

**BEFORE THE HONOURABLE SERVICE TRIBUNAL KHYBER**  
**PAKHTHONKHAWA PESHAWAR**

APPEAL NO. 8815/2020

Sonia bibi

.....Appellant


**VERSUS**

Government of KPK& Others

.....Respondent

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DISTRICT EDUCATION OFFICER (FEMALE)  
KOLAI PALLAS KOHISTAN

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**BEFORE THE HONOURABLE SERVICE TRIBUNAL**  
**KHYBER PAKHTUNKHAWA PESHAWAR**

APPEAL NO. 8815/2020

Sonia Bibi, Ex PST Government Girls Primary School, Goshali District Kohistan

.....Appellant

**VERSUS**

- 1) Government of KPK through secretary E&SE KPK
- 2) Director Education E&SE KPK
- 3) District Education Officer female Kolai Palas Kohistan

Khyber Pakhtunkhwa  
Service Tribunal

Registry No. 14408

Date: 22-07-2024

...Respondents

**Joint Para-wise comments on behalf of respondents**

**Respectfully Sheweth:**

**Preliminary objections**

- 1) That the appellant has no cause of action/locus standi to file the instant appeal.
- 2) That the appellant has concealed the material facts from the honorable tribunal
- 3) That the appellant has not come to this honorable tribunal with clean hands.
- 4) That the appellant has filed the instant appeal on mala fide grounds.
- 5) That the appellant appeal is against the prevailing law and rule.
- 6) That the appellant is estopped by his own conduct to file instant appeal.
- 7) That the claim of the appellant is unlawful, hence the appeal is liable to be dismissed.
- 8) That the appeal is barred by law and limitations.

**FACTUAL OBJECTIONS**

1. Para No.1 of the appeal relates to appellant's service record.
2. In reply to Para No.2 of the service appeal that there no record regarding the service and departmental proceedings of the appellant in the office of the DEO

(F) Kolai Palas Kohistan nor she remained on the strength of District Education officer Kolai Palas Kohistan. The appellant already mentioned her posted station as GGPS Goshali Kohistan Upper but later on she claimed that she was serving at GGPS Muhammad Abad Kolai Palas Kohistan at the time of removal from service while there is no record found about her service in the said District. The appellant has not filed departmental appeal nor she attended the office of the DEO (F) Kolai Palas Kohistan till now and no any kind of her record found in the office of District Education officer Female Kolai Palas Kohistan. In this regard the DEO (F) Kolai Palas Kohistan already issued letter for record provision but in vain therefore the case is completely unknown to DEO female Kolai Palas Kohistan. **(copy of Letter is attached as A )**

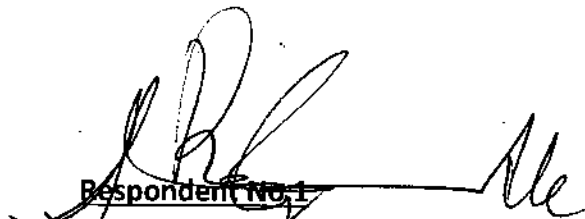
3. Para No.3 of the appeal is incorrect hence denied no appeal has been filed by the appellant as there is no any official dispatch/diary Number present on the attached departmental appeal which also the appeal is badly time barred by more than 5 years.
4. Para No.4 is incorrect hence denied as there is no any kind of such record exist in the office of the DEO (F) Kolai Palas Kohistan.
5. Para No.5 is incorrect hence denied as appellant has got no cause of action to file the instant appeal.

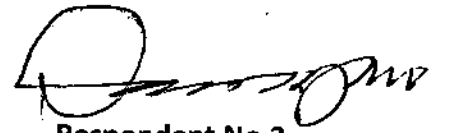
### **GROUNDS**


- A. Para of the ground 'A' is incorrect hence denied as no record of service of the appellant is exist in the office of the DEO (F) Kolai Palas Kohistan and the appellant has misrepresented the Honorable court on her presented affidavit before Honorable court again and again regarding her service which make the matter doubtful too. **(Two different misrepresented affidavits produced before Honorable court are attached as B&C)**
- B. B) Para of ground 'B' is incorrect hence denied as the reply is already given in above para A of grounds.
- C. Para of ground 'C' is incorrect hence denied as the reply is already given in above para No.2 of facts.

- D. Para of the ground 'D' is incorrect hence denied as the reply is given in above para a of ground.
- E. Para of the ground E is incorrect hence denied as reply is given in above Paras.
- F. Para of the ground E is incorrect hence denied as the reply is given in above para No. 2 of facts.
- G. Para of the ground 'G' is incorrect hence denied as reply is given in above para.
- H. Para of the ground 'H' is incorrect hence denied as reply is given in above Para's.
- I. Para of the ground 'I' is incorrect hence denied reply already given in above Paras.
- J. No need comments reply already given

It is therefore humbly prayed that in the light of forgoing comments the appeal may graciously be dismissed with cost throughout.

  
**Respondent No.1**  
Secretary Education.E&SE KPK  
(Abdul Akram)

  
**Respondent No.2**  
Director Education E&SE KPK  
(Abdus Samad)

  
**Respondent No. 3**  
District Education officer Female  
Kolai Palas Kohistan  
(Aishia Saeed)

**BEFORE THE HONOURABLE SERVICE TRIBUNAL KHYBER**  
**PAKHTHOONKHAWA PESHAWAR**

APPEAL NO. 8815/2020

Sonia Bibi ex-PST

.....Appellant

VERSUS

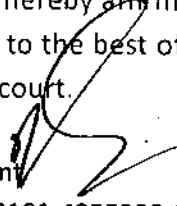
Government of KPK& Others

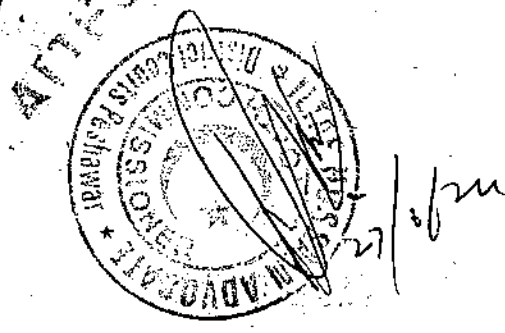
.....Respondent

**AFFIDAVIT**

I Aishia Saeed District Education Officer (F) Kolai palas kohistan do hereby affirm do and declare of oath that contents of Para wise comments are true and correct to the best of my knowledge and believe that no thing has been concealed from this honorable court.

*It is further stated on oath that the answering respondents have neither been placed ex-parte nor their defence struck off/cost*

Deponent   
CNIC: 13101-4255390-6



S - A

OFFICE OF THE DISTRICT EDUCATION OFFICER  
(FEMALE) DISTRICT KOLAI PALLAS KOHISTAN

No 8539 DEO F KP KH

Dated 15/3/2023

To,

The District Education officer (Female)  
Upper kohistan.

Subject: PROVISION OF RECORD.

Memo.

Reference service Appeal No.8815/2020 dated 22 February 2023, on the subject cited above, You are requested to provide relevant record /service book of the teacher concerned a/w all record of disciplinary /court proceeding up till now at the earliest, as to prepare comments for onward submission to the quarter concerned please.

Copy of service appeal Notice attached for your ready reference.

*[Signature]*  
District Education Officer  
(Female) Kolai Pallas Kohistan

Endst: No. 8560-62/DEO (F) KP KH Dated Pallas the 15/3/2023

Copy of the above is forwarded to the:-

1. PA to Director E&SE Khyber Pakhtunkhwa Peshawar.
2. Deputy Commissioner Kolai Pallas Kohistan.
3. Office Copy.

*[Signature]*  
District Education Officer  
(Female) Kolai Pallas Kohistan

No. 138

For Insurance Notices see reverse.  
Sta<sup>d</sup> except in case of  
uninsured RGL105988538 than  
the initial weight present in  
Post Office Guide or on which no  
acknowledgement is due.

Received & registered  
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*[Signature]*

Date Stamp

Initials of Receiving Officer  
\*Write here "letter", "postcard", "packet" or "parcel"  
with the word "insured" before it when necessary.

Insured for Rs. (in figures)

(in words)

Insurance fee Rs.

Ps.

Weight

Kilo

Name and  
address  
of sender

*[Signature]*

*[Large Handwritten Signature]*

BEFORE THE SERVICE TRIBUNAL  
K.P.K PESHAWAR

Service appeal No \_\_\_\_ of 2020

Mst. Sonia Bibi .....Appellant

**VERSUS**

Director Elementary and Secondary  
Education Peshawar etc .....Respondents

APPEAL

AFFIDAVIT

I, Mst, Sonia Bibi, Ex-Primary School Teacher at  
Government Girls Primary School, Goshali  
Tehsil Dassu, District Kohistan upper, do hereby  
solemnly affirm and declare on oath that there  
is no such subject matter appeal has ever been filed  
before this honorable court nor pending nor  
decided. That the contents of fore-going affidavit  
are true and correct to the best of my knowledge  
and belief and nothing has been concealed or  
suppressed from this Honourable tribunal.

*Handwritten signature*

Dated: 11.07.2020

*Handwritten signature*  
15/7/2020

SONIA BIBI  
(DEPONENT)

*Handwritten signature*

(7) - (C)

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**BEFORE THE KPK SERVICE TRIBUNAL**  
**KPK PESHWAR**

Mst Sonia Bibi .....Appellant

**VERSUS**

Director Elementary and Secondary  
Education Peshawar etc.....Respondents

**CM**

**AFFIDAVIT!**

I, SONIA BIBI, EX PRIMARY SCHOOL TEACHER AT GOVERNMENT GIRLS PRIMARY SCHOOL MUHAMMAD ABAD, TEHSIL PALLAS, DISTRICT KP KOHHISTAN, DO HEREBY SOLEMNLY AFFIRM AND DECLARE THAT THE CONTENTS OF FORE-GOING APPLICATION/CM FOR STAY ARE TRUE AND CORRECT TO THE BEST OF MY KNOWLEDGE AND BELIEF. NOTHING HAS BEEN CONCEALED OR SUPPRESSED FROM THIS HON'BLE COURT.

Dated :09.12.2022

*Sonia Bibi*  
(DEPONENT)

SONIA BIBI

CNIC 41304-7509198-0

*Almas*  
*MJ*

*Sube*  
*12/12/22*