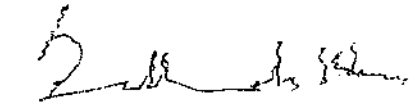
**Respectfully Sheweth,**

1. That applicant filed the subject appeal before this hon'ble Tribunal today for correction of seniority position.
2. That respondents are going to make promotion to the post of Chief Instructors Physical Education B-19 as per letter dated 14-05-2024 and if such promotion was made without issuing Final Seniority List amongst the employees then the purpose of the appeal would become in-fructuous and rights of the applicant shall defeat. (Copy Attached)

It is, therefore, most humbly requested that the application be accepted as prayed for.

  
Applicant

Through

  
Saadullah Khan Marwat  
Advocate

Date: 21-05-2024

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**BEFORE THE KPK SERVICE TRIBUNAL PESHAWAR**

Misc. A. No. /2024

IN

S. A. No. /2024

Arifa Saleem

versus

Director & Others

**AFFIDAVIT**

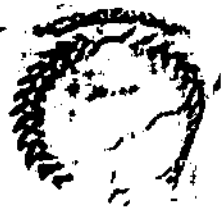
I, Arifa Saleem, Applicant, do hereby solemnly affirm and declare that contents of **Application** are true and correct to the best of my knowledge and belief.

  
DEPONENT

GOVERNMENT OF KHYBER PAKHTUNKHWA  
ELEMENTARY & SECONDARY EDUCATION DEPARTMENT

Block - A - (Opposite A.P.A. House), (All Secretarial Papers or  
Documents should be submitted to this office)

GOVT. ESTD. 11-KEN/MS/ED/NO/18/2024  
(Dated: February 19<sup>th</sup> May, 2024)



24  
16

The Director  
EASE Khyber Pakhtunkhwa  
Peshawar

**SUBMISSION OF UPDATED SENIORITY LIST OF ALL CARRIES OF  
BPS-17 & ABOVE IN TEACHING, LIBRARIAN, PE & ON STANDARD  
EDUCATION FOR THE CURRENT FINANCIAL YEAR.**

I am directed to refer to the subject noted above and to enclose herewith a copy of

Standard format model seniority list shared by Establishment Department for preparation Seniority

list of all head cadres of BPS-17 above accordingly and submission in this Department within

15 days positively for further considering action please.

Yours faithfully,

*[Signature]*  
SECTION OFFICER (SCHOOL STAFFS)  
MADAD HUSSAIN

For the purpose of the above to forward and the  
to be received by the Establishment Department

*[Signature]*  
SECTION OFFICER (SCHOOL STAFFS)  
MADAD HUSSAIN

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Handwritten text in Urdu script, possibly a name.

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