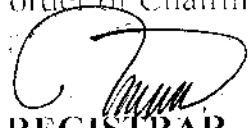


FORM OF ORDER SHEET

Court of _____

Appeal No. 1195/2024

S.No.	Date of order proceedings-	Order or other proceedings with signature of judge
1	2	3
1-	13/08/2024	<p>The appeal of Mr. Zakir Ullah presented today by Mr. Yousaf Khan Advocate. It is fixed for preliminary hearing before Single Bench at Peshawar on 16.08.2024. Parcha Peshi given to counsel for the appellant.</p> <p>By the order of Chairman</p> <p> REGISTRAR</p>

BEFORE THE HON'BLE SERVICE TRIBUNAL KPK, PESHAWAR

Service Appeal No. 1195 /2024

Zakir Ullah

..... Appellant

Versus

Govt. of KPK through Chief Secretary and others.

..... Respondents

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S. No.	Description of documents	Annexure	Page No.
1	Memorandum of appeal with CM		1-6
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3	Addresses of the parties		8
4	Copy Notification No. SO(SM)E&SED/5-17/2023/promotion (Asstt to Supdt) on 21-03-2024	"A"	9-12
5	Notification No. SO(SM) SED/5-17/2024/promotion (Asstt to Supdt) dated 25-04-2024, & order dated 23-07-24	"B", B-1	13-15
6	Copy of Departmental Appeal	"C"	16-17
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Zakir Ullah
Appellant

Through

Yousaf Khan
Yousaf Khan
&
Shah Fahad

Advocates, High Court, Peshawar

11

BEFORE THE HON'BLE SERVICE TRIBUNAL KPK, PESHAWAR

Service appeal No. 1195 /2024

Zakir Ullah Superintendent (BS-17), SDEO (M) Town-II Peshawar.

..... Appellant

VERSUS

1. Government of Khyber Pakhtunkhwa, through Chief Secretary, Peshawar.
2. Secretary Education E&SE Department, Govt of Khyber Pakhtunkhwa, Peshawar
3. Marifat Shah (BS-17) Office of DEO (F) Town-I, Peshawar.
4. Huma Nisar Superintendent SDEO (F) Town-I, Peshawar

..... Respondents

=====

SERVICE APPEAL UNDER SECTION 4 OF THE KHYBER PAKHTUNKHWA SERVICE TRIBUNAL ACT, 1974 AGAINST THE IMPUGNED NOTIFICATION NO. SO(SM) SED/5-17/2024/PROMOTION (ASSTT TO SUPDIT) DATED 25-04-2024 TO THE EXTENT OF APPELLANT WHEREBY THE APPELLANT HAS BEEN TRANSFERRED FROM THE POST OF SUPERINTENDENT SDEO (F), TOWN I WITHOUT COMPLETING HIS TENURE AND NOTIFICATION NO. SO(SM)E&SED/5-17/2024/DATED 23-07-2024 WHEREBY FURTHER ORDER OF MUTUAL BETWEEN RESPONDENTS NO. 3 AND 4 HAS BEEN MADE ILLEGALLY AND MALAFIDELY TO DEFEAT THE APPEALS OF THE APPELLANT

=====

PRAYER IN APPEAL

ON ACCEPTANCE OF THIS APPEAL, IT IS VERY HUMBLY REQUESTED THAT THE IMPUGNED NOTIFICATION NO. SO(SM) SED/5-17/2024/PROMOTION (ASSTT TO SUPDIT) DATED 25-04-2024 TO THE EXTENT OF APPELLANT AND NOTIFICATION NO. SO(SM)E&SED/5-17/2024/DATED 23-07-2024 MAY VERY GRACIOUSLY BE DECLARED AS ILLEGAL, UNLAWFUL AND OF NO LEGAL EFFECT TO THE EXTENT OF THE APPELLANT AND HE MAY KINDLY BE RESTORED TO THE POST OF SUPERINTENDENT SDEO

2

(F) TOWN-I, PESHAWAR AND ALLOW HIM TO COMPLETE THE TENURE IN ACCORDANCE WITH LAW.

Respectfully Sheweth.

The Appellant humbly submits as under:-

1. That the appellant is working in the education department for the last 28 years with full zeal and zest and without any fear or favour. It is pertinent to mention here that the appellant has earned a good name and reputation throughout his career.
2. That recently the appellant has been promoted to the post of Superintendent BS- 17.
3. That upon awarding promotion to the appellant he was transferred and posted vide Notification No. SO(SM)E&SED/5-17/2023/promotion (Asstt to Supdtt) on 21-03-2024. That the appellant assumed the charge vide order ibid and has started his duties with full zeal and zest and without any reluctance. (Copy of Notification dated 21-03-2024 is annexed as Annexure-A).
4. That the appellant has hardly completed one month against the post of SDEO (F), Town- I Peshawar when all of a sudden and to heights of his astonishment, when he received a Notification No. SO(SM) SED/5-17/2024/promotion (Asstt to Supdtt dated 25-04-2024 whereby the appellant has been transferred from the post of SDEO (F) Town-I to SDEO (M) Town-II. (Copy of Notification No. SO(SM) SED/5-17/2024/promotion (Asstt to Supdtt) dated 25-04-2024 is annexed as Annexure-B).
5. That feeling aggrieved, the appellant preferred a department appeal against the aforementioned notification dated 25-04-2024 to the extent of the present appellant to the respondent No. 1, the worthy Chief Secretary, on 10-05-2024 (Copy of Departmental Appeal is annexed as Annexure-C).
6. That since then no reply into the matter has been received and the appellant was subjected from pillar to post and in the meanwhile another Notification

NO. SO(SM)E&SED/5-17/2024/DATED 23-07-2024 has been issued with malafide intention, and during the pendency of the departmental appeal of the appellant.

7. That a statutory period of ninety days has been elapsed but nothing has been heard so far from the appellate authority, hence this appeal on the following grounds inter-alia.

GROUND

- A. That the impugned the Notifications No. SO(SM) SED/5-17/2024/promotion (Asstt to Supdtt) dated 25-04-2024 to the extent of appellant and NOTIFICATION NO. SO(SM)E&SED/5-17/2024/DATED 23-07-2024 are against the law, norms of justice, void ab initio and of no legal effect, hence the same is liable to be set aside.
- B. That the impugned the Notifications No. SO(SM) SED/5-17/2024/promotion (Asstt to Supdtt) dated 25-04-2024 to the extent of appellant and NOTIFICATION NO. SO(SM)E&SED/5-17/2024/DATED 23-07-2024 have been issued with a malafide intention and in total disregard of the spirits of Natural justice and neither any prior notice has been given to the appellant nor has he been heard.
- C. That the impugned the Notification No. SO(SM) SED/5-17/2024/promotion (Asstt to Supdtt) dated 25-04-2024 to the extent of appellant would not only deprive the appellant of his due right completion of his tenure against the said post but would also set a bad example governing the subject and the Civil servants would be made rolling stones thus adversely affecting their spirit and zeal.
- D. That the impugned the Notifications No. SO(SM) SED/5-17/2024/promotion (Asstt to Supdtt) dated 25-04-2024 to the extent of appellant and NOTIFICATION NO. SO(SM)E&SED/5-17/2024/DATED 23-07-2024 have

been issued in total disregard of the Appointment, Promotion and Transfer Rules, hence liable to be set aside.

- E. That the impugned the Notifications No. SO(SM) SED/5-17/2024/promotion (Asstt to Supdtt) dated 25-04-2024 to the extent of appellant and NOTIFICATION NO. SO(SM)E&SED/5-17/2024/DATED 23-07-2024 have been issued with a no speaking order as mandated by service laws and General Clauses Act.
- F. That the impugned the Notifications No. SO(SM) SED/5-17/2024/promotion (Asstt to Supdtt) dated 25-04-2024 to the extent of appellant and NOTIFICATION NO. SO(SM)E&SED/5-17/2024/DATED 23-07-2024 have been issued in violation of the provisions of Civil Servant Act, 1973, Appointment Promotion and Transfer Rules, 1989 and in violation of the judgments of the Hon'ble Superior Judiciary of the country, hence liable to be set aside.
- G. That additional points will be raised at the time of hearing of the case with the kind permission of the Hon'ble tribunal.
- H. That appellant also craves for permission to raise any additional ground during the course of arguments with the permission of this Hon'ble tribunal, which has not specifically been mentioned, in this appeal.

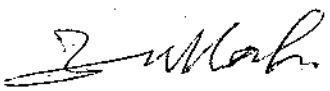
Prayer

It is, therefore, humbly prayed that on acceptance of this appeal, this Hon'ble tribunal may very graciously be pleased to hold and declare that:-

- I. The impugned the Notifications No. SO(SM) SED/5-17/2024/promotion (Asstt to Supdtt) dated 25-04-2024 to the extent of appellant and Notification NO. SO(SM)E&SED/5-17/2024/DATED 23-07-2024 of the respondent No. 2 are unlawful, void ab initio, ineffective upon the rights of the appellant, of no legal effect and the same may very graciously be set aside and annulled.**
- II. The appellant may very graciously be allowed to complete his tenure against the post of SDEO (F) Town-I, Peshawar.**

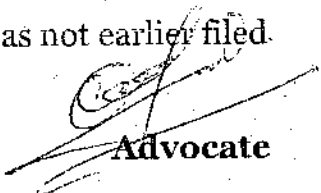
(5)

III. Any other relief, this Hon'ble Tribunal deem appropriate, in the interest of justice, may be granted to the appellant, to meet the ends of justice.


Appellant
Through
Yousaf Khan Alizai
&
Shah Fahad
Advocates, High Court,
Peshawar.
Cell No. 0333-9272588

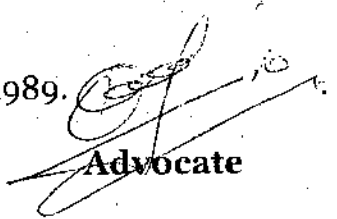
CERTIFICATE

It is certified, as per instructions of my client that the appellant has not earlier filed any appeal before this Hon'ble Tribunal.


Advocate

List of books:

1. KP Civil Servant Act, 1973
2. KP Appointment, Promotion and Transfer Rules, 1989.
3. Case law according to need.


Advocate



BEFORE THE HON'BLE SERVICE TRIBUNAL KPK, PESHAWAR

CM No. _____/2024

In

Service Appeal No. _____/2024

Zakir Ullah

..... Appellant

Versus

Govt. of KPK through Chief Secretary and others.

..... Respondents

**APPLICATION FOR THE SUSPENSION OF THE OPERATION OF THE
IMPUGNED THE IMPUGNED THE NOTIFICATIONS NO. SO(SM)
SED/5-17/2024/PROMOTION (ASSTT TO SUPDTT) DATED 25-04-2024
TO THE EXTENT OF APPELLANT AND NOTIFICATION NO.
SO(SM)E&SED/5-17/2024/DATED 23-07-2024 TILL FINAL DISPOSAL
OF THE ACCOMPANYING APPEAL**

Respectfully Sheweth.

1. That the appellant/ petitioner is filing the accompanying appeal, the contents of which may kindly be read as an integral part of this application.
2. That the appellant/ petitioner has a good prima facie case is quite hopeful of its success.
3. That the balance of convenience also lie in favour of the appellant/ petitioner.
4. That great irreparable loss will accrue to the appellant/ petitioner if the instant application is not accepted.

It is therefore, most humbly prayed that on acceptance of this application, the relief as prayed for may very graciously be granted in favour of the appellant/ petitioner till the final disposal of the accompanying appeal.

Through


Appellant

Yousaf Khan

&

Shah Fahad

Advocates, High Court,
Peshawar.

Cell No. 0333-9272588

7

BEFORE THE HON'BLE SERVICE TRIBUNAL KPK, PESHAWAR

Service Appeal No. _____/2024

Zakir Ullah

..... **Appellant**

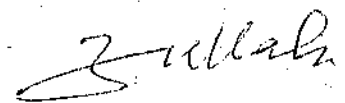
Versus

Govt. of KPK through Chief Secretary and others.

..... **Respondents**

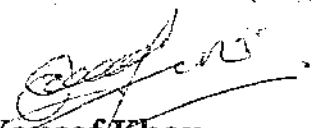
AFFIDAVIT

I, Zakir Ullah S/O Zabita Khan R/O Mohallah Badinzai, Utmanzai Kagawala, Peshawar, Superintendent (BS-17), SDEO (M) Town-II Peshawar, do hereby solemnly affirm and declare on oath that the contents of accompanying Service Appeal as well as CM are true and correct to best of my knowledge and belief and nothing has been concealed from this Hon'ble Tribunal.



Deponent

Identified by:



Yousaf Khan,
Advocate,
High Court Peshawar.
0333/0313- 9272588

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BEFORE THE HON'BLE SERVICE TRIBUNAL KPK, PESHAWAR

Service Appeal No. _____/2024

Zakir Ullah

..... Appellant

Versus

Govt. of KPK through Chief Secretary and others.

..... Respondents

ADDRESSES OF THE PARTIES

Appellant

Zakir Ullah Superintendent (BS-17), SDEO (M) Town-II Peshawar.

Respondents

1. Government of Khyber Pakhtunkhwa, through Chief Secretary, Peshawar.
2. Secretary Education E&SE Department, Govt of Khyber Pakhtunkhwa, Peshawar
3. Marifat Shah (BS-17) Office of DEO (F) Town-I, Peshawar.
4. Huma Nisar Superintendent SDEO (F) Town-I, Peshawar

Through

Zakir Ullah
Appellant

Yousaf Khan
Yousaf Khan

&

Shah Fahad
Shah Fahad

**Advocates, High Court,
Peshawar.**

Cell No. 0333-9272588



Amir A

Dated: 21.03.2024

NOTIFICATION

NO.SO(S/M)E&Sed/5-17/2023/Promotion/Asstt: to Supdtt: Consequent upon their promotion from Assistant (BS-16) to Superintendent (BS-17) vide this department notification No: SO(PE)/E&SED/2-6/DPC Meeting/ Promotion of Asstt: BPS-16 to Supdtt: BPS-17/2024 dated: 20.02.2024 the following officers are hereby posted/adjusted on the posts as mentioned against each, with immediate effect in the best public interest.

Sr No	Name	Domicile	Present placement	Adjusted at	Remarks
1.	Niamat Ali Shah	Kohat	DEO(F) Kohat	DEO(M) kohat	A.V.P
2.	Muhammad Yousaf Khan	Kohat	DEO (M) Kohat	SDEO (F) Hangu	A.V.P
3.	Muhammad Ijaz	Kohat	SDEO (F) Lachi Kohat	SDEO (M) Kohat	A.V.P
4.	Taj Dar Muhammad Khan	Bannu	DEO (M) Bannu	DEO (F) Bannu	A.V.P
5.	Imshad Khan	Kohat	DEO (F) Kohat	One day actualization at SDEO (M) Kohat	Notional Promotion due to retirement 24/01/2024
6.	Abdur Razzaq	Battagram	DEO (F) Battagram	DEO (M) Mansehra	A.V.P
7.	Muhammad Yousaf	Battagram	SDEO (M) Allai Battagram	DEO (M) Torghar	A.V.P
8.	Amir ur Rehman	Battagram	SDEO (M) Battagram	DEO (M) Battagram	A.V.P
9.	Hamid Khan	Karak	SDEO (M) Banda Daud Shah Karak	One day actualization at SDEO (M) Karak	Notional Promotion due to retirement 01/01/2024
10.	Muhammad Afzal	Battagram	SDEO (F) Battagram	DEO (F) Battagram	A.V.P
11.	Abdul Karim	Battagram	DEO (F) Battagram	DEO (M) Battagram	A.V.P
12.	Abdul Wahab Shah	Battagram	DEO (M) Battagram	SDEO (M) Allai	A.V.P
13.	Raja	Battagram	DEO (F) Battagram	SDEO (F) Allai Battagram	A.V.P
14.	Syed Riaz Hussain Shah	Battagram	DEO (M) Battagram	SDEO (F) Battagram	A.V.P
15.	Shahdeen	Battagram	DEO (M) Battagram	SDEO (M) Battagram	A.V.P
16.	Habib-ur-Rehman	DI Khan	RPDC (F) DI Khan	SDEO (M) Paharpur DI Khan	A.V.P
17.	Sarmadan	Buner	DEO (M) Buner	DEO (M) Torghar	A.V.P
18.	Jehanzeb	Buner	DEO (M) Buner	DEO (M) Torghar	A.V.P

ATTACHED

19.	Muhammad Zahid	Swabi	DEO (F) Swabi	SDEO (M) Lahore Swabi	A.V.P
20.	Javed Khan	Swabi	RPDC (F) Swabi	SDEO (F) Swabi	A.V.P
21.	Muhammad Safer	Dir (L)	DEO (F) Dir Lower	DEO (M) Shangla	A.V.P
22.	Gul Zaman	Dir (L)	RPDC (F) Dir Lower	SDEO (M) Chltral Lower	A.V.P
23.	Farhad	Dir (L)	SDEO (M) Lal Qilla Dir Lower	DEO (M) Mardan	A.V.P
24.	Maqbool Ahmad	Dir (L)	DEO (M) Dir Lower	DEO (M) Swat	A.V.P.
25.	Akhtar Nawaz	Bannu	RPDC (M) Ghoriwala Bannu	SDEO (F) Lakki Marwat	A.V.P
26.	Shah Qiaz Khan	Bannu	DEO (M) Bannu	DEO (M) Lakki Marwat	A.V.P
27.	Wasi Ullah	Peshawar	DEO (M) Peshawar	DEO (M) Peshawar	A.V.P. He will assume charge after the actualization of Mr. Irfanullah vice Sr. No 31
28.	Muhammad Nasim	Peshawar	Directorate of NMD	Directorate of E&SE NMDs	Already occupied
29.	Zakirullah	Peshawar	SDEO (F) Town-IV Peshawar	SDEO(F) Town-I Peshawar	A.V.P
30.	Marifat Shah	Peshawar	SDEO (F) Town-II Peshawar	SDEO (M) Town-II Peshawar	A.V.P
31.	Irfanullah	Peshawar	DEO (M) Peshawar	One day actualization at DEO (M, Peshawar	Notional Promotion due to retirement 28/01/2024
32.	Muhammad Tariq	Peshawar	GGHS Comprehensive Peshawar	SDEO (F) Charsadda	A.V.P
33.	Abbas Khan	Peshawar	Directorate of NMD	Directorate of E&SE KP	A.V.P
34.	Manzoor Khan	Peshawar	SDEO (F) Town-III Peshawar	SDEO (M) Tangl Charsadda	A.V.P
35.	Syed Ramzan Shah	Mansehra	DEO (F) Mansehra	DEO (F) Mansehra	Vice Sr. No 70
36.	Abdul Hameed	Mansehra	DEO (M) Mansehra	DEO (M) Mansehra	Already Occupied
37.	Riaz Ahmed	D I Khan	DEO (M) D.I. Khan	DEO (M) D.I.Khan	A.V.P.
38.	Amjad Rizwan	D I Khan	DEO (F) DI Khan	SDEO (F) DI Khan	A.V.P
39.	Ahmad Saeed	D I Khan	SDEO (F) Paharpur DI Khan	SDEO (F) Paharpur DI Khan	A.V.P.
40.	Muhammad Saddique	Karak	RPDC (M) Karak	SDEO (M) Karak	A.V.P.
41.	Sher Muhammad	Haripur	DEO (M) Haripur	DEO (M) Haripur	A.V.P.
42.	Ahmad Nawaz	Haripur	SDEO (M) Ghazi Haripur	SDEO (M) Haripur	A.V.P.
43.	Akhtar Rehman	D I Khan	SDEO (F) Kulachi DI Khan	SDEO (M) Kulachi DI Khan	A.V.P.
44.	Habib Ur Rehman	Malakand	DEO (M) Malakand	DEO (M) Swat	A.V.P.

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45.	Abdul Ail	Malakand	SDEO (F) Thana Balzal Malakand	DEO (F) Swat	A.V.P.
46.	Faridoon Khan	Malakand	DEO (F) Malakand	DEO (F) Malakand	A.V.P.
47.	Muhammad Hasham Khan	Tank	DEO (F) Tank	DEO (F) Tank	Already Occupied
48.	Tariq Aziz	D I Khan	DEO (F) DI Khan	SDEO (M) Paruva DI Khan	A.V.P.
49.	Hamid ul Haq	Dir (L)	SDEO (M) Lal Qilla Dir Lower	DEO (F) Lower Chitral	A.V.P.
50.	Naseeb. Badshah	Dir (L)	DEO (M) Dir Lower	SDEO(F) Samarbagh Dir Lower	A.V.P.
51.	Muhammad Israr	Dir (L)	DEO (F) Dir Lower	One day actualization at DEO (F) Dir Lower	Notional Promotion due to retirement 01/01/2024
52.	Saeed ur Rahman	Dir (L)	SDEO (F) Adinzai Dir Lower	SDEO (F) Babuzai Swat	A.V.P.
53.	Abdul Qayum Khan	Mardan	SDEO (M) Mardan	SDEO (M) Mardan	A.V.P.
54.	Arif Saleem	Kohat	SDEO (F) Kohat	SDEO (M) Karak	A.V.P.
55.	Muhammad Yaqoob	Hangu	DEO (F) Hangu	DEO (F) Hangu	A.V.P.
56.	Asmat Ullah Khan	Kohat	GCMHS Kohat	One day actualization at DEO (M) Karak	Notional Promotion due to retirement 19/02/2024
57.	Abdul Majid	Bannu	DEO (M) Bannu	One day actualization at DEO (M) Karak	Notional Promotion due to retirement 07/12/2023
58.	Mehmood Khan	Bannu	DEO (M) Bannu	DEO (M) Bannu	A.V.P.
59.	Khurshid Ahmad	Lower Chitral	DEO (M) Lower Chitral	DEO (M) Lower Chitral	A.V.P.
60.	Syed Jalal ud Din Shah	Upper Chitral	SDEO (M) Mastuj Upper Chitral	DEO (M) Upper Chitral	A.V.P.
61.	Amir ul Mulk	Lower Chitral	DEO (F) Lower Chitral	DEO (M) Lower Chitral	A.V.P.
62.	Amir Malook	Swat	SDEO (M) Kabal Swat	DEO (M) Swat	A.V.P.
63.	Muhammad Ibrar	Malakand	RPOC (M) Thana Malakand	DEO (F) Mardan	A.V.P.
64.	Muhib Ullah	Dir (U)	SDEO (M) Dir Upper	SDEO (F) Dir Upper	A.V.P.
65.	Muhammad Abbas	Dir (U)	SDEO (M) Wari Dir Upper	DEO (M) Kokal Palas	After One day actualization he will assume the charge of B&AO at DEO(M) Dir Upper
66.	Farid Khan	Peshawar	SDEO (M) HSD Peshawar	One day actualization at SDEO (M) Town-II Peshawar	Notional Promotion due to retirement 10/02/2024
67.	Abdul Majid	Mohmand	GGHSS Ghallani Mohmand	DEO (M) Khyber	A.V.P.

68.	Asmatullah	Charsodda	SDEO (F) Johangra Nowshera	DCTE Abbottabad	A.V.P.
69.	Attaur Rahman	Mohmand	GISS Ghaffari Mohmand	DEO (M) Mohmand	A.V.P.

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Consequential Posting/Transfer

S.No	Name	Present Post	Posted at	Remarks
70.	Muhammad Naeem khan Superintendent	DEO (F) Mansehra	SDEO (M) Abbottabad	A.V.P.
71.	Muhammad Tanq Superintendent	Disposal of Directorate	DEO (M) Abbottabad	A.V.P.
72.	Sar Anjam khan Superintendent	DEO (M) Buner	SDEO (F) Daggur Buner	A.V.P.
73.	Haroon khan Superintendent	B&AO DEO (M) Dir Upper	DEO (M) Dir Upper	A.V.P.
74.	Mst Human Nisar Superintendent	SDEO Town-I	DEO (F)	A.V.P.
75.	Muhammad Imran Superintendent	DEO (F) Bannu	Disposal of Directorate	—

Note - No TA/DA is allowed.

SECRETARY to
Khyber Pakhtunkhwa, Peshawar

Ends: of even No. & Dated

Copy forwarded to the: -

1. Accountant General, Khyber Pakhtunkhwa, Peshawar.
2. Director (E&SE) Khyber Pakhtunkhwa Peshawar.
3. Director Curriculum & Teachers Education Abbottabad.
4. Director EMIS, E&SE Department, with the request to upload this Notification of E&SE Department on website (www.kpese.gov.pk).
5. District Education Officers (M) E&SE concerned.
6. District Accounts Officers concerned.
7. PS to Secretary, E&SE Department.

(MUHAMMAD ISHAQ) 21/3/21
Section Officer (School/Male)

ml
ATTSTEL



DEPARTMENT OF ELEMENTARY & SECONDARY EDUCATION
DEPARTMENT
Block-"A" Opposite MPA's Hostel, Civil Secretariat Peshawar
Phone No. 091-9223533 Email: sschoolmala@pfnall.com

Ann: "B"

0919223533

Dated Peshawar the 25th April, 2024

13

CORRIGENDUM

NO.S0(SM)E&SED/5-17/2024/Promotion/(Asstt to Supd(II)): In partial modification of the Department Notification of Even No. dated 21.03.2024, the place of posting in respect of the following Superintendents (BPS-17) may be read as mentioned against each:-

S #	Name & Designation	FROM	TO	Remarks
1.	Syed Riaz Husain Shah Superintendent (BS-17)	Office of SDEO (F) Battagram	Office of SDEO (M) Allai Battagram.	V. Sr No. 2
2.	Abdul Wahab Shah Superintendent (BS-17)	Office of SDEO (M) Allai Battagram.	Office of DEO (F) Battagram	V. Sr No. 3
3.	Muhammad Afzal Superintendent (BS-17)	Office of DEO (F) Battagram	Office of SDEO (F) Battagram	V. Sr No. 1
4.	Muhammad Zahid Superintendent (BS-17)	Office of SDEO (M) Lahor Swabi	Office of DEO (F) Lahor Swabi	A.V.P
5.	Abdul Razak Superintendent (BS-17)	DEO (M) Mansehra	Office of DEO (M) Battagram	Against the vacant post of B&AO (BS-17) in(OPS)
6.	Faridoon Khan	Office of DEO (F) Malakand.	Office of DEO (F) Swat.	A.V.P
7.	Mr. Habib Ur Rahman Superintendent	Office of DEO (M) Swat	Office of DEO (F) Malakand.	V.Sr. No. 6
8.	Shah Qiaz Khan Superintendent (BS-17)	Office of DEO (M) Lakki Marwat	Office of DEO (F) Bannu	A.V.P
9.	Taj Dar Muhammad Khan Superintendent (BS-17)	Office of DEO (F) Bannu	Office of DEO (M) Bannu.	Against the vacant post of B&AO (BS-17) in (OPS)
10.	Imran Ullah Khan Superintendent (BS-17)	At the disposal of Directorate. V.S NO. 75	Office of DEO (F) Bannu.	V.Sr. No. 09
11.	Akhlar Nawaz Superintendent	Office of SDEO (F) Lakki Marwat.	Office of SDEO (F) Bannu	A.V.P
12.	Naseeb Badshah Superintendent (BS-17)	Office of SDEO (F) Samar Bagh Dir Lower	Office of SDEO (Male) Dargain District Malakand.	A.V.P
13.	Zakir Ullah Superintendent (BS-17)	Office of SDEO (F) Town-I Peshawar	Office of SDEO (M) Town-II Peshawar	V. Sr No. 13
14.	Marifat Shah Superintendent (BS-17)	Office of SDEO (M) Town-II Peshawar	Office of SDEO (F) Town-1 Peshawar	V.Sr No. 13
15.	Tariq Aziz Superintendent (BS-17)	Office of SDEO (M) Paruva D.I. Khan	Office of SDEO (M) D.I Khan	A.V.P
16.	Mr. Jehan Zeb Superintendent (BS-17)	Office of DEO (M) Torghar	Office of SDEO (M) Judba Torghar	A.V.P

AM/STEL

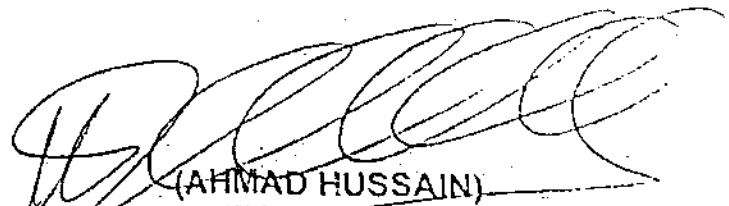
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	Muhammad Yousuf Khan Superintendent (BS-17)	Office of SDEO (F) Hangu	Office of DEO (M) Kohat	A.V.P
18	Muhammad Yousaf Superintendent (BS-17)	Office of DEO (M) Torghar	Office of DEO (F) Torghar	A.V.P
19	Muhammad Ibrar Superintendent	Office of DEO (F) Mardan	Office of DEO (M) Malakansa.	Against the vacant post of B&AO (BS-17) in (OPS)

SECRETARY TO GOVT: OF KHYBER PAKHTUNKHWA
ELEMENTARY & SECONDARY EDUCATION
DEPARTMENT.

copy forwarded to the:-

1. Accountant General, Khyber Pakhtunkhwa, Peshawar.
2. Director E&SE Khyber Pakhtunkhwa, Peshawar.
3. Director Curriculum & Teachers Education Abbottabad.
4. Director EMIS, E&SE Department, with the request to upload this Notification of E&SE Department on website (www.kpese.gov.pk).
5. District Education Officers (M) concerned.
6. District Accounts Officers concerned.
7. PS to Secretary E&SE Department.
8. Master File.


(AHMAD HUSSAIN)
SECTION OFFICER (SCHOOL/MALE)

ml
ATTSTEP

14

CERTIFICATE OF TRANSFER OF CHARGE.

1. Certified that we have on the fore / afternoon of this day respectively made over and received charge of this office of the SUPDT: B-17 vide Notification No.SO(SM)ESED /5-17/ 2024/ Promotion (Asstt: to Supdt: dated 25-4-2024.
2. Particulars of cash and important secret and confidential documents hand over are noted on the reverse :

Signature of relieved

Govt: Servant _____

Designation _____

Station SDEO (MALE) T-2 Peshawar.

Dated 30-04-2024 (A.N)

Signature of relieving

Govt: Servant ZAKIR ULLAH

Designation SUPDT: B-17

No. 6354-571

Dated 1/5/2024.

Copy forwarded to the :-


1. Accountant General Khyber Pakhtunkhwa Peshawar.
2. Director of Elementary & Secondary Education K.P Peshawar
3. District Education Officer (Male) Peshawar
4. P/File .

Muhammad
SUB:DIVI: EDUCATION OFFICER
(MALE) TOWN – 2 PESHAWAR

ms
ATTSTED

Muhammad

Ann: B-1
15

 **GOVERNMENT OF KHYBER PAKHTUNKHWA**
ELEMENTARY & SECONDARY EDUCATION
DEPARTMENT
Block-"A" Opposite MPA's Hostel, Civil Secretariat Peshawar
Phone No. 091-9223531 Email: pncschoolmale@gmail.com

Dated: 23.07.2024

NOTIFICATION

NO.SO(SM)E.&SED/5-17/2024/: The following mutual transfer/posting is hereby ordered with immediate effect, in public interest:-

S. No	Name	Designation	From	To	Remarks
1.	Mr. Marifat Shah	Superintendent (BS-17)	o/o SDEO (F) Town-I Peshawar	o/o DEO (F) Peshawar	Vice Sr. No. 2
2.	Mr. Huma Nisar	Superintendent (BS-17)	o/o DEO (F) Peshawar	o/o SDEO (F) Town-I Peshawar	Vice Sr. No. 1

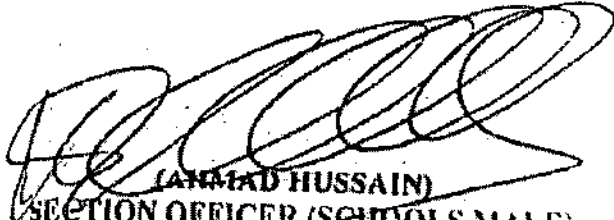
**SECRETARY TO
GOVT OF KHYBER PAKHTUNKHWA
E&SE**

Endst: of even No. & Date

Copy forwarded to the:

1. Accountant General, Khyber Pakhtunkhwa Peshawar.
2. Director, E&SE Khyber Pakhtunkhwa, Peshawar.
3. Director, EMIS E&SE Department.
4. District Education Officer (A) Concerned.
5. District Accounts Officer Concerned.
6. PA to Deputy Secretary (Estab) E&SE Department.
7. Officer Concerned.
8. Office order file.

wil
ATTSTEL


(ANWAR HUSSAIN)
SECTION OFFICER (SCHOOLS MALE)

09/192/10/24
Ext. No 205

Ann. C
16

1628
10/5/24
Secy

To

The Worthy Chief Secretary,
Govt. of Khyber Pakhtunkhwa,
Office at Civil Secretariat Peshawar.

THROUGH PROPER CHANNEL

Subject: DEPARTMENTAL APPEAL/ REPRESENTATION AGAINST THE OFFICE ORDER/ NOTIFICATION NO. SO(SM) SED /5-17 / 2024 / PROMOTION ASSTT TO SUPDIT DATED 25-04-2024 WHEREBY THE APPELLANT HAS BEEN TRANSFERRED PREMATURELY FROM THE OFFICE OF SDEO (F) TOWN- PESHAWAR TO THE OFFICE OF SDEO (M) TOWN-II, PESHAWAR.

Respected Sir,

WITH DUE HONOUR AND REGARD THE APPELLANT EARNESTLY SUBMITS AS UNDER:-

With reference to the office order subjected cited above it is submitted that the appellant after promotion from the post of assistant to superintendent B-17 was transferred and posted vide Notification No. SO(SM)E&SED/5-17/2023/promotion (Asstt to Supdt on 21-03-2024. That the appellant assumed the charge vide order ibid and has started his duties with full zeal and zest and without any reluctance.

That very astonishingly, after a month of serving against the post of Superintendent B-17 SDEO (F) Town-I Peshawar, the appellant has been transferred against the post of Superintendent B-17 SDEO (M) Town-II. Peshawar notification No. SO(SM) SED/5-17/2024/promotion (Asstt to Supdt dated 25-04-2024 without completing his tenure. (Copies of both notifications are annexed herewith).

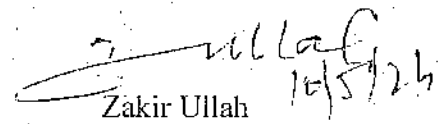
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That the impugned notification No. SO(SM) SED/5-17/2024/promotion (Asstt to Supdtt dated 25-04-2024 is, with due respect, not sustainable in the eyes of law as the appellatant has not completed his tenure while serving as Superintendent against the post at SDEO (F) Twon-I, Peshawar. That the impugned No. SO(SM) SED/5-17/2024/promotion (Asstt to Supdtt dated 25-04-2024 has been issued without any specific or general reasons, hence not tenable in the eyes of law. That the impugned notification, has been issued through a non-speaking order. That the impugned Notification is subject to all legal objection to be raised by the appellatant. That the impugned notification has been issued hearing the appellatant. That the impugned notification has been issued, with due respect, in haste.

It is therefore, most humbly requested that the impugned Notification No. SO(SM) SED/5-17/2024/promotion (Asstt to Supdtt dated 25-04-2024 may very graciously be recalled/ cancelled and the appellatant may be restored to his post of Superintendent SDEO (F) Town-I, Peshawar and allow him to complete his tenure in accordance with law.

Yours most obediently


Zakir Ullah 14/5/24

SUPDT: SDEO (F) Town-I
Peshawar.


ATTSTEL

VAKALATNAMA

18

Before the Hon'ble Service Tribunal KP, Peshawar

IN RE:

Service Appeal No. / 24

Petitioner/ Plaintiff/Appellant
Applicant/Complainant/ Accused
/ Decree Holder

Zakir Ullah

Versus

Chief Secretary and others

Defendant/Respondent^s
Accused/Opponent
Judgment Debtor

I/ we

Zakir Ullah

the

above named Appellant hereby appoint and constitute YOUSAF KHAN SHAH FAHAD ADVOCATE HIGH COURT, PESHAWAR, to represent, appear, and act for me/us as my advocate(s) in the above matter.

1. To act, appear and plead in the above-noted case in this Court or in any other Court in which the same may be tried or heard and also in the appellate Court including High Court subject to payment of fees separately for each Court by me/us. 2. To sign, file, verify and present pleadings, appeals, cross-objections or petitions for executions review revision, withdrawal, compromise or other petitions or affidavits or other documents as may be deemed necessary or proper for the prosecution of the said case in all its stages subject to payment of fees for each stage. 3. To file and take back documents, to admit and/or deny the documents of opposite party. 4. To withdraw or compromise the said case or submit to arbitration any differences or disputes that may arise touching or in any manner relating to the said case. 5. To take execution proceedings. 6. To deposit, draw and receive monthly cheques, cash and grant receipts thereof and to do all other acts and things which may be necessary to be done for the progress and in the course of the prosecution of the said case. 7. To appoint and instruct any other Legal Practitioner authorising him to exercise the power and authority hereby conferred upon the Advocate whenever he may think fit to do so and to sign the power of attorney on our behalf. 8. And I/We the undersigned do hereby agree to rectify and confirm all acts done by the Advocate or his substitute in the matter as my/our own acts, as if done by me/us to all intents and proposes. 9. And I/We undertake that I/We or my/our duly authorized agent will appear in Court on all hearings and will inform the Advocate for appearance when the case is called. 10. And I/We the undersigned, do hereby agree not to hold the advocate or his substitute responsible for the result of the said case. 11. The adjournment costs, whenever ordered by the Court, shall be of the Advocate, which he shall receive and retain for himself. 12. And I/We, the undersigned to hereby agree that in the event of the whole or part of the fee agreed by me/us to be paid to the advocate remaining unpaid, he shall be entitled to withdraw from the prosecution of the said case until the same is paid up. The fee settled is only for the above case and the above Court. I/we hereby agree that once the fee is paid, I/We will not be entitled to a refund of the same in any case whatsoever and if the case prolongs for more than 3 years the original fee shall be paid again by me/us. IN WITNESS of which I/We do hereunto set my/our hand to these presents the contents of which have been understood by me/us on this below-mentioned date. Accepted I/We also undertake to appear in the above matter before the court and my/our counsel shall not be held responsible in case the matter is dismissed /disposed of Ex-parte due to my/our failure to appear/attend the case.

Dated at Peshawar 13-08-2024

Zakir Ullah

Signature(s)/Thumb Impression(s)

Accepted subject to the above terms of fees

Be. 11-1695

CNIC-17301-

1333185-3

Yousaf KHAN, SHAH FAHAD
Advocates High Court,

Peshawar

(0333-9272588

0313-9272588)