


Form- A

FORM OF ORDER SHEET

Court of _____

Implementation Petition No. 1079/2024

S.No.	Date of order proceedings	Order or other proceedings with signature of judge
1	2	3
1	20.09.2024	<p>The implementation petition of Mst. Shamrana Bibi submitted today by Mr. Mir Zaman Safi Advocate. It is fixed for implementation report before Single Bench at Peshawar on 30.09.2024. Original file be requisitioned. AAG has noted the next date. Parcha Peshi given to counsel for the petitioner.</p> <p>By order of the Chairman  REGISTRAR</p>

BEFORE THE KHYBER PAKHTUNKHWA SERVICE TRIBUNAL,

PESHAWAR.

E.P NO. _____/2024

Shamshara BIBI

vs Education Deptt.

APPLICATION FOR FIXATION OF THE ABOVE TITLED *E.P* AT
PRINCIPAL SEAT, PESHAWAR

Respectfully Sheweth:

1. That the above mentioned *E.P* is pending adjudication before this Hon'ble Tribunal in which no date has been fixed so far.
2. That according to Rule 5 of the Khyber Pakhtunkhwa Service Tribunal Rules 1974, a Tribunal may hold its sittings at any place in Khyber Pakhtunkhwa which would be convenient to the parties whose matters are to be heard.
3. That it is worth mentioning that the offices of all the respondents concerned are at Peshawar and Peshawar is also convenient to the appellant/applicant meaning thereby that Principal Seat would be convenient to the parties concerned.
4. That any other ground will be raised at the time of arguments with the permission of this Hon'ble tribunal.

It is therefore prayed that on acceptance of this application the *E.P.* may please be fixed at Principal Seat, Peshawar for the Convenience of parties and best interest of justice.

Appellant/Applicant

Dated: _____

Through

M. Juss.
MIR ZAMAN SAFI

BEFORE THE KHYBER PAKHTUNKHWA SERVICE TRIBUNAL
PESHAWAR

Implementation Petition No. 1079 /2024
In

Appeal No. 327/2023

MST. SHAMRANA BIBI VS **EDUCATION DEPTT**

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PETITIONER/APPLICANT

THROUGH:


MIR ZAMAN SAFI
ADVOCATE

MOBILE NO.0333-9991564
0317-9743003

①

BEFORE THE KHYBER PAKHTUNKHWA SERVICE TRIBUNAL
PESHAWAR

Implementation Petition No. 1079 /2024
In

Khyber Pakhtunkhwa
Service Tribunal

Diary No. 15948

Appeal No. 327/2023

Dated 20/9/24

Mst. Shamrana Bibi, Theology Teacher,
GGHSS Bilawar Khan, District Bannu.

.....APPELLANT

VERSUS

- 1- The Secretary (E&SE) Department, Khyber Pakhtunkhwa, Peshawar.
- 2- The Director (E&SE) Department, Khyber Pakhtunkhwa, Peshawar.
- 3- The District Education Officer (Female), District Bannu.
- 4- The District Accounts Officer, District Bannu.

.....RESPONDENTS

IMPLEMENTATION PETITION FOR DIRECTING
THE RESPONDENTS TO OBEY THE JUDGMENT
OF THIS AUGUST TRIBUNAL DATED 15.07.2024 IN
LETTER AND SPIRIT

R/SHEWETH:

- 1- That the petitioner filed Service appeal bearing No. 327/2023 before this august Service Tribunal for the release of salaries w.e.f the month of august, 2020.
- 2- That appeal of the petitioner was finally heard by this august Tribunal on 15.07.2024 and was decided in favor of the petitioner vide judgment dated 15.07.2024 with the directions to the respondents that *"We deem it appropriate to direct the respondents to consider the appeal of the appellant by treating the contents of this appeal as part of the said application of the appellant and to pass a speaking and well-reasoned order after providing fair opportunity of hearing to the appellant within a period of sixty days from the receipt of this order under intimation to the Tribunal through it Registrar"*. Copy of the judgment is attached as annexure.....A.
- 3- That after obtaining attested copy of the judgment dated 15.07.2024 the petitioner submitted the same before the respondents for implementation and as such the respondent No.3 i.e. the District Education Officer (F) sought guidance from the respondent No.2 i.e. the Director E&SE Department who has issued the Notification dated 13.09.2024 but despite that the respondent No.3 has not been implemented the said judgment of

②

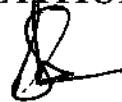
this august Tribunal in letter and spirit. Copies of the judgment, letter and Notification are attached as annexure.....A, B & C.

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

It is, therefore, most humbly prayed that on acceptance of this implementation petition the respondents may very kindly be directed to implement the judgment of this august Tribunal dated 15.07.2024 in letter and spirit. Any other remedy which this august Tribunal deems fit that may also be awarded in favor of the petitioner.

Dated: 20.09.2024.

PETITIONER



SHAMRANA BIBI

THROUGH:



**MIR ZAMAN SAFI
ADVOCATE**

3

BEFORE THE KHYBER PAKHTUNKHWA SERVICE TRIBUNAL
PESHAWAR

Implementation Petition No. _____/2024
In

Appeal No. 327/2023

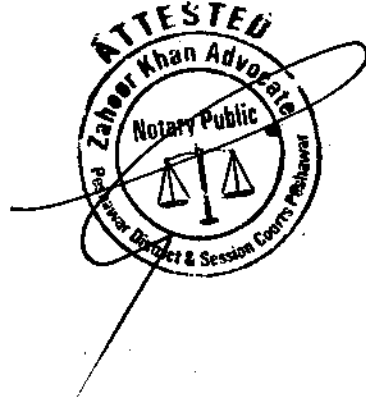
MST. SHAMRANA BIBI

VS

EDUCATION DEPTT:

AFFIDAVIT

I **Mir Zaman Safi, Advocate** on behalf of the petitioner, 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 Tribunal.



Mir Zaman Safi
MIR ZAMAN SAFI
ADVOCATE

20 SEP 2024

'A'

(4)



BEFORE THE PROVINCIAL SERVICE TRIBUNAL, KPK, PESHAWAR.

Service Appeal No. 327 /2023

Mst. Shamarana (Theology Teacher)
Government Girls Higher Secondary School Bilawar Khan, Bannu
R/o Zarkhani Kaley, P.O. Azeem Qala, Khandar Khan Khel,
Tehsil Domail, District Bannu..... Appellant

Versus

- 1) Secretary to Government of Khyber Pakhtunkhwa
Elementary & Secondary (E&S) Education Department,
Peshawar.
- 2) Director Elementary & Secondary (E&S) Education
Department, Peshawar.
- 3) District Education Officer (Female) Bannu.
- 4) District Accounts Officer, Bannu..... Respondents

**Appeal u/s 4 of the K.P Service Tribunal
Act, 1974 for release of pay to the
appellant w.e.f. the month of August,
2020 till date.**

PRAYER:

Keeping in view what has been stated above, it is therefore,
earnestly prayed from this Hon'ble Tribunal that on
acceptance of this service appeal, the salary of appellant
may kindly be released w.e.f. the month of August, 2020
till date.

It is further prayed that action may kindly be taken
against the official respondents for illegally stopping the
salary of appellant in the light of reported judgment **1997
PLC (CS) 666.**

TESTED

EXAMINER
Khyber Pakhtunkhwa
Service Tribunal
Peshawar

(S)



Service Appeal No. 327/2023

"Mst. Shamara Na Vs. Secretary Elementary & Secondary Education & others"

15.07.2024 1. Learned counsel for the appellant present. Mr. Arshad Azam, Assistant Advocate General alongwith Mr. Ghufraan Ullah, Litigation Officer for the respondents present.

2. After hearing learned counsel for appellant and learned Assistant Advocate General at some length, when the learned AAG was referred to the grounds of the reply, wherein stoppage of monthly pay was admitted but there is no clear order found placed on file as to what was the reason of stoppage of salary and when that was stopped and by whom, the learned AAG did not controvert the situation. In the circumstance, we deem it appropriate to direct the respondents to consider the appeal of the appellant by treating the contents of this appeal as part of the said application of the appellant and to pass a speaking and well reasoned order after providing fair opportunity of hearing to the appellant, within a period of sixty days from the receipt of this order under intimation to the Tribunal through its Registrar. The date of receipt of judgment/order be also communicated to the Registrar. Learned counsel for the appellant, however, submitted that the current salaries of the appellant may be ordered to be released. It is, in this respect directed that the current salaries of the appellant be released on her furnishing an undertaking that in case it is found that she had been paid over and above her entitlement, she would return the same. This appeal is disposed of in the above terms. Consign.

(Muhammad Akbar Khan)
Member (E)

(Rashida Bano)
Member (J)

Certified to be true copy
E. A. JINER
Khyber Pakhtunkhwa
Service Tribunal
Peshawar

Date of Presentation of Application 19-09-2024
Number of Words 2-0
Copying Fee 10/-
Urgent 10/-
Total _____
Name of Copyist _____
Date of Completion 19-09-2024
Date of Delivery of Copy 19-09-2024



"B" **6-**

**OFFICE OF THE DISTRICT EDUCATION OFFICER
(FEMALE) BANNU**



No: 6609

Dated: 28/04/2024

To

The Director E&SE
Khyber Pakhtunkhwa Peshawar

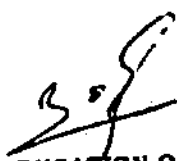
Subject: Guidance about Pay Release/Implementation of Court Order

Memo:

With reference to the subjected cited above it is stated that the Honorable Services Tribunal has directed this department to release current salary of the one Mst. Shamrana Bibi TT (BPS-15) GQHSS Bilawar Khan Bannu in Appeal No. 327/2023 titled as Shamrana Bibi Vs Govt. but the undersigned has no competency to issue such release and to made compliance as DEO (F) Bannu Mrs. Sabra Parwin transferred to District Karak recently and this office is having pendency regarding such like cases. Therefore, it is requested that this may be treated as most urgent being court matter and pay release order is needed to be issued please.


Encls:

No: 6609-71 /Dated: 28/04/2024


/DISTRICT EDUCATION OFFICER
9/ (FEMALE) BANNU

Copy forwarded to:

1. Additional Registrar Services Tribunal Khyber Pakhtunkhwa Peshawar.
2. PA to Secretary E&SE Khyber Pakhtunkhwa Peshawar
3. Litigation Officer of this office DEO (F) Bannu
4. Office File record.


/DISTRICT EDUCATION OFFICER
9/ (FEMALE) BANNU


ATTESTED



7

Dated, the Peshawar 13th September, 2024

NOTIFICATION

NO.SO(MC)E&SE/4-16/2024/PT/Adh. Charge: The Competent Authority is pleased to assign the additional charge of the post of DEOs to the officers mentioned against each, as stopgap arrangement, till the arrival of regular incumbent, in the best public interest:-

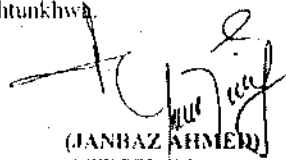
Sr. No	Name of officer	Present Place of Posting	Additional Charge
1.	Mst. Haleema Sadia (MC BS-18)	DDEO (Female) Bannu	DEO (Female) Bannu
2.	Mst. Bibi Ayesha Naz (MC BS-18)	DDEO (Female) Toghbar	DEO (Female) Toghbar
3.	Mst. Noor Rahat Yasmin (MC BS-18)	DDEO (Female) Kohat	DEO (Female) Kohat

SECRETARY TO THE GOVT. OF KHYBER PAKHTUNKHWA
E&SE DEPARTMENT

Encls: of even No. & date:

Copy forwarded for information to the: -

1. Accountant General, Khyber Pakhtunkhwa, Peshawar.
2. Director, E&SE Khyber Pakhtunkhwa, Peshawar.
3. Director EMIS, E&SE Department with the request to upload the same on the official website of the department.
4. District Education Officers concerned.
5. District Account Officers concerned.
6. PS to Minister E&SE Department, Khyber Pakhtunkhwa.
7. PS to Secretary, E&SE Department, Khyber Pakhtunkhwa.
8. Master file.


(JANBAZ AHMED)
SECTION OFFICER (Management Cadre)


ATTESTED



CamScanner

(8)

VAKALATNAMA

BEFORE THE KHYBER PAKHTUNKHWA SERVICE TRIBUNAL,
PESHAWAR

_____ OF 2024

Shamran Bibi

(APPELLANT)
(PLAINTIFF)
(PETITIONER)

VERSUS

Education Dept.

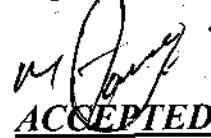
(RESPONDENT)
(DEFENDANT)

I/We Shamrana Bibi

Do hereby appoint and constitute **MIR ZAMAN SAFI, Advocate, Peshawar** to appear, plead, act, compromise, withdraw or refer to arbitration for me/us as my/our Counsel/Advocate in the above noted matter, without any liability for his default and with the authority to engage/appoint any other Advocate Counsel on my/our cost. I/we authorize the said Advocate to deposit, withdraw and receive on my/our behalf all sums and amounts payable or deposited on my/our account in the above noted matter.

Dated. _____ / _____ /2024


CLIENT


ACCEPTED

MIR ZAMAN SAFI
ADVOCATE

OFFICE:

Room No.6-E, 5th Floor,
Rahim Medical Centre, G.T Road,
Hashtnagri, Peshawar.
Mobile No.0333-9991564
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