

BEFORE THE KHYBER PAKHTUNKHWA SERVICE TRIBUNAL, PESHAWAR.

In Service Appeal No. 154/2024

Mr. Aizaz Ali **Appellant**

VERSUS

Disputy No. 12262

Dated 18/4/24

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


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 SST (M/P) (BPS-16) 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.)

30/4/2024

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**BEFORE THE HON'BLE SERVICES TRIBUNAL KHYBER
PAKHTUNKHWA, PESHAWAR**

Appeal No 154 / 2024

Aizaz Ali S/o Mushtaq Ali, SST (M/P) (BPS-16) Posted at
GHS Dalori Gadoon, District Swabi R/o Village Kalu Khan,
Mama Khel, Tehsil Razar, District Swabi.

.....Appellant

VERSUS

1. Government of KPK through Secretary Elementary &
Secondary Education at Civil Secretariat Peshawar.
2. Government of KPK, through Director Elementary &
Secondary Education at Peshawar.
3. District Education Officer (Male) District Swabi
4. Sajjad Ali Khan SST Posted at GHS Ahad Khan Swabi.

.....Respondents

**APPEAL U/S 4 OF KHYBER PAKHTUNKHWA
SERVICE TRIBUNAL ACT 1974 AGAINST THE
IMPUGNED TRANSFER ORDER/
NOTIFICATION NO- 10007/DTD
14/10/2023 WHEREBY RESPONDENT NO.4
WAS TRANSFERRED FROM GHS
BATAKHARA SWABI TO GHS AHAD KHAN
SWABI WITHOUT COMPLETION OF HIS
TENURE AT GHS BATAKARA WHERE HE
(RESPONDENT NO.4) WAS POSTED/
ADJUSTED, AFTER PROMOTION FROM CT**

S.A.No. 154/2024

14.03.2024

Learned counsel for the appellant present. Mr. Asad Ali Khan, Assistant Advocate General for the respondents present and again sought time for submission of reply/comments. Another last opportunity granted subject to payment of cost of Rs. 2000/-. Adjourned. To come up for reply/comments as well as preliminary hearing and cost of Rs. 2000/- on 29.03.2024 before the S.B. Parcha Peshi given to the parties:


SCANNED
KPST
Peshawar


(Salah-ud-Din)
Member (J)

Naeem Amin

29.03.2024 01. Junior to counsel for the appellant present. Mr. Umair Azam, Additional Advocate General alongwith Mr. Fazal Hadi, ADEO for the respondents present.

02. Costs of Rs. 2000/- as well as reply/comments on behalf of respondents not submitted. Representative of the respondents requested for time to submit reply/comments as well as costs of Rs. 2000/- on the next date. Another opportunity is granted. To come up for reply/comments as well as preliminary hearing and costs of Rs. 2000/- on 14.05.2024 before S.B. P.P given to the parties.


(Muhammad Akbar Khan)
Member (E)

Kamranullah