


FORM OF ORDER SHEET

Court of _____

Appeal No. _____

998/2024

S.No.	Date of order proceedings	Order or other proceedings with signature of judge
1.	2	3
1-	19/07/2024	<p>The appeal of Mst. Zahida Azeem resubmitted today by Mr. Kabir Ullah Khattak Advocate. It is fixed for preliminary hearing before Single Bench at Peshawar on 23.07.2024. Parcha Peshi given to counsel for the appellant.</p> <p>By the order of Chairman</p> <p> REGISTRAR</p>

The appeal of Mst. Zahida Azeem received today i.e on 15.07.2024 is incomplete on the following score which is returned to the appellant for completion and resubmission within 15 days.


- 1- Annexures B & E of the appeal are illegible be replaced by legible/better one.
- 2- Copy of cancellation of transfer order dated 20.12.2023 mentioned in letter dated 11.06.2024 is not attached with the appeal be placed on it.

No. 391 /Inst./2024/KPST,

Dt. 19/7 /2024.



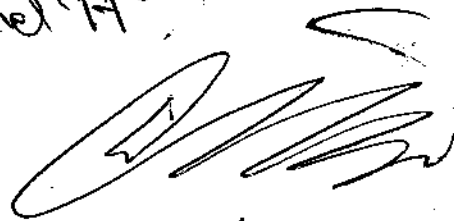
Kabir Ullah Khattak Adv.
High Court Peshawar.



19/7
OFFICE ASSISTANT
SERVICE TRIBUNAL
KHYBER PAKHTUNKHWA
PESHAWAR.

In Response mentioned in para 1
It is stated that objection of Annexure
'B' has been removed while objection
on Annexure 'E' it may kindly
be requisite from Department
with perquisite summons or the
appellant will try to produce the
legible copy.

In Response of objection No 2
Regarding transfer order 20-12-23
which has already been clarified
in Ground 'H'



19/7/24

BEFORE THE KHYBER PAKHTUNKHWA SERVICE TRIBUNAL,
PESHAWAR.

Appeal No. 998 of 2024

Mst. Zahida Azeem D/o Azeem Afridi PSHT GGPS Tamar Khel
Akhurwal TSD, Dara Adam Khel Kohat.

..... Appellant

VERSUS

1. Director Elementary and Secondary Education KPK Peshawar.
2. District Education Officer (F) Kohat.
3. Nusrat Afzal GGPS ^{1492 road} Khel SD, Dara Kohat.

..... Respondents

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5.	Copy of order dated 25.10.2023	A	9
6.	Copy of pre-mature transfer order dated 11.06.2024	B	10
7.	Copy of Departmental appeal and rejection order	C&D	11-13
8.	Copy of attendance register	E	14-17
9.	Wakalat Nama		18

Dated 15.07.2024

Zahida
Appellant

Through

Kabir Ullah Khattak
Kabir Ullah Khattak
Advocate, High Court,
Peshawar

①

BEFORE THE KHYBER PAKHTUNKHWA SERVICE TRIBUNAL,
PESHAWAR.

Appeal No. 998 of 2024

Mst. Zahida Azeem D/o. Azeem Afridi PSHT GGPS Tamar Khel
Akhurwal TSD Dara Adam Khel Kohat.

..... Appellant

VERSUS.

1. Director Elementary and Secondary Education KPK Peshawar.
2. District Education Officer (F) Kohat.
3. Nusrat Afzal GGPS ^{Mgzeed} Khel SD, Dara Kohat.

..... Respondents

APPEAL UNDER SECTION 4 OF THE KPK
SERVICE TRIBUNAL ACT, 1974, AGAINST
THE PRE MATURE IMPUGNED TRASFER
ORDER DATED 11/06/2024 WHEREBY THE
THE APPELLANT WAS TRANSFER FROM
GGPS TAMAR KHEL DARA ADAM KHEL TO
GGPS BAZI KHEL DARA ADAM KHEL
AGAINST WHICH THE APPELLANT FILED
DEPARTMENTAL APPEAL ON 13/06/2024
WHICH WAS REJECTED ON 03.07.2024 ON
NO GOOD GROUNDS.

PRAYER:

On acceptance of the instant Service Appeal the impugned orders dated 11/06/2024 and 03.07.2024 may very graciously be set aside being premature and passed in utter violation of the Constitution, posting/transfer policy of the Government of Khyber Pakhtunkhwa as well as well law laid down by August Supreme Court of Pakistan in various Judgments and the transfer order dated 25.10.2023 may kindly be restore/retained in favor of the appellant along with all back benefits.

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Any other remedy which this august Tribunal deems fit or appropriate in the circumstances of the case not specifically asked may kindly be granted in favor of the appellant

Respectfully Sheweth:

FACTS

The appellant respectfully submits as under:

- 1) That the appellant was initially appointed as PST on 01/09/2003 and performed his official duty with full devotion and hard work and no complaint what so ever was made against the appellant.
- 2) That due to unblemished record the appellant was promoted to PSHT in 2014 and was transferred to GGPS Germany Kally TSD Dara Kohat
- 3) That on 25.10.2023 the appellant was transferred from GGPS Germany Kally to GGPS Qamar Khel TSD Dara Kohat against the vacant post in the best public interest. (Copy of order dated 25.10.2023 is attached as Annexure-A).
- 4) That on 11.06.2024 the impugned pre-mature transfer order was passed whereby the appellant was transferred from GGPS Qamar Khel TSD Dara to GGPS Bazi Khel without any solid reason. (Copy of pre-mature transfer order dated 11.06.2024 is attached as Annexure-B).
- 5) That the appellant submitted Departmental appeal on 13.06.2024 against the pre-mature impugned transfer order dated 11.06.2024 which was rejected on 03.07.2024 on no good grounds. (Copy of

3

Departmental appeal and rejection order are attached as Annexure C & D).

- 6) That feeling aggrieved the appellant prepares the instant Service Appeal before this Hon' able Tribunal inter alia on the following grounds.

GROUND

- A. That the appellant has not been treated in accordance with law and rules hence her rights secured and guaranteed under the Construction of 1973 were badly violated.
- B. That the impugned transfer order dated 11.06.2024 is illegal, unlawful, unconstitutional, and was passed against the transfer posting policy hence may be liable for setting aside.
- C. That the appellant was not treated by the respondents in accordance with law and rules on the subject noted above and as such the respondents violated Article 4 and 25 of the Constitution Islamic Republic of Pakistan 1973.
- D. That the impugned transfer order dated 11/06/2024 and order dated 03.07.2024 are also come under the definition of illegal order because it has been passed against the transfer posting policy.
- E. That there is no illegality on part of the appellant.
- F. That the appellant has already been completed her normal tenure at GGPS Germany Kally Dara.
- G. That the appellant continuously and regularly performed her official duty at GGPS Qamar Khel till issuing the impugned transfer order dated 11.06.2024. (Copy of attendance register is attached as Annexure-E).

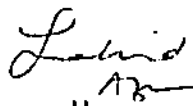
(W)

- H. That the alleged cancellation order dated 20.12.2023 was never been communicated to the appellant and the appellant was unaware regarding the said cancellation order, this fact was known to the appellant after issuing the impugned transfer order dated 11.06.2024.
- I. Any other grounds will be raised at the time of arguments with prior permission of this Hon' able Tribunal.


It is therefore most humbly prayed that on acceptance of the instant Service Appeal the impugned orders dated 11/06/2024 and 03.07.2024 may very graciously be set aside being premature and passed in utter violation of the Constitution, posting/transfer policy of the Government of Khyber Pakhtunkhwa as well as well law laid down by August Supreme Court of Pakistan in various Judgments and the transfer order dated 25.10.2023 may kindly be restore/retained in favor of the appellant along with all back benefits.

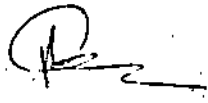
Any other remedy which this august tribunal deems fit that may also onward granted in favor of appellant.

Dated 15.07.2024


Appellant

Through


Kabir Ullah Khattak

Roeda Khan 
Advocate, High Court,
Peshawar.

3

BEFORE THE KHYBER PAKHTUNKHWA SERVICE TRIBUNAL
PESHAWAR.

Appeal No. _____ of 2024

Mst. Zahida Azeem

VERSUS

Director Elementary and Secondary Education
KPK Peshawar & others

AFFIDAVIT

I, Mst. Zahida Azeem D/o Azeem Afridi PSHT GGPS Tamar Khel Akhurwal TSD Dara Adam Khel Kohat do hereby solemnly affirm and declare on oath that the content of the above application are true and correct to the best of my knowledge and belief and nothing has been kept secret and concealed from this Hon'ble Tribunal.


DEPONENT

B

BEFORE THE KHYBER PAKHTUNKHWA SERVICE TRIBUNAL,
PESHAWAR.

Appeal No. _____ of 2024

Mst. Zahida

Versus

Director E&SE KPK Peshawar & others

ADDRESSES OF THE PARTIES

Mst. Zahida Azeem D/o Azeem Afridi PSIT GGPS Tamar Khel
Akhurwal TSD, Dara Adam Khel Kohat.

(Appellant)

1. Director Elementary and Secondary Education KPK
Peshawar.
2. District Education Officer (F) Kohat.
3. Nusrat Afzal GGPS ^{Mazeed} ~~Mazeed~~ Khel SD, Dara Kohat.

Respondents

Kabir Ullah Khattak

Kabir Ullah Khattak

&

Rooeda Khan

Rooeda Khan

Advocates, High Court

Peshawar

2

BEFORE THE KHYBER PAKHTUNKHWA SERVICE TRIBUNAL,
PESHAWAR.

Appeal No. _____ of 2024

Mst. Zahida Azeem D/o Azeem Afridi PSHT GGPS Tamar Khel
Akhurwal TSD Dara Adam Khel Kohat.

..... Appellant

VERSUS

1. Director Elementary and Secondary Education KPK Peshawar.
2. District Education Officer (F) Kohat.
3. Nusrat Afzal GGPS ^{Mazeel} ir Khel SD, Dara Kohat.

..... Respondents

APPLICATION FOR SUSPENSION OF THE
IMPUGNED PRE-MATURE TRANSFER ORDER
DATED 11/06/2024 WHEREBY THE APPELLANT
WAS TRANSFERRED FROM GGPS TAMAR
KHEL DARA ADAM KHEL TO GGPS BAZI KHEL
DARA ADAM KHEL OR STATUS QUO MAY
KINDLY BE GRANTED IN FAVOR OF THE
APPELLANT TILL THE FINAL DISPOSAL OF
THE ACCOMPANYING APPEAL.

Respectfully Sheweth:

- 1) That the petitioner is filing the accompanying appeal:
the contents of which may graciously considered as
integral part and parcel of the instant petition.
- 2) That prima facie case exist in favor of the Petitioner.
- 3) That if the impugned notification as mention above as
not suspended or status quo may not be granted, the
Petitioner will suffer.

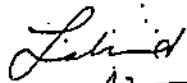
8

- 4) That the balance of convenience is also lies in favor of the Petitioner and her quite sanguine of his success.
- 5) That in the given circumstances the suspension of operation of the impugned notifications or status quo are indispensable.

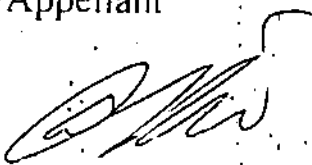

It is therefore most humbly prayed that on acceptance of the instant application the operation of the impugned notification for as mention above may kindly be suspended OR status quo may kindly be granted in favor of the appellant till the final disposal of the accompanying appeal.

Any other relief not specifically asked for may also graciously be extended in favor of the Petitioner in the circumstances of the case.

Dated 15.07.2024


Petitioner / Appellant

Through


Kabir Ullah Khattak
&

Rooeda Khan
Advocates, High Court
Peshawar



Amisine (R) (9)

OFFICE OF THE
DISTRICT EDUCATION OFFICER
(FEMALE) KOHAT



OFFICE ORDER

Mst:Zahida Azeem PSHT GGPS Germany Kelly TSD Darra is hereby transferred to GGPS Tamar Khel Akhurwal TSD Darra on her own request in the best interest of public service.

Note: Charge Report should be submitted to all concerned in duplicate.

No TA/DA is allowed.

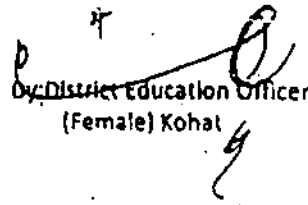
District Education Officer
(Female) Kohat

Lndsl: No. 7173-76

Dated: 25/10 /2023

Copy of the above forwarded to:

- 1 DMO Kohat
- 2 District Accounts Officer, Kohat
- 3 SDEO (FTSD Darra Kohat.
- 4 Accountant Local Office
- 5 official concerned


District Education Officer
(Female) Kohat



Amame (B) (10)

**OFFICE OF THE
DISTRICT EDUCATION OFFICER
(FEMALE) KOHAT**

Consequent upon the transfer proposal received from the SDEO(F) TSD Dara Kohat vide No. 623 dated 9.10.2023 in respect of Mst. Nusrat Afzal PSHT GGPS Mazeed Khel to GGPS Timar Khel, latter on another application in respect of Mst. Zahida Azeem PST for transfer to the same school, received directly to the Dealing Clerk and he put up its first instead of he should put up application of Nusrat Afzal already proposed by the SDEO(F) concerned and Transfer of Mst. Zahida Azeem PSHT GGPS Germany Killay to GGPS Timar Khel ordered vide this office endst: No 7173-36 dated 25.10.2023 due to which Mst. Nusrat Afzal lodged a complaint that she was submitted application through proper channel for transfer but she ignored, therefore temporary adjustment / transfer of Mst. Nusrat Afzal ordered vide this office endst: No 2157-61 dated 11.03.2024 and transfer order of Zahida Azeem cancelled vide 9392-95 dated 20.12.2023 & but she did not complied this order and continued her attendance at GGPS Timar Khel. Furthermore, both the teachers insisted for transfer on the same station i.e. GGPS Timar Khel Dara Kohat. Meanwhile both the teachers approached to the Directress E&SE Department Peshawar and both their application marked to the undersigned back. Hence the under signed constituted an inquiry committee of two officer to prob into the matter and report. Unfortunately, both the inquiry officers submitted their different report so their case along with complete history re-submitted to the Directress for proper decision but received back with the remarks embodied by the worthy Directress that "To decide the matter on your own level"

1. Whereas the application of Mst. Nusrat Afzal PSHT was received 1st in this office through proper channel while another application of Mst. Zahida Azeem received latter and directly.
 2. Whereas Transfer order of Zahid Azeem PSHT was cancelled but she did not obey and ignored this office order.
 3. Whereas an inquiry was conducted regarding the matter but both the inquiry officer submitted their different suggestions/ recommendations.
- In view of the above detail the under signed being a competent authority is please to order the transfer of the following for compliance.

S. No	Name of Teacher	School	Transferred to	Remarks
1.	Nusrat Afzal PSHT	GGPS Mazeed Khel	GGPS Timar Khel	A.V.P
2.	Zahida Azeem PSHT	GGPS Germany	GGPS Bazi Khel	A.V.P

(MST: BIBI RIZWANA)
District Education Officer
(Female) Kohat

Endst: No. _____ / T-2/DM Transfer/2023 Dated Kohat the 11 / 06 / 2024

Copy of the above is forwarded for information and necessary action to:

1. Director E&SED KP Peshawar.
2. District Monitoring Officer Kohat.
2. SDEO(F) TSD Dara Kohat.
3. PA to DEO (F) Kohat.

District Education Officer
(Female) Kohat

Answer © (11)

The Director of F&SD KPK Peshawar
Department of Appeal against
the impugned Transfer Order
Dated: 11.6.2024

Respectfully Sheweth,

That the appellat was initially

appointed as PSI on 1.9.2003 and performed her official
duties with full Devotion and hard work and no complaint;

whatso ever, was made against the appellat.

That due to unshowered record the appellat

was promoted to the post of PSI in 2014 and was

transferred to G/PS Germany Kally TSD Dara Kohat.

That on 25.10.2023 the appellat was

transferred from G/PS Germany Kally to G/PS Tamar

Khal, TSD Dara Kohat against a vacant post in the best

public interest.

That on 11.6.24 the impugned premature transfer

order was passed whereby the appellat was transferred

from G/PS Tamar Khal TSD Dara to G/PS Bary

Khal without valid reason.

That the impugned transfer order Dated 11.6.24

was passed against the Transfer³ posting policy.



Ans No. 12
 DATED 03/07/2021

(12)

That the alleged cancellation order No. 12. 2023 was not communicated to the appellant and she was unaware about the said cancellation order. This fact was known to the appellant after issuing the impugned Transfer Order Dated 11. 6. 2021.

That the appellant continuously and regularly performed her official duty at Gt/PS Tamar Khat till issuing of the impugned Transfer order Dated 11. 6. 2021.

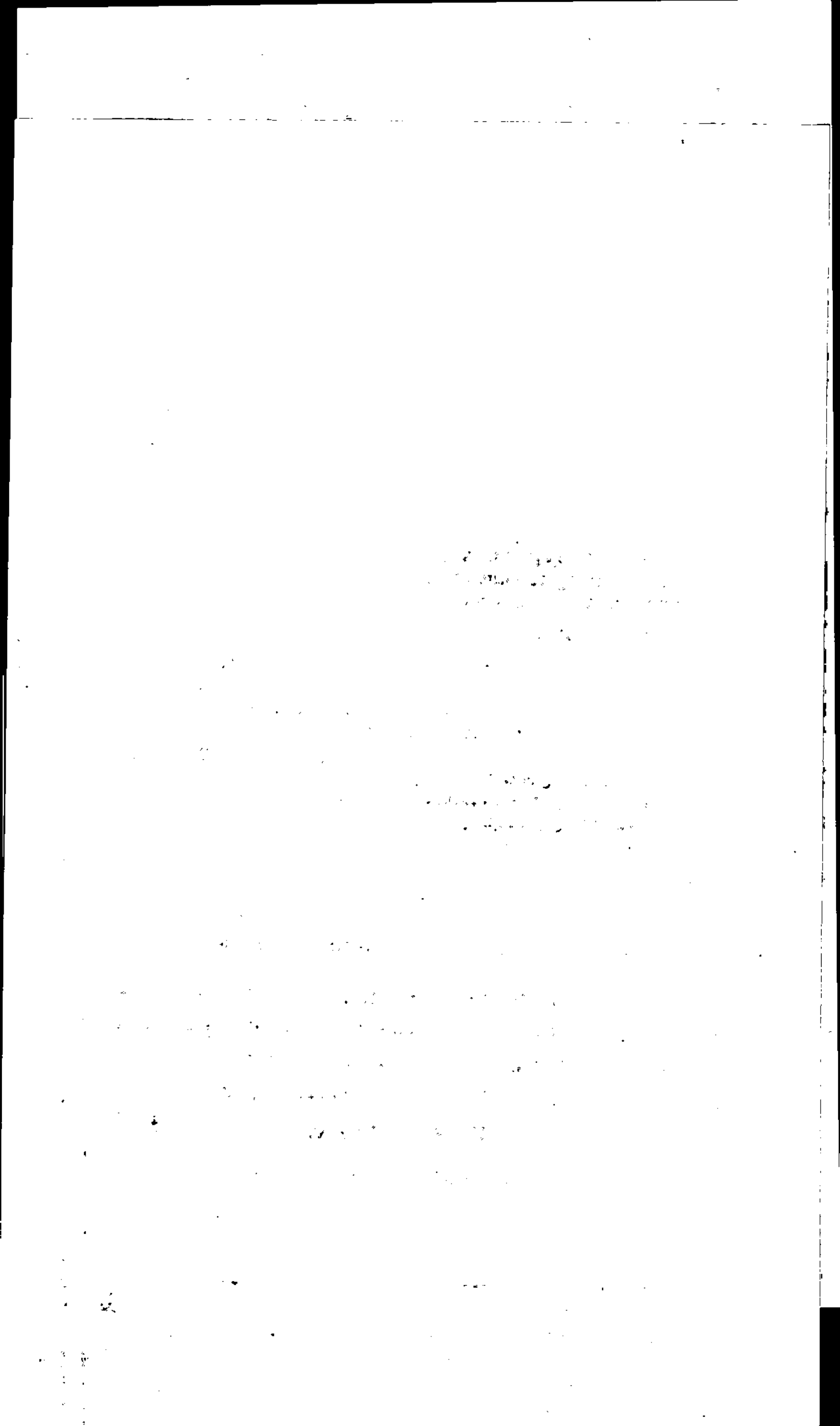
That the appellant has already completed her normal tenure at Gt/PS Greymary Kally TSD Para. It is, therefore, most humbly prayed that on acceptance of the instant Departmental appeal the impugned Transfer Order Dated 11. 6. 2021 may kindly be set aside and the order Dated 25. 10. 2023 may kindly be restored / maintained in favour of the appellant.

Appellant

MST Zahida Azeem Akhidi
 PSII, Gt/PS Tamar Khat
 Date: 13. 6. 2021

HEAD TEACHER
 Govt. Girls Primary School
 Tamar Khat Akhidi

[Signature]



Assume

E 14

در جدول حاضر می‌توانید در مورد آزمون‌های مختلف اطلاعات بیشتری پیدا کنید

ردیف	نام آزمون	تاریخ آزمون	مکان آزمون	نوع آزمون	مدت زمان	نمره	توضیحات
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نام آزمون | تاریخ آزمون | مکان آزمون | نوع آزمون | مدت زمان | نمره | توضیحات

در جدول حاضر می‌توانید در مورد آزمون‌های مختلف اطلاعات بیشتری پیدا کنید

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نام آزمون | تاریخ آزمون | مکان آزمون | نوع آزمون | مدت زمان | نمره | توضیحات

روزنامه سفری هندوستان

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روزنامه سفری هندوستان

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روزنامه کارکنان

(17)

الموت

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نام	تاریخ تولد	تاریخ فوت	سبب فوت	محل دفن	تاریخ تدفین	محل دفن
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روزنامه کارکنان

الموت

ردیف	نام و نام خانوادگی	تاریخ تولد	تاریخ فوت	سبب فوت	محل دفن	تاریخ تدفین	محل دفن	ردیف
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نام	تاریخ تولد	تاریخ فوت	سبب فوت	محل دفن	تاریخ تدفین	محل دفن
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بعدالت هذا استرول پروردگار



Appellant

2024ء منجانب

دادیہ عظیم

مورخہ

مقدمہ

دعویٰ

جرم

بنام راجہ کوش

باعث تحریر آنکہ

مقدمہ مندرجہ عنوان بالا میں اپنی طرف سے واسطے پیروی و جواب دہی وکل کاروائی متعلقہ
آن مقام میں کتاورد کیلئے بکیر اللہ شاہ ریسیدہ خان اور کوش

مقرر کر کے اقرار کیا جاتا ہے۔ کہ صاحب موصوف کو مقدمہ کی کل کاروائی کا کامل اختیار ہوگا۔ نیز
وکیل صاحب کو راضی نامہ کرنے کے تقرر ثالث و فیصلہ پر حلف دیئے جواب دہی اور اقبال دعویٰ اور
بصورت ڈگری کرنے اجراء اور وصولی چیک و روپیہ از عرضی دعویٰ اور درخواست ہر قسم کی تصدیق
زرا میں پر دستخط کرانے کا اختیار ہوگا۔ نیز بصورت عدم پیروی یا ڈگری یکطرفہ یا اپیل کی برآمدگی
اور منسوخی نیز دائر کرنے اپیل نگرانی و نظر ثانی و پیروی کرنے کا محتاج ہوگا۔ از بصورت ضرورت
مقدمہ مذکور کے کل یا جزوی کاروائی کے واسطے اور وکیل یا مختار قانونی کو اپنے ہمراہ یا اپنے بجائے
تقرر کا اختیار ہوگا۔ اور صاحب مقرر شدہ کو بھی وہی جملہ مذکور با اختیارات حاصل ہوں گے
اور اس کا ساختہ پر داخنتہ منظور و قبول ہوگا دوران مقدمہ میں جو خرچہ ہر جائتہ التوائے مقدمہ ہوں گے
سبب سے وہوگا۔ کوئی تاریخ پیشی مقام دورہ پر ہو یا حد سے باہر ہو تو وکیل صاحب پابند ہوں گے۔
کہ پیروی مذکور کریں۔ لہذا وکالت نامہ لکھ دیا کہ سند ہے۔

No. 12345
Palsala
Bee

2024

ماہ جنوری

الرقوم 5/1

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العبد گ واما العبد

Accepted by
[Signature]