

F-1

**BEFORE THE HONORABLE SERVICE TRIBUNAL KHYBER  
PAKHTUNKHWA, PESHAWAR CAMP COURT ABBOTTABD**

**Service Appeal No: 30 /2024 clubbed with Service Appeals 18-A/2024**

**Government of Khyber Pakhtunkhwa through Chief Secretary &  
Others.....Appellants**

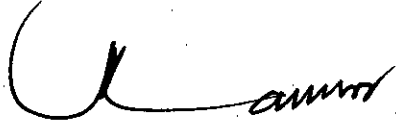
**VERSUS**

**Mst Rashida Mushtaq.....Respondents**

**INDEX**

S.No	Description	Annexure	Page No.
1.	Application		1-2
2.	Affidavit		3
3.	Photo Copy of order sheets attendance certificate	"A"	4-6
4.	Attested Copy of order dated 22/5/2024	"B"	7

**Dated: \_\_\_\_/06/2024**

  
**District Education Officer (F)**

**Abbottabad.**

**BEFORE THE HONORABLE SERVICE TRIBUNAL KHYBER  
PAKHTUNKHWA, PESHAWAR CAMP COURT ABBOTTABD**

**Service Appeal No: 30 /2024 clubbed with Service Appeals 18-A/2024**

**Government of Khyber Pakhtunkhwa through Chief Secretary &  
Others.....**

**Appellants**  
Khyber Pakhtunkhwa  
Service Tribunal

**VERSUS**

Diary No. 13674

Dated 21/6/24  
**Respondents**

**Mst Rashida Mushtaq.....**

**APPLICATION FOR SUBMISSION OF REMETANCE OF COST  
ACOMULATIVE EFFECT OF AS A HOLE ISNTEAD OF SEGRUGATE AS PER  
CASE ON BEHALF OF RESPONDENTS, 4, 5 THROUGH RESPONDENT NO. 6.**

**Respectfully Sheweth:**

Application on behalf of respondents 4, 5 through respondent No. 6 is as under.

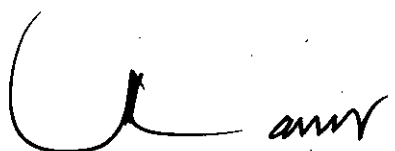
1. That the instant Service Appeals is fixed on 22/5/2024, the legal representative of respondent No, 4,5,6, appeared on 21/5/2024 for filling of comments/reply i-e (168 files) before the filling branch of this tribunal but the filling branch raised objection for better copies of annexure, very next day on 22/5/2024, legal representative along with AAG Service Tribunal appeared before Service Tribunal KPK, and requested to the Chairman, Service Tribunal, KPK, in the instant appeals to grant such a time to arrange better copies in (168 files), learned Tribunal granted three days for filling of comments/reply in compliance of order dated 22/5/2024, of this Tribunal. while legal representative of respondents No. 4,5,6, appeared on 27/5/2024, (exclusion of Saturday) before the filling branch of this Tribunal, refuse to file the comments/reply of respondents subject to pay cost/fine first. **(Photocopy of attendance certificate are annexed as Annexure "A").**
2. That legal representative appeared along with AAG, Service Tribunal , KPK, on the next date 29/5/2024 and requested the learned Chairman to remit the

huge cost/fine, so that reply may be submitted before the Tribunal, but the learned Tribunal proceeded ex parte against the respondents. (Attested Copy of order dated 22/5/2024 annexed as Annexure "B").

**GROUND:**

- a. That order dated 22/5/2024, of this Honorable Tribunal is against the 35-A (2) CPC read with 43 (1) (d) CPC under Rule 7(2), KPK, Service Tribunal Rules 1974, give guide line that cost impose having accumulative effect rather than segregate in clubbed cases, and the amount of cost/fine shall not be acceded from the amount of Rs 25000/= while the impugned order dated 22/5/2024, exceed the limits and thus may kindly be remit rather then huge cost/fine.
- b. That respondents due to financial hardship, and low budget are not in financial position to pay the huge fine/cost, respondents may humbly requested to remit the huge fine/cost, so that reply/comments of respondents may kindly be submitted.
- c. That there are sufficient cause available regarding non-submission of reply/comments of respondents part, there are valuable rights rest in the case and huge loss to be respondents.
- d. That instant application may be treated as part and parsal of the application for setting aside ex parte. This application files well with in time.
- e. That others points shall be agitated at the time of arguments by the permission of this Honorable Tribunal.

**Therefore**, humbly Prayed that the instant application for remittance of cost/fine on behalf of respondents No 4,5, through respondent No. 6, may graciously be accepted, and remittance the cost amount accumulatively effect rather then segregate..

  
 MUHAMMAD TANVEER  
 DISTRICT EDUCATION OFFICER  
 (FEMALE) ABBOTTABAD  
 (APPELLANT NO: 6)

**BEFORE THE HONORABLE SERVICE TRIBUNAL KHYBER  
PAKHTUNKHWA, PESHAWAR CAMP COURT ABBOTTABD**

**Service Appeal No: 30 /2024 clubbed with Service Appeals 18-A/2024**

**Government of Khyber Pakhtunkhwa through Chief Secretary &  
Others.....Appellants**

**VERSUS**

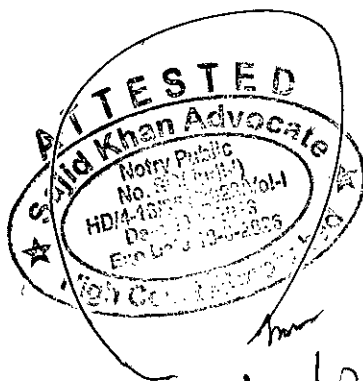
**Mst Rashida Mushtaq.....Respondents**

**APPLICATION FOR SUBMISSION OF REMETANCE OF ACOMULATIVE  
EFFECT OF COST AS A HOLE ISNTEAD OF SEGRUGATE COST PER CASE  
ON BEHALF OF RESPONDENTS, 4, 5 THROUGH RESPONDENT NO. 6.**

**AFFIDAVIT**

I, Muhammad Tanveer District Education Officer (Female) Abbottabad stated on oath that the contents of Application are true and correct to the best of my knowledge and belief and nothing has been concealed from this Honorable Tribunal.

DEPONENT



13/6/24

(4)



Amir

ATTENDANCE CERTIFICATE A1

Mr Syed Hajeef Shah L.O DEO (F)

ATD is appeared before the S/Tc upic

Peshawar in connection with S.A No:18/24  
title Javeria Ashraf vs govt upic etc &  
41 others on 21/5/2024 for filling of  
notant comments.

*[Signature]*  
21/5/24

Additional Advocate General  
Hyder Pakisthan  
Justice Tribunal Peshawar

Alli steel  
10/6/2024

(S)

(14)

Attendance Certificate

My Zahid Khan L.O DEOLF) AID appears & attend in case S.A No 18/24, Javeria Ashraf vs govt kpk etc cluttered with (4) other's before the kpk STC postman on 22/5/2024.

Qulayyunn  
22/5/2024

Attested

10/5/2024  
District Education Officer  
Female Abbottabad

Attendance Certificate

Mr. Syed Hajjaj Shah, L.O DEO (F) A.T.A  
is appear before the Spk sic peshawar in  
connection of filling the Service appeal  
No 18/24 # Javeria Ashraf vs govt upk etc  
clubbed with (41) others similar on 27/5/2024

*[Signature]*  
27/5/2024  
Assistant Appellate General  
Magistrate Peshawar  
Service Tribunal Peshawar

Attested  
District Magistrate  
Peshawar  
10/6/2024

**BEFORE THE KHYBER PAKHTUNKHWA SERVICE  
TRIBUNAL PESHAWAR**

Service Appeal No. 30 2028

Rashida Mushtaq D/O Muhammad Mushtaq (SPST) GGPS Malikpura No.3

Khyber Pakhtunkhwa  
Service Tribunal

Date No. 10092

Dated 1/1/24

...PETITIONER

**VERSUS**

1. Government of Khyber Pakhtunkhwa through Chief Secretary Khyber Pakhtunkhwa, Peshawar.
2. Secretary Establishment Khyber Pakhtunkhwa, Peshawar.
3. Secretary Law & Justice, Khyber Pakhtunkhwa, Peshawar.
4. Secretary Elementary & Secondary Education, Peshawar.
5. Director Elementary & Secondary Education, Peshawar.
6. District Education Officer (Female), Abbottabad.

....RESPONDENTS

**APPLICATION** FOR SUSPENSION OF  
IMPUGNED NOTIFICATION NO.  
SO(POLICY)E&AD/1-3/2020, DATED  
06/06/2023 AND PROMOTION ORDER DATED  
29/08/2023 TO THE EXTENT OF  
APPELLANT/APPLICANT TILL FINAL  
DISPOSAL OF MAIN SERVICE APPEAL.

Respectfully Sheweth;

1. That the instant application may be treated as part and parcel of service appeal of the appellant.
2. That the appellant has brought a good prima facie case and balance of convenience also lies in favour of the appellant.

**ATTESTED**

*[Signature]*  
13/6/24  
Khyber Pakhtunkhwa  
Service Tribunal  
Peshawar

*[Signature]*  
01/01/24



SA - 30-A/24 (G)  
Govt n Suis vs Rashid Murtaza


22<sup>nd</sup> May, 2024



1. Junior to counsel for the appellant present. Mr. Umair Azam, Additional Advocate General for the respondents present.

Amir  
B

2. On the previous date, last opportunity was granted to the respondents for filing of written reply, but today no representative of the respondents is present nor they have submitted written reply, therefore, cost of Rs.5000/- is imposed upon the respondents to submit written reply/comments within three days. In case they failed to submit the same, they will be placed ex-parte. This case pertains to camp court Abbottabad, therefore, let it be fixed there. To come up for written reply/comments on 29.05.2024, before S.B at camp court Abbottabad. P.P given to the parties.

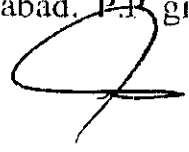
  
(Kalim Arshad Khan)  
Chairman

\*Amir Shah, P.A.\*

29<sup>th</sup> May, 2024

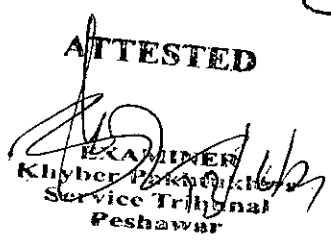
1. Learned counsel for the appellant and Mr. Umair Azam, Additional Advocate General present.

2. Despite last chance and imposition of cost, reply on behalf of respondents has not been submitted nor anybody is present on behalf of respondents. Therefore, they are placed ex-parte. To come up for ex-parte arguments on 23.07.2024 before D.B at Camp Court, Abbottabad. P.P given to the appellant's counsel.



(Kalim Arshad Khan)  
Chairman

\*Mutazem Shah \*

ATTESTED  
  
EXAMINER  
Khyber Pakhtunkhwa  
Service Tribunal  
Peshawar

Date of Presentation of P-2 11-6-24  
Number of W. 10/-  
Copying Fee 10/-  
F. Rent 10/-  
Total 10/-  
Name of \_\_\_\_\_  
Date of Copy 13-6-24  
Date of Delivery of Copy 20-6-24