



Form- A
FORM OF ORDER SHEET

Court of _____

Implementation Petition No. 631 /2024

S.No.	Date of order proceedings	Order or other proceedings with signature of judge
1	2	3
1	25.06.2024	<p>The implementation petition of Mst. Shahida Parveen submitted today by Mr. Noor Muhammad Khattak Advocate. It is fixed for implementation report before Single Bench at Peshawar on 26.06.2024. Original file be requisitioned. AAG has noted the next date. Parcha peshi given to counsel for the petitioner.</p> <p>By the order of Chairman</p> <p> REGISTRAR</p>
	26.06.2024	<p>Learned counsel learned for the petitioner present. Notice be issued to the respondents for submission of implementation report. Respondents be summoned through TCS. To come up for implementation report on 01.07.2024 before S.B. P.P given to Petitioner's counsel.</p> <p> (Rashida Bano) Member (J)</p>

SCANNED
KPST
Peshawar

kaleem

BEFORE THE KHYBER PAKHTUNKHWA SERVICE TRIBUNAL
PESHAWAR

Execution Petition No. 631 /2024
In
Appeal No. 846/2024

MRS. SHAHIDA PARVEEN

VS

GOVT: OF KP & OTHERS

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Petitioner

THROUGH:

NOOR MOHAMMAD KHATTAK
ADVOCATE SUPREME COURT

BEFORE THE KHYBER PAKHTUNKHWA SERVICE TRIBUNAL
PESHAWAR

Execution Petition No. 631 /2024
In
Appeal No. 846/2024

Khyber Pakhtunkhwa
Service Tribunal

Diary No. 13778

Dated 25/6/24

Mrs. Shahida Parveen, (MC) District Education Officer (BPS-19)
Dera Ismail Khan, under Report to Directorate of E&SE Education
Department, Peshawar.

.....PETITIONER

VERSUS

1. The Government of Khyber Pakhtunkhwa through Chief Secretary, Khyber Pakhtunkhwa, Peshawar.
2. The Secretary Elementary & Secondary Education Department, Civil Secretariat, Peshawar.
3. Mrs. Syeda Anjum, District Education Officer (F) (BPS-19), transferred as District Education Officer (F) District DI Khan.

..... RESPONDENTS

EXECUTION PETITION UNDER SECTION 7(2)(d) OF THE KP SERVICE TRIBUNAL ACT 1974, RULE 27 OF THE KP SERVICE TRIBUNAL RULES 1974 READ WITH SECTIONS 36 AND 51 OF THE CIVIL PROCEDURE CODE AND ALL ENABLING LAWS ON THE SUBJECT FOR THE IMPLEMENTATION OF THE JUDGMENT DATED 14/06/2024 IN LETTER AND SPIRIT.

R/SHEWETH:

- 1- That the petitioner filed service appeal bearing No. 846/2024 before this august Service Tribunal, against the impugned notification dated 10.05.2024 and appellate order dated 11.06.2024, whereby the petitioner has been transferred/reported to Directorate of E&SE department Peshawar.
- 2- That the appeal of the applicant/petitioner was heard and certain directions were given to the respondent department vide order dated 14.06.2024 which are as follows:-

"2. Alongwith with the appeal, there is an application for suspension of operation of impugned order dated 10/05/2024. Notice to this application be issued to respondents. In the meanwhile, operation of impugned order shall remained suspended, if not acted upon earlier". Copy of the order dated 14/06/2024 is attached as annexure.....**A**

- 3- That after obtaining copy of the order dated 14/06/2024 the same was submitted with the respondents for implementation of his grievance coupled with an application, but the respondents/ department failed to do so, which is the violation of the judgment supra. Copy of application is attached as annexure.....**B**
- 4- That petitioner having no other remedy but to file this implementation petition.

It is therefore, most humbly prayed that on acceptance of the instant execution petition the respondents may kindly be directed to implement the order dated 14/06/2024 passed in Appeal No. 846/2024 in letter and spirit. Any other remedy which this august Tribunal deems fit that may also be awarded in favor of the petitioner.

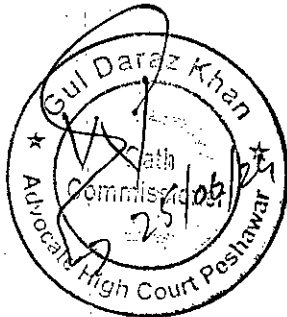
Sh Parveen
Petitioner
Mrs. Shahida Parveen

THROUGH:
NOOR MOHAMMAD KHATTAK
ADVOCATE SUPREME COURT

AFFIDAVIT

I, Mrs. Shahida Parveen, (MC) District Education Officer (BPS-19) Dera Ismail Khan, under Report to Directorate of E&SE Education Department, Peshawar (The petitioner) do hereby solemnly affirm that the contents of this Execution Petition are true and correct to the best of my knowledge and belief and nothing has been concealed from this Honorable Court.

Sh Parveen
DEPONENT



4 A-3-

Diary No. 13518

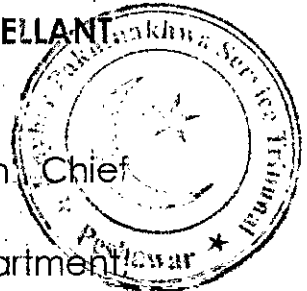
Dated 13-06-2024

BEFORE THE KHYBER PAKHTUNKHWA SERVICES TRIBUNAL, PESHAWAR

Appeal No. 846 / 2024

Mrs. Shahida Parveen, (MC) District Education Officer(BPS-19) Dera Ismail Khan, Under Report to Directorate of E&SE Education Department, Peshawar.

.....**APPELLANT**



VERSUS

- 1- The Government of Khyber Pakhtunkhwa, through Chief Secretary, Khyber Pakhtunkhwa, Peshawar.
- 2- The Secretary Elementary & Secondary Education Department Khyber Pakhtunkhwa, Peshawar.
- 3- Mrs. Syeda Anjum, District Education Officer (F) (BPS-19), transferred as district Education Officer (F) District D.I.Khan (Private Respondent).

.....**RESPONDENTS.**

APPEAL UNDER SECTION 4 OF THE KHYBER PAKHTUNKHWA SERVICE TRIBUNAL ACT, 1974, READ WITH ALL ENBLING PROVISIONS OF LAW GOVERNING THE SUBJECT AGAINST THE IMPUGNED APPELLATE ORDER DATED 11.06.2024 WHEREBY THE DEPARTMENTAL APPEAL OF THE APPELLANT HAS BEEN REJECTED ON NO JUSTIFIABLE GROUND AS APPELLANT HAS BEEN TRASNFERRED/REPORTED TO DIRECTORATE PREMATURELY FROM THE POST OF DEO TO DIRECTORATE IELGALLY AND UNLAWFULLY VIDE ORDER DATED 10.05.2024 AND UNLAWFULLY.

PRAYER:

That on acceptance of this instant appeal the impugned appellate order dated 11.06.2024 & original order dated 10.05.2024 may very kindly be set aside, declared illegal and unlawful and the respondents may please be directed to retain appellant at District Education Officer Dikhan post till completion of her normal tenure. Any other relief which this Tribunal deems fit & appropriate that may also be awarded in favor of the appellant.

RESPECTFULLY SHEWETH:

ON FACTS:

1- That the appellant is a law abiding and peaceful citizen and served as district education officer (BPS-19) in the education department.

Effects-day
Registrar
13/6/24

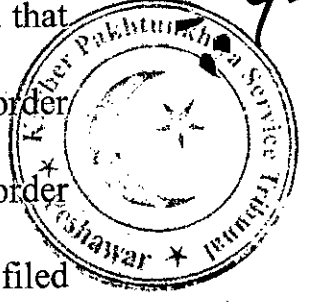
1- That initially the respondent No.3 was transferred from Lakki to D.I.Khan order dated 20.10.2023 and thereby transferred order

Re-submitted to -day and filed.

Registrar 13/6/24

ATTESTED
Khyber Pakhtunkhwa Service Tribunal
Peshawar
14-6-24

Appeal no. 846/2024, Shahida Parveen vs Govt 4-



14.06.2024 1. Learned counsel for the appellant present and argued that appellant was prematurely transferred vide impugned order dated 10.05.2024, as appellant was earlier transferred vide order dated 14.04.2023. Feeling aggrieved, appellant filed departmental appeal, which was rejected vide order dated 11.06.2024, hence the present service appeal. Points raised need consideration. Instant appeal is admitted for regular hearing subject to all legal objections. The appellant is directed to deposit security fee within seven days. Thereafter, notices be issued to respondents for submission of written reply/comments. Respondents be summoned through TCS the expenses of which be deposited by the appellant within 3 days. Adjourned. To come up for written reply/comments on 04.07.2024 before S.B. P.P given to learned counsel for the appellant.

2. Alongwith with the appeal, there is an application for suspension of operation of impugned order dated 10.05.2024. Notice of this application be issued to respondents. In the meanwhile, operation of impugned order shall remain suspended, if not acted upon earlier.

ATTESTED
MEMBER
Federal Service Tribunal
Peshawar

(Rashida Bano)
Member (J)

*KaleemUllah

Date of Presentation of Application 14-6-24
Number of Words 2 P
Copying Fee 20/-
Urgent 5/-
Total 15/-
Name of Officer
Date of Copy 14-6-24
Date of Delivery of Copy 14-6-24

4B-5-

بخدمت جناب سیکرٹری ایلیمنٹری اینڈ سیکنڈری ایجوکیشن خیبر پختونخوا پشاور

درخواست: IMPLEMENTATION OF COURT ORDER

BY HONOURABLE SERVICE TRIBUNAL KPK PESHAWAR

جناب عالی!

گزارش ہے کہ من ساٹلہ محکمہ ایلیمنٹری اینڈ سیکنڈری ایجوکیشن KPK میں بطور ڈسٹرکٹ ایجوکیشن آفیسر (زنانه) بی پی ایس 19 (Management Cadre) تعینات ہوں۔

جناب عالی! من ساٹلہ کو بحوالہ آرڈر نمبر 10/05/2024 کے تحت او ایس ڈی بنا دیا گیا۔ من ساٹلہ نے مذکورہ آرڈر مورخہ 10/05/2024 کو معزز عدالت سروس ٹریبونل کے پی کے میں چیلنج کیا اور اپیل نمبر 846/2024 دائر کی۔ جس میں معزز عدالت نے مورخہ 14/06/2024 کو متذکرہ بالا آرڈر 04/07/2024 تک معطل کر دیا۔

لہذا حضور والا سے استدعا ہے کہ انتظامی بنیادوں پر آپ جناب معزز عدالت کے حکم کی روشنی میں مورخہ 10/05/2024 کے ٹرانسفر آرڈر کو فی الفور منسوخ / معطل فرمائیں۔
نوٹ: معزز عدالت سروس ٹریبونل کے حکم کی کاپی ہمراہ درخواست ہذا الف ہے۔

حضور والا کی عین نوازش ہوگی

مورخہ: 15/06/2024

ارض

مسماة شاہدہ پروین ڈسٹرکٹ ایجوکیشن آفیسر (زنانه) ڈیرہ اسماعیل خان

ATTESTED

VAKALATNAMA
BEFORE THE KHYBER PAKHTUNKHWA SERVICE TRIBUNAL,
PESHAWAR.

EP _____ No _____ /2024

Shahida Parveen

(APPELLANT)
(PLAINTIFF)
(PETITIONER)

VERSUS

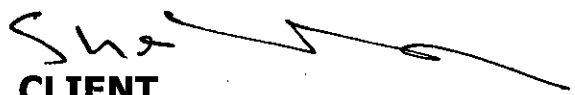
Govt of KPK

(RESPONDENT)
(DEFENDANT)

I/We Shahida Parveen

Do hereby appoint and constitute **Noor Mohammad Khattak Advocate Supreme Court** to appear, plead, act, compromise, withdraw or refer to arbitration for me/us as my/our Counsel/Advocate in the above noted matter, without any liability for his default and with the authority to engage/appoint any other Advocate Counsel on my/our cost. I/we authorize the said Advocate to deposit, withdraw and receive on my/our behalf all sums and amounts payable or deposited on my/our account in the above noted matter.

Dated. ____/____/202


CLIENT

ACCEPTED

**NOOR MOHAMMAD KHATTAK
ADVOCATE SUPREME COURT**


WALEED ADNAN

UMAR FAROOQ MOHMAND


MAHMOOD JAN

&


**ABID ALI SHAH
ADVOCATES**

OFFICE:
Flat No. (TF) 291-292 3rd Floor,
Deans Trade Centre, Peshawar Cantt.
(0311-9314232)