



**DIRECTORATE OF ELEMENTARY & SECONDARY EDUCATION
DEPARTMENT KHYBER PAKHTUNKHWA, PESHAWAR**

NOTIFICATION.

1. **Whereas**, the appellant namely Mst: Neelam Nayab District Lakki Marwat invoked the constitutional jurisdiction under Article-212 of the constitution of Islamic Republic of Pakistan, 1973 through filing Service Appeal No. 771/2014 before the Honorable Khyber Pakhtunkhwa Service Tribunal Peshawar, wherein, the appellant has contended that she was appointed as Drawing Master (BPS-09) in District Lakki Marwat by the then DEO (E&SE) Lakki Marwat on the recommendation of Departmental Selection Committee vide order dated 24-01-2011 & prayed for release of monthly salaries against the DM post w.e.f 24-01-2011.
2. **And whereas**, Service Appeal No. 771/2014 of the appellant was decided vide order dated 06-05-2024 by the Honorable Khyber Pakhtunkhwa Service Tribunal, Peshawar, whereby, the matter was remitted to the Department for conducting a detailed inquiry, followed by a final order of the Director E&SE within a period of (60) days.
3. **And whereas**, pursuant to the directions of the Honorable Tribunal vide Judgment ibid, the Director E&SE constituted the following inquiry committee vide Notification dated 03-06-2024 for conducting the desired inquiry:
 1. Dr. Imran Shah, Principal (BS-19), GHSS Yarak D.I Khan.
 2. Dr. Khalid Saeed Akhtar, Head Master (BS-17), GHS Rodi Khail D.I Khan.
4. **And whereas**, the inquiry committee submitted its report to the Directorate E&SE vide memo No. 365 dated 11-07-2024, wherein, the committee has categorically concluded that the appointment order of the appellant namely Mst: Neelam Nayab is illegal, meaning thereby, the appellant is not entitled for the benefits, as prayed for, in the afore-cited appeal, filed by the appellant before the learned Service Tribunal Peshawar.

Now therefore, pursuant of the order dated 06-05-2024 of the Honorable Khyber Pakhtunkhwa Service Tribunal Peshawar & recommendations of the inquiry report dated 11-07-2024, discussed hereinabove, the undersigned, in a capacity of appellate authority in the instant case, is of the considered view that the appointment order dated 24-01-2011, claimed by the appellant, against the DM (BS-09) post, is illegal, unlawful & without lawful authority. Hence, the so-called appointment order dated 24-01-2011 is hereby disowned & the plea of the appellant for release of monthly salaries w.e.f 24-01-2011 is also struck down with immediate effect in the interest of public service.

**SAMINA ALTAF
DIRECTOR**

Elementary & Secondary Education
Khyber Pakhtunkhwa Peshawar

Endst: No: 1006-21

Dated Peshawar the: 05/08/2024

Copy forwarded for information & n/action to the:-

- 1 ✓ Learned Registrar Khyber Pakhtunkhwa Service Tribunal, Peshawar.
- 2 Additional Secretary (G) E&SE Department Khyber Pakhtunkhwa, Peshawar.
- 3 District Education Officer (Female) Lakki Marwat.
- 4 Deputy Director (Legal) E&SE Khyber Pakhtunkhwa Peshawar.
- 5 Appellant concerned.
- 6 Master file.

DEPUTY DIRECTOR (ESTAB/F)
Elementary & Secondary Education
Khyber Pakhtunkhwa Peshawar