

BEFORE THE HONOURABLE KHYBER PAKHTUNKHWA
SERVICE TRIBUNAL PESHAWAR

CM No. ___/2024

IN

Appeal No.1791/2023

Afraiz Ahmed S/O Karam Elahi PSHT, GPS Dhaka Malkot, Circle Berote
Abbottabad.

...APPELLANT

VERSUS

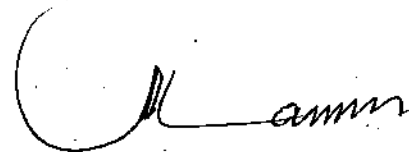
The Director, Directorate of Elementary and Secondary Education,
Peshawar and others.

...RESPONDENT

APPLICATION

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1.	Application with Affidavit	01 to 03	
2.	Copy of withdrawal order dated 10/07/2024	04	"A"
3.	Copy of Legal Notice dated 13-07-2024	05	"B"



(Muhammad Tanveer)
District Education Officer (M)
Abbottabad
(Respondent No. 2)

Dated: 22/07/2024

(1)

BEFORE THE HONOURABLE KHYBER PAKHTUNKHWA
SERVICE TRIBUNAL PESHAWAR

Khyber Pakhtunkhwa
Service Tribunal

CM No. ___/2024

Diary No. 14430

IN

Appeal No. 1791/2023

Dated 23-07-24

Afraiz Ahmed S/O Karam Elahi PSHT, GPS Dhaka Malkot, Circle Berote
Abbottabad.

...APPELLANT

VERSUS

The Director, Directorate of Elementary and Secondary Education,
Peshawar and others.

...RESPONDENT

APPLICATION FOR PLACING OF PROMOTION
WITHDRAWAL ORDER DATED 10/07/2024 ON
HONORABLE TRIBUNAL FILE AND TO SEEKING
PERMISSION FOR FILING OF BETTER COMMENTS
ON BEHALF OF RESPONDENTS

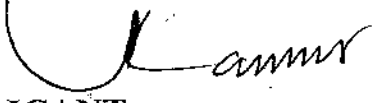
Respectfully Sheweth:-

1. That the service appeal No. 1791/2023 of the appellant is pending for adjudication before this Honourable Tribunal and the next date of hearing is fixed for 23/09/2024.
2. That being respondent No. 2 issued promotion order of appellant vide order Endst: No. 1834-42 dated 26/03/2024 from the post of PSHT to PET which was issued inadvertently in the light of judgment of Supreme Court of Pakistan in CP No. 225-P/2023 whereas said judgment is not applicable in the instant case. Hence, instant

promotion order has been withdrawn vide order
Endst: No. 4901-09 dated 10-07-2024.
Furthermore, appellant has also filed Writ Petition
before Peshawar High Court Abbottabad Bench by
challenging withdrawal order dated 10-07-2024
and sent legal notice to respondent No. 02 through
counsel vide No. Nil dated 13-07-2024. (Copy of
withdrawal order dated 10-07-2024 and Legal
Notice are attached as Annexure "A" & "B"
respectively)

3. That the withdrawal order dated 10/07/2024 is to be placed on the Honorable Tribunal file.
4. That respondent seeks permission to file better comments in the instant case on behalf of respondents.

In view of above it is prayed that withdrawal order dated 10/07/2024 may be ordered to be placed on Honorable Tribunal file and grant permission to file better comments on behalf of respondents.


...APPLICANT
(Muhammad Tanveer)
District Education Officer (M)
Abbottabad
(Respondent No. 2)

Dated: 22/07 /2024

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BEFORE THE HONOURABLE KHYBER PAKHTUNKHWA
SERVICE TRIBUNAL PESHAWAR

CM No. ___/2024

IN

Appeal No.1791/2023

Afraiz Ahmed S/O Karam Elahi PSHT, GPS Dhaka Malkot, Circle Berote
Abbottabad.

...APPELLANT

VERSUS

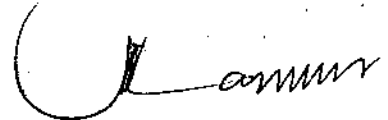
The Director, Directorate of Elementary and Secondary Education,
Peshawar and others.

...RESPONDENT

AFFIDAVIT:-

I, Muhammad Tanveer District Education Officer (Male) Abbottabad,
do hereby solemnly affirm and declare that the contents of foregoing
application are true and correct to the best of my knowledge and belief and
nothing has been concealed therein from this Honourable Tribunal.

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.



(Muhammad Tanveer)
District Education Officer (M)
Abbottabad
(Respondent No. 2)

DEPONENT

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Ans ^{an} A

OFFICE OF THE DISTRICT EDUCATION OFFICER (M) ABBOTTABAD



No. 4901-09 /Sports

Dated: 10/07/2024

☎: 0992-9310102, 0992-330131

✉: DDO.Education.Atd@gmail.com

WITHDRAWAL ORDER

In exercise of powers conferred under Section 21 of General Clauses Act, this office order bearing Endst. No. 1834-42/Sports/Promotion PSHT to PET dated 26-03-2024 is hereby withdrawn ab-initio, which was issued inadvertently in the light of the judgment of Supreme Court of Pakistan in Civil Petition No. 225-P/2023 whereas said judgment is not applicable in the instant case.

[Handwritten Signature]

DISTRICT EDUCATION OFFICER (M)
ABBOTTABAD.

Endst. No. 4901-09

[Handwritten Signature]

Dated: 10/08/2024

Copy for information to:-

1. PA to Director E&SE Khyber Pakhtunkhwa Peshawar
2. PS to Secretary to Govt of Khyber Pakhtunkhwa, E&SED Peshawar
3. Headmaster GHS Khaira, G.A. Abbottabad
4. Headmaster GMS Malkot, Abbottabad
5. District Comptroller of Accounts Abbottabad
6. District Monitoring Officer (DMA) Abbottabad
7. Sub Divisional Education Office (Male) Abbottabad
8. Assistant Director EMIS Branch Local Office
9. Teachers Concerned

[Handwritten Signature]

DISTRICT EDUCATION OFFICER (M)
ABBOTTABAD.

Attacheed

[Handwritten Signature]

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**BEFORE THE PESHAWAR HIGH COURT,
ABBOTTABAD BENCH.**

Writ Petition No: _____ of 2024

- 1) Waseem Ahmed S/O Muhammad Saleem Abbasi, Physical Education Teacher (PET), Government High School Khaira Gali District Abbottabad.
- 2) Afraiz Ahmed S/O Karam Elahi Physical Education Teacher (PET), Government Middle School Malkot District Abbottabad.

Petitioners

Versus

The Government of Khyber Pakhtunkhwa through Secretary (Elementary & Secondary Education), Department, Peshawar and others.

Respondents

**REGISTERED NOTICE FOR INSTITUTION OF WRIT PETITION
BEFORE PESHAWAR HIGH COURT ABBOTTABAD BENCH**

To,

- 1) The Government of Khyber Pakhtunkhwa through Secretary (Elementary & Secondary Education), Department, Peshawar.
- 2) The Director, Directorate of Elementary & Secondary Education Department, Peshawar.
- 3) The District Education Officer (Male), Elementary & Secondary Education Department, Abbottabad.

Respondents

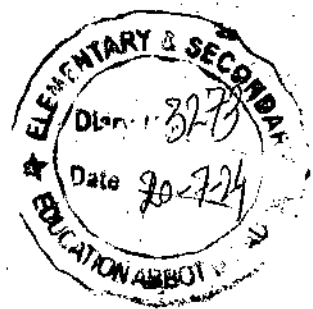
**NOTICE FOR INSTITUTION OF WRIT PETITION BEFORE
PESHAWAR HIGH COURT ABBOTTABAD BENCH**

Please take notice under the law for information and necessary action

That under the instructions of our clients (Waseem Ahmed S/O Muhammad Saleem Abbasi & Afraiz Ahmed S/O Karam Elahi) they are going to file Writ Petition before the Peshawar High Court Abbottabad Bench in response of Withdrawal order dated 10/07/2024 issued under Endst No 4901-09 issued by respondent No 3. (DEO Male Abbottabad) **(Copy of Writ Petition is attached).**

Dated 13/07/2024

..... Petitioners



Through

**(Shahzad Shakoor)
Advocate High Court
Abbottabad.**

Abbott Law Chamber
Office No 06, Ayub Tanoli lawyer plaza
Abbottabad.

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Handwritten notes and signatures on the left side of the page, including a signature and the date '19/7/24'.

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BEFORE THE HONOURABLE KHYBER PAKHTUNKHWA
SERVICE TRIBUNAL PESHAWAR

CM No. ___/2024

IN

Appeal No.1791/2023

Afraiz Ahmed S/O Karam Elahi PSHT, GPS Dhaka Malkot, Circle Berote
Abbottabad.

...APPELLANT

VERSUS

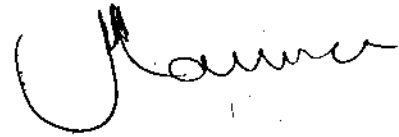
The Director, Directorate of Elementary and Secondary Education,
Peshawar and others.

...RESPONDENT

APPLICATION ON BEHALF OF RESPONDENTS

AUTHORITY LETTER

It is certified that Mr. Alam Zeb, Litigation Officer, District
Education Officer (Male) Abbottabad is hereby authorized to submit CM on
behalf of District Education Officer (Male) Abbottabad in Service Appeal
No. 1791/2024 titled Afraiz Ahmed Vs Govt of KP.



(Muhammad Tanveer)
District Education Officer (M)
Abbottabad
(Respondent No. 02)