

BEFORE THE KHYBER PAKHTUNKHWA SERVICE TRIBUNAL, PESHAWAR.

In Service Appeal No.1657/2023

MR MUHAMMAD ALI

Appellant.
Khyber Pakhtunkhwa
Service Tribunal

VERSUS

Diary No. 12259

Dated 18/4/24

Secretary to Govt of KPK Peshawar.....

Respondents

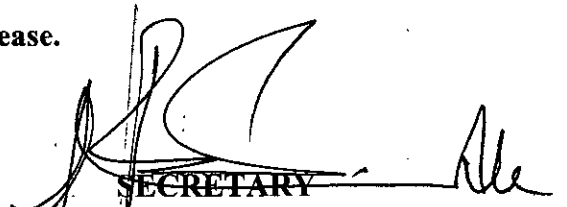
Subject:- APPLICATION FOR DELETION THE NAME OF RESPONDENT
(SECRETARY ELEMENTARY & SECONDARY EDUCATION
DEPARTMENT) FROM THE PANEL OF RESPONDENT

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 ^{Sweeper} ~~PST~~ (BPS-12) 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. 01)

18-04-24

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**BEFORE THE HON'BLE KHYBER PAKHTUNKHWA
SERVICESTRIBUNAL PESHAWAR**

In S.A. 1657 /2023

M. Ali S/o Shah Nawaz Khan R/o Mian Kalay Charbagh
District Swabi.

-----Appellant

VERSUS

1. Director E&SE Khyber Pakhtunkhwa Peshawar.
2. Secretary E & SE Khyber Pakhtunkhwa Peshawar.
3. Chief Secretary E & SE Khyber Pakhtunkhwa Peshawar.
4. Assistant Director (Admin), Directorate E & SE Khyber
Pakhtunkhwa Peshawar.
5. District & Education Officer (Male) Swabi.

-----Respondents

**APPEAL U/S 4 OF THE KHYBER
PAKHTUNKHWA SERVICES TRIBUNAL
ACT -1974 AGAINST THE ORDER DATED
22/05/2023 WHEREBY THE RESPONDENTS
REFUSED / REJECTED THE
APPLICATION APPEAL OF THE
APPELLANT FOR THE GRANT OF THE
SERVICE BENEFITS / SALARIES W.E.F
THE DATE OF DISMISSAL I.E 2016 TILL
THE DATE OF REINSTATED I.E 2022 IN
EYE OF LAW AND RULES ON THE
SUBJECT.**

08.03.2024 1. Learned counsel for the appellant present. Mr. Habib Anwar, Additional Advocate General alongwith Mr. Fazal Hadi, Assistant for the respondents present.

2. Reply/comments on behalf of respondents not submitted. Representative of the respondents requested for time to submit reply/comments. Granted. To come up for reply/comments on 18.04.2024 before S.B. P.P given to the parties.



(Muhammad Akbar Khan)
Member (E)