



DISTRICT EDUCATION OFFICER FEMALE
NORTH WAZIRISTAN DISTRICT



Phone: (0928) 311907 Email Address: deofemalenwtd@gmail.com

No. 1358-61 /DEO(F)/NWD

Dated 15 /05/2024

To


The Director,
E&SE, Khyber Pakhtunkhwa
Peshawar.

Subject: **COUNTER SIGNATURE OF JOINT PARAWISE COMMENTS.**

Memo:

Enclosed find herewith the joint parawise comments (in original), annexures and duly vetted comments in service appeal No.1866/2022 case titled Mst Nighat shaheen Ex Pst R/O of porana Bazar Karak P/O Tehsil District Karak VSThe Secretary Education (E&SE), Govt of Khyber Pakhtunkhwa; Peshawar, Director Education (E&SE), Govt of Khyber Pakhtunkhwa; Peshawar. District Education Officer (F) District North Waziristan Miranshah.

Therefore it is requested that the above mentioned joint parawise comments may kindly be signed by the worthy director E&SE Khyber Pakhtunkhwa Peshawar being respondent No.2 and further forward to respondent No.1 for signature and return please.


(ANIQA HUMA TOUQEER)
DISTRICT EDUCATION OFFICER (F)
NORTH WAZIRISTAN DISTRICT



Enclst: No _____ DEO(M) /NWD /MRN

Dated: _____/05/2024.

Copy to:

1. Learned Registrar Khyber Pakhtunkhwa Service Tribunal Peshawar.
2. Deputy Secretary (Legal) E&SE Department KP Peshawar.
3. Office Record



DISTRICT EDUCATION OFFICER (F)
NORTH WAZIRISTAN DISTRICT

BEFORE THE KHYBER PAKHTUNKHWA SERVICES TRIBUNAL, PESHAWAR

Appeal No.1866/2022


1. **MST: Nighat Shaheen Ex-PST, R/O Porana Bazar Karak P/O Tehsil District Karak**
-----Appellant

VERSUS

1. The Secretary Education (E&SE), Govt: of Khyber Pakhtunkhwa; Peshawar.
2. Director Education (E&SE), Govt: of Khyber Pakhtunkhwa; Peshawar.
3. District Education Officer (F), District North Waziristan, Miranshah.
-----Respondents.

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(ANIQA HUMA TOUQEER)
DISTRICT EDUCATION OFFICER (F)
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BEFORE THE KHYBER PAKHTUNKHWA SERVICES TRIBUNAL, PESHAWAR

Appeal No.1866/2022

1. **Mst: Nighat Shaheen Ex-PST** , R/O Porana Bazar Karak P/O Tehsil District Karak

-----Appellant

VERSUS

1. The Secretary Education (E&SE), Govt: of Khyber Pakhtunkhwa; Peshawar.
2. Director Education (E&SE), Govt: of Khyber Pakhtunkhwa; Peshawar
3. District Education officer (F), District North Waziristan, Miranshah

----- Respondents.

Comments on behalf of respondent No.2 to 3Khyber Pakhtunkhwa
Service TribunalDiary No. 14481Dated 24-07-24Respectfully Sheweth:Preliminary Objection:

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 concealed material facts from this Honorable Tribunal.
4. That the appellant has been estopped by his own conduct to bring the present appeal.
5. *That the instant appeal is badly time barred.*

On facts:

- 1) That Para-1 pertains to record, hence no further comments.
- 2) That Para-2 of Appeal is incorrect, hence Denied. The appellant Never performed her duty at the said school.
- 3) That Para-3 of the Appeal is Subject to proof .
- 4) That Para-4, No Comments.
- 5) That Para-5 is Incorrect. No departmental Appeal is found on record of Respondent.
- 6) That It is impossible to adjust the appellant on the Following Grounds.
- 7) That appellant is not aggrieved Party, Therefore the instant appeal may kindly be dismissed on the following grounds.

Grounds:

- Incorrect and Denied**, Community Project was for a specific time and that teacher was paid from the PC-I of Concerned Project, Revised time to time.
- Incorrect and Denied**, No community Teacher is on the Strength of the respondent Department.
- As Discussed Earlier**
- Incorrect Discussed in the above Para's**.
- Respondents are also seeking permission of the Honorable Tribunal to produce additional grounds and proofs at the time of Hearing.

Prayer:

In the light of the above stated facts, it is requested to dismiss the case with heavy cost of the appellant.

Director (General)
Director of Secondary (GILLESPIE)
Director of Secondary (GILLESPIE)
Peshawar

Respondent No. 2

Samina Altaf
Samina Altaf
Director of Education (E & SE)
Peshawar

Respondent No.3

Aniqa Huma Fouqeer
Aniqa Huma Fouqeer
District Education officer (F)
North Waziristan
Ullah

BEFORE THE KHYBER PAKHTUNKHWA SERVICES TRIBUNAL, PESHAWARAppeal No.1866/2022

2. **MST: Nighat Shaheen Ex-PST, R/O Porana Bazar Karak P/O Tehsil District Karak**
 -----petitioner

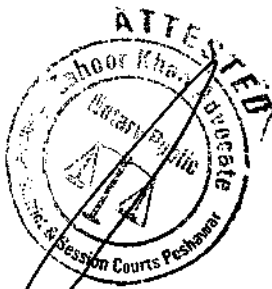
VERSUS

4. The Secretary Education (E&SE), Govt: of Khyber Pakhtunkhwa; Peshawar.
 5. Director Education (E&SE), Govt: of Khyber Pakhtunkhwa; Peshawar.
 6. District Education Officer (F), District North Waziristan, Miranshah.
 -----Respondents.

AFFIDAVIT

I, **Aniqa Huma Touqeer** DEO(F) North Waziristan do solemnly affirm and declare that the comments of respondent No 3 in the APPEAL No 1866/2022 is true and correct to the best of my knowledge and belief and nothing has been concealed from this Honorable Services Tribunal.

Aniqa Huma Touqeer
 (Aniqa Huma Touqeer)
 DISTRICT EDUCATION OFFICER (F)
 NORTH WAZIRISTAN DISTRICT



BEFORE THE KHYBER PAKHTUNKHWA SERVICES TRIBUNAL, PESHAWAR

Appeal No.1866/2022

3. **MST: Nighat Shaheen Ex-PST, R/O Porana Bazar Karak P/O Tehsil District Karak**
-----petitioner

VERSUS

7. The Secretary Education (E&SE), Govt: of Khyber Pakhtunkhwa; Peshawar.
8. Director Education (E&SE), Govt: of Khyber Pakhtunkhwa; Peshawar.
9. District Education Officer (F), District North Waziristan, Miranshah.
-----Respondents.

AUTHORITY LETTER

This office has the Honour to state that Mr. Hafiz Zehfran Ullah has been serving in the District Education Office (F) as Focal Person/Litigation Representative. The undersign has been given the authority to attend any kind of court case, so he may be considered as representative of the DEO (F) North Waziristan.

Respondent No 3


Aniqatouqeer
(ANIQA HUMA TOUQEER)
DIISTRICT EDUCATION OFFICER (F)
NORTH WAZIRISTAN DISTRICT
[Signature]

02.07.2024

01. Nemo for the petitioner. Mr. Arshad Azam, Asstt. AG alongwith Rizwanullah, A.D for the respondents present.

02. Vide order sheet dated 18.04.2024, respondents were placed ex-parte. On 24.05.2024, they submitted an application for setting aside ex-parte proceedings and remission of cost.

03. Application to the extent of setting aside ex-parte proceedings is allowed but the request of remission of cost is not accepted. The respondents are directed to submit reply/comments and cost of Rs. 6000/- on 29.07.2024 before the S.B. PP given to the representative of the respondents.


(Farceha Paul)
Member(E)

Fazle Subhan. P.S