

BEFORE THE HONOURABLE SERVICE TRIBUNAL PESHAWAR

SERVICE APPEAL NO. 1465/2024

Mufti Zain ul Abideen S/O Imam ud Din R/O Basti Imad ud Din, Near Tableeghi Markaz Pindi Road Kohat APPELLANT

V/S

DISTT EDUCATION OFFICER (MALE) KOHAT & OTHERS..... RESPONDENTS

S#	Description of the Documents	Annex	Pages
1	Reply	-	1-2
2	Affidavit	-	3
3	Order No: 9611-15 dated 13.12.2023, 2202 dated 04.04.2024, 2315-21 dated 15.04.2024 & order No 2993-97 dated 13.05.2024 & order No: 4177-81 dated 12.06.2024	A	4-8
4	Photo copy of Charge report dated 13.12.2023,	B	9
5	Photo copy of attendance register for the month of Sep 2024 & Oct 2024	C	10-11


DISTRICT EDUCATION OFFICER
(MALE) KOHAT
Respondent No: 2

①

BEFORE THE HONOURABLE SERVICE TRIBUNAL PESHAWAR

SERVICE APPEAL NO. 1465/2024

Mufti Zain ul Abideen S/O Imam ud Din R/O Basti Imad ud Din, Near Tableeghi Markaz Pindi Road Kohat **APPELLANT**

V/S

DISTT EDUCATION OFFICER (MALE) KOHAT & OTHERS..... RESPONDENTS

Parawise comments on behalf of Respondent No: 1 & 2

**Khyber Pakhtunkhwa
Service Tribunal**

Diary No. 17450

Dated 31-10-24

Respectfully Sheweth

Preliminary objections:

1. That the appellant has got no cause of action locus standi.
2. That the instant Service appeal is Infractues one.
3. That the appellant has concealed material facts from the Hon'ble Tribunal in the instant service appeal.
4. That the instant service appeal is against the relevant provisions of law.
5. That the appellant has not come to this Hon'ble Tribunal with clean hands.
6. That the instant appeal is liable to be dismissed for mis-joinder & non-joinder of the necessary parties to the present appeal.
7. That the appellant is estopped by his own conduct to file the instant appeal.
8. That the instant service appeal is not maintainable in the present form & circumstances of the case.

FACTS

1. That Para No:1 of the Facts pertains to record.
2. That Para No:2 of the Facts pertains to record.
3. That Para No:3 of the facts pertains to record. However, all the orders are issued in accordance with the rules in the best interest of public.
4. That Para No: 4 of the facts pertains to record
- 5-6 That Para No 5 and 6 of the facts have already been explained in paragraph 3 above.

However, the appellant has not expressed any grievances regarding any order that warrants the indulgence of the Hon'ble Service Tribunal Khyber Pakhtunkhwa. All orders related to being held in abeyance have already been set aside by the respondent department, and the appellant is currently serving under the same order. Since the appellant is not aggrieved, the appeal at hand is, therefore, infructuous.

GROUND

- A. That Para A of the ground is incorrect every order issued in accordance with law/rules & policy & no ill will or any discrimination has ever been portrayed by answering respondents.
- B. That Para B of the ground is incorrect as such there is no impugned order wherefrom the appellant is being aggrieved.
- C. That Para C of the grounds is pertains to record.
- D. That Para D of the ground is pertains to record, however every servant of Department is duty bound to perform best service for which appellant received beneficial emoluments etc & if the services of the appellant are not satisfactory the appellant liable to be disciplinary proceedings.
- E. That Para E of the ground is incorrect, respondent department does not make any discrimination with anyone else besides this all orders issued according to rules. Hence denied.
- F. That Para F of the ground is pertains to record. But it is worth mentioning here that all the orders so alleged by the appellant has already been set-aside & the appellant is without any issue performing his duty as per 1st transfer order (Photo copies of orders, are annexed as **annexure A**)
- G. That Para No: G of the ground is incorrect the appellant conceals the material fact by not disclosing the factum presently he is serving in compliance to the 1st order & duly his charge report over there. Hence the appeal is hand so subjudice is not maintainable. (Photo copy of Charge report & Attendance register annexed as **annexure B & C**)
- H. That Para No H of the ground is incorrect the appellant himself not disclosed any cause of action so question of mis leading & non reading does not arise.
- I. That Para I of the ground does not pertain to answering department.
- J. That Para J of the ground is legal.

PRAYER

It is therefore humbly prayed that all the orders issued in respect of held in abeyance is set aside by the respondent's department & the leading prayer in respect of serving at GMS KDA Kohat is already in field. Hence the appeal in hand being infructues may graciously be returned/dissmised with cost.

(Zahoor Khab)

DISTRICT EDUCATION OFFICER
(MALE) KOHAT
Respondent No: 1

SAMINA ALTAF
Director

AUTHORISED OFFICER
ABDUS SAMAD
DEPUTY DIRECTOR
ELEMENTARY & SECONDARY EDUCATION
KHYBER PAKHTUNKHWA PESHAWAR
Respondent No: 2

BEFORE THE HONOURABLE SERVICE TRIBUNAL PESHAWAR

SERVICE APPEAL NO. 1465/2024

Mufti Zain ul Abideen S/O Imam ud Din R/O Basti Imad ud Din, Near Tableeghi Markaz Pindi Road Kohat **APPELLANT**



V/S

DISTT EDUCATION OFFICER (MALE) KOHAT & OTHERS..... RESPONDENTS

Affidavit

I, Zahoor Khan District Education Officer (Male) Kohat solemnly affirm and declare on oath that the contents of the accompanying Parawise reply/comments are true and correct to the best of my knowledge and belief and nothing has been concealed withheld from the Honorable Service Tribunal Khyber Pakhtunkhwa Peshawar.

It is further stated on oath that in this appeal, the answering respondents have neither been placed e-parte nor their decency has been struck off/cost.



31-10-

Deponent

(Zahoor Khan)
DISTRICT EDUCATION OFFICER
(MALE) KOHAT
CNIC No: 17301-1515811-3
Cell No: 03219176643

**DISTRICT EDUCATION OFFICER
KOHAT**

Ammt-A

(4)

OFFICE OF THE DISTRICT EDUCATION OFFICER (MALE) KOHAT

MUTUAL TRANSFER ORDER:

Consequent upon the approval of the competent authority, mutual transfer order of the following AT Teachers are hereby ordered on their own pay and grade in the interest of public service.

S.No	Name & Designation	From	To	Remarks
1	Muhammad Ibrahim AT	GMS KDA Kohat	GMS Bamma Kohat	Vice S#02
2	Zain Ul Abidin AT	GMS Bamma Kohat	GMS KDA Kohat	Vice S#01

The order will be effective w.e.f 01-04-2024.

Note:

1. No TADA is allowed.
2. Charge Report should be submitted to all concerned.

SD
DISTRICT EDUCATION OFFICER
(MALE) KOHAT

Indst. No. *9611-15* Transfer File AT 11 & Qari Volume 1-2023-24 Dated *13/12* 2023.

Copy to the:

1. District Account Officer Kohat.
2. District Monitoring Officer Kohat.
3. Headmaster /Principal Concerned.
4. Official Concerned.
5. Master Copy.

Attested
AD
25/12/23
Dy. Dist. Education Officer
(Male) Kohat

13/12/23
DY: DISTRICT EDUCATION OFFICER
(MALE) KOHAT

**OFFICE OF THE DISTRICT EDUCATION OFFICER (MALE)
KOHAT**

OFFICE ORDER

Consequent upon the approval of the competent authority, transfer order issued vide this office letter No.9611-15/Transfer File /AT/TT & Qari Volume-1 2023-24 Dated 13-12-2023 is hereby held in abeyance in the best interest of public.

DISTRICT EDUCATION OFFICER
(MALE) KOHAT

Ends: No. 2202-06 / Transfer File / Transfer File /AT/TT & Qari Dated 04/04/2024

Copy of the above is forwarded to the:-

- 7. District Account Office Kohat.
- 8. District Monitoring Office Kohat.
- 9. Principal/ Headmaster Concerned Kohat.
- 10. Official Concerned.
- 11. Office copy.

[Handwritten signature]

DY: DISTRICT EDUCATION OFFICER
(MALE) KOHAT

Attended
[Handwritten signature]
27/10/24
Distt. Education Officer
(Male) Kohat

Amna (6)

OFFICE OF THE DISTRICT EDUCATION OFFICER (MALE)
KOHAT

OFFICE ORDER

Consequent upon approval of the competent authority, the transfer order issued vide this office letter No.9611-15/Transfer file/AT /IT & Qari dated 13/12/2023 is hereby retained with immediate effect in the best interest of public.

DISTRICT EDUCATION OFFICER
(MALE) KOHAT

Endst No. 2815-21 / Transfer File

Dated 15/04/2024

Copy of the above is forwarded to the: -

1. District Account Office Kohat.
2. District Monitoring Office Kohat.
3. Principal/Headmaster Concerned.
4. Official Concerned.
5. Local Accountant.
6. Office copy.

Amna
AD
25/12/23
District Education Officer
(Male) Kohat

15/04/24
DY; DISTRICT EDUCATION OFFICER
(MALE) KOHAT

AMM-A (7)

OFFICE OF THE DISTRICT EDUCATION OFFICER (MALE)
KOHAT

OFFICE ORDER

Consequent upon the approval of the competent authority, transfer order issued vide this office Order No.9611-15/Transfer File /AT/TT & Qari Volume-I 2023-24 Dated 13-12-2023 and End No.2315-21/Transfer File /AT/TT & Qari Volume-I 2023-24 Dated 15-04-2024 is hereby held in abeyance in the best interest of public.

DISTRICT EDUCATION OFFICER
(MALE) KOHAT

Endst No: 2993-97 Transfer File / Transfer File /AT/TT & Qari Dated 13 / 05 /2024

Copy of the above is forwarded to the:-

1. District Account Office Kohat.
2. District Monitoring Office Kohat.
3. Principal/ Headmaster Concerned Kohat.
4. Official Concerned.
5. Office copy.

Attested
AD
25/40/23
Op-Distt Education Officer
(Male) Kohat


DY: DISTRICT EDUCATION OFFICER
(MALE) KOHAT

ANN-A (8)

OFFICE OF THE DISTRICT EDUCATION OFFICER (MALE)
KOHAT

OFFICE ORDER

Consequent upon approval of the competent authority, the transfer order issued vide this office Order No.9611-15/Transfer File /AT/IT & Qari Volume-I 2023-24 Dated 13-12-2023 is hereby retained with immediate effect in the best interest of public.



DISTRICT EDUCATION OFFICER
(MALE) KOHAT

Endst No. 4177-81 / Transfer File

Dated 12/06/2024

Copy of the above is forwarded to the: -

1. District Account Office Kohat.
2. District Monitoring Office Kohat.
3. Principal/Headmaster Concerned.
4. Official Concerned.
5. Local Accountant.
6. Office copy.

Attested

25/1/24
District Education Officer
(Male) Kohat

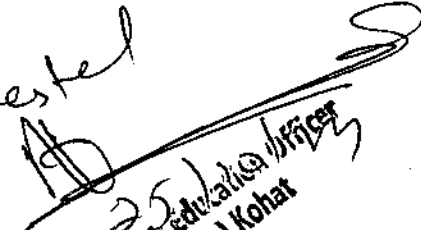

DISTRICT EDUCATION OFFICER
(MALE) KOHAT


AMM-B (9)

228

Charge Report

It is to certify that Mr. ZAIN UL ABIDIN S/O Mr. IMAD UD DIN Designation AT has been transferred to GMS KDA Kohat and taken over charge of 01, April, 2024 in BPS-15 at GMS KDA Kohat. Vide DEO (Male) Kohat Endst No. 3611-15 Dated Kohat the 13/12/2023.

Attested

District Education Officer
(Male) Kohat


HEAD MASTER
Govt; Middle School KDA Kohat
Head Master
Govt. Middle School
KDA Kohat

AMM-B (99)

25

Charge Report

It is certified that I Zain Ul Abidin AT (GMS Bamma) Mutual Transfer to Mr. Muhammad Ibrahim (AT GMS KDA) by the Office of the District Education Officer order No 9611-15 dated 13/12/2023.

My Mutual Transfer Order here by Head in abeyance by the District Education Officer kohat through order no. 2202-06 dated 04/04/2024.

In this connection I have submitted the Appeal / request to the Worthy District Education Officer (M) kohat. My Mutual Transfer head in abeyance Order again restore to the Office of District Education Office order No. 2315-21 dated 15/04/2024 In GMS KDA Kohat. Now I have again taken over charge at GMS KDA Kohat as Arabic Teacher (AT) vide order no. 2315-21 dated 15/04/2024.

Attested
AD
District Education Officer
(Male) Kohat

M. I. A.
15/04/2024
HEAD MASTER
Govt. Middle School
KDA Kohat

Attendance Register Sep 2024

SHAH HAROON (DM)
1430119324173
00359309
0348253747

MANSOOR AHMAD (TT)
1430196721143
00914796
03348293970

ZAIN UL ABIDIN (AT)
1430132185173
00908211
03348260560

Name & Designation
Grade
Personal
Mobile

DATE	Arrival	Departure	Sign	Arrival	Departure	Sign	Arrival	Departure	Sign	Arrival	Departure	Sign
1												
2	7:30	1:35	Shah Haroon	7:15	1:40	Zain	7:15	1:40	Zain	7:15	1:40	Zain
3	7:30	1:35	Shah Haroon	7:30	1:35	Zain	7:10	1:40	Zain	7:10	1:40	Zain
4	7:30	1:35	Shah Haroon	7:30	1:40	Zain	7:30	1:35	Zain	7:30	1:35	Zain
5	7:30	1:35	Shah Haroon	7:25	1:40	Zain	7:30	1:35	Zain	7:30	1:35	Zain
6	7:30	1:35	Shah Haroon	7:20	1:40	Zain	7:25	1:35	Zain	7:25	1:35	Zain
7	7:30	1:35	Shah Haroon	7:30	1:40	Zain	7:30	1:40	Zain	7:30	1:40	Zain
8												
9	7:30	1:35	Shah Haroon	7:30	1:40	Zain	7:25	1:35	Zain	7:25	1:35	Zain
10	7:30	1:35	Shah Haroon	7:50	1:40	Zain	7:10	1:40	Zain	7:10	1:40	Zain
11	7:30	1:35	Shah Haroon	7:30	1:40	Zain	7:10	1:40	Zain	7:10	1:40	Zain
12	7:30	1:35	Shah Haroon	7:30	1:40	Zain	7:10	1:35	Zain	7:10	1:35	Zain
13	7:30	1:35	Shah Haroon	7:25	1:40	Zain	7:10	1:35	Zain	7:10	1:35	Zain
14	7:30	1:35	Shah Haroon	7:30	1:40	Zain	7:25	1:40	Zain	7:25	1:40	Zain
15												
16	7:30	1:35	Shah Haroon	7:30	1:40	Zain	7:10	1:40	Zain	7:10	1:40	Zain
17												
18	1:30	1:35	Shah Haroon	7:25	1:40	Zain	7:10	1:40	Zain	7:10	1:40	Zain
19	7:30	1:35	Shah Haroon	-	-	-	7:30	1:40	Zain	7:30	1:40	Zain
20	7:30	1:35	Shah Haroon	7:30	1:40	Zain	7:25	1:35	Zain	7:25	1:35	Zain
21	7:30	1:35	Shah Haroon	7:30	1:40	Zain	7:30	1:40	Zain	7:30	1:40	Zain
22												
23	7:30	1:35	Shah Haroon	7:30	1:40	Zain	7:30	1:40	Zain	7:30	1:40	Zain
24	7:30	1:35	Shah Haroon	7:30	1:40	Zain	7:25	1:40	Zain	7:25	1:40	Zain
25	7:30	1:35	Shah Haroon	7:30	1:37	Zain	-	-	-	-	-	-
26	7:30	1:35	Shah Haroon	7:25	1:35	Zain	7:20	1:14	Zain	7:20	1:14	Zain
27	7:30	1:35	Shah Haroon	7:20	1:20	Zain	7:15	1:15	Zain	7:15	1:15	Zain
28	7:30	1:35	Shah Haroon	7:25	1:40	Zain	7:25	1:40	Zain	7:25	1:40	Zain
29												
30	7:30	1:35	Shah Haroon	-	-	-	7:30	1:40	Zain	7:30	1:40	Zain
31												

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District Education Officer
Kohat

visited
Zainul-Abidin (AT)
is on one day leave
less. 15/09/24
15.09.24

Leave	Current Month	Previous Month	Total Leaves	Leave	Current Month	Previous Month	Total Leaves	Leave	Current Month	Previous Month	Total Leaves	Leave	Current Month	Previous Month	Total Leaves
Casual	-	01	01	Casual	02	04	06	Casual	01	02	03	Casual			
Earned				Earned				Earned				Earned			
Medical				Medical				Medical				Medical			
Total				Total				Total				Total			

Head Master

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Govt. Primary School
KDA Kohat

Dy: DEO:

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EMA
19/9/24

AMM - C - 11

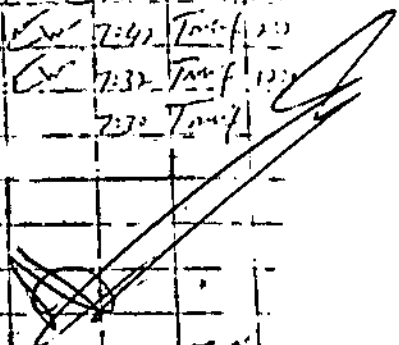
Govt. Middle School KDA Kohat

Attendance Register

OCT. 2021
LAUSLEF AHMAD (PE)

DATE	MUHAMMAD WAHED (SS1) 143013134406-3 00160058 03339642166	SHAHID SHAH (CT) 1430198250789 00162917 03018006181	SHANIS U ZAMAN (CT) 1430119324173 00907758 01341919795	1430139766885 03339642166
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Sl. No.	Date	Time	Present	Absent	Remarks
1	8/10/21	7:30	Present		
2	8/10/21	7:40	Present		
3	8/10/21	7:36	Present		
4	8/10/21	7:39	Present		
5	7/10/21	7:31	Present		
6	SUNDAY				
7	8/10/21	7:37	Present		
8	8/10/21	7:30	Present		
9	8/10/21	7:33	Present		
10	7/10/21	7:37	Present		
11	8/10/21	7:38	Present		
12	7/10/21	7:31	Present		
13	SUNDAY				
14	7/10/21	7:41	Present		
15	8/10/21	7:30	Present		
16	7/10/21	7:32	Present		
17	8/10/21	7:41	Present		
18	8/10/21	7:32	Present		
19	8/10/21	7:30	Present		
20	SUNDAY				
21					
22					
23					
24					
25					
26					
27	SUNDAY				
28					
29					
30					
31					


 Head Master
 District Education Office
 Kohat

Leave	Current Month	Previous Month	Total Leaves	Leave	Current Month	Previous Month	Total Leaves	Leave	Current Month	Previous Month	Total Leaves	Leave	Current Month
Casual		06		Casual		02		Casual		03		Casual	
Earned				Earned				Earned				Earned	
Medical				Medical				Medical				Medical	
Total				Total				Total				Total	

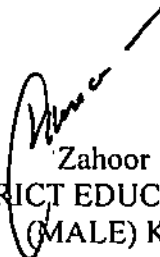
Head Master _____ DEO: _____ By: DEO: _____ EMA

OFFICE OF THE DISTRICT EDUCATION OFFICER (MALE) KOHAT

AUTHORITY LETTER

Certified that Mr. Waheed Gul LLB, BED ADEO (Litigation) office of the District Education Officer (Male) Kohat is hereby authorized to attend the Honorable Service Tribunal Khyber Pakhtunkhwa Peshawar in connection with Service Appeal No: 1465/2024 titled **Mufti Zain ul Abideen** Director Elementary & Secondary Education Khyber Pakhtunkhwa Peshawar till the disposal of the case on behalf of the undersigned.

He is also authorized to submit Parawise reply.


Zahoor Khan
DISTRICT EDUCATION OFFICER
(MALE) KOHAT
**DISTRICT EDUCATION OFFICER
(MALE) KOHAT**