

**BEFORE THE HONORABLE KHYBER PAKHTUNKHWA SERVICE TRIBUNAL PESHAWAR**

**Appeal No. 908/2024**

Muhammad Ibrahim Senior CT, Govt Higher Secondary School No. 2 Haripur.

**(Appellant)**

**VERSUS**

The Director, Elementary & Secondary Education.

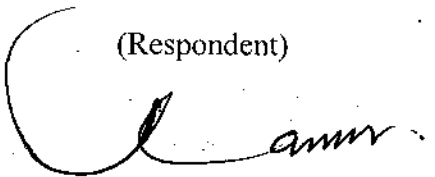
The District Education Officer (Male) Haripur.....

**(Respondents)**

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(Respondent)



(Muhammad Tanveer)  
District Education Officer (M)

Haripur

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**VERSUS**

The Director, Elementary & Secondary Education.  
The District Education Officer (Male) Haripur.....

**(Appellant)**  
**Khyber Pakhtunkhwa**  
**Service Tribunal**

Diary No. 15093

Dated 21/8/24  
**(Respondents)**

**Respectfully Sheweth:**

Para wise Comments on behalf of respondent.

**Preliminary Objections:**

- 1 That the appellant has got no cause of action to file the instant appeal.
- 2 That the appellant has not come to this Honorable Tribunal with clean hands.
- 3 That the Appellant has got no locus standi to file the instant appeal.
- 4 That the appellant has concealed the material facts from this Honorable Tribunal, hence the appeal in hand is liable to be dismissed.
- 5 That the appellant has filed the instant appeal on malafide motives.
- 6 The appellant has filed the instant appeal just to pressurize the respondents.
- 7 That the appeal of the appellant is barred by law and limitations.
- 8 That the appeal is bad for mis-joinder and non-joinder of necessary parties.

**REPLY ON FACTS**

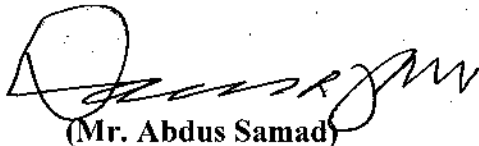
1. Para "1" is correct to the extent of appointment of the appellant, however rest of the Para is denied as the appellant has performed his duty on his native station as the appellant belongs to UC Beer and he had performed his duties in his home station i.e. GMS Khachi.
2. Para No. "2" is incorrect. The appellant after rendering almost 30 years duty on his home station was transferred from GHS Kachi (Home Station) to GHS NO 2 due to falling in promotion zone where he was also adjusted after his promotion from CT BPS-15 to Senior CT BPS-16. **(Copy of transfer order is attached as annexure-A)**
3. Para No. "3" is misrepresented which needs to be explained by the appellant.
4. Para No "4" is incorrect. The appellant was transferred to his own UC i.e. UC Beer at GHS Badhora due to shortage of staff in GHS Badhora. **(Copy of computer Generated HRIS information report is attached as annexure B)**
5. Para No "5" is incorrect. The appellant cannot file any appeal regarding the matter relating to hold a particular post under proviso of section 22 of the Khyber Pakhtunkhawa Civil Servant Act, 1973.
6. Para No "6" is incorrect. Respondent No.3 was temporary adjusted against the impugned post on need basis.
7. Para No "7" is incorrect. The appellant cannot seek any remedy through the instant appeal because the appellant is liable to serve anywhere within or outside the province in any post under the Federal Government, or any Provincial Government or local authority, or a corporation or body set up or established by any such Government under Section 10 of the Khyber Pakhtunkhawa Civil Servant Act, 1973.

**REPLY ON THE GROUNDS:**

- A. Ground "A" is incorrect. The act of the respondent is in accordance with law, rules, policy and exigency of the matter on the subject which is liable to be maintained in the eyes of law.
- B. Ground "B" is incorrect. That the appellant has not been disregarded to the principles of fairness, merit vide order dated 12-03-2024 hence the order ibid is legal, lawful and liable to maintained.
- C. Ground "C" is incorrect. The detail reply has been given in paras above.
- D. Ground "D" is incorrect. The appellant has been transferred to his own UC due to shortage of staff moreover the appellant has not been made victim of any discrimination hence the impugned order is liable to be maintained.
- E. Ground "E" is incorrect. The detail reply has been given in para No. 7 of Facts.
- F. Ground "F" is incorrect. The appellant is basically hails from UC Beer who has been adjusted in his native UC due to shortage of staff.
- G. Ground "G" is incorrect. The appellant was transferred within District Haripur and also in his native UC.
- H. Ground "H" is incorrect. The detail reply has been given in para No. 06 above.
- I. Ground "I" is incorrect. The appellant has been transferred due to shortage of staff in GHS Badhora in accordance with law, rules and policy.
- J. Ground "J" is incorrect. The detail reply has been given in paras above.
- K. Ground "K" is incorrect. The impugned order has been issued in accordance with law, rules and policy on need basis.
- L. Ground "L" is incorrect. The answering respondent has not violated any service law. Hence the impugned order is liable to be maintained.
- M. Ground "M" is discretionary power of Honorable Tribunal, however the other points shall be agitated at the time of argument by answering respondent with the lieu of this Honorable Tribunal.

**PRAYER**

In view of the above made humble submissions, it is most respectfully prayed that on acceptance of foregoing factual position/ Comments, the instant appeal may very graciously be dismissed please.



(Mr. Abdus Samad)

**Deputy Director (Legal) Directorate of E&SE**

**On behalf of**

**(Samina Altaf)**

**Director (E&SE) Khyber Pakhtunkhwa**

**Peshawar**

**Respondent No.01**



**Muhammad Tanveer**

**District Education Officer (Male)**

**Haripur**

**(Respondent)**

**No.02**

**BEFORE THE HONORABLE KHYBER PAKHTUNKHWA SERVICE TRIBUNAL PESHAWAR**

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**(Appellant)**

**VERSUS**

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**(Respondents)**

**AFFIDAVIT**

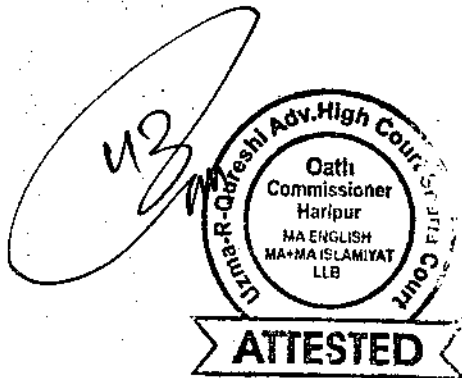
I Mr. Muhammad Tanveer DEO (Male) Haripur do hereby solemnly affirmed and declare that the contents of accompanying Para wise comments are true and correct to the best of my knowledge and belief and nothing has been suppressed/concealed from this Honorable Service Tribunal. It is further, stated on oath that in this appeal the answering Respondents have been placed ex-parte nor has their defense been struck off.

(Deponent)

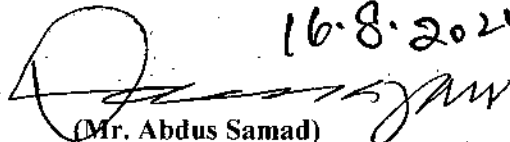


Muhammad Tanveer  
District Education Officer (Male)  
Haripur.

**(Respondent No. 02)**



16.8.2024



(Mr. Abdus Samad)  
Deputy Director (Legal), Directorate of E&SE  
On behalf of  
(Samina Altaf)  
Director (E&SE) Khyber Pakhtunkhwa  
Peshawar  
**(Respondent No. 01)**

**OFFICE OF THE DISTRICT EDUCATION OFFICER (M)****HARIPUR**

Ph. No. 0995-920150, 920151, 920152

Email: [deomalchrp@yahoo.com](mailto:deomalchrp@yahoo.com)**Adjustment Order.**

The following adjustment is hereby made on his own pay & grade in the best interest of public service with immediate effect.

S.No	Name of Teacher	From	Adjusted at	Remarks
1	Muhammad Ibrahim CT (BPS-15)	GHS Kachi	GHSS No.02 Haripur	Against vacant post on his own pay & grade due to in promotion zone.

1. Charge report should be submitted to all concerned.
2. TA/DA is not allowed.

--- sd ---

District Education Officer (Male)  
Haripur

Endst:No. 2970-79 /F.No 6-6/EB/ Transfer Dated 08 / 04 /2023

**Copy submitted to:-**

1. Advisory to Chief Minister for E&SE KPK with reference to his direction dated: 03-04-2023.
2. Senior District Accounts Officer Haripur.
3. Principal/H concerned.
4. District Monitoring Officer Haripur.
5. EMIS Local Office Haripur.
6. Office record file.

*o/c*  
District Education Officer (Male)  
Haripur.

*Attested*  
*amr*  
District Education Officer (M)  
Haripur

- >>> Office/School MIS
- >> HR MIS
- >> Academics MIS
- >> Notification List
- >> School Self Reporting (SSR)
- >> Monitoring Dashboard
- >> PIC Hiring (Latent Pool)
- >> PIC MIS
- >> Assets MIS
- Textbook Board
- >> Reports
- >> e-Transfer
- >> Task MIS
- >> Monitoring OG
- >> Tablet Inspection
- >> Complaint Section

Employee Details Go Back



PICTURE NOT VERIFIED

Update Profile

Status: **Verified**

Name: MUHAMMAD IBRAHIM

Father: SHAH ZAMAN

CNIC #: 13302-9253967-1

Personnel #: 00247559

Gender: MALE

Domicile: HARIPUR

Station: GHS BADHORA HARIPUR (35331)

Basic Information | Education/Professional Qualification | Posting / Transfer | BPS | Job Type | Cadre Group | Speciality

Family Detail | Bank Detail | Leaves Detail | Training Detail | Documents

Date of Birth:	25-FEB-1972	Date of Entry L...:	10-JAN-1993
Phone #:	03488056556	Mobile # (SMS):	0348-8056556
Marital Status:	MARRIED	Blood Group:	B+
Mother Tongue:	HINDKI	Disability:	
GP Fund:		NTN #:	
Email Address:		Passport #:	
Spouse Emplo...:	Unemployed	Is spouse work...:	
Country:	PAKISTAN	Province:	KHYBER PAKHTUNKHWA
Division:	HAZARA	District:	HARIPUR
Tehsil:	HARIPUR	Union Council:	BEER
NCVC:		Domicile:	HARIPUR
Religion:	ISLAM	Chronic Diseas...:	
Initial recruitm...:	DEPARTMENT	Initial recruitm...:	10-JAN-1993
ESED Appoint...:	OPEN	Dual Nationalit...:	NO
X Coordinate:		Y Coordinate:	
Current Addre...:	Village Kachi Haripur	Permanent Ad...:	Village Kachi Haripur

*Attested*

*[Signature]*

**District Education Officer (SI)**  
**Haripur**



**OFFICE OF THE DISTRICT EDUCATION OFFICER (M)**

**HARIPUR**

Ph. No. 0995-920150, 920151  
Email: [deomalehrp@gmail.com](mailto:deomalehrp@gmail.com)

**AUTHORITY LETTER**

I Mr. Muhammad Tanveer DEO (Male) Haripur do hereby authorized Shakeel Ahmed ADEO Litigation, office of the undersigned for submission of comments/reply in Honorable Khyber Pakhtunkhwa Service Tribunal Peshawar in Service Appeal No. 908/2024 titled Muhammad Ibrahim VS Director, Elementary & Secondary Education others for affidavit and onward submission to Honorable Court on behalf of official respondent.

Muhammad Tanveer  
District Education Officer (M)  
Haripur.