

Attested & Accepted

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نشان

بسم اللہ الرحمن الرحیم

2023 29

Main body of handwritten text in Urdu, detailing a document or agreement.

اعتماد کرتا ہے

Navab Singh

نور علی صاحب

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نور علی

2023 29

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GROUNDS:

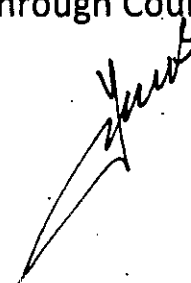
- 672 (14) 8
- a) That appellant is a regular civil servant of respondent and performing his duty regularly.
 - b) That appellant is performing his duty and being a regular civil servant of respondent, hence entitled for salary as per law and rules.
 - c) That there is no provision of law and General Principle of rule that when a Civil Servant is performing his duty and he is not entitled for his salary while it is golden principle of law that when a civil servant is serving, he is entitled for his salary.

It is therefore, humbly prayed that appellant may please be granted salary w.e.f 1/12/2022 till 31/5/2023 and onward on the basis of his performing his duty. Any other relief deemed fit may also be graciously granted.

Dated: 22-05-2023

Nawab Gul
Appellant Nawab Gul

Through Counsel



ATTESTED

(13) Aux^e 7

The Post Office is for
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The special
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BEFORE THE DIRECTOR OF E & SE KPK PESHAWAR

Nawas Gul S/O Umar Jan T.T Teacher (BPS-14) G.P.S Kareer Habibzai
Mahmand Distt: R/O Village Shahbaz Koroona Inzari District Mahmand
Present Address: Village Halki Banda Pirabad Tehsil Takht Bhai District
Mardan. _____ (Appellant)

VS

DEO (M) Mahmand Agency _____ (Respondents)

Representation/D/Appeal for grant of salary of appellant w.e.f 1/12/2022 till
31/5/2023 being serving as a T.T Teacher in G.P.S Kareer Habibzai District
Mahmand Regularly.

**PRAYER: ON ACCEPTANCE OF THIS APPEAL, APPELLANT MAY PLEASE BE
GRANTED SALARY W.E.F 1/12/2022 TILL 31/5/2023 AND
ONAWARD ON THE BASIS OF DUTY PERFORMING OF
APPELLANT AS T.T TEACHER IN G.P.S, KAREER HABIBZAI
MAHMAND ACCORDINGLY.**

Sir,

ATTESTED

Appellant humbly submits as under:

- 1) That appellant was appointed as T.T teacher in G.P.S Kareer Habibzai District Mahmand on 28/4/2007 vide DEO (M) Mahmand order No: 4507/22 dated 28/4/2007 on regular basis. (Copy of order is attached) **A**
- 2) That appellant was properly med:examined and take over charge of the post vide charge report dated 3/5/2007. (copy of Medical report and charge report is attached). **B**
- 3) That appellant is performing his duty with respondent on his post regularly without any breake of service and appellant is not absented ^{from duty w.e.f} from date of appointment till today.
- 4) That appellant is entitled for his salary w.e.f 1/12/2022 till 31/5/2023 and onward on the basis of his service performance on the following

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PTZ Kartal
3/15/07
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T. Namak Gul
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Handwritten signature and date: 3-5-2007

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Annex B
4

MEDICAL CERTIFICATE.

Name of Official Mr. Nawab Gul
 Caste or race Mohmand
 Father's name Mr. Umar Jan
 Residence Village: Hulki Banda Teh. Takhi Behl
District: Muzchan
 Date of birth 01-03-1976
 Exact height by measurement 5-3
 Personal mark of identification Scar on left elbow
 Signature of the Official [Signature]
 Signature of head of office

Seal of Office

I do hereby certify that I have examined Mr. Nawab Gul a candidate for employment in the Office of the Education Department and can not discover that he had any disease communicable or other constitutional affection or bodily infirmity except NIL

I do not consider this as disqualification for employment in the office of the Education Department. His age according to his own statement 31 year and by appearance about (31) years.

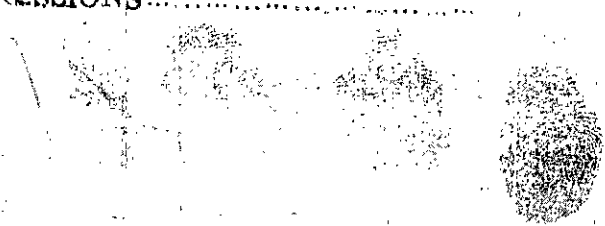
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Medical Superintendent
Civil Hospital

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OFFICE OF THE AGENCY EDUCATION OFFICER MOHMAND AGENCY AT GHALLANAI.

APPOINTMENT ORDER.

Consequent upon on the approval of Departmental Selection Committee the following Male candidates are hereby appointed as TT teachers in BPS.No.14 plus usual allowances as admissible under the rules in the interest of public services with effect from the date of their taking over charge in the schools noted against each.

S.No	Name & Father's Name	School	Remarks
105/01	Abdul Wadood S/O Noor Ullah	GPS Hassan Khel Lakkarai	Against vacant post
122/02	Liaqat Ali S/O Akram Khan	GPS Aslam Baro Khel	Against vacant post
118/03	Mohd Asif S/O Alif Khan	GMS Mian Mandi	Against vacant post
109/04	Mohd Nascern S/O Naseeb Jan	GPS Kadi No.5	Against vacant post
108/05	Aslam Khan S/O Dilbar Khan	GPS Dara Gandhab	Against vacant post
144/06	Ghulam Farooq S/O Hukam Khan	GMS Navi Kalai	Against vacant post
101/07	Abdul Sadiq S/O Noor Badshah	GPS Banglow No.2	Against vacant post
107/08	Shahidullah S/O Sherul	GPS Toora Garhi	Against vacant post
116/09	Nawab Gul S/O Umar Jan	GPS Kareer Habibzai	Against vacant post

TERMS/CONDITIONS.

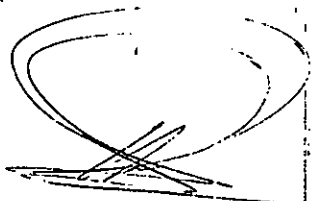
1. The appointment of the candidates are made purely on temporary basis and liable to termination at any time without showing any reason.
2. They will be considered Govt: Servants and will be entitled to all benefits except pension and gratuity.
3. They will be entitled to C.P.Fund.
4. In case if they wish to resign the post they shall have to give one month prior notice or forfeit one month pay in lieu thereof.
5. Health & Age certificate should be produced from the Agency Surgeon Mohmand Agency.
6. They will not be handed over charge of the post if they are below 18 years and above 33 years.
7. If they failed to report their arrival with in 15 days, their appointment will be deemed as cancelled.
8. Their original education qualification/Professional certificates, Domicile Certificates and N.I.C will be checked before the handing over charge of the posts.
9. They will not be paid their salaries before the verification of their documents from the quarter concerned.
10. Charge Reports should be submitted to all concerned.

(HAJI HASHAM KHAN)
Agency Education Officer,
Mohmand Agency at Ghallanai.

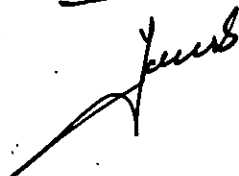
Endst.No. 4507-22 / Dated 28/04/2007.

Copy of the above is forwarded to the :-

1. Director of Education (FATA) NWFP, Peshawar.
2. Political Agent Mohmand Agency at Ghallanai.
3. Agency Accounts Officer Mohmand Agency at Ghallanai.
4. Agency Surgeon Mohmand Agency at Ghallanai.
5. AAEOs/HM concerned.
6. Accountant/Pay Clerk local office.
- 7-15. Candiddates concerned


Agency Education Officer,
Mohmand Agency at Ghallanai.

Attested



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reason, while is performing his duty regularly on his post i-e TT teacher at GPS Kareer Habibzai Mahmand.

6. That appellat prefered an appeal befor erespondent No.1 on 27/05/2023 but in vain. (Copy of departmental appeal is attached).
7. That appellat is entiteld for his salaries w-e-f 01/12/2022 till 31/05/2023 being a regular civil servant of respondents on the following grounds.

Groundss

- A. That appellat has received his salary for post period i-e up to 30/11/2022.
- B. That, appellat is a regular civil servant of respondent and performing his duty regularly.
- C. That appellat is performing his duty and being a regular civil servant of respondent hence, entiteld for salary as per law and rules.
- D. That there is no provision of law and general principle of rule that when a civil servant is performing his duty and he is not entiteld for his salary while it is golden principle of law that when a civil servant is serving, he is entiteld for his salary.

It is, therefore, humbly prayed that on acceptance of this appeal, appellat may please be granted salary w-e-f 01/12/2022 till 31/05/2023 and onward being a regular civil servant of respondents department. Any other relief deemed fit may also be graciously awarded.

Appellant, Nawab Gul

Nawab Gul

Trough counsel Yaqoob Khan

Yaqoob Khan advocate High Court at Dist: courts Mardan.

Dated 29/08/2023

AFFIDAVIT

I, do hereby solemnly affirm and declare on oath that all the contents of the appeal mentioned above are true and correct to the best of my knowledge and belief and noting has been concealed from this Hon'able court.

Deforant: Nawab Gul



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Before The Hon'able Service Tribunal of KPK at
Peshawar

Appeal No. 1770 /2023

Khyber Pakhtunkhwa
Service Tribunal

Diary No. 7316

Dated. 1/9/2023

Nawab Gul son of Umar Jan TT Teacher (BPS-14) GPS Kareer
Habibzai, Meahmand District R/o villabe Shabaz Korona District
MahmandAppellant

VERSUS

1. Director of E & SE, KPK, Peshawar
2. District Education Officer (M) Mahmand
3. District Account Officer Mahmand Respondents

Appeal U/S-4 of the Service Tribunal Act 1974, for grant of salaries of appellant w.e.f 01/12/2022 till 31/05/2023 and onward being serving as a TT Teacher in GPS Kareer Habibzai, District Muhmmand as a regular Civil servant for which, appellant filed departmental appeal/representation dated 27/05/2023 and after laps of 90 x days, appellant filed instant appeal before this Hon'able court.

~~Filed today~~
M
1/9/23
Registrar

Respectfully Sheweth;

Appellant humbly submits as under

1. That appellant was appointed as TT Teacher in GPS Kareer Habibzai District Hahmand on 28/04/2007 vide D.E.O (M) Muhammad order No. 4507/22 dated 28/04/2007 on regular basis. (Copy of order is attached).
2. That, appellant was properly med examined an take over charge of the post vide charge report dated 03/05/2007. (Copy of Med report and charge report are attached).
3. That, appellant is performing his duty with respondent on his post regularly without any break of service and appellant is not absented from date of appointment till today.
4. That appellant is entitled for his salary w.e.f 01/12/2022 till 31/05/2023 and onward on the basis of his service.
5. That, respondents have not been paid salaries w.e.f 01/12/2022 till 31/05/2023 and onward without any

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KPST
Peshawar

Before The Service Tribunal KPK Peshawar

Appeal no. 1770/2023

Nawab GulAppellant

VERSUS

Director E & SE etcRespondents

SERVICE APPEAL

INDEX

S.No	Descriptions	Annex:	Pages	
			From	to
1	Grounds of appeal		1	2
2	Copy of order	"A"	-	3
3	Copy of Med report and charge report	"B"	4	5
4	Copy of departmental appeal	"C"	6	8
5	Wakalat Nama		-	9

Appellant, Nawab Gul
Nawab Gul

Trough counsel Yaqoob Khan
Yaqoob Khan advocate High
Court at Dist: courts Mardan.

Dated 29/08/2023

(6)

KHYBER-PAKHTUNKHWA SERVICES TRIBUNAL, PESHAWAR

CHECK LIST

Nawab Anj **Versus**

Director F and SE

..... Appellant

..... Respondents

S NO	CONTENTS	YES	NO
1.	This petition has been presented by: <u>Jaqoob Khan Advocate High Court</u>	✓	
2.	Whether Counsel/Appellant/Respondent/Deponent have signed the requisite documents?	✓	
3.	Whether appeal is within time?	✓	
4.	Whether the enactment under which the appeal is filed mentioned?	✓	
5.	Whether the enactment under which the appeal is filed is correct?	✓	
6.	Whether affidavit is appended?	✓	
7.	Whether affidavit is duly attested by competent Oath Commissioner?	✓	
8.	Whether appeal/annexures are properly paged?	✓	
9.	Whether certificate regarding filing any earlier appeal on the subject, furnished?	✓	
10.	Whether annexures are legible?	✓	
11.	Whether annexures are attested?		
12.	Whether copies of annexures are readable/clear?	✓	
13.	Whether copy of appeal is delivered to AG/DAG?	✓	
14.	Whether Power of Attorney of the Counsel engaged is attested and signed by petitioner/appellant/respondents?	✓	
15.	Whether numbers of referred cases given are correct?	✓	
16.	Whether appeal contains cutting/overwriting?	x	
17.	Whether list of books has been provided at the end of the appeal?	✓	
18.	Whether case relate to this court?	✓	
19.	Whether requisite number of spare copies attached?	✓	
20.	Whether complete spare copy is filed in separate file cover?	✓	
21.	Whether addresses of parties given are complete?	✓	
22.	Whether index filed?	✓	
23.	Whether index is correct?	✓	
24.	Whether Security and Process Fee deposited? On _____		
25.	Whether in view of Khyber Pakhtunkhwa Service Tribunal Rules 1974 Rule 11, notice along with copy of appeal and annexures has been sent to respondents? On _____	✓	
26.	Whether copies of comments/reply/rejoinder submitted? On _____		
27.	Whether copies of comments/reply/rejoinder provided to opposite party? On _____		

It is certified that formalities/documentation as required in the above table have been fulfilled.

Name:- Jaqoob Khan

Signature:- Jaqoob

Dated:- 01/09/2023



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17th Oct, 2023

1. Learned counsel for the appellant present. Mr. Asif Masood Ali Shah, Deputy District Attorney ^{alongwith Noor Badshah,} for the ^{ADEO} respondents present.

2. Reply/comments on behalf of respondents not submitted. Representative of the respondents requested for time to submit reply/comments. Granted. To come up for reply/comments on 10.11.2023 before S.B. P.P given to the parties.

(Muhammad Akbar Khan)
Member (I)

10th Nov 2023

1. Appellant in person present. Mr. Habib Anwar, Additional Advocate General alongwith Mr. Noor Badshah, ADEO for the respondents present.

2. Written reply/comments have not been submitted. Representative of the respondents seeks time to submit written reply/comments on the next date. Last chance is given. To come up for written reply/comments on 13.12.2023 before S.B. P.P given to the parties.

(Kalim Arshad Khan)
Chairman

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Peshawar

Adnan Shah

FORM OF ORDER SHEET

SA

Court of _____

Appeal No. 1770/2023

S.No.	Date of order proceedings.	Order or other proceedings with signature of judge
1	2	
1-	01/09/2023	The appeal of Mr. Nawan Gul presented today by Mr. Yaqub Khan Advocate. It is fixed for preliminary hearing before Single Bench at Peshawar on <u>06-09-2023</u> .
06.09.2023		<p>Learned counsel for the appellant present and argued that appellant was appointed as Theology Teacher (BPS-14) vide order dated 28.04.2007 and was paid salary till November 2022, but salary of appellant was stopped without any reason since December 2022 despite performing duties regularly. He further argued that appellant filed departmental appeal on 22.05.2023 which was not responded within statutory period, therefore, he filed instant appeal on 01.09.2023 under Section 4 of Khyber Pakhtunkhwa Service Tribunal Act, 1974. Points raised need consideration. Instant appeal is admitted for regular hearing subject to all legal objections. The appellant is directed to deposit security fee within 10 days. Thereafter, notices be issued to respondents for submission of written reply/comments. Respondents be summoned through TCS the expenses of which be deposited by the appellant within 3 days. Adjourned. To come up for written reply/comments on 17.10.2023 before S.B. P.P given to learned counsel for the appellant.</p>

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Peshawar

By the order of Chairman

A. M.
REGISTRAR

SCANNED
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Peshawar


(Rashida/Bano)
Member (J)

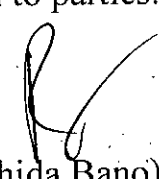
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- 31.05.2024
1. Junior to counsel for the appellant present. Mr. Arshad Azam learned Assistant Advocate General for the respondents present.
 2. Junior to counsel for the appellant requested for adjournment on the ground that senior counsel for the appellant is busy before Worthy Peshawar High Court, Peshawar. Adjourned. To come up for arguments 01.07.2024 before the D.B. P:P given to parties.

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Peshawar

Kaleemullah


(Fareeha Paul)
Member (E)



(Rashida Bano)
Member (J)

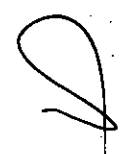
1st July, 2024

1. Appellant in person present. Mr. Asif Masood Ali Shah, Deputy District Attorney for the respondents present.
2. Former requested for adjournment on the ground that his counsel is not available today. Adjourned by way of last chance. To come up on 24.09.2024 before D.B. P:P given to the parties.

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Peshawar

Asif Masood Ali, P.A.



(Rashida Bano)
Member(J)


(Kalim Arshad Khan)
Chairman

13th Dec. 2023

1. Appellant in person present. Mr. Asad Ali Khan, Assistant Advocate General for the respondents present.

2. Reply on behalf of the respondents has been submitted through office. To come up for arguments on 17.04.2024 before D.B. P.P given to the parties.



(Kalim Arshad Khan)
Chairman


Mutazem Shah

17.04.2024

Appellant present in person. Mr. Asif Masood Ali Shah, Deputy District Attorney for the respondents present.

Former requested for adjournment on the ground that his learned counsel is busy in the Hon'ble Peshawar High Court today. Granted. To come up for arguments 31.05.2024 before the D.B. P.P given to the parties.


(Fareeha Paul)
Member(F)


(Rashida Bano)
Member (J)

Fazle Subhan, P.S

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Peshawar

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Peshawar

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9.2024 1. Learned counsel for the appellant present. Mr. Naseer Uddin


Shah, Assistant Advocate General for the respondents present.

2. Vide our detailed judgment of today placed on file, the appeal in hand is dismissed having no force in it. Costs shall follow the event.

Consign.

3. *Pronounced in open court at Peshawar and given under our hands and seal of the Tribunal on this 24th day of September, 2024.*


(AURANGZEB KHATTAK)
MEMBER (Judicial)


(RASHIDA BANO)
MEMBER (Judicial)


*Kaleemullah


②

appellant was asked to produce salary slips or a salary statement to demonstrate that he was officially assigned his post following document verification in 2007, performed his duties, and received salaries until November 2022, he was unable to do so. He argued that no computerized salary slips were available in District Mohmand. However, this claim was refuted by the respondents' representative, who produced his own computerized salary slip for the month of January 2019, indicating that such slips were, in fact, available in District Mohmand. Therefore, the appellant's claim that he received salaries until November 2022 is not supported by the record. Furthermore, the appellant failed to provide evidence showing that he performed his duties after his appointment, such as attendance registers from the school where he was employed, any transfer or posting orders during the 15-year period, or crucial documents like his service book, service card, or inclusion his name in the seniority list of Theology Teachers from 2008 to 2022.

7. As a sequel to the above discussion, the appeal in hand is dismissed having no force in it. Costs shall follow the event. Consign.

8. *Pronounced in open court at Peshawar and given under our hands and seal of the Tribunal on this 24th day of September, 2024.*


(AURANGZEB KHATTAK)
MEMBER (Judicial)


(RASHIDA BANO)
MEMBER (Judicial)

①

BEFORE THE KHYBER PAKHTUNKHWA SERVICES TRIBUNAL,
PESHAWAR.

Service Appeal No. 1770/2023

Before: MR. AURANGZEB KHATTAK ... MEMBER (Judicial)
MRS. RASHIDA BANO ... MEMBER (Judicial)

Nawab Gul S/O Umar Jan Theology Teacher (BPS-14) GPS Kareer
Habibzai, District Mohmand.....(Appellant)

VERSUS

1. Director E&SE Khyber Pakhtunkhwa Peshawar and another.
2. District Education Officer (Male), Mohmand.
3. District Account Officer, Mohmand.....(Respondents)

Yaqoob Khan
Advocate

--- For appellant

Naseer Uddin Shah
Assistant Advocate General

--- For respondents

Date of Institution.....01.09.2023
Date of Decision.....24.09.2024
Date of Hearing.....24.09.2024

JUDGMENT

RASHIDA BANO, MEMBER (J):- The instant service appeal has been instituted under section 4 of Khyber Pakhtunkhwa Service Tribunal Act, 1974 with prayer copied as below;

“That on acceptance of this appeal, appellant may please be granted salary w.e.f 01.12.2022 till 31.05.2023 and onward being a regular civil servant of



respondent department. Any other relief deemed fit may also be graciously awarded.”

2. Brief of the case alleged by appellant are that the appellant was appointed as Theology Teacher in Government Primary School Kareer Habibzai vide order dated 28.04.2007. He took over the charge of the post on 03.05.2007 and regularly performing his duty till date. Appellant received salary upto 30.11.2022 but there-after his salary was stopped. Feeling aggrieved, he filed departmental appeal which was not responded, hence the present service appeal.

3. On receipt of the appeal and its admission to full hearing, the respondents were summoned. Respondents put appearance and submitted reply.

4. We have heard learned counsel for the appellant and learned Assistant Advocate General for the respondents.

5. The learned counsel for the appellant reiterated the facts and grounds detailed in the memo and grounds of the appeal while the learned Assistant Advocate General controverted the same by supporting the impugned orders.

6. The perusal of record reveals that the appellant was appointed as a Theology Teacher (BPS-14) vide order dated 28.04.2007. In the present appeal, he seeks the release of his salaries from December 2022 to 31.05.2023, claiming that he received his salary until November 2022, after which the respondents stopped the salaries without any reason. In their reply, the respondents acknowledged the appellant's appointment as a Theology Teacher vide order dated 28.04.2007, but argued that he failed to join his post because he had not completed the necessary document verification, as required under condition No. 9 of the appointment order. When the learned counsel for the

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BEFORE KHYBER PAKHTUNKHAWA SERVICE TRIBUNAL PESHAWAR

Service Appeal No.1770/2023

Mr. Nawab Gul District Mohmand

.....Appellant

Versus

Director Elementary and Secondary Education Khyber Pakhtunkhwa & others.

.....Respondents

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KHYBER PAKHTUNKHWA
PESHAWAR

11/12/23

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3	Power of attorney	...A....	4
4	Copy of the statement of ChowkidarB.....	5
5	Copy of the statement of head TeacherC.....	6

12/12/23
Deponet
8.12.2023

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BEFORE KHYBER PAKHTUNKHAWA SERVICE TRIBUNAL PESHAWAR

Service Appeal No.1770/2023
Mr. Nawab Gul District Mohmand

.....Appellant

**SCANNED
KPST
Peshawar**

Versus

Director Elementary and Secondary Education Khyber Pakhtunkhwa & others.

.....Respondents

11/12/23

Para-wise comments on behalf of respondents No.1,2 &3.

Khyber Pakhtunkhwa
Service Tribunal

Respectfully Sheweth.

Diary No. 9815

Preliminary objections.

Dated 13-12-2023

- I. That the Appellant has no cause of action, locus standi to file the instant Appeal.
- II. That the Appellant has not come to this court with clean hands.
- III. That the Appellant has concealed material facts from the Honorable Tribunal.
- IV. That the Appeal is barred by law and limitation

ON FACTS.

- 1. Correct to the extent that the appellant was appointed but neither had he assumed his charge nor submitted his charge report to the office concerned leading to non-compliance with the appointment order.
- 2. Incorrect and denied. That the appellant as a civil servant failed to join his duty and did not fulfill the necessary verification of documents. Due to this non-compliance, the appointment order of the appellant became void or ineffective as per Term & Condition ~~No 7~~ of his appointment order Vide this office No 4507-22 dated 28/4/2007.
- 3. Incorrect and denied. That the affidavit submitted by Chowkidar Mr. Marawar khan S/o Habib Rehman GPS Karrer Habib Zia stated that the appellant did not join his duty at the said school according to the available record and the statement also submitted by the teacher incharge GPS Karrer Habib Zai c/signed by the concerned ASDEO stated that the appellant is an unknown person and his name is not reflected in the School record. (Copy of the statements are attached annexed. A-B)
- 4. Para No.4 related to respondent.3.That the appellant did not have any salary record and he had neither received any salary against the said post from this office nor personal Number was allocated to him by District Accounts officer Mohmand i.e. Respondent No 3.
- 5. As elaborated in Paras 3 & 4 above.
- 6. Pertains to record.
- 7. As Elaborated in Paras 3 & 4 above

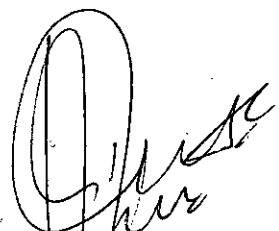
GROUND.

- A. That the appellant has not received any salary as a civil servant.
- B. Incorrect and denied. As already explained at Paras 3 & 4 of the facts.
- C. Incorrect and denied. As already explained at Paras 3 & 4 of the facts
- D. Incorrect and denied. As already explained at Paras 3 & 4 of the facts 3 & 4 above in fact.

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It is, therefore, most humbly prayed that the appeal of the appellant may kindly be dismissed with cost.

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Dr. (IQBAL KHAN)

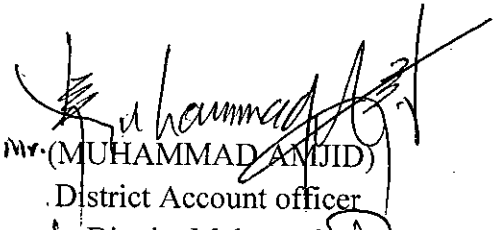
Respondent No.1

Director
Elementary and Secondary Education Department,
Government of Khyber Pakhtunkhwa


Mr. (LAIQAT ALI)

Respondent No.2

District Education Officer
District Mohmand


Mr. (MUHAMMAD AMJID)
District Account officer
District Mohmand

Respondent No.3

16-11-23

23

3

BEFORE KHYBER PAKHTUNKHAWA SERVICE TRIBUNAL PESHAWAR.

Service appeal No.1770/2023
Mr. Nawab Gul

Versus

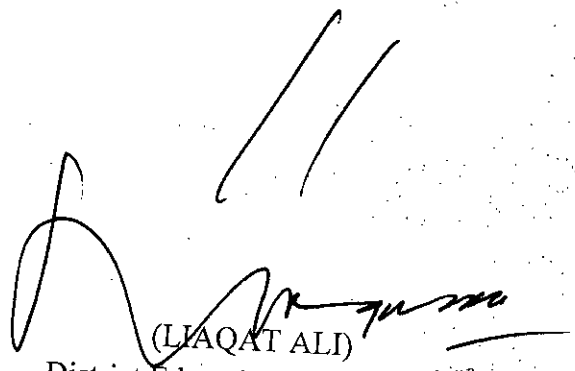
Secretary Elementary and Secondary Education Khyber Pakhtunkhwa & others.

AFFIDAVIT

I, Mr. Liaqat Ali District Education officer Mohmand do hereby declare and affirm on oath that above comments are true and correct to the best of my knowledge and belief and nothing has been concealed from this Hon, rabble Tribunal.

It is further stated on oath that in this appeal, the answering respondents have neither been placed ex-parte nor their defense is struck off.

Respondent No.2



(LIAQAT ALI)
District Education officer (M)
District Mohmand
Tribal District Mohmand



(23) (4)

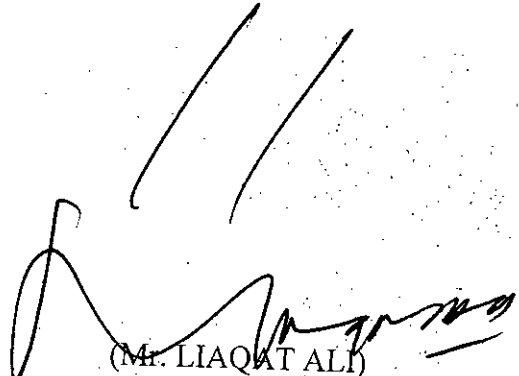
DISTRICT EDUCATION OFFICE (MALE) MOHMAND

AUTHORITY LETTER

I, District Education officer (Male) District Mohmand do hereby authorize Mr. Noor Badshah Assistant (Litigation) of this office District Education (Male) Mohmand to attend the Khyber Pakhtunkhwa service Tribunal in connection with filling Para wise comments in service appeal No 1770/2023 / Titled Nawab Gul VS Government of Khyber Pakhtunkhwa Elementary & Secondary Education Department

Dated

Respondent No.2



(Mr. LIAQAT ALI)

District Education officer (M)
District Mohmand
Tribal District Mohmand

Allard
Call
8.12.2023

PLEASE
FOR NECESSARY ACTION

20/11/2023
Please
for necessary action

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رجسٹرڈ

21406-2886478-3

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بابت 2000 روپے کی رقم

میں سے اپنی دکان میں جمع کروانے کے لئے

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میں سے اپنی دکان میں جمع کروانے کے لئے

24

رجسٹرڈ

13.10.2023

ASDEO

10.10.2023

20/10/2023

Kamr Habib Zai
HEAD TEACHER
GPS

ASDEO
N. Wazir
RSM - 8000

Handwritten Urdu text, likely a letter or report, starting with "میں نے اس بار..." (I did this time...)

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Handwritten signature or name

(5) A-2 دوسرا حلقہ

میں فضل مولا ولد حمید خان (P.S.T) گورنمنٹ پرائمری سکول کرپڑ جیب زئی
اس بات کی گواہی دیتا ہوں کہ میں اُس وقت (P.S.T) کی حیثیت سے تعینات تھا۔
اور میری ڈیوٹی اور میری موجودگی میں زرتاج ہیڈ ماسٹر گورنمنٹ پرائمری سکول
کرپڑ جیب زئی ضلع ہمند نے 03-05-2007 کو (بحوالہ آرڈر نمبر 4507/22
مورخہ 28-04-2007 ایجنسی ایجوکیشن آفسر ہمند ایجنسی) مولانا نواب گل ولد
عمر جان کو بطور معلم دینیات (T.T) چارج دی۔

اس چارج رپورٹ کے بعد مولانا نواب گل ولد عمر جان نے اپنی
ڈیوٹی سرانجام دی۔ اور بطور ثبوت چارج رپورٹ کے بعد رجسٹر حاضری
مدرسین گورنمنٹ پرائمری سکول کرپڑ جیب زئی بطور سند موجود ہے۔

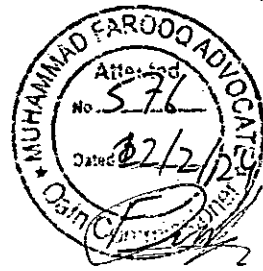
العبد

فضل مولا ولد حمید خان

Fazlullah

CNIC No.

17101-0262402-3



1870

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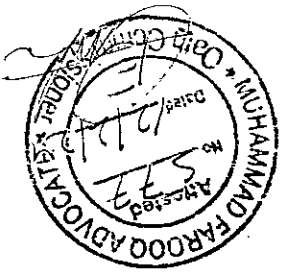
1878

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محمد علی
الکافی



چونکہ میں رائیسی بڈیز ہے۔ تم چند روزوں تک وہی تالیف کردے۔
 کٹر ہے۔ اور ان کے دل میں کچھ اور ہے۔ اور ان کے
 اہل بیت کے لئے کچھ اور ہے۔ اور ان کے لئے کچھ اور ہے۔
 اور ان کے لئے کچھ اور ہے۔ اور ان کے لئے کچھ اور ہے۔
 اور ان کے لئے کچھ اور ہے۔ اور ان کے لئے کچھ اور ہے۔
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 اور ان کے لئے کچھ اور ہے۔ اور ان کے لئے کچھ اور ہے۔

محمد علی الکافی

and

and



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Before the Service Tribunal KPK, Peshawar

Appeal No. 1770/2023

26

SCANNED
KPST
Peshawar

Nawab Gul

V/S Director of (E & SE) etc

Subject:- Replication on behalf of appellant

INDEX

S.N o.	Descriptions	Annex:	Pages	
			From	To
1	Replication along with Affidavit		1	2
2	Charge Report	A-1	3	4
3	Affidavit/Statements of Teacher and Citizen	A-2	5	6

Dated: 21/2 /2024

Petitioner Nawab Gul
Nawab Gul

Through Yaqoob Khan
Yaqoob Khan Advocate High Court

17-04-24
Pres.

Before the Service Tribunal KPK, Peshawar

Appeal No. 1770/2023

27

1

Nawab Gul V/S Director of (E & SE) etc

Khyber Pakhtunkhwa
Service Tribunal

Subject:- Replication on behalf of appellant

Diary No. 12224

Sir,

Dated 17-04-2024

Preliminary Objections;

1. That, app the preliminary objections in application are incorrect, misconceived hence, denied.

On Facts;

- 1 That para No.1 of appeal of appellant is admitted by respondents as correct hence, no comments.
- 2 that para No.2 of reply of respondents is incorrect hence, denied and that of appeal of appellant is correct. Moreover, that appellant was appointed as a TT teacher and taken over charge of the post and served with respondents till today. (Copy of charge report is attached).
- 3 That reply of para No.3 of respondents is incorrect, hence denied and that of appeal of appellant is correct. For this purpose, appellant is filed affidavits on behalf of different persons. (Copies are attached).
- 4 That para No.4 of reply of respondents is incorrect, hence denied and that of appeal of appellant is correct.
- 5-7 That paras No.5 to 7 of reply of respondents are incorrect hence, denied and that of appeal are correct.

On Grounds;

That reply of respondents regarding grounds of appeal of appellant are incorrect hence, denied and that of appeal of appellant are correct.

It is therefore, humbly requested that appeal of appellant may please be accepted.

Dated 15/02/2024

Appellant

Nawab Gul
Nawab Gul

Through,

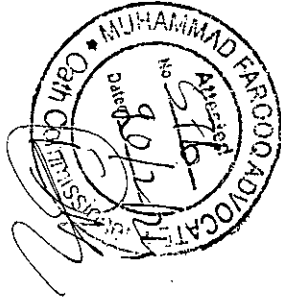
Yaqoob Khan
Yaqoob Khan Advocate
High Court at Distt:
Courts Mardan.

AFFIDAVIT

I do hereby solemnly affirm and declare on oath that all the contents of the replication above are true and correct to the best of my knowledge and belief and nothing have been concealed.

Deponent

Nawab Gul



طرحہ اولیٰ

سید سمی نور علی ولد محمد علی بن سید محمد علی صاحب

کراچی 3-5-2007 قبل از روئے موجب آڈیو (۸۵۰)

28-4-2007 میرہ 4507-22

سید علی محمد صاحب

سید ابرار علی صاحب

طرحہ سید محمد علی

طرحہ سید محمد علی

طرحہ سید محمد علی

PTC 3-5-07

Attestd
Yaqub Khan

Anx A-1
3

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جارج لکھو رط

میت سہمی لڑائی بے علیہ والہ علیہ جان نے آئیے عمر بے کا علاج

آر ۸ صوفیہ ۲۰۰۶ - ۵ - ۳ قبل از دو مہینہ عیوب آر ڈی فیڈ آر ۸

۴۵۰۶ صوفیہ ۲۰۰۶ - ۴ - ۲۸ اگر رطبت لہا لہری سہول آر ڈی صوفیہ

میت لے کر نام شروع کی

لہذا رطبت عرض ہے

نور علیہ

کا ۲۱/۱۵

PT Navab Gul

تاریخ
31/5/18

(3)

PT Navab Gul

مہینہ

(4)

Attested
Lagan K