


FORM OF ORDER SHEET

Court of _____

Appeal No. _____

1748/2024

S.No.	Date of order proceedings	Order or other proceedings with signature of judge
1	2	3
1-	03 /10/2024	<p>The appeal of Mst. Tayyaba Akhtar presented today by Mr. Afrasiab Khan Wazir Advocate. It is fixed for preliminary hearing before Single Bench at Peshawar on 08.10.2024. Parcha Peshi given to counsel for the appellant.</p> <p>By order of the Chairman</p> <p> REGISTRAR</p>

BEFORE THE KHYBER PAKHTUNKHWA SERVICES TRIBUNAL
PESHAWAR

Appeal No. 1748 /2024

Tayyaba Akhtar

.....VERSUS.....

EDUCATION DEPTT

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APPELLANT

Through:

AFRASIAB KHAN WAZIR
ADVOCATE HIGH COURT

Office:

ROOM NO. B-16, GOVT COLLEGE CHOWK,
NIMRA PLAZA, PESHAWAR
CELL: 0312-9888752



①

BEFORE THE KHYBER PAKHTUNKHWA SERVICES TRIBUNAL, PESHAWAR

APPEAL NO. **4748/2024**

Mst: Tayyaba Akhtar, SPST (BPS-15, GGPS KERARAI, PABBI NOWSHERA.

.....APPELLANT.

VERSUS

- 1- The Director Elementary & Secondary Education Department, Khyber Pakhtunkhwa, Peshawar.
- 2- The District Education Officer, Nowshera District.
- 3- Miss Shaheen w/o Inayatullah PSHT GGPS Nazr Muhammad Korona wrongly posted at GGPS Kareri District Noswshera.

.....RESPONDENTS.

APPEAL UNDER SECTION-4 OF THE KHYBER PAKHTUNKHWA SERVICES TRIBUNAL ACT, 1974 READ WITH ALL ENABLING PROVISIONS OF LAW GOVERNING THE SUBJECT, AND AGAINST THE IMPUGNED ILLEGAL ACTION OF THE RESPONDENTS BY ADJUSTING THE RESPONDENT NO.3 AT THE SEAT OF APPELLANT AND NO ACTION IS TAKEN ON DEPARTMENTAL APPEAL AS WELL.

RESPECTFULLY SHEWETH:

ON FACTS:

- 1- That the Appellant is serving in the Education Department as SPST- BPS-15 and since her appointment she is performing her duties with full dedication and passion.
- 2- That the issue arise from the school posting/transfer, ab-initio she had filed writ petition No.5105/2019 against her transfer order which later on referred to department to decide her departmental appeal by the Honorable Peshawar High Court Peshawar and letter she filed COC No.22/2022, and even the inquiry was clear enough that she be retained and posted at GGPS Karerai Koruna.
Copy of the writ petition No.5105/2019 & COC No.22/2022, Enquiry report are attached as.....A & B
- 3- After that letter dated 27.03.2023 was issued to redress the issue of appellant and asked for submission of ACRs etc for the

upcoming promotion of the appellant in light of the recommendation of inquiry report.

Copy of the Letter dated 27.03.2023 is attached as.....C)

4- Furthermore, the appellant was promoted to the post of SPST and posted at GGPS Kareri Nowshera via same order dated 16.09.2023 and respondent No.3 is posted at GGPS Nazrar Muhammd Karoona but still respondent No.3 is occupying the seat being on wrong seat.

copy of the order dated 16.09.2023 is attached as.....D.

5- That later on report was issued by the department via which report submitted of cancelled all temporary/detailed/need basis & vacant transferred orders issued by DEO (F) Nowshera and in the same way vide order dated 14.05.2024 the appellant posting is considered wrong on GGPS Pashtoon Ghari Nowshera.

Copy of the report & order dated 14.05.2024 are attached as.....E & F)

6- That the Appellant feeling aggrieved from the impugned illegal action of posting the respondent No.3 on wrong school and seat, she moved representation to the Appellate authority which is still pending.

(Copy of the Representation is attached asG).

7- That the Appellant further feeling aggrieved and left with no other alternate and efficacious remedy but to file this instant appeal on the following grounds inter alia.

ON GROUNDS

A- That through the impugned illegal action the Respondent No.3 is illegally adjusted on the seat of the appellant which is against law and norms of natural justice, hence Respondent No.3 be sent to the school where she is posted/transferred and declare the action illegal and unlawful.

B- That the action of the Respondent is violative of the Article 4 and 25 of the Constitution, 1973.

C- That the appellant was promoted to the post of SPST and posted at GGPS Kareri Nowshera via same order dated 16.09.2023 and respondent No.3 is posted at GGPS Nazrar

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Muhammd Karoona but still respondent No.3 is occupying the seat on which appellant is transferred/posted.

- D- That the appellant had filed writ petition No.5105/2019 against her transfer order which later on referred to department to decide her departmental appeal by the Honorable Peshawar High Court Peshawar and later appellant filed COC No.22/2022, on the basis of which inquiry was conducted which was clear enough that she be retained and posted at GGPS Karerai Koruna.
- E- That the respondents No.2 is now creating hurdles for the appellant in the form of stoppage of salary etc, why, because the Respondent No.3 is illegally occupying the seat and giving her favor which is sheer arbitrariness.
- F- That the respondent No.3 place of posting is GGPS Nazr Muhammad Korona while that of appellant is GGPS KERARAI, but the respondents are still bent on their illegal and unlawful action.
- G- That the respondents by itself declared through its own order dated 14.05.2024 that the appellant is wrongly posted at GGPS Pahtoon Ghari and her actual place of posting is GGPS Kerari, but still the respondents are not letting her to do her job in school peacefully and in accordance with law, while favoring the Respondent No.3 through illegal action.
- H- That the Appellant further seeks permission to advance any other grounds at the time of regular hearing.

PRAYER

That on acceptance of this appeal the impugned illegal action of the respondents by adjusting the respondent No.3 on the seat of appellant may very kindly be declared illegal and unlawful and the respondents No.1 & 2 be directed to send the Respondent No.3 to her actual place of posting i.e GGPS Nazr Muhammad Korona. Furthermore, It is plead that the appellant may not be disturbed and let her do duty in accordance with law and rules. Any other remedy which this honorable tribunal deems fit that may also be awarded in favor of Appellant.

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APPELLANT

Tayyaba Akhtar

Through:

AFRASIAB KHAN WAZIR

&

SALMAN KHAN WAZIR

ADVOCATE(s) HIGH COURT

Certificate:

It is certified that no other appeal is filed between the parties on the same issue.

DEPONENT

AFFIDAVIT

I Mst: Tayyaba Akhtar, SPST (BPS-15, GGPS KERARAI, PABBI NOWSHERA, do hereby solemnly affirm and declare that the contents of this appeal is true and correct to the best of my knowledge and belief and nothing has been concealed from this Honorable tribunal so far.

DEPONENT

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BEFORE THE KHYBER PAKHTUNKHWA SERVICE TRIBUNAL,
PESHAWAR

APPEAL NO. ____ /2024

TAYYABA AKHTAR VS **EDUCATION DEPTT:**

APPLICATION FOR CONDONATION OF DELAY IN FILING THE
ABOVE NOTED APPEAL

R.SHEWETH:

- 1- That the appellant has filed an appeal along with this application in which no date has been fixed so far.
- 2- That the appellant prays for the condonation of delay in filing the above noted appeal inter alia on the following grounds:

GROUND OF APPLICATION:

- A- That the valuable rights of the appellant are involved in the case hence the appeal deserves to be decide on merit.
- B- That it has been the consistent view of the Superior Courts, that cases should be decided on merit rather on technicalities including the limitation. The same is reported in 2002 PLC C.S 1388, 2004 PLC (CS) 1014 and 2003 PLC (CS) 76.

It is therefore prayed that on acceptance of this application the delay in filing, the above noted appeal may please be condoned.

APPELLANT

Through
counsel:


AFRASIB KHAN WAZIR
ADVOCATE HIGH COURT

A-6

ANNEXURE

(S) (A)

PESHAWAR HIGH COURT PESHAWAR
FORM "A"
FORM OF ORDER SHEET



Serial No. of Order or Proceedings	Date of Order or Proceedings	Order or other Proceedings with Signature of Judge or that of parties or counsel where necessary
1	2	3
	26.9.2019	<p><u>Writ Petition No. 5105-P/2019.</u></p> <p>Present:</p> <ul style="list-style-type: none">Mian Hikmat Ullah Jan, advocate for petitioner. <p>*****</p> <p><u>ROOUI-UL-AMIN KHAN, J.-</u> Petitioner, Mst. Tayyaba Akhtar, a Primary School Head Teacher (PSHT) on acting charge basis, through the instant petition under Article 199 of the Constitution of Islamic Republic of Pakistan, 1973 seeks cancellation of transfer order dated 17.7.2019 whereby respondent No.5 has been transferred as Primary School Head Teacher (PSHT) in place of petitioner.</p> <p>2. Having heard the arguments of learned counsel for petitioner, perusal of record reveals that admittedly the petitioner is a civil servant, whereas transfer of a civil servant is not only an incident of service but also falls in terms and condition enumerated in Chapter-II of the Civil Servants Act, 1973, wherein jurisdiction of</p>

For the Court

ATTESTED
SEAL OF PESHAWAR HIGH COURT

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this Court is expressly barred under Article 212 of the Constitution of Islamic Republic of Pakistan, 1973.

3. Resultantly, the instant petition being not maintainable stands dismissed in limine. However, it is expected that the Authorities shall decide the departmental filed by the petitioner within the stipulated period positively.

Announced on;
26th of September, 2021

JUDGE
JUDGE

[Handwritten Signature]

VERIFIED TO BE TRUE COPY
Authorised Officer

07 DEC 2021

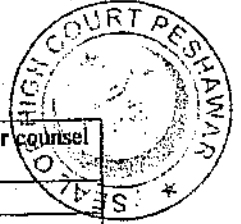
16731
Date of Presentation of Application 07/11/2021
No of Pages 9-9
Copying fee
Total 36/-
Date of Preparation 07/11/2021
Date of Delivery 07/11/2021
Received By Waleed Khan

B-8

PESHAWAR HIGH COURT PESHAWAR

Form "A"

Order Sheet



Date of Order or Proceedings	Order or other Proceedings with Signature of Judge or that of parties or counsel where necessary
2	3
04.02.2022	<p><u>COC 22-P/2022 in WP 5105-P/2019</u></p> <p>Present:</p> <p>Mian Hikmatullah Jan, Advocate, for the petitioner.</p> <p>Mr. Atif Ali Khan, AAG, for the respondents.</p> <p>*****</p> <p><u>S M ATTIQUE SHAH, J:</u> - Through instant COC, the petitioner seeks implementation of order dated 26.9.2019 passed by this Court while dismissing WP 5105-P/2019 of the petitioner. The relevant Para of the ibid order is reproduced below:</p> <p><i>"Resultantly, the instant petition being not maintainable stands dismissed in limine. However, it is expected that the Authorities shall decide the departmental appeal filed by the petitioner within the stipulated period positively."</i></p> <p>It is crystal clear from the ibid order that this Court has dismissed the writ petition of the petitioner on the ground of maintainability for having no</p>



EXAMINER
Peshawar High Court

jurisdiction to entertain such like petition; however, an observation was passed for the decision of departmental appeal pending with the respondents. Now, through instant COC, the petitioner seeks implementation of the said observation as the ibid appeal has not yet been decided.

2. Record reflects that in fact the petitioner had filed the ibid writ petition against her transfer order dated 17.7.2019; however, the law on the subject is very much clear which provides that if any civil servant aggrieved by any order, whether original or appellate, made by a departmental authority in respect of any of the terms and condition of his service may, prefer an appeal to the Tribunal. Albeit, the petitioner has not approached the competent forum in terms of S. 4 of the Khyber Pakhtunkhwa Service Tribunal Act, 1974; rather, she approached this Court by filing the ibid writ petition, which was dismissed; being not maintainable in view of the provision of Article 212 of the Constitution, 1973. The alleged non

EXAMINED
Peshawar High Court

() (10)

Inquiry Report:-

ANNEXURE

The undersigned was appointed as inquiry Officer Order Enstt: No.244 Date 20-11-2019 to conduct fact finding inquiry into the promotion and transfer matter of Mst: Tayyaba Akhtar PSHT and Mst: Shaheen Begum PSHT Govt: Girls Primary School Karerai, Taru Jabba, Tehsil Pabbi, District Nowshera.

Back Ground:-

Govt: Primary School Karerai Koruna, Tarujaba was newly constructed primary school and it has started its schooling function in November, 2018. Initially Mst: Tayyaba Akhtar SPST (BPS-14) was transfer and posted in the said school. She was serving as Head Teacher on acting charge basis/current charge. The Promotion of Mst: Tayyaba Akhtar was due in January, 2019, but non constitution of DPC, the said promotion was recommended and notified. Meanwhile, Mst: Shaheen Begum was transfer and posted as PSHT, Karerai Koruna vide order dated 17-07-2019 in relaxation of ban by the Honorable Minister/Advisor of Education (E & SE) Dated 13-07-2019. Mst: Tayyaba Akhtar was promoted to the post of PSHT vide order date 14-09-2019 and posted at GGPS, Hamid Abad. Mst: Tayyaba Akhtar has legitimate expectancy the in case of her promotion to the post of PSHT, she will be posted against the post of PSHT, Karerai Koruna but due to premature transfer of Mst: Shaheen Begum against the post of PSHT, Karerai Koruna, the legitimate expectancy of Mst: Tayyaba Akhtar could not be materialized. It is worth mentioning that Mst: Tayyaba Akhtar has refused her promotion to the post of PSHT twice previously only on the ground that she was not ready to leave her place of parent/home station. Mst: Tayyaba Akhtar aggrieved from the her posting order filed departmental appeal before the worthy District Education (F) Nowshera, but was not responded and upon which she filed writ petition No.5105 of 2019. The writ petition was disposed of vide order dated 26-09-2019 with direction to decide the pending departmental appeal.

In the light of the directions of the Hon'ble Peshawar High Court, the undersigned has been appointed as inquiry Officer to conduct fact finding inquiry into the mater promotion and transfer of Mst: Tayyaba Akhtar.





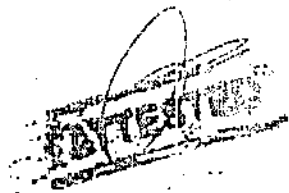
Inquiry Proceeding and Findings:-

In order to settled the dispute, the undersigned visited the school and gone through the available record. The record transpired the school is a newly constructed one and has started its schooling function in November, 2018. Mst: Tayyaba Akhtar was posted as acting PSHT in the said school. She worked hard for the development of the newly school. It is worth mentioning that Mst: Tayyaba Akhtar has refused promotion twice only on the ground that she does not want to lose her place of posting. In the instant case, she was under legitimate expectancy that in case of her promotion to the post of PSHT, she will be retained in her school but astonishingly Mst: Shaheen Begum was transfer and posted at GGPS karerai Koruna. All relevant record has already been explained vide ibid.

In view of documentary and circumstantial evidence collected during the visit of the school the undersigned is of the considerable opinion that Mst: Tayyaba Akhtar has preferential right to be posted at GGPS Korerai Koruna.

In view of above detail discussion the undersigned recommend that Mst: Tayyaba Akhtar be posted at GGPS Karerai Koruna and Mst: Shaheen Begum may be adjusted in nearby school. Solve the matter in the best interest of student and public.

Submitted for further necessary action, please.





**GOVERNMENT OF KHYBER PAKHTUNKHWA
ELEMENTARY & SECONDARY EDUCATION DEPARTMENT**

Block "A" Civil Secretariat, Peshawar

Phone No. 091-9223540

File No. Gen/SO(C)/E&SED/1-7/2022/ Mst. Tayaba Akhtar, PST Dated 27.03.2023

To

The District Education Officer (Female),
District Nowshera.

Subject: **IMPLEMENT THE RECOMMENDATION OF THE INQUIRY REPORT IN
RESPECT OF MST TAYABA AKHTAR SPST GGPS KAREREHI
KORONA TARU TABA.**

I am directed to refer to this department letter of Even No. dated: 13.02.2023 (Personal Hearing) and your letter No. 3016 dated: 13.03.2023 on the subject noted above and to state that expedite the process of promotion of female PSTs from BS-12 to BS-14 and BS-15.

I am further directed to state that Mst. Tayyaba Akhtar, SPST, GGPS Kareri District Nowshera may be informed to prepare ACRs and other relevant documents before the up-coming DPC to redress the grievance, please.

Encl: As Above:


SECTION OFFICER (COMPLAINT).

Endst: of even number & date:

Copy of the above is forwarded to the:

1. Section Officers (Primary/Female, Inquiries, DARC), E&SE Department.
2. PS to Secretary, E&SE Department, Khyber Pakhtunkhwa.
3. PA to Deputy Secretary (Admn), E&SE Department, Peshawar for information.


SECTION OFFICER (COMPLAINT).

Promotion/SPST to PSHT



OFFICE OF THE
DISTRICT EDUCATION OFFICER
(FEMALE), NOWSHERA

0923-9220105 0923-9220105
Deofnowshera @ Gmail.com



Notification

Consequent upon recommendation of the Departmental Promotion Committee (DPC), the following Female Senior Primary School Teachers (SPSTs) BPS-14 are hereby promoted to the post Primary School Head Teachers (PSHTs) in BPS-15 (23920-1980-83320) plus usual allowances as admissible as under the rules on regular basis under the existing policy of the Provincial Government, in Teaching cadre on the terms and conditions given below with immediate effect and further posted in the schools noted against each:-

S.No	Name of School	Name of Teacher	Father Name	Place of Posting	Remarks
1.	GGPS Baghban Pura	Basmeena	Muhammad Aslam Khan	GGPS Usman Abad	A.V.P
2.	GGPS No 02 Chowki Drub	Mumtaz Begum	Ghulam Mihdi	GGPS Chowki Drub	In Same School
3.	GGPS Azakhel Payan No.1	Farhat Jehan	Lal Jahan	GGPS Arif Abad	A.V.P
4.	GGPS Akora No.1	Sajida Mukhtiar	Mukhtiar Ahmad	GGPS Hassan Dara	A.V.P
5.	GGPS Ali Garh	Saira Noreen	ali Akbar	Mali Khel Payan	A.V.P
6.	GGPS No 1 Pabbi	Sarhad Begum	Abdul Wahab	GGPS Noor Abad Jabba	A.V.P
7.	GGPS Mughalbaz Shaidu	Naheed Akhtar	Zarshad Khan	GGPS Jabbi Dheri	A.V.P
8.	GGPS Shaidu Tekedaran	Shahzadi Attia	Salar Khan	GGPS Charpani	A.V.P
9.	GGPS Ali Garh	Faiza Quraishi	Nazeer Ahmad	GGPS Hawai	Vice S.no. 02
10.	GGPS Pir Pai No.03	Latif Begum	Fazal Khan	GGPS Lakari	A.V.P
11.	GGPS Aman Garh	Zaibun Nisa	Muhammad Asghar	GGPS Sheikhi Banda	A.V.P
12.	GGPS Kareri	Tayyaba Akhtar	Khalid Khan	GGPS Kareri	Vice S.No. 01
13.	GGPS Kahi No 2	Yasmeen Begum	Gulab Sharif	GGPS Aso Khel	A.V.P
14.	GGPS Kahi No 1	Sajida Jabeen	Ahmad Shah	GGPS Ameer Killy	A.V.P
15.	GGPS No 1 Pabbi	Shabina Naz	Mir Ahmad	GGPS Kotli Kalan	A.V.P

Promotion/SPST to PSHT

16.	GGPS Risalpur Cantt	Musarat Islam	Islam Ud Din	GGPS Shah Nawaz Koroona	A.V.P
17.	GGPS Pashtoon Ghari	Haseena Jabeen	Zarin Khan	GGPS Gul Din Koroona	A.V.P
18.	GGPS Ali Garh	Saira Sumbal	Nisar Hussain	GGPS Aman Pura	A.V.P
19.	GGPS No 2 Mohib Banda	Hina Gul	Muhammad Iqbal	GGPS No. 01 Spin Khak	A.V.P
20.	GGCMS Asc Colony	Zahira Begum	Nazhar Ahmad	GGPS Aba Khel Wallai	A.V.P
21.	GGPS L.C Aman Garh	Shazia Bang	Abdul Rahman	GGPS Palosi Payan	A.V.P
22.	GGPS Dheri Nian Ishhak	Saima	Taimur Khan	GGPS Spin Kani Sharif Abad	A.V.P
23.	GGPS Ali Garh	Rozina	Sher Ghani	GGPS Islam Abad Koroona	A.V.P
24.	GGPS Khashgi Bala	Irum Bibi	Shafi ud Din	GGPS Malik Aman Koroona	A.V.P
25.	GGPS D.I K	Seemi Khan	Nian Hanzala Khan	GGPS Ouch Nehar	A.V.P
26.	GGPS Rashakai	Zahoor Begum	Sher Muhammad Khan	GGPS Kalinger	A.V.P
27.	GGPS L. C Aman Garh	Nusrat Begum	Mustaqeem Khan	GGPS Khalil Ur Rehman Koroona	A.V.P
28.	GGPS No 2 Pabbi	Salma Gul	Said Shah	GGPS Darwesh Abad	A.V.P
29.	GGPS Khashgi Bala	Amna Begum	Muhib ullah Khan	GGPS Faqir Killy	A.V.P
30.	GGPS Ziarat Kaka Sb No.2	Haseena Bibi	Aman ullah	GGPS Sharif Abad Wallai	A.V.P
31.	GGPS Baghban Pura	Rukhsana Begum	Dost Muhammad	GGPS Garu	A.V.P
32.	GGPS Baghban Pura	Farzana	Ghulam Muhammad	GGPS Mir Kalan	A.V.P
33.	GGPS Dheri Kati Khel	Fozia Naz	Muhib Ullah Khan	GGPS Feroz Abad	A.V.P
34.	GGPS No 1 Dagi Qadeem	Najma Khatoon	Khalil ur Rahaman	GGPS Palosi Bala	A.V.P
35.	GGPS Gandheri	Yasmeen Gul	Noor Muhammad	GGPS Ali Abad	A.V.P
36.	GGPS Khurabad Rashakai	Anjum Akhtar	Akhtar Muhammad	GGPS Shpano Killy	A.V.P
37.	GGPS Bara Banda	Nasreen Akhtar	Salah ud din	GGPS Bara Banda	In Same School

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Promotion/SPST to PSHT
Consequential Transfer

Consequent upon the above postings the following transfer is hereby ordered with immediate effect.

S.No	Name & Designation	Present School	Transferred to	Remarks
1.	Shaheen PSHT	GGPS Kareri	GGPS Nazam Muhammad Korodna	Vec S.No. 12
2.	Kabeeda Hameed PSHT	GGPS Howal	GGPS Kas Korodna Nowshera	A.V.P
3.	Faseen Gul PST	GGPS Sarangi Bagh	GGPS Shahab Khel	A.V.P

Terms & Conditions

1. They would be on probation for a period of one year extendable for another one year.
2. They would be governed by such rules and regulation as may be issued from time to time by the Government.
3. Charge report should be submitted to all concerned.
4. Their inter Se- Seniority on Lower post will be remain intact.
5. NO TA/DA are allowed for joining their duty.
6. They will give and under taking to be recorded in their service book to the effect that if any overpayment is made to them in light of this order will be recovered and if they are wrongly promoted, they will reversed.
7. If any senior official is deprived of promotion by this order, the promotion order of the lowest official will be withdrawn on acceptance of an appeal and promotion order will be reviewed accordingly as per seniority, if necessary.
8. Errors and omissions will be accepted within the specified period.

(DURE SHAWAR)

DISTRICT EDUCATION OFFICER
(FEMALE) NOWSHERA

Endst No. ~~55-13~~ /DEO (F)/Etab Primary Promotion File SPST to PSHT 2023 Dated NSR the 16/09/2023.
Copy forwarded for information & necessary action to the: -

1. Director Elementary & Secondary Education Khyber Pakhtunkhwa Peshawar.
2. Senior District Accounts Officer Nowshera.
3. Principal/ Headmistress Concerned.
4. Sub Divisional Education Officer (Female) Nowshera, Pabbi & Jehangira.
5. Superintendent Establishment Local Office.
6. ADEO (F) Establishment Primary/Secondary Local Office.
7. Officials Concerned (Service Book attached).
8. Office Copy.

DISTRICT EDUCATION OFFICER
(FEMALE) NOWSHERA

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BETTER COPY

Promotion / SPST to PSHT

Consequential Transfer

Consequent upon the above postings the following transfer is hereby ordered within immediate effect.

S.No	Name & Designation	Present School	Transferred to	Remarks
1.	Shaheen PSHT	GGPS Kareri	GGPS Nazar Muhammad Karoona	Vice S.No. 12
2.	Waheeda Hameed PSHT	GGPS Hawal	GGPS Kas Karoona Nowshera	A.V.P
3.	Faseem Gul PST	GGPS Sarangl Bagh	GGPS Shahab Khel	A.V.P

Terms & Conditions:

1. They would be on probation for a period of one year extendable for another one year.
2. They would be governed by such rules and regulation as may be issued from time to time by the government.
3. Charge report should be submitted to all concerned.
4. Their inter Se-seniority an same post will be remain intact.
5. No TA/DA are allowed for joining their duty.
6. They will give and under taking to be recorded in their service book to the effect that if any overpayment is made to them in light of this order will be recovered and if they are wrongly promoted, they will reversed.
7. If any senior official is deprived of promotion by this order, the promotion order of the lowest official will be withdrawn on acceptance of an appeal and promotion order will be reviewed accordingly as per seniority, if necessary.
8. Errors and omissions will be accepted within the specified period.

(DURE SHAWAR)
DISTRICT EDUCATION OFFICER
(FEMALE) NOWSHERA

Endst No. 15-62/DEO(F)/Estab Primary promotion file SPST to PSHT 2023 dated NSR the 16/09/2023.

Copy forwarded for information & necessary action to the:-

1. Director Elementary & Secondary Education Khyber Pakhtunkhwa Peshawar.
2. Senior District Accounts Officer Nowshera.
3. Principal / Headmistress Concerned
4. Sub Divisional Education Officer (Female) Nowshera, Pabbi & Jehangira.
5. Superintendent Establishment Local Office.
6. ADEO (F) Establishment Primary / Secondary Local Officer.

DISTRICT EDUCATION OFFICER
(FEMALE) NOWSHERA

(FEMALE) PABBI NOWSHERA

To

The District Education Officer (Female)
Pabbi Nowshera

E-17

Subject: REPORT OF TRANSFER CANCELLED IN PK-87.

Memo:

Reference to the Office Order No. 1513-20 dated 21-03-2024 that cancelled all temporary/ detailed/ need base & vacant post transferred order issued by DEO (F) Nowshera with immediate effect. The details report of the orders are as under.

S.#	Name of Teacher	Own School	Transferred School	Remark
1	Sadia Zaman PST	GGPS Hameed Abad	GGPS No.1 Sheikhan	Not Obey Order
2	Rabia PSHT	GGPS Noor Abad Shahkot	GGPS Banda Mullahan	Not Obey Order
3	Sajida Begum PSHT	GGPS Shabara	GGPS Aurang Abad	Not Obey Order
4	Salma PSHT	GGPS Darwesh Abad	GGPS Shabara	Not Obey Order
5	Shabeena PSHT	GGPS Jabba Tar	GGPS No.2 Chowkidrab	Not Obey Order
6	Ghazala PSHT	GGPS Haji Abad	GGPS Garhi Pegham Shah	Not Obey Order
7	Rozeena PSHT	GGPS Nazar Muhammad	GGPS Awal Khan Koroona	Not Obey Order
8	Shabana Irshad PSHT	GGPS Awal Khan Koroona	GGPS No.2 Khudrizi	Not Obey Order
9	Mehnaz PST	GGPS Noor Abad Shahkot	GGPS Armour Colony NSR	Not Obey Order
10	Saghera PSHT	GGPS Rashid Abad	GGPS Pushtoon Garhi	Obey Order
11	Shagufta Afsheen SPST	GGPS No.1 Sheikhan	GGPS Dak Ismail Khel	Obey Order
12	Shahnaz PST	GGPS Gul Zada Killy	GGPS No.2 Jallozai	Obey Order
13	Romania SPST	GGPS No.2 Wazir Garhi	GGCMS Wazir Garhi	Not Obey Order, enmilty in Wazir Garhi
14	Tahira SPST	GGPS Umar Khan Killy	GGPS Jica Jallozai	Obey Order
15	Saima Talmar PSHT	GGPS Spin Kani Mera Sharif Abad	GGPS Dheri Mian Isnaq	Not Obey Order
16	Tayyaba PSHT	GGPS Pushtoon Garhi	GGPS Kareari Koroona	Not Obey Order
17	Khurshid PSHT	GGPS Garhi Pegham Shah	GGPS No.2 Kurvi	Not Obey Order

[Handwritten signature]
25/05/2024
ASDEO(F)

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DISTRICT EDUCATION OFFICER
PABBI NOWSHERA

[Handwritten mark]



**OFFICE OF THE
DISTRICT EDUCATION OFFICER
(FEMALE) NOWSHERA**
(Office phone: 0923-9220105, Fax: 0923-9220105)

F-18

OFFICE ORDER:

The undersigned is pleased to adjust the surplus teaching staff

S.NO	Name of Official	From	To	Remarks
1	Mst. Taryahn PSIT HPS#15	GIPS Karami Nsr	GIPS Pashooq Ghani Nsr	Wrongly posted

Note: -

Charge report should be submitted to all concerned.
No TA / DA etc. are allowed.

Endst NO. 2638-43
DATE: 14/05/2024
Copy for information and necessary action to the:-

1. District Account Officer Nowshera.
2. District Monitoring Officer Nowshera.
3. Sub Division Education (Female) Publ.
4. Superintendent copy.
5. Office concerned.
6. Office copy.

(Shah Jehan)
District Education Officer
(Female) Nowshera

District Education Officer
(Female) Nowshera

28/5/24
on 28/5/24

67-19

To

The Director E. & SE department,
Khyber pakhtunkhwa, Peshawar.

Subject: Departmental appeal against impugned illegal action of the DEO Nowshera by adjusting Miss Shaheen PSHT at GGPS Karari, who is actually posted/transferred to GGPS Nazr Muhammad Koroona District Nowshera through order dated 16.09.2023.

Respected sir,

With due regard it is stated that the appellant is serving as SPST in GGPS Karari district nowshera. The issue arise from the school posting/transfer that she had filed writ petition No.5105/2019 against her transfer order which later on referred to department to decide her departmental appeal by the Honorable Peshawar High Court Peshawar and later she filed COC No.22/2022, and even the inquiry was clear enough that she be retained and posted at GGPS Karari Koruna. And later on letter dated 27.03.2023 was issued to redress the issue of appellant and asked for submission of ACRs etc for the upcoming promotion of the appellant in light of the recommendation of inquiry report. In a meanwhile she was promoted to the post of SPST and posted at GGPS Karari Nowshera via same order dated 16.09.2023 and Miss Shaheen is posted at GGPS Nazrar Muhammd Karoona. Even vide order dated 14.05.2024 the appellant posting is considered wrong on GGPS Pashtoon Ghari Nowshera but still the appellant is facing issue at the hands of DEO who is favoring Miss Shaheen and adjusted her at the appellant place of posting despite the orders of transfer/posting speaks differently. Now the issue is that the DEO have stopped salaries of the appellant as well and creating further issue for the appellant and in this regard your kind attention is required and sort out the issue.

It is therefore requested to sort out the issue and direct the DEO to send the Miss shaheen to her own school to which she is transferred please.

Appellant

Tayyaba Akhtar

SPST (BPS-15), GGPS Karari
Pabbi Nowshera.

5/6/2024

POWER OF ATTORNEY/VAKALATNAMA

BEFORE THE KHYBER PAKHTUNKHWA SERVICES TRIBUNAL,
PESHAWAR

Tayyaba Akhtar

VERSUS

EDUCATION DEPTT

Appeal No. _____-P/2024

On behalf of Petitioner/Appellant No.

I/ we the petitioners/appellant hereby appoint Mr. Afrasiab Khan Wazir Advocate in the above-mentioned case, to do all or any of the following acts, deeds things.

1. To appear, act, sign, record Statement and plead for me/us in the above-mentioned case in this court /Tribunal or any other Court /Tribunal in which the same may be tried or heard, and other proceedings arising out of or connected therewith.
2. To sign, verify compromise and file or withdraw all proceedings, petitions, appeals, affidavits, and any other documents, as may be deemed necessary of advisable by them for the conduct, prosecution or defense of the said case at its stages.
3. To receive payments of, and issue receipts for, all money that may be or become due and payable to us during the course or on the conclusion of the proceedings.
4. To do all other acts and things which may be deemed necessary or advisable during the proceedings.

AND HEREBY AGREE:

- a. To ratify whatever the said advocate may do in the proceedings.
- b. Not to hold the Advocate responsible if the said case be proceeded ex-parte or dismissed in default in consequence of absence from the Court/Tribunal when it is called for hearing.
- c. An advocate shall not be responsible for any concealment, fraud, misrepresentation made by the client before any tribunal, court or forum.
- d. That the Advocate shall be entitled to withdraw from the prosecution of the said case if the whole or any part of the agreed fees remains unpaid.

In witness whereof, I/We have signed this power of Attorney/ Vakalatnama hereunder, the contents of which have been read/ explained to me/us and fully understood by me/ us.

Terms Accepted

Signatures

Accepted & Attested

Afrasiab Khan Wazir & Salman Khan Wazir
Advocates Peshawar High Court, Peshawar.

Malik asif haroon advocate lower court BC-19-1700

Office:
Room No. B-16, Govt College Chowk,
Nimra Plaza, Peshawar.
Cell: 0312-9888752.

(Handwritten signatures and initials)