
BEFORE THE KYBER PAKHTUNKHWA SERVICE TRIBUNAL, KPK PESHAWAR.

Service Appeal No. 562-A/2018

Rehmat Bibi		Appellant.
	Versus.	
Govt: of KPK etc:		Respondent

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Respondent

PARAWISE COMMENTS OF BEHALF OF RESPONDENT NO.4 AND 5.

Respectfullaysheweath:

Preliminary Objections.

- 1. That he Appellant has neither got a cause of action nor locus standi to file the instant

 Appeal
- 2. That the Tribunal has no jurisdiction to adjudicate the matter.
- 3. That the Appellant has concealed the material facts from this Honorable Tribunal.
- 4. That the appellant has been stopped by her own conduct to file the appeal.
- 5. That the appellant has been come to the tribunal with unclean hands.

ON FACTS.

- 1. Correct.
- 2. Incorrect. The appellant was posted in GGPS Kuz Saprona, Pattan District Kohistan where she did not performed her duty and was found absent, therefore, after completion of codal formalities the appellant was removed from service vide office order date 23.12.2017. The appellant failed to annex the Transfer to GGPS Kuz Saprona, Tehsil Pattan District Kohistan.

- 3. Incorrect. The appellant was never transferred to GGPS B.K. Serona Kiyal Tehsil Pattan District Kohistan by the answering respondent. The appellant was found absent from her duty at GGPS Kuz Saprona, therefore, proper inquiry was conducted, the appellant was dully forwarded the charge sheet along with statement of allegations, but appellant failed to reply to the charge sheet; therefore, show cause notice was issued on the home address of the appellant but she neither replied to the show cause notice nor appeared before the enquiry officer. Lastly the appellant was directed through newspaper to appear before the competent authority for personal hearing and to rebut the allegation of absence, but appellant neitherreplied to the newspaper nor appeared before the competent authority for personal hearing, therefore, was removed from service. (show cause notice, cutting of newspaper, Inquiry report of SDEO (F) Pattan are attached at Annexure-A, B,C are attached).
- 4. Incorrect, no appeal has been filed by the appellant with the respondent No.2.
- 5. No Comments.

GROUNDS.

- A. The appellant was not transferred to GGPS B.K. Serona Kiyal Tehsil Pattan District Kohistan, but the appellant was posted at GGPS kuz Saprona, Tehsil Pattan District Kohistan, where she was found absent since 23.04.2016. Therefore the appellant was removed from service after completion of codal formalities.
- B. incorrect. The show cause notice/Statement of allegations were sent through Registered post at home address of appellant and lastly published in the newspaper to resume duty and reply the charge sheet and show cause notice and also directed to personally appear before the competent authority, but appellant failed to reply to the show cause notice/charge sheet nor appeared before the competent authority for personal hearing.
- C. Incorrect. The Appellant was absent from 23.04.2016, therefore, the removal of service of appellant was issued from the date of absence.
- D. incorrect. The appellant was found absence from her official duty from 23.04.2016, before passing the impugned order, the appellant was given the opportunity to rebut the charges of absence, but the appellant failed to reply to the show cause notice/charge sheet, nor she appeared before the competent authority for personal hearing.
- E. Incorrect. The appellant failed to annex the photocopy of attendance register in her proof that she was never remained absent from duty.
- F. As per reply given in above paras.

- G. Incorrect. The appellant has not availed the opportunity of personal hearing. The appellant was directed through newspaper to appear before the competent authority for personal hearing, but appellant failed to availthe opportunity.
- H. Incorrect. The impugned order of removal from service was issued after completion of all the codal formalities.

It is, therefore, humbly prayed that on acceptance of above parawise comments the instant Service appeal may graciously be dismissed with costs.

Secretary,

Government of KyberPakhtunkhawa,

Elementary & Secondary Education Deptt:

Peshawar.

(Respondent No.1)

Director,

Elementary & Secondary , Education

Peshawar.

(Respondent No.2)

District Education Officer (Female)

Kohistan

(Respondent Np.3)

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Respondent

AFFIDAVIT -

I, Mr. Muhammad Siddique, ADEO (litigation) Kohistan do hereby solemnly affirm and declare that the contents of the accompanying para wise comments are true and correct to the best of my knowledge and belief.

DEPONENT

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3. The District Accounts Officer, Kohistan.

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L. The Deputy Commitstioner Kohigson.

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Annexure B

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ویر خلک دربیانی کے لی کے دھرداینا دارہ اس افرائیس آر ہااور فرائیس فردگی بدور مساری و سرب ب الرک لیامات تا محرمران عال جائے تی کدد محام کے مائے تی بیار دیا الل توبد و لا البنائم مالله كرت الماري كل كرات الك كرمى كوفول كردب ين جي طرع ميوالي التحمراني خبر يخوخواه فومل وكس كرون والف عمول _ كرن لكرام وكاسكهما توكل تعلى عماما ذمت عى تقيم كرك إن كاد كروكي ادرا في سياست كم أن كم بمل كره اكرسط فل كرير_ ز مر کرنے کی اکام کوشش کی کی حکومت کر آباے کہ ۱۰ بلدیاتی فائندوں کے زریع رَ قِيْلً كام كرواكر ندمون عوام عن المرية جانعال اليكا كؤم كري بكه بلديال فالحكول كوبجي عوام كي حدالت عي مرفرد كرين تاكد لمدال فاحدے این کی ادوزے خرات انگ کردل کوتل دیے کے عبائے مح سولوک یم دوام کی مندمت کرنتی ر

بمظفراً باديل بوكا في الكرام المحرور برى بورى دُوكُ كُلُ بِين جَبُرا عِبد آباد، طودخر، الكرام كاجلوكم إلانعادكرديا جانيكا ب عی فرفک کے فرائن بزار كي المستنث كوه تمريز خان إنجام ۽ جي تمريزخان نے ميڈياے گفتگو مستكاكربا كحن بال كي لمرن لد انگ بزاره دُوچُن كاستيل رِين كميل مه با کستان میک بال زیرریش خصومی اره دورون عن حك بال تميل يرود

برخاس دهام كومظان كياجاتاب كرسماة عائشرني ليا ذوجهر وكن وخرير حس فرت الريكن ب حس ك شرقى ورداء شرائد كري (خادعه) مميراني في دختر بيرحس ولدنورحس (دالله) مردر جان (دالده) بين ان ٢ طاده کوکی شرق دارث ند ہے کی کو مدر امتراض بوق ملتر پنادی انعمه کانبر ۱

بمرا والدمتسود الوحن ولدميوا لجبار فوسناوجكا

ذا كانه جير كند بالسجر

وكمكا بموذ وك ب منظومك كاكوك مى مراياليم الملك في إلى في كرسة منت فوليد كا إد دون ائن سے روں کے ارکمی بی الی میلندے تنکیاری اشیٹ لائنسی نمی پا المرا المراد المرد المراد المر إلىمك الملتدكة كما فكساطي البرجريم به يما الكيامات كما كو ينم و المراجع مكادكساني سياسان يلخيرام يانيركوري لى بولادست**ىداد** كارىد

> خل بخصل لمرشائق بمدائر 13503-0523458-1 موباكرابر

سيرج خاكري

اطلاع عام

12:00 TV C.1007 C.00 عه وقر الل وقر عامل و ياد و مروش يران فتقيم اخر . نازم فدي لي في وخران تسردالرحن بين الن كمناده كوئي واريث جين ب اکر کمی کو احتراض دو تو سنته بینادی. ماندان كالاسلاكرمكاب

ب فيم سوقول ولد مقصور الرمين ج وك و

قام مددد بادے بی نے کام محط دیا ہے اپی

والمدائعة والمساكن كزما إلاهياري

لازبورPST Jry LGGPS

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نا ہے تمریز خان نے کہا کہ بہت جلا چک اِل پیمنٹن شپ کا اضادکیا جائے گا ك من كي برامه ي غدى على روزاندى لون اور پیکس دی جاتی ہے اور اس وقد ث ش می می بیک بال دکی کی ہے جس میل کوریوز تی ملکی۔ شش كرد بابول ارشدا قبل

اماماكران اباب ليح بير

ال اول ب كرونز أف والم يم مان السائل كا بانوكام مطركوى د كما كد عرب ما قد جر الش كاكول

تكاكم الايلاجيك يمريد ماتح ماجل

بدنناديهازى بعامى متعداري ياستك سافرد ل کونکی مخت برجانی کاراراے

فكا فواى ملتون سف تحصيله مرادشدا قبال عاذى دُولُ كَارْ أَكْنَ مِراتْهُام

فاءاشامكا بوبائزكام وزاحل

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Subdivision Education Officer Female Pattan