


# FORM OF ORDER SHEET

Court of \_\_\_\_\_

**Appeal No. 1990/2024**

S.No.	Date of order proceedings	Order or other proceedings with signature of judge
1	2	3
1-	16/10/2024	<p>The appeal of Mst. Shahab resubmitted today by Mr. Kifayat Ullah Khan Marwat Advocate. It is fixed for preliminary hearing before Single Bench at Peshawar on 23.10.2024. Parcha Peshi given to counsel for the appellant.</p> <p>By order of the Chairman</p> <p> REGISTRAR</p>

The appeal of Mst. Shahab received today i.e on 01.10.2024 is incomplete on the following score which is returned to the counsel for the appellant for completion and resubmission within 15 days.

- 1- Address of appellant is incomplete be completed according to rule-6 of Khyber Pakhtunkhwa Service Tribunal rules 1974.
- 2- Annexures A, B & C of the appeal are illegible be replaced by legible/better one.
- 3- According to sub-rule-4 of rule-6 of Khyber Pakhtunkhwa Service Tribunal rules 1974 respondent no. 1 is un-necessary/improper party, in light of the rules ibid and on the written direction of the Worthy Chairman the above mentioned respondent number be deleted/struck out from the list of respondent.

No. 850 /Inst./2024/KPST,

Di. 01/10 /2024.

*Amratillet*  
ADDITIONAL REGISTRAR  
SERVICE TRIBUNAL  
KHYBER PAKHTUNKHWA  
PESHAWAR.

Mr. Kifayat Ullah Khan Marwat Adv.  
High Court at Peshawar. Larkki Marwat.

Respected Sir,

- 1- address of the appellant is corrected according to law.
- 2- Annex A is replaced,  
Annex B, better copy is annexed.  
Annex C, better copy is annexed.
- 3- Respondent No-1 is removed from the panel of respondents.  
Re-submitted after all objection removed has been removed.

K.C.K. Adv for appellant  
*[Signature]*

**BEFORE KHYBER PAKHTUN KHWA, SERVICE TRIBUNAL,  
PESHAWAR**

Service Appeal No. 1990 /2024

Mst Shahab \_\_\_\_\_ Appellant

*Versus*

Elementary and Secondary Education and others of k.p.k \_\_\_\_\_ Respondents

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Dated: 01/10/2024

Appellant

Through Counsel

Mst. Shahab

**KIFAYATULLAH KHAN MARWAT**  
Advocate High Court (B.C-12-3986)  
Lakki Marwat.  
03135690075

**BEFORE KHYBER PAKHTUN KHWA, SERVICE TRIBUNAL,  
PESHAWAR**

Service Appeal No. 1990 /2024

Mst. SHAHAB Ex-PST Govt; Girls Primary School Saleh Khan, Mandew,  
Bannu.

Appellant

*Versus*

1. Director, Elementary and Secondary Education, Peshawar.
2. District Education Officer (Female), Bannu.

Respondents

SERVICE APPEAL UNDER SECTION-4 OF THE  
SERVICE TRIBUNAL ACT, 1974 AGAINST THE  
IMPUGNED ORDER DATED 12.01.2023 WHERE BY THE  
APPELLANT HAS REMOVED FROM SERVICE ON  
ACCOUNT OF ABSENCE.

PRAYER:

ON ACCEPTANCE OF INSTANT APPEAL THE  
IMPUGNED ORDER DATED 12.01.2023 OR ANY OTHER  
IMPUGNED ORDER PASSED BY THE RESPONENTS  
MAY KINDLY BE SET ASIDE AND THE APPELLANT  
MAY GRACIOUSLY BE REINSTATED IN SERVICE  
WITH ALL BACK BENEFITS EXCEPT FOR PERIOD OF  
LEAVE WITHOUT PAY.

- 1 -

**BEFORE KHYBER PAKHTUN KHWA, SERVICE TRIBUNAL,  
PESHAWAR**

Service Appeal No. 1990 /2024

16233

01-10-2024

MST. SHAHAB D/O Abdul Jalil Khan R/O Shah Dhew, District Bannu,  
presently residing at M. Sadiq Billing Office AFIP near Gate No: 4 CMH  
Rawalpindi.

Appellant

*Versus*

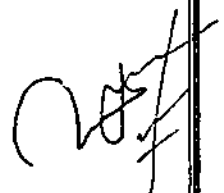
1. Govt. of Khyber Pakhtun Khwa through Secretary Elementary and Secondary Education Department, Peshawar.
2. Director, Elementary and Secondary Education, Peshawar.
3. District Education Officer (Female), Bannu.

Respondents

SERVICE APPEAL UNDER SECTION-4 OF THE  
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MAY KINDLY BE SET ASIDE AND THE APPELLANT  
MAY GRACIOUSLY BE REINSTATED IN SERVICE  
WITH ALL BACK BENEFITS EXCEPT FOR PERIOD OF  
LEAVE WITHOUT PAY.



**RESPECTFULLY SHEWETH;**

The appellant most humbly submits as under:-

- 1) **That** the present appellant was appointed in the education department District Bannu in the year 2017 as **PST** and consequent to the appointment order, the appellant took charge of his duties. **{Copy of Appointment order is attached as Annexure-A}**.
- 2) **That** the appellant after appointment, was working with great zeal and devotion since date of arrival according to the rules of service and according to the wishes of the Superiors and having no complaint against the present appellant since his appointment.
- 3) **That** the mother of the appellant was seriously ill due to diabetes and her leg was amputated and there was no one to take care of her, therefore, in the year of 2021 and 2022 the appellant took some leaves, to look after of her mother.
- 4) **That** due to serious condition of appellant's mother it was suggested by the doctors that she should be taken to Peshawar or Islamabad for better treatment, hence the appellant filed request for 2 years leave without pay, which was approved vide order dated: 31-08-2022 for period of 15-08-2022 to 15-08-2024. **(Copy of general leave order is Annexure-B)**
- 5) **That** the appellant along-with the family shifted to Rawalpindi, where the appellant's mother was treated but due to seriousness of illness the appellant's mother died.
- 6) **That** as the appellant was in Rawalpindi of leave without pay, the respondent/department, issued the impugned office order dated: 12-01-2023 vide which the appellant was removed from service. It is pertinent to mention that neither right of personal hearing was given nor any inquiry as per law was conducted. **{Copy of impugned order dated: 12-01-2023 is Annexure-C}**

- 7) That the said impugned order of removal from service has not been served upon the appellant, and the appellant got knowledge about said order vide whatsapp on 05-04-2023, so after getting knowledge, the appellant moved an appeal to the respondent No.2. **{Copy of departmental appeal is attached, marked as Annexure-D}**
- 8) That on the appeal of the appellant the D.E.O (M) Lakki Marwat was made enquiry officer, who issued notification No.5228 dated: 26-06-2023, wherein the date for inquiry was fixed on 05-07-2023. **{Copy of notification for inquiry is Annexure-E}**
- 9) That the appellant appeared before the respondent No.3's officer on 05-07-2023, whereon the respondent No.3 took signature of attendants from the appellant but the inquiry officer was not present and also didn't come on that date.
- 10) That thereafter neither the inquiry was conducted nor the said appeal was decided till date and no response what-so-ever has been made.
- 11) That after completion of leave the appellant went to place of duty for taking charge on 02-09-2024, but the concerned head teacher inform the appellant that the appellant's removal order was not yet withdrawn and the said head teacher was unaware about the result of inquiry or departmental appeal, so the appellant approached to the respondent No. 3 for supply of copies of show cause notice, inquiry report, dismissal order, department appeal and order thereon (if any) to the appellant but despite of the said application no response has been given. **{Copy of application is attached, marked as Annexure-F}**
- 12) That the appellant being aggrieved and having no other efficacies remedy except to file the instant appeal for the redressal of his grievances before this Hon'ble Tribunal on the following amongst other grounds.

**GROUNDS:**

- A. That the impugned order of respondents dated: 12-01-2023 (and if any other order on departmental appeal) are against law, facts, hence liable to be set-aside.
- B. That the respondent No. 3 in utter disregard to the principles of the fairness, merit and transparency passed the present impugned order dated: 12-01-2023, hence the impugned order of the respondents are against the law, illegal, unlawful and void ab initio and liable to be turned down.
- C. That the appellant served the department for almost 5.5 years without any stigma on his service and with unblemished record and the penalty imposed upon the appellant is very harsh, which is liable to be reversed.
- D. That the removal of the appellant from her service without adopting proper criteria and codal requirements by the respondents is against the worthy ruling of the Hon'ble Superior Courts of Pakistan and therefore, the same are illegal practice and such practice adversely effects efficiency of incumbents and also reduces their confidence and faith in public, hence the impugned order referred above is liable to be upheld on this score also.
- E. That the appellant had been made victim of discrimination, demerits, partiality and favoritism without any just and reasonable cause thereby offending the fundamental rights of the appellant as provided by the constitution of 1973, hence the impugned order is liable to be set at naught.
- F. That the impugned order has been passed by applying wrong law over the subject, hence no limitation can run against an illegal order.
- G. That the appellant is very hardworking and punctual in her duty, therefore, no complaint received by the Respondents against the appellant but the Respondents unlawfully and illegally proceeded against the appellant by ordering her removal from her service, which is against the law and fundamental rights of the appellant.



H. That the appellant was condemned unheard, his departmental appeal was not properly adjudicated in the manner as provided by the law. Further no chance of personal hearing was given to the present appellant in order to redress his grievances which shows the malafide of the Respondents, hence needs interference of this Hon'ble Tribunal.

I. That the present impugned order is illegal, illogical, against facts, without jurisdiction and suffering from material irregularity, hence they are untenable and liable to be struck down.

J. That the Respondents erroneously exercised their powers against judicial principle, and have passed the impugned orders and opened a new pandora box in clear violation of Service law, hence, the said impugned order is liable to be set aside, and the appellant may kindly be re-instated in service with all back benefits.

K. That neither any inquiry was conducted nor has proper procedure been followed. It is most important to mention that other colleagues of the appellant who were removed from service on the same ground were re-instated in service, hence the appellant is entitled to be treated the same way.

L. That the appellant crave for leave of the Hon'ble Tribunal to raise additional grounds at the time of arguments.

**IT IS, THEREFORE, MOST RESPECTFULLY PRAYED THAT ON ACCEPTANCE OF THIS APPEAL THIS HON'BLE TRIBUNAL MAY VERY GRACIOUSLY BE PLEASED TO:**

- i. DECLARE THE IMPUGNED ORDER DATED: 12-01-2023 (AND IF THERE IS ANY OTHER ORDER AGAINST THE APPELLANT) AS ILLEGAL, AND UNLAWFUL.**
- ii. REINSTATE THE APPELLANT IN SERVICE WITH ALL BACK BENEFITS.**

iii. ANY OTHER RELIEF, THOUGH NOT SPECIFICALLY ASKED FOR, DEEMS APPROPRIATE TO THE HON'BLE TRIBUNAL MAY ALSO BE GRANTED.

Dated: 01/10/2024

Appellant



Mst. Shahab

Through Counsel



**KIFAYAT ULLAH KHAN MARWAT**

Advocate High Court,  
Lakki Marwat.

**VERIFICATION:**

It is verified that all the contents of the instant appeal are true and correct and nothing has been concealed intentionally from this Hon'ble Tribunal.



Deponent

**Note:** That no such like petition / Appeal on this subject matter has earlier been filed before this Hon'ble Tribunal.

**BEFORE KHYBER PAKHTUN KHWA, SERVICE TRIBUNAL,  
PESHAWAR**

Service Appeal No. \_\_\_\_\_ /2024

**Mst Shahab** \_\_\_\_\_ **Appellant**

*Versus*

**Govt. of Khyber Pakhtun Khwa through Secretary Elementary and Secondary  
Education and others.**

\_\_\_\_\_ **Respondents**

**APPLICATION FOR CONDONATION OF DELAY**

**Respectfully Sheweth:**

1. That the accompanied appeal is filed, in which no date of hearing is fixed.
2. That the appellant filed her departmental appeal and inquiry officer was appointed but no response what-so-ever has been made and the delay has been caused in wait for decision on departmental appeal.
3. That the delay in filing the appeal is not deliberate and intentional but due to the reason mentioned above.
4. That the impugned order is illegal, as the same has been passed by applying wrong law, so no limitation is run against an illegal order.
5. That the law, equity and fair play demands that the subject appeal may kindly be heard at merits rather on technicalities.

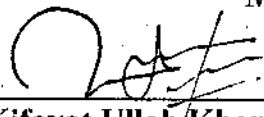
It is, therefore, most respectfully prayed that the delay in filing appeal may kindly be condoned and the decision may kindly be made on merits.

Dated: 01/10/2024

**Appellant**

  
Mst. Shahab

**Through Counsel**

  
: **Kifayat Ullah Khan**  
Advocate High Court,  
Lakki Marwat.

**BEFORE KHYBER PAKHTUN KHWA, SERVICE TRIBUNAL,  
PESHAWAR**

Service Appeal No. \_\_\_\_\_ /2024

**Mst Shahab** \_\_\_\_\_ **Appellant**

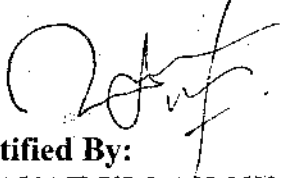
*Versus*

**Govt. of Khyber Pakhtun Khwa through Secretary Elementary and Secondary  
Education and others**

\_\_\_\_\_ **Respondents**

**AFFIDAVIT**

I, **MST. SHAHAB D/O** abdul jalil khan, District Bannu, do hereby solemnly affirm and declare upon oath that the contents of the application are true and correct to the best of my knowledge & belief and nothing has been concealed or withheld from this Honourable Tribunal.



**Identified By:**  
**KIFAYAT ULLAH KHAN,**  
**Advocate, High Court,**  
**Lakki Marwat.**



**Deponent**  
**Mst. Shahab**  
**CNIC: 11101-5743125-4**



**OFFICE OF THE DISTRICT EDUCATION OFFICER/BALUCHISTAN**

**BANNU ELEMENTARY & SECONDARY EDUCATION**

**KHYBER PAKHTUNKHWA**



**Appointment Order PST (Primary School Teacher)**

Consequent upon the recommendation of the Departmental Selection Committee, appointment of the following candidates are hereby ordered partly on merit and partly on the basis of their performance in the written examination held on 11/10/2017. The candidates are eligible for the posts of Primary School Teacher (PST) on Adhoc basis in BPS-12 (Rs.11140-500-351-6) fixed plus usual allowances as admissible to them under the rules and existing policy of the Provincial Government in Teaching Cadre on the terms and conditions given below with effect from 01-09-2017 in the best interest of public service.

SNO	NAME	FATHER NAME	NIC	SCORE	SCHOOL
1	ROOHANIA SID	Syed Sadman	1101-993665-6	11.55	GGPS PIRAN DARR KHAN
					SCHOOL

UNION COUNCIL ARAL-I					
SNO	NAME	FATHER NAME	NIC	SCORE	SCHOOL
1	KAZMA BIBI	Amal Khan	1101-7521451-4	10.50	GGPS MAHMOOD NAWAZ
					SCHOOL
2	UMAMA ISMAIL	Ismail Khan	1101-4097695-4	97.31	GGPS MAHMOOD NAWAZ
					SCHOOL
3	SABA	Zahid Khan	1102-0567954-8	92.43	GGPS GHATA DARR KHAN
					SCHOOL
4	UMMA ISMAIL	Amal Khan	1101-7821665-4	63.38	GGPS MOJIB
					SCHOOL
5	BASANI PARTI	Muhammad Shah	1102-0569229-8	60.33	GGPS KOTLA MAHMOOD NAWAZ
					SCHOOL

UNION COUNCIL ARAL-I					
SNO	NAME	FATHER NAME	NIC	SCORE	SCHOOL
1	SABA SAJAF	Sahibuddin Wazir	1101-604572-6	97.55	GGPS GHATA DARR KHAN
					SCHOOL
2	UMAMA	Basim Khan	1102-0577223-0	95.51	GGPS TIRAH MAHMOOD NAWAZ
					SCHOOL
3	FAZELI SHAMSAD	Shahbaz Nawaz	1101-8684242-8	51.48	GGPS TIRAH MAHMOOD NAWAZ

UNION COUNCIL ASPERIA WAZIR					
SNO	NAME	FATHER NAME	NIC	SCORE	SCHOOL
1	SHUMAILA	Aftab Khan	1101-5435686-2	58.29	GGPS PIRAN DARR KHAN
					SCHOOL
2	SAMA KASSIM	Gulistan Khan	1101-3348324-0	57.54	GGPS GHATA DARR KHAN
					SCHOOL
3	FARIHA	Muhammad Khan	1102-0581374-2	51.78	GGPS GHATA DARR KHAN

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11/15/14

SNO	NAME	FATHER NAME	NIC	SCORE	SCHOOL
UNION COUNCIL SHAHAD AZMAT KHIL					
1	ZAINAB KHIL	Gul Faraz Khan	11101-4540813-0	109.2	GGPS SHAHAD KHIL SCHOOL
2	AARNA BAZ	Imam Az Shahin	11101-0710122-4	101.80	GGPS NUR ZAHN AZAD
UNION COUNCIL NUJARI					
1	ANIKAZA	Shahid Ullah Khan	11101-9821918-0	109.94	GGPS NUR ZAHN AZAD
UNION COUNCIL NAI JAFARI					
1	SALMA KAZ	Ayat Khan	11101-3617584-2	118.65	GGPS MOHAMMAD NAI JAFARI
UNION COUNCIL MUHAMMATHI DARAJAZI					
1	ZARA KAVAT	Kamal Din	11101-9481005-6	104.80	GGPS KHAN KAVAT
UNION COUNCIL AMIRANMAD KHIL					
1	SOUVA AKHIL	Amir Saheed	11101-6114658-6	101.1	GGPS FACAL KHAN KHIL
2	SADIA SAHIL	Sahil Zaman	11101-3411319-0	102.1	GGPS SAHIL FACAL KHIL
UNION COUNCIL MITHA KHIL					
1	LACAZA	Muhammad Haseeb	11101-4318500-0	118.08	GGPS TOP KHAL KHIL
2	AVA NIVAN	Roufullah	11101-1024708-6	112.59	GGPS UHAY CHANDAN
3	ZARA DUA	Nour Afsar Khan	11101-2253364-2	106.51	GGPS FACAL KHAN KHIL
UNION COUNCIL AMULAY					
1	AMINA	Muhammad Haseeb	11101-5243154	115.5	GGPS SAHIL KHAN KHIL
2	AMINA NURAN	Nour Ahmad	11101-1110544-11	107.15	GGPS DARGAH KHIL

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**TERMS & CONDITIONS:**

1. NO TADA etc is allowed.
2. Charge reports should be submitted to all concerned in duplicate.
3. Appointment is purely on temporary & Adhoc basis initially for one year. W.e.f. 01-09-2017 to 31-08-2018.
4. They should not be handed over charge if he exceeds 55 years or below 18 years of age. Age relaxation case may be submitted to competent authority.
5. Appointment is subject to the condition that certificate/documents must be verified from the concerned institutions by the DEO (Female concerned), anyone found producing bogus/certificate/documents will be reported to the law enforcing agencies for further action and their appointment will be withdrawn from the selection list. Charges of the verification will be borne by the appointees themselves.
6. Their services are liable to termination on one month's prior notice from either side. In case of resignation without notice their one-month pay/allowances shall be forfeited to the Government.
7. Pay will not be drawn by the DDO concerned until and unless a certificate is not issued by this office that their certificates are duly verified.
8. They should join their posts within 15 days of the issuance of this notification. In case of failure, their appointment will expire automatically and no subsequent appeal etc shall be entertained.

*(Handwritten signature)*

Sno	NAME	FATHER NAME	NIC	SCORE	SCHOOL
UNION COUNCIL SIKANDER KHEL DALA					
1	ABUJA ABBASI	Shamsul Zaman	11101-9472654-8	129.40	GGPS Ghazi Khan
2	LAILA REHMANI	Syed Amir Abdur Rehman Shah	11101-765520-6	113.17	GGPS SIKANDER KHEL DALA
3	REEMA KHAN	Husrat Ullah Khan	11101-7355490-2	101.80	GGPS Amir Muhammad Khan
UNION COUNCIL SIKANDER KHEL KHEL					
Sno	NAME	FATHER NAME	NIC	SCORE	SCHOOL
1	SHIRAZUL MASHOOD	Mashood Jan	11101-2970371-0	121.67	GGPS SIKANDER KHEL DALA
2	ASIYA LADEEN	Alli Zaman	11101-0427305-4	111.73	GGPS SIKANDER KHEL DALA
3	AMAREEN KHAN	Hidayat Ullah Khan	11101-5860132-4	103.05	GGPS SIKANDER KHEL DALA
UNION COUNCIL SOKARI					
Sno	NAME	FATHER NAME	NIC	SCORE	SCHOOL
1	AMISA BIDI	Muhammad Ghurban	11101-2903152-8	121.35	GGPS Sema SIKANDER KHEL
UNION COUNCIL SOKARI					
Sno	NAME	FATHER NAME	NIC	SCORE	SCHOOL
1	MARYAM BIBI	Amir Taj Ali Khan	11101-2451037-2	111.93	GGPS SOKARI KHAN KHAN

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9. Health and Age Certificate should be produced from the Medical Superintendent concerned before taking over charge.
10. They will be governed by such rules and regulations as may be framed from time to time by the Govt.
11. Their services shall be terminated at any time, in case their performance is found unsatisfactory during their contract period. In case of misconduct, they shall be proceeded under the rules framed from time to time.
12. Their appointment is made on School base, they will have to serve at the place of posting, and their services are not transferable to any other station.
13. Before handing over charge once again their document may be checked if they have not the required relevant qualifications as per rules, they may not be handed over charge of the post.
14. In case of any error, defect on behalf of the appointee found at any time, the appointment order of the candidates will be withdrawn.
15. The Under signed reserve the rights of amendment in this appointment order in case of any mistake/error or omission.

(Syeda Anjum)  
 DISTRICT EDUCATION OFFICER  
 FEMALE BANNU

Ends: No. 2427-2545 /Female/TS/17/Adhoc/Appe: Dated Bannu on: 17-06-2017

1. Director Elementary & Secondary Education Khyber Pakhtunkhwa Peshawar
2. Deputy Commissioner Bannu.
3. District Nazim Bannu.
4. District Monitoring Officer (B&T) Bannu.
5. District Accounts Officer Bannu.
6. SDEO (I) Primary Bannu.
7. SDEO (I) Primary Bannu.
8. ASD:Os (Concerned).
9. Officials Concerned.

DISTRICT EDUCATION OFFICER  
 FEMALE BANNU

11/17/2017



DISTRICT EDUCATION OFFICER (FEMALE) BANNU

4- ASDFO (Female) BANNU  
5- TEACHER CONCERNED

- 1- SDEO FEMALE concerned properly submit source information to DAO Bannu for stoppage of pay, deduction of teaching and conveyance allowance under intimation to the office.
- 2- DMO BANNU
- 3- DISTRICT ACCOUNTS OFFICER BANNU to stop the pay of Adhoc teacher till arrival and also deduct the conveyance allowance from regular teacher, the salary of leave without employe should also stopped immediately.

DISTRICT EDUCATION OFFICER (FEMALE) BANNU

Endst: No. 8238-48

1. SDEO Concerned properly maintains their Service Books
2. Adhoc Teacher leave will be considered without pay.
3. Conveyance allowance & Teaching allowance should be deducted from her pay and Report should be submitted to this office, positively.

NOTE:

S#	Name of Teacher	Period of Leave	Remarks
1	FOZIA MEHMOOD PST	10-09-2022	Leave without pay
2	RIZWANA PST GPCS	15-08-2022	ANTI NAAL LEAVE
3	Nishat Begum PST GPCS	29-08-2022 TO 28-12-2022	Expected leave
4	SANIYA NORIN PST GPCS Zonda Chhab	15-08-2022	ANTI NAAL LEAVE
5	Rudra BIBI GPCS Abar	16-08-2022	ANTI NAAL LEAVE
6	Shahab Begum PST GPCS Sachi Khan Mandaw Bannu	15-08-2022	Leave without pay

Under the provision of Revised Leave Rules, 1981, sanction is hereby accorded to the grant of Maternity Leave/ Leave without pay/earned leave in terms of the below mentioned conditions, admissible under the rules.

SANCTION

OFFICE OF THE  
DISTRICT EDUCATION OFFICER (F) BANNU  
OUTSIDE MIRVAN GATE NEAR GHS NO.4 BANNU  
PIN No. 0928-660019



(Better copy) -13

OFFICE OF THE DISTRICT EDUCATION OFFICER (F) BANNU  
OUTSIDE MIRYAN GATE NEAR GHS NO.4 BANNU  
Ph No. 0928-660019

**SANCTION**

Under the Provision of Revised Leave Rules, 1981, sanction is hereby accorded to the grant of Maternity Leave/ Leave without pay/Earned Leave in respect of the below mentioned teacher as admissible under the rules.

S#	Name of Teacher	Period of leave	Remarks
1	FOZIA MEHMOOD PST GGPS ISREAL SHAHEED	16-08-2023 to 29-09-2022 (45 days)	Post Natal Leave
2	RIZWANA PST GOPS MUMTAZ BAKA KHEL P.No	15-08-2022 to 28-09-2022 (45 days)	ANTI Natal Leave
3	Nishat Begum PST GGPS NO'4 BANNU CITY P.No 0017937	29-08-2022 to 28-12-2022 (122 days)	Earned leave Vide SDEO (F) letter No. 98 dated 29-08- 2022
4	SAMINA NORIN PST GGPS Zonda Ghaibi Dilawar P.No	15-08-2022 to 28-09-2022 (45 days)	ANTI Natal Leave Vide SDEO (F) letter No.31 dated 31-08- 2022
5	Ruqia BIBI GGPS Abas Khan Nurar P.No	16-08-2022 to 31-09-2022 (45 days)	
6	Shahab PST GGPS Saleh Khan Mandew Bannu P.NO 883616	15-08-2022 to 15-08-2024 (02 years) without pay	Leave without pay Vide SDEO (F) letter No. 32 dated 31-08- 2022
7	Ulfat Ara Qureshi PST GGPS Bharat Khas No. 2 P.No	17-08-2022 to 30-09-2022 (45 days)	ANTI Natal leave vide SDEO (F) letter No. 83 dated 24-08-2022

**NOTE:**

1. SDEO Concerned properly maintains their Service Books.
2. Adhoc Teacher leave will be considered without pay.
3. Conveyance allowance & Teaching allowance should be deducted from her pay and Report should be submitted to this office, positively

DISTRICT EDUCATION OFFICER,  
(FEMALE) BANNU  
Dated Bannu the 31/08/2022

Endst: No 8239-43

Copy for information to the:-

- 1- SDEO FEMALE concerned properly submit source Proforma to DAO Bannu for stoppage of pay, deduction of teaching and conveyance allowance under intimation to this office.
- 2- DMO BANNU
- 3- DISTRICT ACCOUNTS OFFICER BANNU to stop the pay of Adhoc teacher till arrival and also deduct the conveyance allowance from regular teacher, the salary of leave without employee should also stopped immediately.
- 4- ASDEO (Circle) BANNU
- 5- TEACHER CONCERNED

DISTRICT EDUCATION OFFICER

Annex: C

-14-



OFFICE OF THE DISTRICT EDUCATION OFFICER FEMALE BANNU  
Phone 0928-660019

NOTIFICATION:

1. WHEREAS you, Mst Shahab, PST, GGPS SALEH KHAN MAIDEV was proceeded for having committed the following gross irregularities which constituted inefficiency and misconduct under rule-3 sub rule (a), (b) of the Khyber Pakhtunkhwa Efficiency and Discipline Rule 2011
2. AND WHEREAS you were reported absent by Education Monitoring Authority Bannu on dated 2022-04-18 09:57:35, 2022-03-01 09:41:00, 2021-06-23 09:09:39, 2021-08-05 09:06:26, 2021-09-23 10:44:36, 2022-02-16 12:41:02 without prior permission of the competent authority
3. AND WHEREAS Show-cause Notice served upon you vide this office Endst. No 9-122 SO dated 03-09-2022
4. AND WHEREAS your response to competent authority is not satisfactory.
5. Now therefore, the competent authority in exercise of the power conferred upon me under sub rule 4-b sub-section (III) and 9 of the Khyber Pakhtunkhwa Efficiency and Discipline rules 2011 impose the Major Penalty of "Removal from Service" upon you Mst Shahab, PST, GGPS SALEH KHAN MAIDEV

District Education Officer

(F) District Bannu

No 973-75

Date

Date

12/10/2022

Copy to be:

1. Director F&SI Khyber Pakhtunkhwa, Peshawar
2. District Account Officer, Bannu
3. SDF Concerned
4. Headmistress Concerned
5. Shahab, PST, GGPS SALEH KHAN MAIDEV

District Education Officer  
(F) District Bannu

WTSPEB

{Better copy of removal order}

14

OFFICE OF THE DISTRICT EDUCATION OFFICER FEMALE BANNU

Phone: 0928-660019

NOTIFICATION:

1. WHEREAS you, Mst Shahab, PST, GGPS SALEH KHAN MANDEV was proceeded for having committed the following gross irregularities which constituted inefficiency and misconduct under rule-3 sub rule (a), (b) of the Khyber Pakhtunkhwa Efficiency and Discipline Rule 2011.
2. AND WHEREAS you were reported absent by Education Monitoring Authority Bannu on dated 2022-04-18 09:57:35, 2022-03-01 09:41:00, 2021-06-23 09:09:39, 2021-08-05 09:06:26, 2021-09-23 10:44:36, 2022-02-16 12:41:02 without prior permission of the competent authority.
3. AND WHEREAS Show-cause Notice served upon you vide this office Endst. No.9428-50 dated 03-09-2022.
4. AND WHEREAS your response to competent authority is not satisfactory.
5. Now therefore, the competent authority in exercise of the power conferred upon me under sub rule 4-b sub-section (III) and 9 of the Khyber Pakhtunkhwa Efficiency and Discipline rules 2011 impose the Major Penalty of "Removal from Service" upon you Mst shahab, PST, GGPS SALEH KHAN MANDEV

District Education Officer

(F) Bannu District

Dated 12/01/2023

No. 973-75

Copy to the

1. Director E&SE Khyber Pakhtunkhwa, Peshawar.
2. District Account Officer, Bannu.
3. SDEO Concerned.
4. Headmistress Concerned.
5. Shahab, PST, GGPS SALEH KHAN MANDEV.

ATTN

District Education Officer.

(F) Bannu District

The Hon'ble Director,  
Elementary & Secondary Education Department, Peshawar

Subject: APPEAL FOR REINSTATEMENT FROM THE IMPUGNED ORDER DATED 12-01-2023 BY DEO(F) BANNU WHEREBY MAJOR PENALTY OF REMOVAL FROM SERVICE HAS BEEN INFLICTED UPON THE APPELLANT.

Respected Sir,

Compendium of facts out of which the present appeal arises is as under:

1. That the appellant belongs to District Bannu and was initially appointed as a PST on regular bases on dated 17/06/2017, and has performed her duties punctually and regular for a period of 5.5 years without any break and no adverse remarks. (Appointment Order ANNEX A).
2. That the appellant was proceeded on leave without pay vide Endst: No.8239-45 dated 31/08/2022 for a period of two years as per revised leave rules 1981, (Leave Sanction Annex-B).
3. That the appellant has been informed through social media / whatsapp on dated 5<sup>th</sup> April 2023, that she has been removed from service vide notification No.973-75 dated 12/01/2023 without informing the appellant through registered mail service. (Removal Notification Annex-C).
4. That the appellant has been removed from service vide impugned notification dated 12/01/2023, without adopting the mandatory provisions of law and rules applicable on civil servant.
5. That the Impugned Notification No.973-75 dated 12/01/2023 is against law, facts, rules and Natural justice on the grounds inter-alia as follows:

GROUNDS:

- A. That orders of the worthy DEO (F) Bannu dated 12/01/2023, whereby, appellant has been removed from service is illegal without lawful authority, without jurisdiction malafide, void ab-initio of no legal effect and ineffectual as regards of the Appellant, therefore, liable to be set aside.

499  
25-5-2023

That the impugned notification 12/01/2023 is in consistence with E&O rules 2011, and the appellant has not been treated according to civil servant

That not only E&O rules have been completely disregarded while passing the impugned notification but also the basic requirements i.e. show cause, notices, chargesheet, regular inquiry, final show cause and personal hearing have been blatantly ignored while awarded major penalty of removal from service to the appellant.

- D. That the impugned notification 12/01/2023 is not applicable on appellant as she had been proceeded on leave without pay as per approval of the competent authority under revised leave rules 1981.
- E. That the Appellant has always performed her duty with due diligence and never acted prejudicial to good order there is nothing adverse against him, hence the impugned orders are not sustainable in the eye of law.
- F. That the worthy DEO (F) BANNU has committed a legal error by removing the Appellant from Service, therefore, warrants interference.
- G. That the worthy DEO (F) Bannu while removing from service the Appellant through impugned order has acted in violation of law and rules applicable to the case, therefore he has not been treated in accordance with law, which offends article 4 and 8 of the constitution.
- H. That the impugned notification in sheer violation of reported judgments of Apex Courts of the land (Annexed)
- I. That under similar circumstances many employees have been awarded minor penalties, but the Appellant has been treated differently which is violative of article 25 of the constitution therefore, warrants interference
- J. That the impugned order of the DLO (F) BANNU is not speaking and reasonable order as enshrined in 24-A of General Clauses Act which ought to be taken to be in their around about

That order of the removal from service of the Appellant does suffer from legal infirmity therefore the impugned order are liable to be laid to rest

It is, therefore prayed that on acceptance of their appeal the impugned order dated 12/01/2023 may be declared as illegal, without lawful authority without jurisdiction, void ab-initio and of no legal effect and the same may be laid to rest and the appellant may very kindly be reinstated in service after the completion of her leave.

Date 12/01/2023

Appellant.



SHAHAB PST BS-12,  
GGPS SALEH KHAN MANDEW BANNU.



**Office of The District Education Officer  
Male Lakki Marwat**

Ph: (0969)538291 email: [emislakki@yahoo.com](mailto:emislakki@yahoo.com)  
[www.facebook.com/deomalelakki](http://www.facebook.com/deomalelakki), [www.twitter.com/deo\\_m\\_lakki](http://www.twitter.com/deo_m_lakki)

No. 5228 Dated. 26/06/2023

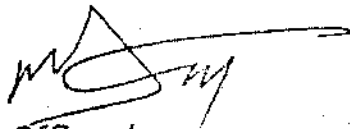
To

The District Education Officer  
(Female) Bannu.

Subject: **ENQUIRY/NOTIFICATION.**

With reference to the Director, Elementary & Secondary Education Khyber Pakhtunkhwa, Peshawar Notification bearing No.2736-37/F.No.369/F/appeal/Bannu dated. 19-06-2023, and to inform you that the undersigned has scheduled to visit your office on 05-07-2023 (Wednesday) in connection with an inquiry in respect of Ms Shahab Ex-PST GGPS Slaeh Khan Mandew Bannu in the light of her departmental appeal for reinstatement into service.


You are requested to ensure presence of a well conversant officer and all concerned including Ms Shahab Ex-PST GGPS Slaeh Khan Mandew Bannu to provide the relevant record/documents to the undersigned on the day of visit.

  
**Inquiry Officer/  
District Education Officer  
(Male) Lakki Marwat**

Even No.& Dated

Copy to:

1. Director Elementary & Secondary Education Khyber Pakhtunkhwa Peshawar with reference to the above cited notification.

  
District Education Officer  
(Male) Lakki Marwat

**ATTACHED**



To,

**The Hon'ble Director,  
Directorate of Elementary and Secondary Education,  
Khyber Pakhtun Khwa, Peshawar.**

**Through proper Channel:-**

**District Education Officer  
(Female) Bannu**

**Subject: Application for supply of copies of show cause notice, dismissal order,  
Departmental appeal and order thereon (if any) or any other  
document.**

**Respected Sir,**

With reference to the subject cited above, the applicant most humbly submits as  
under:

1. That the applicant was appointed in the education department District Bannu in the year 2017 as **PST** and was working since the date of appointment in Govt. Girls Primary School, Mandew, District Bannu.
2. That since the appointment there was no complaint against the appellant.
3. That due to the illness of mother the appellant was absent on some dates but not and that was the genuine cause. Thereafter for the treatment of mother the appellant took leave without pay which was approved in general order.

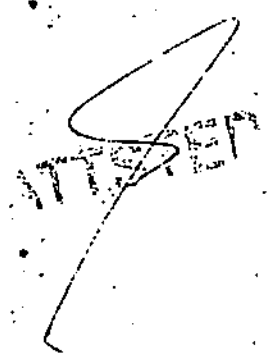
ATTSTED

4. That appellant was on leave but the D.E.O (F) Bannu issued show cause notice and thereafter issued applicant's removal from service order dated: 12-01-2023.
5. That the said impugned order of removal from service has not been served upon the applicant within time, so after getting knowledge, the applicant moved an appeal and your worthy office appointed inquiry officer on the same appeal but the inquiry officer didn't appear for inquiry on date fixed i.e 05-07-2023 and thereafter neither any notice was served on the applicant nor the applicant has been informed about the said inquiry.
6. That the applicant through this application requests that the copies of show cause notice, inquiry report, dismissal order, department appeal and order thereon (if any) may kindly be supplied to the applicant for onward necessary action.

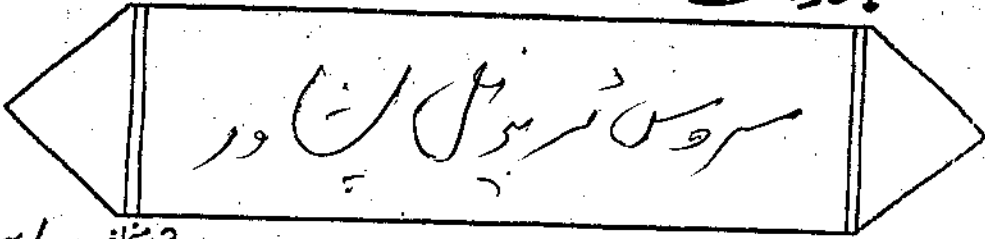
  
Applicant

Date: 08.09.2024

Mst. Shahab



### بعدالت



2 جناب ایڈیٹ  
شیاب بنام حکومت

موردہ  
مقدمہ  
دعویٰ  
جزم

### باعث تحریر آنکے 3986-12-2024

مقدمہ مندرجہ عنوان بالا میں اپنی طرف سے واسطے پیروی و جواب دہی وکل کارروائی متعلقہ  
آن مقام سروس ٹریڈنگ اور کیلئے کناسٹ الا جان رو اور وکول  
مقرر کر کے اقرار کیا جاتا ہے۔ کہ صاحب موصوف کو مقدمہ کی کل کارروائی کا کامل اختیار ہوگا۔ نیز  
دیکل صاحب کو راضی نامہ کرنے و تقرر ثالثہ فیصلہ بر حلف دیئے جواب دہی اور اقبال دعویٰ اور  
بصورت ڈگری کرنے اجراء اور صولی چیک و روپیہ ارضی دعویٰ اور درخواست ہر قسم کی تصدیق  
ذرائع پر دستخط کرانے کا اختیار ہوگا۔ نیز صورت عدم پیروی یا ڈگری یکطرفہ یا اپیل کی برآمدگی اور منسوخی  
نیز دائر کرنے اپیل نگرانی و نظر ثانی و پیروی کرنے کا اختیار ہوگا۔ از بصورت ضرورت مقدمہ مذکور  
کے کل یا جزوی کارروائی کے واسطے اور وکیل یا مختار قانونی کو اپنے ہمراہ یا اپنے بجائے تقرر کا اختیار  
ہوگا۔ اور صاحب مقرر شدہ کو بھی وہی جملہ مذکورہ باختیارات حاصل ہوں گے اور اس کا ساختہ  
پرواخصہ منظور قبول ہوگا۔ دوران مقدمہ میں جو خرچہ ہر جات التوائے مقدمہ کے سبب سے ہوگا۔  
کوئی تاریخ پیشی مقام دورہ پر ہو یا حد سے باہر ہو تو وکیل صاحب پابند ہوں گے۔ کہ پیروی  
مذکور کریں۔ لہذا نکالت نامہ لکھ دیا کہ سندر ہے۔

المرقوم 1-10-2024 ماہ اکتوبر 2024

شیاب دفتر عبدالجلیل خان سکنہ سہاء دیوبند  
حال راولپنڈی

بمقام  
Accepted  
ور کے لئے منظور ہے۔  
واہ الع