

BEFORE THE KHYBER PAKHTUNKHWA SERVICE TRIBUNAL, PESHAWAR.

In Service Appeal No. 583/2024

Mr. Waheed Ullah JanAppellant.

VERSUS

District Education Officer (Male) Mardan & Others.....Respondents.

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

**Khyber Pakhtunkhwa
Service Tribunal**

Diary No. 12775

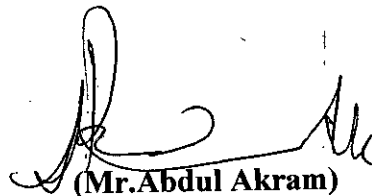
Respectfully sheweth,

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

Dated 15-05-24

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 Senior Qari (BPS-16) which comes under the competency of District Education Officer/Director Elementary & Secondary Education.
3. That the appellant aggrieved from the **impugned Notification dated 16-11-2017 and the appellant order dated 19-10-2018 which has been passed by District Education Officer (Male) District Mardan and Director E&SE, respectively.**
4. That Civil Servant (BPS-16) and below comes under the competency of Director Elementary & Secondary Education and District Education Officer concerned.
5. That the Secretary Elementary & Secondary Education is unnecessary party in the instant Service Appeal.

Prayer:- In view of the above, it is humbly requested that the Secretary Elementary & Secondary Education may kindly be deleted from the panel of respondent please.


(Mr. Abdul Akram)

Additional Secretary (G), E&SED

**On behalf of
Secretary, E&SED.
(Respondent No. 01)**

24-05-24

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BEFORE THE KHYBER PAKHTUNKHWA SERVICE TRIBUNAL
PESHAWAR.

SERVICE APPEAL NO _____ / 2024

Mr. Waheed Ullah Jan, Senior Qari (BPS-16),
GHS Sari Behlol, Mardan.

..... APPELLANT

VERSUS

- 1- The Secretary Elementary & Secondary Education Department,
Khyber Pakhtunkhwa, Peshawar.
- 2- The Director Elementary & Secondary Education Department,
Khyber Pakhtunkhwa, Peshawar.
- 3- The District Education Officer (M), Mardan.

..... RESPONDENTS

APPEAL UNDER SECTION 4 OF THE KHYBER
PAKHTUNKHWA SERVICE TRIBUNAL ACT, 1974 AGAINST
THE IMPUGNED APPELLATE ORDER DATED 19/10/2018,
WHEREBY THE APPELLANT HAS BEEN RE-INSTATED INTO
SERVICE WITH IMMEDIATE EFFECT AND THE
INTERVENING PERIOD W.E.F. 15.11.2017 TO 18.10.2018
HAS BEEN TREATED AS LEAVE WITHOUT PAY AND
AGAINST NO ACTION TAKEN ON THE DEPARTMENTAL
APPEAL OF THE APPELLANT WITHIN THE STATUTORY
PERIOD OF NINETY DAYS

PRAYER:

That on acceptance of this appeal the impugned appellate order dated 19/10/2018 may very kindly be rectified/modified to the extent of intervening period by treating the intervening period w.e.f. 15.11.2017 to 18.10.2018 as period spent of duty. Any other remedy which this august Tribunal deems fit that may also be awarded in favor of the appellant.

R/SHWETH:

ON FACTS:

1. That appellant is an employee of the respondent Department and performing his duty with full zeal & zest and up to the entire satisfaction of his high ups.
2. That the appellant while performing his duty, a departmental proceeding has been initiated against the appellant and after conclusion of the same, the respondent awarded major