


## Form- A

## FORM OF ORDER SHEET

Court of \_\_\_\_\_

Implementation Petition No. 570/2024

S.No.	Date of order proceedings	Order or other proceedings with signature of judge
1	2	3
1	13.06.2024	<p>The implementation petition of Mst. Raham Bibi submitted today by Mr. Fazal Hadi Advocate. It is fixed for implementation report before touring Single Bench at Swat on 01.07.2024. Original file be requisitioned. AAG has noted the next date. Parcha peshi given to counsel for the petitioner.</p> <p>By the order of Chairman  <b>REGISTRAR</b></p>

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

Implementation Petition No. 570 /2024

In

Appeal No. 2294/2023

Mst: Raham Bibi

VS

District Education Officer  
& Others

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PETITIONER

THROUGH:

*Fazal Hadi*

Fazal Hadi  
ADVOCATE, Peshawar

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

Implementation Petition No. 570 /2024

In

Khyber Pakhtunkhwa  
Service Tribunal

Appeal No. 2294/2023

Diary No. 13506

Dated 13-06-2024

Mst: Raham Bibi (SST) D/o Zamanat Khan  
R/o Brain, Tehsil Puran, District Shangla

.....**PETITIONER**

**VERSUS**

- 1- District Education Officer Shangla, (F) Shangal
- 2- Director Elementary & Secondary Education, Khyber Pakhtunkhwa, Peshawar.
- 3- Mst: Neelam Bibi (PST) BPS-12, R/o Village Ghwrabad, Tehsil Alpuri, District Shangla.

.....**RESPONDENTS**

**IMPLEMENTATION PETITION FOR DIRECTING THE**  
**RESPONDENTS TO OBEY THE JUDGMENT DATED**  
**07/05/2024 IN LETTER AND SPIRIT.**

**R/SHEWETH:**

- 1- That the applicant/petitioner filed Service Appeal bearing No. 2294/2023 along an application for temporary injunction before this August Service Tribunal, which is now fixed for 01/07/2024.
- 2- That the titled case of the applicant/petitioner was heard on 07/05/2024 and certain directions were given to the respondent department, which are as follows:-

***"Appellant submitted an application also for injunction to the effect that the respondents be restrained from filing up the vacant post of SST (Bio Chemistry) BPS-16. Copy handed over to the learned AAG. The respondents are restrained to fill the post till next date."*** Copy of the order dated 07/05/2024 is attached as annexure.....**A**

- 3- That after obtaining copy of the order dated 07/05/2024, the appellant submitted the order of this Honourable Tribunal mentioned above for its implementation to the department concerned, but the respondent department is not willing to obey the order dated 07/05/2024 in letter

and spirit and inspite of clear cut directions, on 06/06/2024 fill the vacant post by transfer of Mst: Saria Bibi SST (B/C). Copy of the office order is attached as annexure.....**B**

- 4- That the appellant has no other remedy but to file this implementation petition.

It is therefore, most humbly prayed that the respondents may be directed to implement the order dated 07/05/2024 in letter and spirit. Any other remedy which this august Tribunal deems fit that may also be awarded in favor of the petitioner.

**APPLICANT/PETITIONER**

Dated: 13-06-2024

THROUGH: *Fazal Hadi*

**Fazal Hadi  
ADVOCATE, Peshawar**

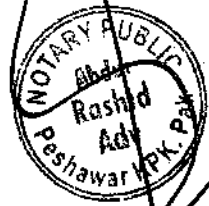
**AFFIDAVIT**

I, Mst: Raham Bibi (the applicant/appellant), do hereby solemnly affirm that the contents of this **Implementation Petition** are true and correct to the best of my knowledge and belief and nothing has been concealed from this Honorable Court.

*Raham*

**DEPONENT**

**ATTESTED**



*13/6/2024*

BEFORE THE KHYBER PAKHTUNKHWA SERVICES TRIBUNAL

PESHAWAR

CM  
IN

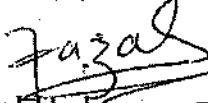
S.A.No.2294/2023

Mst.Raham Bibi (SST) d/o Zamanat Khan  
R/o Brain, Tehsil Puran, District Shangla.....Appellant  
Versus

- 1) District Education Officer Shangla (F) Shangla
- 2) Director Elementary and Secondary Education, Khyber Pakhtunkhwa, Peshawar.
- 3) Mst.Neelam Bibi (PST) BPS-12.  
R/o Village Ghwarband, Tehsil Alpuri District Shangla... Respondents

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Applicant  
Through   
Fazal Hadi  
Advocate,

Dated: 02.05.2024

BEFORE THE KHYBER PAKHTUNKHWA SERVICES TRIBUNAL

PESHAWAR

CM  
IN

S.A.No.2294/2023



Khyber Pakhtunkhwa  
Service Tribunal

Diary No. 12515

Dated 2/5/24

Mst.Raham Bibi (SST) d/o Zamanat Khan  
R/o Brain, Tehsil Puran, District Shangla.....Appellant  
Versus

- 1) District Education Officer Shangla (F) Shangla
- 2) Director Elementary and Secondary Education, Khyber Pakhtunkhwa, Peshawar.
- 3) Mst.Neelam Bibi (PST) BPS-12.  
R/o Village Ghwarband, Tehsil Alpuri District Shangla... Respondents

APPLICATION FOR GRANT OF  
INJUNCTION TO THE EFFECT THAT  
RESPONDENTS BE RESTRAINED FROM  
FILING UP THE VACANT POST OF SST  
(BIO CHEMISTRY) BPS-16.

*Respectfully Sheweth,*

Applicant/ Appellant humbly submits as under:-

- 1) That the titled appeal is pending before this Hon'ble Tribunal wherein next date is yet to be fixed.
- 2) That the respondent No.3 Mst.Neelam Bibi has been transferred from GGHS Sanila, Puran District Shangla to GGHS Bar Shawar District Swat on her pay and scale vide notification dated 22.03.2024. (Copy of notification is attached).
- 3) That after the transfer of respondent No.3 the post of SST (Bio Chemistry) BPS-16 become vacant and the respondents are bent upon to fill the same.

ATTESTED


EXAMINER  
Khyber Pakhtunkhwa  
Service Tribunal  
Peshawar

- 4) That there shall be irreparable loss to applicant, if the post is filled.
- 5) That prima facie case exists in favour of applicant.
- 6) That balance of convenience also lies in favour of applicant.

It is, therefore, humbly requested that respondents may please be restrained from filling the post till decision of above titled appeal.

Applicant

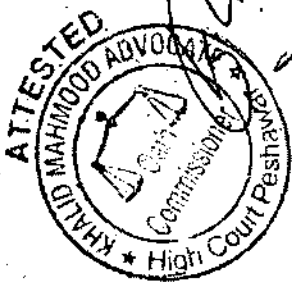
Through

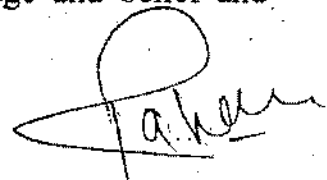
  
Fazal Hadi  
Advocate,

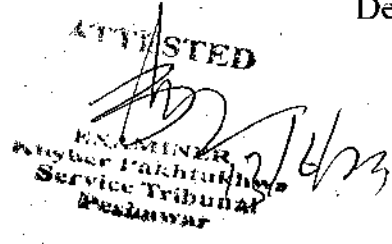
Dated: 02.05.2024

AFFIDAVIT

I, Raham Bibi (appellant), do hereby affirm and declare on oath that the contents of the accompanying Application are true and correct to the best of my knowledge and belief to the best of my knowledge and belief and nothing has been concealed from this Hon'ble Tribunal.



  
Deponent



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

**NOTIFICATION**

Consequent upon approval of the competent authority, Mst. Neelam, SST-B/C GGHS Sanila, Puran District Shangla is hereby transferred and adjusted against the vacant post of SGT-B/C at GGHS Bar Shawar District Swat on her own pay & BPS in the best interest of public service with immediate effect.

**Note:-**

1. Charge report should be submitted to all concerned.
2. No TA/DA is allowed.
3. The promotion quota of district Swat shall not disturb of the said cadre.
4. The DEO(F) Swat is directed to check her original service documents before handing over charge to her.

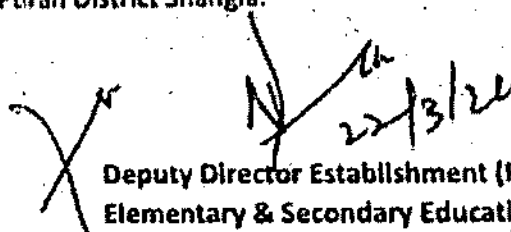
Director  
Elementary & Secondary Education  
Khyber Pakhtunkhwa Peshawar

Endst. No. 3664-6.8 / A-17/Transfer/Swat




Dated Peshawar the 22/3/2024

**Copy of the above is forward to the:-**

1. District Education Officers (F) Shangla & Swat.
2. District Accounts Officers Shangla & Swat.
3. Mst: Neelam, SST-B/C GGHS Sanila, Puran District Shangla.
4. PA to Director (E& SE) Local Office.
5. Master file.

  
Deputy Director Establishment (F)  
Elementary & Secondary Education  
Khyber Pakhtunkhwa Peshawar



50	39378	پشاور بار ایسوسی ایشن، خیبر پختونخوا
فضل صہادی	ایڈوکیٹ:	PESHAWAR BAR ASSOCIATION
بار کونسل ایسوسی ایشن نمبر: 21-3408		
رابطہ نمبر: 0336 9692308		
		

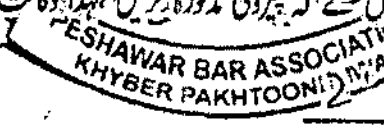
بعدالت جناب: سر جسٹس مہتمم

Petitioner: منجانب:	دعویٰ 2294/2024
دعویٰ نمبر:	
موضوع:	
مقام:	
تھانہ:	

بنام  
ڈی. ای. او سائنس

**بابت تحریر آئکہ**

مقدمہ مندرجہ عنوان بالا میں اپنی طرف سے واسطے پیروی و جواب دہی کارروائی متعلقہ  
 آن مقام کے صاحب کیلئے فضل صہادی ایڈوکیٹ کو وکیل مقرر  
 کر کے اقرار کیا جاتا ہے کہ صاحب موصوف کو مقدمہ کی کل کارروائی کا کالہ اختیار ہوگا، نیز وکیل صاحب کو  
 راضی نامہ کرنے و تقرر ثالث و فیصلہ بر حلف دینے جواب دعویٰ اقبال دعویٰ اور درخواست از ہر قسم کی تصدیق  
 زریں پر دستخط کرنے کا اختیار ہوگا، نیز بصورت عدم پیروی آیا ڈگری یکطرفہ یا اپیل کی برآمدگی اور منسوخی، نیز  
 دائر کرنے اپیل نگرانی و نظر ثانی و پیروی کرنے کا مختار ہوگا اور بصورت ضرورت مقدمہ مذکورہ کے کل یا جزوی  
 کارروائی کے واسطے اور وکیل یا مختار قانونی ہونے کے لئے ہرگز ہرگز تفریق یا امتیاز نہیں ہوگا اور صاحب  
 مقرر شدہ کو وہی جملہ مذکورہ بالا اختیارات حاصل ہوں گے اور اس کا ساختہ پر دستخط منظور و قبول ہوگا  
 دوران مقدمہ میں جو فرچہ ہر جائزہ التوائے مقدمہ کے سبب سے ہوگا وکالی تاریخ پیشی مقام دورہ یا حد سے  
 باہر ہو تو وکیل صاحب باہندانہ ہوں گے کہ پیروی مذکورہ کریں، لہذا وکالت نامہ لکھ دیا تاکہ سند رہے



المرقوم: 105/2024

المقام  
 Attested & Accepted by  
 Fajal Hadi  
 Advocate

15501-2104545-2

نوٹ: اس وکالت نامہ کی وکالی ناقابل قبول ہے۔

07.05.2024



01. Counsel for the appellant present. Mr. Umair Azam, Addl. A.G for the official respondents present. Preliminary arguments heard and record perused.

02. Point raised need consideration. The appeal is admitted to full hearing subject to all just and legal objections by the other side. The appellant is directed to deposit security fee within 10 days. Reply/comments on behalf of official respondents already received. To come up for rejoinder, if any, and arguments on 04.06.2024 before the D.B at camp court, Swat. Parcha Peshi given to the parties.

03. Appellant submitted an application also for injunction to the effect that the respondents be restrained from filing up the vacant post of SST (Bio Chemistry) BPS-16. Copy handed over to the learned AAG. The respondents are restrained to fill the post till the next date.

ATTESTED

EXAMINER  
Khyber Pakhtunkhwa  
Service Tribunal  
Peshawar

(FAREEHA PAUL)  
Member (E)  
Camp Court, Swat

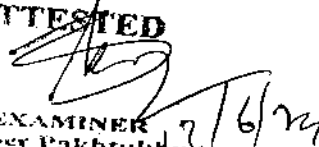
3/6/24

SA 2294/2023




06.05.2024 01. Junior to counsel for the appellant and Mr. Umair Azam, Addl. A.G alongwith Syed Hussain Shah, ADEO (F) Shangla for the official respondents present. Nemo for private respondent No. 3 despite proper service, hence placed ex-parte.

02. Reply/comments on behalf of official respondents received through office, a copy whereof handed over to junior of learned counsel for the appellant, who requested for adjournment on the ground that learned counsel for the appellant is not available today. Granted. To come up for preliminary hearing on 07.05.2024 before the S.B at camp court Swat. PP given to the parties.

**ATTESTED**  
  
EXAMINER  
Khyber Pakhtunkhwa  
Service Tribunal  
Peshawar

\*Fazle Subhan, P.S\*

  
(Fareeha Paul)  
Member(E)  
Camp Court, Swat.

A. No. 2294/2023, Rabani Babi vs Govt

04.06.2024 1. Learned counsel for the appellant. Mr. Muhammad Jan learned District Attorney alongwith Syed Hussain Shah, ADEO for the respondents present.



2. Security fee not deposited. Learned counsel for the appellant is directed to deposit security within three days. Adjourned. To come up for arguments on 01.07.2024 before D.B at Camp Court, Swat.

Parcha Peshi given to the parties.

(Muhammad Akbar Khan)  
Member (E)  
Camp Court, Swat

(Rashida Bano)  
Member (J)  
Camp Court, Swat

Kaleemullah

ATTESTED  
*[Signature]*  
EXAMINER  
Khyber Pakhtunkhwa  
Service Tribunal  
Peshawar

Date of Presentation of Application 13/6/24  
Number of Words 58  
Copying Fee 23/-  
Urgent 5/-  
Total 30/-  
Name of C.A. \_\_\_\_\_  
Date of Cong. 13/6/23  
Date of Deliver. 13/6/23

-11-



**OFFICE OF THE  
DISTRICT EDUCATION OFFICER (F)  
SHANGLA**



Phone: 0996 850686

Email deofshangla@gmail.com

**OFFICE ORDER**

Mst: Saira Bibi SST (B/C) CNIC No. 15505-5452740-4 GGHS Shahpur (34926) is hereby transfer against the vacant post of SST (B/C) in her own pay and grade at GGHS Sanila (34923) in the best interest of the students as well as public.

Note: Charge report is submitted to all concerned.  
No TADA is allowed.

**PARVEEN REHMAN  
DISTRICT EDUCATION OFFICER (F)  
SHANGLA.**

Endst No: 1382-87 /F. No. 17




Dated 06 / 06 / 2024

Copy of the above is forwarded to: -

1. The District Accountants Officer, Shangla.
2. The District Monitoring officer, Shangla.
3. The EMIS Cell Local Office
4. The Headmistress /Incharge concerned.
5. Teacher concerned.
6. Office File.

  
**DISTRICT EDUCATION OFFICER (F)  
SHANGLA.**

**ATTESTED**

39987	پشاور بار ایسوسی ایشن، خیبر پختونخواہ
ایڈویکٹ: <u>فضل ہادی</u>	PESHAWAR BAR ASSOCIATION
بار کونسل ایسوسی ایشن نمبر: <u>BC 21-3408</u>	
رابطہ نمبر: <u>0336-9692309</u>	
	

بعدالت جناب: سروس رٹیشنل سٹاؤم

مخانب:	دعویٰ: <u>S.A 2294/2023</u>
<u>Petitioner</u>	علت نمبر:
<u>ر م نی بی</u>	مورخہ:
<u>بنام</u>	جرم:
<u>ڈی ای - او سٹاٹو ڈیٹو</u>	تھانہ:
<b>باعث تحریر آنکہ</b>	

مقدمہ مندرجہ عنوان بالا میں اپنی طرف سے واسطے پیروی و جواب دہی کارروائی متعلقہ آن مقام سٹاؤم کیلئے فضل ہادی رٹیشنل سٹاؤم کو وکیل مقرر کر کے اقرار کیا جاتا ہے کہ صاحب موصوفہ کو مقدمہ کی کل کارروائی کا کامل اختیار ہوگا، نیز وکیل صاحب کو راضی نامہ کرنے و تقریر نمائندگی و فیصلہ بر حلف دینے جو اب دعویٰ اقبال دعویٰ اور درجہ دست از ہر قسم کی تصدیق زریں پر دستخط کر رہے گا اختیار ہوگا، نیز بصورت عدم پیروی یا ڈگری یا طرفہ یا اپیل کی صورت میں اور منسوخی، نیز دائر کرنے اپیل کرنا اپنی نظر ثانی و پیروی کرنے کا اختیار ہوگا اور بصورت ضرورت مقدمہ کی کل یا جزوی کارروائی کے واسطے اور وکیل یا مختار یا وکیل کو اپنے ہمراہ یا اپنے بجائے تقرر کا اختیار ہوگا اور صاحب مقرر شدہ کو وہی جملہ ذکورہ بالا اختیارات حاصل ہوں گے اور اس کا مسودہ منظور و قبول ہوگا دوران مقدمہ میں جو خرچہ ہو جائے تو اسے مقدمہ کے سبب سے ہوگا یا کوئی تیسری پیشی مقام دورہ یا حد سے باہر ہو تو وکیل صاحب پابندی ہوں گے کہ پیروی کی ذکورہ مگر کسی اور کوکالت نامہ لکھ دیا تاکہ سدر ہے

المرقوم: 13/06/2024

العید کواشد العید

مقام سروس رٹیشنل سٹاؤم کے لئے منظور ہے۔

Attested and accepted

by Fazal-Hadi

Fazal-Hadi Advocate

نوٹ: اس وکالت نامہ کی فوٹو کاپی ناقابل قبول ہوگی۔

15501-2104545-2  
Fazal-Hadi