BEFORE THE SERVICE TRIBUNAL KHYBER PAKHTUNKHWA PESHAWAR

SERVICE APPEAL NO.1451/2024

Mst. Romana.....Appellant

Vs

DEO & Others .....Respondents

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Sofia Tabassum
District Education Officer (Female),
Peshawar.
Respondent No.1

(1)

BEFORE THE SERVICE TRIBUNAL KHYBER PAKHTUNKHWA PESHAWAR

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REPLY ON BEHALF OF RESPONDENTS No. 1 & 2.

Respectively Sheweth:

The Respondent submits below:

PRELIMINARY OBJECTIONS:

1. That the Appellant has got no cause of action /locus standi.
2. That the Appellant has concealed material facts from this Hon'ble Tribunal.
3. That the Appellant has been estopped by her own conduct to file the instant appeal before this Hon'ble Tribunal.
4. That the instant Appeal is badly time barred.
5. That the instant Appeal is not maintainable in its present form.
6. That the instant Appeal is bed for mis- joinder and non- joinder of the necessary parties.
7. That the Appellant has not come with clean hands to this Hon'ble Tribunal.
8. That the instant Appeal is barred by law.

REPLY ON FACTS.

1. That Para No.1 pertains to personal record.

2. That in reply to Para No.2 & 3, it is submitted that the Appellant was transfer according to rationalization policy, term No. 1 & .3. Furthermore the Appellant was junior most teacher as well as surplus in the School (GGPS Hayatabad no.1) and there was need of teacher in GGPS Regi Lalma No.2.

4. That in Reply to Para No4, it is submitted that the Appellant is being a Civil Servant can be transferred to anywhere in the Circle, Sub Divisional as well in the same District according to the rationalization policy.

GROUNDS

A. Ground-A is incorrect, misleading and against the facts. The Respondent department are bound to act upon the existing law, rules & policies.

B. Ground-B is also incorrect. The Appellant was treated according to existing policy.

C. Ground-C is incorrect. detail reply has been given in the above Para.

D. Ground-D is also incorrect and misleading. As replied in facts.

E. That Ground-E is incorrect and misleading. As replied in facts.

F. That Ground-F is also incorrect and misleading. The detailed reply has been given in the above facts Para.

G. That in reply to Ground-G, it is submitted that Respondent No.1 acted upon the policy and the appellant was transferred according to the need of school and in the best interest of public.

H. Ground H is incorrect & misleading. As replied in facts.

(3)

I. That in reply to Ground I, That the Respondent also seeks permission to submit other case grounds and proofs at the time of arguments.

It is therefore, very humbly prayed that on acceptance of this reply, the instant appeal may very kindly be dismissed with cost.

Sofia Tabassum
District Education Officer (Female),
Peshawar.
Respondent No.1

SAMINA ALTAF
DIRECTOR

AUTHORIZED OFFICER
ABDUS SAMAD
DEPUTY DIRECTOR
E&SE Department Khyber,
Pakhtunkhwa, Peshawar
Respondent No.2

(9)

Office of the
District Education Officer, Female
Peshawar
(Phone: 091-922545 Email:
litigationdeofemalepsh@gmail.com

AUTHORITY LETTER

It is Certified that Mst. Beenish Ashraf, ADEO (Litigation) of the office of District Education Officer (Female), Peshawar is here by authorized to attend the Hon'ble Service Tribunal on behalf of Respondent No. 1 & 2.

Sofia Tabassum
District Education Officer (Female),
Peshawar.
Respondent No.1

(5)

BEFORE THE HONBLE KHYBER PAKHTUNKHWA SERVICE TRIBUNAL , PESHAWAR

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AFFIDAVAT

I Sofia Tabassum District Education Officer (Female) Peshawar Respondent No. 1 & 2 do solemnly affirmed and declare on oath the content of this Service Appeal on behalf of Respondent No. 1 & 2 are correct to the best of knowledge and that nothing has been concealed from this Hon'ble Tribunal. It is further stated that in this Service Appeal respondent No. 1 & 2 have neither been ex-parte nor their defense has been struck off/cost.

Sofia Tabassum
District Education Officer (Female),
Peshawar.
Respondent No.1

ZAHID KHAN ADVOCATE Oath Commissioner Dist. Courts Peshawar