

**BEFORE THE KHYBER PAKHTUNKHWA SERVICE TRIBUNAL, PESHAWAR.**

In Service Appeal No. 107/2024

**Mr. Tahir Hassan** ..... **Appellant**, Khyber Pakhtunkhwa Service Tribunal

VERSUS

Diary No. 12208

**Secretary to Govt of KPK Peshawar** ..... **Respondents.**

Dated 16-04-2024

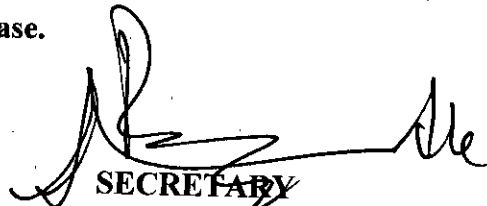
Subject:- **APPLICATION FOR DELETION THE NAME OF RESPONDENT (SECRETARY ELEMENTARY & SECONDARY EDUCATION DEPARTMENT) FROM THE PANEL OF RESPONDENT**

**Respectfully sheweth,**

**The respondent No. 01 most humbly submits as under:-**

1. That as per the Khyber Pakhtunkhwa Service Tribunal letter dated 02-02-2024, "un-necessary parties are also arrayed as respondents, whereas, Rule-6(4) of the Rules requires that the competent authority whose order is challenged, shall be shown as respondent No. 01".
2. That in the subject Service Appeal the applicant is Class IV (BPS-03) which comes under the competency of District Education Officer/Director Elementary & Secondary Education.
3. That it is pertinent to mention here that the Civil Servant (BPS-16) and below comes under the competency of Director Elementary & Secondary Education and District Education Officers.
4. That the Secretary Elementary & Secondary Education is unnecessary parte in all Service Appeal of BPS-16 & below and required deletion from the list of respondents.

**Prayer:-** In view of the above, it is humbly requested that the Secretary Elementary & Secondary Education being Proforma Respondent in cases of BPS-16 & below employee of Elementary & Secondary Education may kindly be deleted from the panel of respondents please.



**SECRETARY**  
Elementary & Secondary Education,  
Department Khyber Pakhtunkhwa.  
(Respondent No. / )

22-05-24  
peo2.

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**BEFORE THE KHYBER PAKHTUNKHWA SERVICE TRIBUNAL**  
**PESHAWAR**

Service Appeal No: 107 /2024

Tahir Hassan (Class IV Employee GGPS Tali Bajaur ) s/o Shams Ullah  
Resident of PO Raghagan Talay, Tehsil Salarzai District Bajaur

**(Appellant)**

**VERSUS**

1. Government of Khyber Pakhtunkhwa, through Secretary Elementary & Secondary Education Department KPK, Peshawar
2. Director Elementary & Secondary Education Department Khyber Pakhtunkhwa Peshawar
3. District Education Officer (DEO) (Female) District Bajaur
4. District Education Officer (DEO) (Male) District Bajaur
5. Hassan Gul s/o Amir Gul Junior Clerk DEO Office Male Bajaur
6. Matiullah s/o Abdul Wahab junior Clerk GHS Badano Tehsil Mamond District Bajaur
7. Omar Daraz s/o Amir Jamal junior clerk GGHS Raghagan Tehsil Khar District Bajaur

**(Respondents)**

Service Appeal Under Section 4 of Khyber Pakhtunkhwa Service Tribunal Act 1974 against the impugned joint Seniority list prepared by Respondent No 3 & 4 wherein the name of both Class IV employees of DEO Male & Female are mentioned in the impugned joint seniority list, which badly effect the promotion chance / seniority of the appellant and as well against the promotion of private Respondents to the post of junior clerk being junior to the appellant, which is also illegal against the law and service rules and is liable to be set aside by issuing direction to the Respondent to prepare separate seniority list of appellant for the purpose of promotion to the post of junior clerk by issuing further direction to promote the appellant on the available vacant post of junior clerk, as the Appellant has not been promoted since from the date of appointment till date and the Departmental Appeal of the Appellant has not been responded in the stipulated / statutory period.