

BEFORE THE HONORABLE KHYBER PAKHTUNKHWA

SERVICE TRIBUNAL PESHAWAR

CM No. /2024

IN

Service Appeal .No.980 /2024

Mr. Muhammad Zareef (Management Cadre BS-17) SDEO(M)
Paharpur District DIKhan under transfer as OSD at Directorate of
E&SE Peshawar

..... Appellant

VERSUS


Govt. of Khyber Pakhtunkhwa through Chief Secretary, Civil
Secretariat, Peshawar and Others

..... Respondents


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Yours Humble Appellant


Muhammad Zareef
Through Counsel

Dated 28/09/2024


KHALID MAHMOOD
Advocate High Court
Station at DIKhan

09-10-24

BEFORE THE HONORABLE KHYBER PAKHTUNKHWA

SERVICE TRIBUNAL PESHAWAR

CM No. /2024

IN

Service Appeal .No.980 /2024

Khyber Pakhtunkhwa
Service Tribunal

Diary No. 16433

Dated 08-10-24

Mr. Muhammad Zareef (Management Cadre BS-17) SDEO(M)
Paharpur District DIKhan under transfer as OSD at Directorate of
E&SE Peshawar

..... Appellant

VERSUS

Govt. of Khyber Pakhtunkhwa through Chief Secretary, Civil
Secretariat, Peshawar and Others

..... Respondents

APPLICATION FOR PLACING OF DOCUMENTS I.E
DEPARTMENTAL APPEAL DATED 27.06.2024 WHICH WAS
SENT TO HONORABLE SECRETARY EDUCATION
RESPONDENT NO.2 VIA REGISTERED POST UNDER
RECEIPT NO. 293 DATED 01.07.2024 AGAINST
NOTIFICATION DATED 25.06.2024.

Respectfully Sheweth,

1. That the above titled service appeal is pending before this Honorable Court and fixed for 09.10.2024, grounds of CM may please be considered as an integral part of the subject appeal.
2. That Appellant has filed departmental appeal against Notification dated 25.06.2024, which is necessary to place with above titled service appeal (Copy of Departmental Appeal with receipt are annexed as Annexure-X).

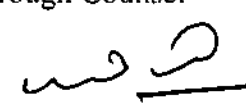
It is, therefore, humbly prayed that on acceptance of the present CM petition, the copy of Departmental Appeal against Notification dated 25.06.2024 may please be placed.

Yours Humble Appellant


Muhammad Zareef

Through Counsel

Dated: 28/09/2024


Khalid Mahmood,
Advocate High Court
Stationed at D I Khan
0336-4330001

BEFORE THE HONORABLE KHYBER PAKHTUNKHWA
SERVICE TRIBUNAL PESHAWAR

CM No. /2024

IN

Service Appeal .No.980 /2024

Mr. Muhammad Zareef (Management Cadre BS-17) SDEO(M)
Paharpur District DIKhan under transfer as OSD at Directorate of
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AFFIDAVIT

I, Mr. Muhammad Zareef s/o Nawaz Ali, MC (BPS-17) under transferred as
SDEO Razmak do hereby solemnly affirm and declare on oath that all the
Para-wise contents of this CM are true and correct to the best of my
knowledge and nothing has been concealed deliberately from this
Honorable Court.

Identified by Counsel:
Khalid Mahmood
Advocate High Court
Stationed at D.I.Khan



Deponent,

12103-1502382-3



Office of the Sub Divisional Education Officer (Male)
Paharpur Dera Ismail Khan

No: 402
To

Dated 27/06/2024

The Secretary E&SE Department,
Khyber Pakhtunkhwa Peshawar.

Subject: Appeal/Representation for Cancellation of order dated 25/06/2024

Honourable Sir,

It is respectfully share that I was working as SDEO (M) Paharpur Management Cadre BS-17 when all of a sudden an SST BS-16 namely Inam Ullah was transferred at my place. In this regard I wish to bring the following points under your kind notice.

1. I have six times been displaced/transferred in the last 6 years before completing my tenure.i.e
 - ◆ i. SDEO (M) DIKhan to SDEO (M) Allai Battagram Vide Notification No. SO(SM)E&SED/7-1/2021/PT/G/MC Dated 07-10-2021 at S.no21
 - ◆ ii. SDEO (M) Allai Battagram to SDEO (M) Ghazani Khel Lakki Mawart Vide Corrigendum No.SO (SM) E&SED/7 1/2021/PT/MC/ SDEOs Date 15/11/2021
 - ◆ iii. SDEO (M) Ghazani Khel Lakki Mawart to SDEO (M) Allai Battagram Vide Notification No.SO(SM)E&SED/7-1/2021/PT/MC/SDEOs Dated 01/12/2021
 - iv. SDEO (M) Allai Battagram to SDEO (M) Tank Vide Notification No.SO(MC)E&SED/2-3/2022/promotion/MC(BS17 to 18)ACB consequential posting/transfer at S.No.24 dated 17/02/2023
 - v. SDEO (M) Tank to SDEO (M) Daraban DIKhan Vide Notification No .SO(MC) E&SED/4-16/Posting/Transfer/2023 Dated 05 April, 2023.
 - vi. SDEO (M) Daraban DIKhan to SDEO (M) Paharpur Vide Notification No. SO(MC)E&SED/4-16/2022/Posting/Transfer/MC/: Dated 10/04/2023

This is my seventh time that I have been displaced/transferred before completing my tenure Vide Notification No.SO(MC)E&SED/4-16/2024/PT/SDEO/DIK Dated 25/06/2024

3. It is quite unjust that a BS-16 person is adjusted at my place and I have been placed at the disposal of directorate just because of some political pressure.
4. I have served as ASDEO for Eight years and then after proper procedure I had been promoted to the post of SDEO vide Notification No.SO(SM)E&SED/3-2/Promotion of ASDEOs (BS-16) to SDEOs(BS-17) Dated 29-10-2018.
5. There is no complaint or enquiry lodged against me since the initial appointment as MC Officer.
6. According to the Management cadre rules there is no space to adjust a lower scale teaching cadre employee on a post where a suitable management cadre employee is already working.
7. Honorable Court has already given its verdict about such an adjustment and this adjustment is also going against the decision of the Honorable Court.

It is therefore very earnestly requested that keeping in view the above-mentioned facts my services might be retained at the post of SDEO (M) Paharpur to meet the end of justice. I believe that your good self will help me out and will not let me down.

Javed
Sub Divisional Education Officer,
(Male) Paharpur Dera Ismail Khan.
0346-7861895.
Sub Divisional Education Officer
(Male) Tehsil Paharpur

ATTESTED

KHALID MEHMOOD
Additional High Court
Stationed at D.I. Khan

(4)

No. 293

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ATTESTED

KHALID MEHMOOD
Advocate High Court
Stationed at D.I. Khan