

BEFORE THE KHYBER PAKHTUNKHWA SERVICE TRIBUNAL, PESHAWAR.

**12(2) CPC 224 677/2022
in
Service Appeal # 1769/2023**

Muhammad Younis.....Appellant.

VERSUS

Govt: of Khyber Pakhtunkhwa & others.....Respondents.

INDEX

S#	Description of Documents	Annex	Pages
5.	Reply	A	1
6.	Affidavit	B	2
7.	Authority Letter	C	3
8.	Annexures	D	4-5

Deponent

*06-06-24
Peshawar*

BEFORE THE KHYBER PAKHTUNKHWA SERVICE TRIBUNAL, PESHAWAR.

12 (2) CPC NO.224/2024 in Service Appeal No. 1769/2023

Muhammad Younis.....Appellant

VERSUS

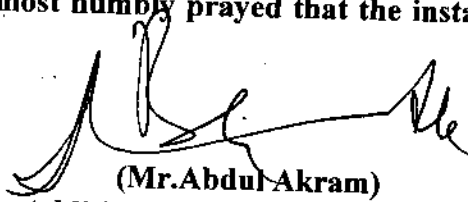
Secretary to Govt of KPK Peshawar..... Respondents.

REPLY OF EXECUTION PETITION ON BEHALF OF RESPONDENTS NO.1 to 3.

1. That Private Respondent No.4 (Falak Naz) field Service Appeal 1769/2023 with the following prayer:-
 "The impugned transfer order dated 15.03.2023 may kindly be set aside , declared illegal and unlawful and the respondent may further please be directed to restore posting/adjustment order dated 15.03.2023 of the appellant at GHSS Mama Khel Bannu till completion of his normal tenure"
2. That the said service appeal was decided by the Honorable Service Tribunal vide Judgment dated **01-01-2024** in the following terms:-
 "In view of the above discussion the service appeal in hand is allowed as prayed for"
3. That in compliance to the directions contained in the ibid judgment and Execution Petition No.154/2024 the Respondent implemented the Judgment vide Order bearing No.SO(S/M)E&SED/5-17/2022/PT/SS Dated 04.03.2024.
4. That the petitioner (Respondent No.4 in Service Appeal) was placed as Ex-Parte vide Honorable Service Tribunal Order sheet dated 20.10.2023.
5. That the contention of the petitioner regarding condemned unheard/non-issuing of notices has nothing with answering respondents.

Prayer:-

In view of the above, it is most humbly prayed that the instant 12 (2) petition may kindly be dismissed please.



**(Mr.Abdul Akram)
Additional Secretary (G), E&SED
On behalf of
Secretary, E&SED
(Respondent Nos.01-03)**

2

BEFORE THE HON'BLE SERVICE TRIBUNAL PESHAWAR

12(2) CPC NO.224/2024

In

Service Appeal # 1769/2023

Muhammad Younis..... Appellant

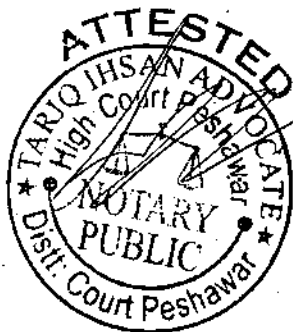
VERSUS

Govt. of Khyber Pakhtunkhwa & others..... Respondents

AFFIDAVIT

I, Abdul Akram, Additional Secretary (General), Elementary & Secondary Education, Department do hereby solemnly affirm and declare that the contents of the accompanying para-wise comments, submitted by the respondents, are true and correct to the best of my knowledge and belief and nothing has been concealed from this Honorable Court.

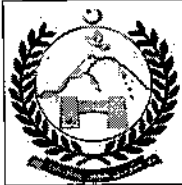
It is further, stated on oath that in this appeal the answering Respondents have neither been placed ex-parte nor has their defense been struck off.



A handwritten signature in black ink, appearing to be "Abdul Akram".

(Abdul Akram)
Additional Secretary (G), E&SED
On behalf of
SECRETARY E&SED
(Respondent No.1-3)

3



**GOVERNMENT OF KHYBER PAKHTUNKHWA
ELEMENTARY & SECONDARY EDUCATION DEPARTMENT**

Block "A" Civil Secretariat, Peshawar

Phone No. 091-9211128

AUTHORITY LETTER

It is certified that **Mr. Sajid Ullah, Section Officer (Litigation-II)** Elementary & Secondary Education Department, Government of Khyber Pakhtunkhwa, Peshawar is hereby authorized to submit parawise comments on behalf of Secretary Elementary & Secondary Education Department Peshawar 12(2) CPC No. 224/2024 in Service Appeal # 1769/2023 Case Titled **Muhammad Younis** vs Government of Khyber Pakhtunkhwa through Secretary Elementary & Secondary Education Department Khyber Pakhtunkhwa, Peshawar.

A handwritten signature in black ink, appearing to read 'Abdul Akram'.

(Abdul Akram)
Additional Secretary(G) E&SE D
On behalf of
SECRETARY E&SED
(Respondent No.01 to 03)

4

Annex - A



TO BE SUBSTITUTED EVEN NO. & DATE.
GOVERNMENT OF KHYBER PAKHTUNKHWA
ELEMENTARY & SECONDARY EDUCATION DEPARTMENT
 Block-"A" Opposite MPA's Hostel, Civil Secretariat Peshawar
 Phone No. 091-9223533 Email: sschoolmale@gmail.com

Peshawar, Dated: 04th March 2024

NOTIFICATION

NO.SO(SM)E&SED/5-17/2022/PT/SS: In pursuance of Service Tribunal Judgment dated 01-01-2024 in Service Appeal No. 1769/2023, the Competent Authority is pleased to restore this Department's Notification of even Number dated 15.03.2023 regarding place of posting in respect of Falak Naz IPE (BS-17) at GHSS, Mama Khel Bannu with immediate effect in the best of public interest.

02. The Present incumbent Muhammad Younis, Instructor Physical Education (BS-17) shall assume the charge to his previous station i.e at GHSS, Lachi Kohat immediately.

SECRETARY TO GOVT OF KHYBER PAKHTUNKHWA
E&SE DEPARTMENT

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 (M) Concerned.
5. District Accounts Officer (Concerned).
6. Principal Concerned.
7. PS to Advisor to CM, E&SE Department.
8. PS to Secretary E&SE Department.
9. PA to Additional Secretary (Estab) E&SE Department.
10. Officer Concerned.
11. Office order file.

Attested

SECRETARY TO GOVT (MUHAMMAD ISHAQ) 4/3/24
SECTION OFFICER SCHOOLS MALE

(MUHAMMAD ISHAQ) 4/3/24
SECTION OFFICER SCHOOLS MALE

90th
Oct. 2023

SA 170723 (5) Falate Naz Annex - B

1. Learned counsel for the appellant present. Mr. Asif Masood Ali Shah, Deputy District Attorney alongwith Mr. Faheem, Focal Person and Mr. Behramand, A.D for official respondents present. None present on behalf of private respondent No. 4 hence placed ex parte.

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 07.11.2023 before S.B. P.P given to the parties.

(Muhammad Akbar Khan)
Member (I)

Asif Masood
[Signature]