

BEFORE THE KHYBER PAKHTUN KHWA SERVICE  
TRIBUNAL PESHAWAR.

Service appeal NO. 5967/2021

Ramzan Bibi  
VS  
Govt. Of KPK & others

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Deponent

BEFORE THE KHYBER PAKHTUNKHWA SERVICE  
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VS

Govt. Of KPK & others

PARAWISE COMMENTS ON BEHALF OF  
RESPONDENT NO 1,2&3.

RESPECTFULLY SHEWETH.

Respondent humbly submits as under.

Preliminary objections:

- 1) That the appellant has no cause of action/locus standi to file the instant Service Appeal.
- 2) That the present appeal is bad for non-joinder and mis-joinder of necessary parties.
- 3) That the appellant is estopped by his own conduct to file the instant appeal.
- 4) That the instant appeal is not maintainable in its present form.
- 5) That the present appeal is badly Time barred.

ON FACTS:

- 1) Pertains to the personal record of appellant .
- 2) Para -02 is correct.

- 3) Para -03 is subject to proof.
- 4) Para-04 pertains to record.
- 5) Para-05 pertains to law and rules.
- 6) Para 6 is incorrect, the appellant is at seniority no 183 of the seniority list of C-IV and she will be considered for promotion to junior clerk on his own due turn subject to her seniority cum fitness. Similarly no junior colleague of the appellant has been placed senior to the appellant the private respondents no.4,5 & 6 as objected are at seniority number 199,200 & 201 respectively i.e. lower than appellant.

( copy of seniority list is attached as annexure 'A')

- 7) Para no 7 is incorrect hence denied, no such departmental appeal has been filed as mentioned on dated 25-02-2021, in fact the one as shown annexed is factious one just to cover-up the deficiency and delay of mandatory filing of the departmental appeal.
- 8) Para no 8 is incorrect as appellant is low at seniority position and will be considered on her own due turn. Similarly she is correctly placed at seniority list and the respondents as objected are already low from appellant in the seniority list.

#### ON GROUNDS:

- A)Ground -A is incorrect, the appellant is at seniority no 183 of the seniority list of C-IV and she will be considered for promotion to junior clerk on his own due turn subject to her seniority cum fitness.
- B)Ground -B is incorrect, no junior colleague of the appellant has been placed senior to the appellant as

the appellant as at S.No.183 while the private respondents no.4,5 & 6 as objected are at seniority number 199,200 & 201 respectively i.e. lower than the appellant.

- C) Ground -C is incorrect, appellant has been treated just according to law and rules.
- D) Ground -D is incorrect.
- E) Ground -E is incorrect.
- F) Ground -F is incorrect.
- G) Ground -G is incorrect.
- H) Ground -H is incorrect.
- I) Ground -I is incorrect.
- J) Ground -J is incorrect.
- K) Ground -K is incorrect.
- L) Respondents may also be permitted to raise other grounds in arguments.

It is therefore most humbly prayed that the instant appeal being meritless, vexatious, and erroneous may kindly be dismissed.

RESPONDANTS:

1) Secretary E&SE, KPK

2) Director E&SE, KPK

3) DEO (F), Nowshera

District Education Officer  
(Female) Nowshera

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AFFIDAVITE

I, Amjid Ali Litigation Officer, office of The District Education Officer (F) Nowshera, do solemnly affirm and declare on oath that the contents of Par wise comments on behalf of respondents are true and correct to the best of my knowledge and nothing has been concealed from this Honourable Tribunal.



Deponent

17101-0405306-1

3338135076

Ann C<sup>2</sup>

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OFFICE OF

THE DISTRICT EDUCATION OFFICER (FEMALE) NOWSHERA  
Final Seniority List of Class IV Government Employees Elementary & Secondary Education (Female) District Nowshera

Corrected Up to 30-04-2021

ATTESTED

S. NO	NAME OF SCHOOL	NAME OF CLASS IV	FATHER NAME	DESIGNATION	DOMICILE	RPS	QUALIFICATION	DOB	DATE OF APP	DATE OF ARRIVAL	REMARKS
1	GGPS KAMI NO.1	AJMAL KHAN	ANAM GUL	Chowkidar	Nowshera	4	NI	07/01/1969	19/01/1981	19/01/1981	Yes
2	GGHS NO.1 PABBI	HAZ AHMAD	SAFID GUL	Ma	Nowshera	4	MIDDLE	03/02/1983	03/02/1982	03/02/1982	CHECKED
3	GGPS DUCH KHUWAR	ARAB ALI	NAMDAR KHAN	Chowkidar	Nowshera	4	Primary	10/10/1967	01/11/1987	01/11/1987	Yes
4	GGPS KUTAR PAN	TAHIR ALI	WAHID ULLAH	Chowkidar	Nowshera	4	NI	28/12/1967	01/11/1987	01/11/1987	
5	GGPS SURYA KHEL MANIQ SHARIF	SAJID KHAN	SHARIF KHAN	Chowkidar	Nowshera	4	NI	1968	08/04/1987	08/04/1987	correct
6	GGPS KHESHGI PAYAN NO2	MUHAMMAD FAROOQ	SARAF KHAN	Chowkidar	Nowshera	4	SSC	10/09/1963	08/10/1987	08/10/1987	
7	GGPS NO.1 KANDI TAZA DIN	LAQAT KHAN	KARIM KHAN	Chowkidar	Nowshera	4	NI	01/01/1963	08/11/1987	11/11/1987	Correct
8	GGPS JARDBA	KHUSHDIL	GUL HUSSAIN	Chowkidar	Nowshera	4	NI	01/07/1967	08/11/1987	21/11/1987	Correct
9	GGPS AZAKHEL BALA NO.01	UBAID ULLAH	SHAH KHU DIN	Chowkidar	Nowshera	4	NI	11/01/1965	11/01/1987	11/01/1987	corrected
10	GGPS NARRI	GHULAM FAROOQ	FATHE KHAN	Chowkidar	Nowshera	4	NI	01/01/1967	16/11/1987	16/11/1987	Yes
11	GGPS NO.1 BALEH KHANA	ZAHID GUL	WAZIR GUL	Chowkidar	Nowshera	4	NI	13/02/1967	16/11/1987	16/11/1987	Correct
12	GGPS NO.1 JALLOZI	MUMTAZ ALI	AZAM DIN	Chowkidar	Nowshera	4	NI	07/12/1969	16/11/1987	16/11/1987	Correct
13	GGPS WALI NO.01	KHITAB GUL	MEHRAB GUL	Chowkidar	Nowshera	3	NI	17/11/1958	17/11/1987	17/11/1987	RETIRED
14	GGPS BANDA MULLAKHAN	MEHTAB UD DIN	AFTAB UD DIN	Chowkidar	Nowshera	4	NI	01/07/1964	25/11/1987	01/11/1987	Disputed Order & charge Report
15	GGPS ASHOOR ABAD	M AYAZ	SHER REHMAN	Chowkidar	Nowshera	4	NI	02/10/1965	25/11/1987	05/12/1987	Correct
16	GGHS KHESHGI PAYAN	BAKHITAR ALI	ABDUL GHAFDOR	Lab Attd	Nowshera	4	NIL	11/01/1967	25/11/1987	01/11/1987	Difference/EDU FORM LIST
17	GGPS ASHOOR ABAD	MUHAMMAD AYAZ	SHER REHMAN	Chowkidar	Nowshera	4	NI	02/10/1965	12/05/1987	12/05/1987	correct
18	GGMS SPIN KHURD ZIARAT KAKA SAHIB	SAJID GUL	MEHRAB GUL	NI	Nowshera	3	PRIMARY	04/08/1970	12/05/1987	12/05/1987	correct
19	GGPS NO.1 WAZIR GARHI	MUHTARAM SHAH	MUHARAM KHAN	Chowkidar	Nowshera	4	NI	15/12/1963	14/12/1987	14/12/1987	Correct
20	GGPS HIBARTAND	ZULFIQAR ALI	KHAN WALI	Chowkidar	Nowshera	4	NI	01/01/1963	21/12/1987	23/12/1987	Yes
21	GGPS MARHATRI NO.1	RIAZ ALI KHAN	SABZ ALI KHAN	Chowkidar	Nowshera	4	NI	22/03/1968	28/12/1987	31/12/1987	Yes
22	GGMS SHAHI ABAD	ABDUL GHANI	KHALIL UR REHMAN	Chowkidar	Nowshera	4	NI	07/01/1962	31/12/1987	01/01/1988	Yes
23	GGPS MALI KHEL BALA	QADAR GUL	ZAREEN GUL	Chowkidar	Nowshera	4	NI	01/01/1968	18/01/1988	18/01/1988	Yes
24	GGPS DARWAZGI	FAQEER MUHAMMAD	KHALIFA KHAN	Chowkidar	Nowshera	4	NI	07/01/1962	22/02/1988	22/02/1988	Yes
25	GGPS SHAWANGI	HIZAR ALI KHAN	MUMTAZ KHAN	Chowkidar	Nowshera	4	NI	01/01/1964	23/02/1988	04/02/1982	Yes
26	GGPS MASAM KHEL	WAZIR GUL	LITAB GUL	Chowkidar	Nowshera	4	NI	1968	28/03/1988	13/12/1988	Yes

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176	GGHS BARA BANDA	MASWAD ALI	SHAMSHER KHAN	N/Q	Nowshera	4	NI	01/07/1979	26/11/1998	27/11/1998	Correct
180	DEO F NOWSHERA	MUHAMMAD TARIQ	ARMAN RADSHA	(N/Q)	Nowshera	4	SSC	03-12-19C3	11/26/1998		
177	GGPS TDHA	SABZ ALI	RAEES KHAN	Chowkdar	Nowshera	4	NI	01/01/1982	12/10/1998	13/10/1998	Yes
174	GGPS GUL DIN KORONA	BARKAT KHAN	MIRA KHAN	Chowkdar	Nowshera	4	NI	01/07/1988	12/10/1998	16/10/1998	Correct
179	GGPS MANERI	IP/IKHAR MUHAMMAD	GHANI MUHAMMAD	CHOWKIDAR	Nowshera	4	NI	13/10/1972	12/10/1998	13/12/1998	Yes
180	GGHSS AZAKHEL BALA	MUKAMIL KHAN	MIR AHMAD KHAN	BEHESHTI	Nowshera	4	NIL	01/08/1967	16/12/1998	16/12/1998	CHECKED/EDU FRM LIST
181	GGHS ABC CENTER NOWSHERA	MOHAMMAD ZAKIR	GUL PASAND KHAN	CHOWKIDAR	Nowshera	4	NIL	12/06/1976	16/12/1998	16/12/1998	CHECKED
182	GGMS BAGHSAN PURA	MUHAMMAD SIRAJ	MUHAMMAD AFZAL	N/Q	Nowshera	3	Matric	03/01/1972	01/06/1998	03/06/1999	CHECKED
183	GGCMC RIFAQAT ABAD	SYED SHEHZADA ANZAR	SYED RIFAQAT ALI SHAH	N/Q	Nowshera	4	Matric	28/04/1978	01/06/1998	01/06/1999	Yes
184	GGCMS RIFAQAT ABAD	SHEHZADI SOBIA ANEES SYEDA	SYED RIFFAT ALI SHAH	Callr	Nowshera	4	Matric	30/04/1978	01/08/1999	01/08/1999	Yes
185	GGHSS AZAKHEL PAYAN	JEHAN ZAMEER	FAZAL ZAMEER	N/Q	Nowshera	4	NI	01/01/1972	02/06/1998	04/06/1999	CHECKED/EDU FRM LIST
186	GGPS AHMAD NAGAR	RAFTAR	TAJ MUHAMMAD	Callr	Nowshera	3	NI	01/01/1969	16/02/1999	16/02/1999	Corrected
187	GGHSS KHAIRABAD	SHAHNAWAZ	NADIR KHAN	N/Q	Nowshera	4	Middle	17/2/1975	18/02/1999	19/02/1999	CHECKED/EDU FRM LIST
188	GGHS ABC CENTER NOWSHERA	RAMZAN BIBI	LALZADA	Lab Admt	Nowshera	4	SSC	01/02/1968	18/02/1999	18/02/1999	CHECKED
185	GGHSS NOWSHERA KALAN	ROOBI	ATTAR-REHMAN	Lab Admt	Nowshera	4	F.A	22/08/1978	19/02/1999	22/02/1999	CHECKED
180	GGHSS NOWSHERA KALAN	WASEEM GUL	TAZA GUL	Lab/lt	Nowshera	4	NIL	01/07/1961	26/02/1999	01/03/1999	CHECKED
191	GGMS MAJAN ABAD	BAKHT BAZ ALI	MAKEEM KHAN	SWEOPER	Nowshera	3	NI	04/01/1981	27/02/1999	08/03/1999	CHECKED
192	GGHS HISARTANG	GUL WAMD	NADIR KHAN	N/Q	Nowshera	4	SSC(3RD DIV)	30/01/1978	20/03/1999	28/03/1999	CHECKED
193	GGHSS AKORA KHATTAK	SHAHIMAKHTAR	SHAH WALI KHAN	Lab Admt	Nowshera	4	NIL	01/01/1972	26/03/1998	31/03/1999	CHECKED/EDU FRM LIST
184	GGHS AMANKOT	MANZOOR KHAN	GHAZI KHAN	SWEOPER	Nowshera	4	PRIMARY	01/01/1978	15/04/1999	16/04/1999	CHECKED/EDU FRM LIST
185	GGHS AMANKOT	ADNAN ALI	FARMAN ALI	N/Q	Nowshera	4	NIL	10/02/1981	15/04/1998	16/04/1998	CHECKED/EDU FRM LIST
196	GGPS ABA KHEL WALI	BAHADER JAN	AHMAD JAN	Chowkdar	Nowshera	4	NI	1973	24/04/1999	24/04/1999	corrected
197	GGPS KANA KHEL NO.02	ABDUL QAYOUM	KHAKJ JAN	Chowkdar	Nowshera	4	NI	1973	05/03/1999	05/03/1999	corrected
198	GGHS KANA KHEL	MUSTAQIM	MISKEN KHAN	Sweeper	Nowshera	4	NIL	18/06/1977	05/06/1999	05/06/1999	CHECKED/EDU FRM LIST
199	GGHS KANA KHEL	MUSTAKIR KHAN	MIR ALAM KHAN	Nab Guard	Nowshera	4	S.S.C	10/06/1977	05/06/1999	05/06/1999	CHECKED/EDU FRM LIST
200	GGPS MERA SPIN KHAK	SIRAJ ALI	SABZ ALI	Chowkdar	Nowshera	4	NI	1968	24/05/1999	24/05/1999	No
201	GGPS MAROABA	MEHRAN GUL	ARAZ GUL	Chowkdar	Nowshera	3	Primary	1968	24/05/1999	24/05/1999	No
202	GGHSS AKORA KHATTAK	MAQBOOL BEGUM	SHEER GUL	Sweeper	Nowshera	4	NIL	01/01/1962	27/05/1998	01/06/1999	CHECKED/EDU FRM LIST
203	GGPS SAKANDAR ABAD	AMIR ZAMIN	ABDUL MATEEN	Chowkdar	Nowshera	4	NI	01/01/1972	26/05/1998	26/05/1999	
204	GGPS NO.2 BALEH KHANA	MUHAMMAD MUNIB	KHAN ZADA	Chowkdar	Nowshera	4	FA	01/08/1970	24/06/1998	28/06/1999	SDEO is required to make an entry in

TESTED