


# FORM OF ORDER SHEET

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

**Appeal No.** 2394/2024

S.No.	Date of order proceedings	Order or other proceedings with signature of judge
1	2	3
1-	07/11/2024	<p>The appeal of Mst. Saima Naz received today by registered post through Mr. Hamayun Khan Advocate. It is fixed for preliminary hearing before touring Single Bench at A.Abad on 27/11.2024. Counsel for the appellant has been informed telephonically.</p> <p>By order of the Chairman</p> <p> REGISTRAR</p>

**BEFORE THE HONOURABLE KHYBER PAKHTUNKHWA  
SERVICE TRIBUNAL PESHAWAR**

Appeal No. 2394 /2024

Mst. Saima Naz Ex.PST, daughter of Khuda Dad wife of Abdul Jabbar,  
resident of Sanda Saray cum Arghashori, Tehsil & District Battagram.

...APPELLANT

**VERSUS**

Govt. of Khyber Pakhtunkhwa through Secretary Elementary & Secondary  
Education Peshawar & others.

...RESPONDENT

**SERVICE APPEAL**

**INDEX**

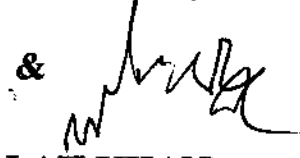
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...APPELLANT

Dated: 4/11 /2024

Through

  
(HAMAYUN KHAN)

&   
(FAZLULLAH KHAN)  
Advocates High Court, Abbottabad

**BEFORE THE HONOURABLE KHYBER PAKHTUNKHWA  
SERVICE TRIBUNAL PESHAWAR**

Appeal No. 2394 /2024<sup>Khyber Pakhtunkhwa Tribunal</sup>

Diary No. 17792

Dated 7/11/2024

Mst. Saima Naz Ex.PST, daughter of Khuda Dad wife of Abdul Jabbar,  
resident of Sanda Saray cum Arghashori, Tehsil & District Battagram.

...APPELLANT

VERSUS

1. Govt. of Khyber Pakhtunkhwa through Secretary Elementary & Secondary Education Peshawar.
2. Director Elementary & Secondary Education Khyber Pakhtunkhwa Peshawar.
3. District Education Officer (Female) District Battagram.

...RESPONDENTS

Filed to-day

Registered

7/11/24

**APPEAL** UNDER SECTION 4 KPK SERVICE TRIBUNAL ACT 1974 READ WITH UPDATE AMENDED AGAINST THE IMPUGNED NOTIFICATION DATED 27/05/2024 ISSUED BY RESPONDENT NO.3, WHEREBY RESPONDENT NO. 3 REINSTATED APPELLANT IN SERVICE FROM THE DATE OF REMOVAL WITHOUT BACK BENEFITS AND IN THE INTERVING PERIOD W.E.F 17/03/2021 TO 27/05/2024 WAS CONVERTED INTO LEAVE WITHOUT PAY, WHICH IS ILLEGAL

AGAINST THE LAW, FACTS, NATURAL JUSTICE, CONSTITUTION GUARANTEED RIGHTS, HENCE INEFFECTIVE UPON THE RIGHTS OF APPELLANT & LIABLE TO BE SET-ASIDE.

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**PRAYER:-** ON ACCEPTANCE OF THE INSTANT APPEAL, IMPUGNED NOTIFICATION DATED 27/05/2024 ISSUED BY RESPONDENT NO. 3 MAY KINDLY BE DECLARED NULL AND VOID AND APPELLANT BE REINSTATED INTO SERVICE ALONGWITH ALL BACK BENEFITS. ANY OTHER RELIEF WHICH THIS HONOURABLE COURT MAY DEEM FIT AND PROPER IN THE CIRCUMSTANCES OF THE CASE MAY ALSO BE GRANTED TO THE APPELLANT IN THE INTEREST OF JUSTICE AND FAIR PLAY.

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Respectfully Sheweth;-

The appellant beg to solicit through this service appeal on the following legal and factual grounds;-

1. That appellant hail from District Battagram in year 2011 applied for appointment against the post of PST.
2. That thereafter completion of all codal formalities respondent No. 3 issued appointment order of the appellant as PST Teacher.
3. That after joining duty, appellant performed her duty with full devotion, dedication and liabilities and no complaint was ever found against her.
4. That on 09/10/2021, respondent No. 3 issued so-called impugned notification, without any justification and lawful authority on the basis of self made allegation. Copy of impugned notification dated 09/10/2021 is annexed as Annexure "A".
5. That on 07.11.2021, appellant filed departmental appeal before the respondent No. 2 against the impugned notification dated 09.10.2021.

6. That on 04/02/2022 appellant filed service appeal No. 312/2022 against the impugned notification dated 09/10/2021 before this Honourable Tribunal.
7. That on 11/12/2023 after hearing the arguments this Honourable Tribunal accepted the appeal of appellant with direction to respondent/department for denovo inquiry “incase the respondent failed to conclude denovo inquiry within the period of 60 days mentioned above the appellant shall be deem to have been reinstated in service with all back benefits”. Copy of judgment dated 11/12/2023 is annexed as Annexure “B”.
8. That after lapse of 02 months respondent has not implemented judgment dated 11/12/2023 appellant filed execution petition E.P No. 206/2024 for implementation of judgment. Copy of execution petition is annexed as Annexure “C”.
9. That after filing of execution petition respondent initiated the so-called denove inquiry after lapse of 06 months.

10. That meanwhile respondent No.3 issued impugned notification dated 27/05/2024 and intentionally not delivered to same to appellant.
11. That lastly on 22/07/2024 respondent No.3 delivered the said impugned notification dated 27/05/2024 before this Honourable Tribunal and this Honourable Tribunal consigned execution petition with observation "However, petitioner is at liberty to challenge the order to the extent of all back benefits". Copy of order dated 22/07/2024 is annexed as Annexure "D" and impugned notification is annexed as Annexure "E".
12. That on 01/08/2024 appellant filed departmental appeal before respondent No.2 against the impugned order dated 27/05/2024 delivered on 22/07/2024. Copy of departmental appeal is annexed as Annexure "F".
13. That till date respondent No.2 has not passed any order and similarly not given any response on the Departmental Appeal. Hence present appeal on the following legal grounds;-

- d. That respondent No. 3 intentionally not delivered impugned notification to the appellant for redressing of her grievance and lastly on 22/07/2024 respondents given the said impugned notification to the appellant after many requests before this court which shows the malafide of the respondents.
- e. That, the appellant was condemned unheard and she did not given opportunity for personal hearing to bring the real and true facts on the screen.
- f. That even otherwise the impugned notification dated 27/05/2024 is liable to be set-aside on the grounds that no rights of defence or personal right of hearing which was mandatory provision of law was given to the appellant before being proceeded against her.



- g. That, impugned order was passed against the appellant with malafide, against law as void and without jurisdiction.
- h. That the whole disciplinary proceedings initiated against the appellant have been done in contravention to the rules, regulation and law and therefore the whole proceedings are liable to be set-aside appellant be reinstated to her original post.
- i. That respondents violated the basic principle of natural justice and rule and procedure prescribed in E&D rules, hence impugned notification is liable to be set-aside.
- j. That respondents issued impugned notification against the well known principles procedures prescribed and guidelines by the superior courts time by time for the governments departments but respondents ignored all these rules and principles.

- k. That the respondents without any reasons on the part of appellant imposed major penalty of leave without pay and no opportunity of personal hearing was given to the appellant, and similarly without charge sheet and statement of allegation, hence condemned unheard.
- l. That impugned notification issued after laps of 07 month while time given this Tribunal was 60 days which shows personal garages of respondents with appellant.
- m. That respondents as per judgment dated 11/12/2023 were bound if they want deno inquiry the same should be concluded within 60 days but respondents failed to do so, and after due time passed notification hence, liable to be set-aside.
- n. That the addresses of the parties have been correctly given in the heading of the appeal.
- o. That other points would be argue at the time of argument with the kind permission this Honourable Tribunal.

It is, therefore, humbly prayed that on acceptance of the instant appeal, impugned notification dated 27/05/2024 issued by respondent No. 3 may kindly be declared null and void and appellant be reinstated into service alongwith all back benefits. Any other relief with this Honourable Tribunal may deem fit and proper in the circumstances of the case may also be granted to the appellant.

...APPELLANT

Dated: 21 / 11 / 2024

Through

  
(HAMAYUN KHAN)

  
(FAZLULLAH KHAN)

Advocates High Court, Abbottabad

**VERIFICATION:-**

*Verified on oath that the contents of forgoing appeal are true and correct to the best of my knowledge and belief and nothing has been concealed therein from this Honourable Court.*

  
...APPELLANT



OFFICE OF THE DISTRICT EDUCATION OFFICER (F)  
DISTRICT BATTAGRAM



ANNEXURE

File No: 3103-10

Dated: 9/10/2021

Notification for Major Penalty of Removal from service.

1. Whereas, (SEEMA NAZ, PST, GGPS SANDASARE QASIM KHAN(EmisCode:28576)) was proceeded against under the Khyber Pakhtunkhwa Government Servants (Efficiency and Discipline) Rules, 2011 for the charges of willful absence from duty w.e.f from 17-03-2021 till date.
2. And whereas, a show cause notice was served upon her vide No. 1794-99 dated 12-04-2021, vide No:1580-83 Dated.30/06/2021 and Vide No.2294 dated.23/09/2021, for willful absence from duty within the meaning of Rule-3 (d) and Rule-4 (b) (iii).
3. And whereas, she had also been reported absent previously on 07/08/2021, 12/07/2021, 08/06/2021, 27/05/2021 and 09/04/2021 for which you had already been penalized.
4. And whereas, the Competent Authority after having considered the charges, evidence on record, her track record pertaining to her willful absence on various occasions, her reply dated. NIL for the personal hearing granted to her vide No. 2294 dated 28/09/2021 is of the view that the charges mentioned in the show cause have been proved against (SEEMA NAZ, PST, GGPS SANDASARE QASIM KHAN(EmisCode:28576)).
5. And whereas, Inquiry officer ASDEO battagram mst. Tahira is also reported you willful absence from her duty
6. Now, therefore, in exercise of the powers conferred under (Efficiency and Discipline) Rules, 2011 the Competent Authority is pleased to impose the major penalty of "Removal from service" under the (E&D) Rule 2011 sub Rule-4 (b) (iii) upon (SEEMA NAZ, PST, GGPS SANDASARE QASIM KHAN(EmisCode:28576)) with immediate effect.

Note: if payment in shape of salary of the absent period released to her should be deposit in government treasury through challan form.

District Education Officer (F)  
Battagram

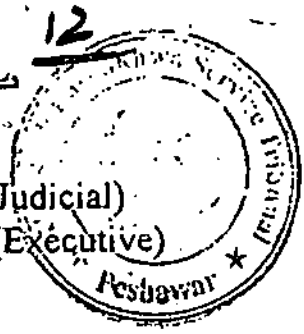
Even No & Date.

Copy of the above is forwarded to the:

- 1 Director, Elementary & Secondary Education Department, G T Road, Peshawar
- 2 Deputy Commissioner Battagram
- 3 District Monitoring Officer Battagram
- 4 District account office Battagram.
- 5 Principal/Headmaster/Headmistress/DDEO/SDEO concerned for necessary action
- 6 SEEMA NAZ, PST, GGPS SANDASARE QASIM KHAN(EmisCode:28576), BATTAGRAM,
- 7 Master File

District Education Officer (F)  
Battagram

**ANNEXURE B**  
**KHYBER PAKHTUNKHWA SERVICE TRIBUNAL**  
**PESHAWAR AT CAMP COURT ABBOTTABAD**



BEFORE: SALAH-UD-DIN ..... MEMBER (Judicial)  
FAREEHA PAUL ..... MEMBER (Executive)

*Service Appeal No. 312/2022*

Mst. Saima Naz Ex-PST, D/o Khuda Dad W/o Abdul Jabbar,  
R/o Sanda Saray Cum Arghashori, Tehsil & District Battagram.  
(Appellant)

Versus

Government of Khyber Pakhtunkhwa through Secretary Elementary &  
Secondary Education Peshawar and 02 others. (Respondents)

Present:

Mr. Hamayan Khan, Advocate.....For the appellant  
Mr. Habib Anwar, Additional Advocate General .....For respondents

Date of presentation of Appeal.....04.03.2022  
Date of Hearing.....11.12.2023  
Date of Decision.....11.12.2023

**JUDGMENT**

**SALAH-UD-DIN, MEMBER:** The appellant has invoked the jurisdiction of this Tribunal by filing the instant appeal with the prayer copied as below:-

*"On acceptance of the instant appeal, impugned Notification dated 09.10.2021 issued by respondent No. 3 may kindly be declared null and void and appellant be reinstated into service alongwith all back benefits. Any other relief which this honourable court may deem fit and proper in the circumstances of the case may also be granted to the appellant."*

ATTESTED

Member (Executive)  
Khyber Pakhtunkhwa  
Service Tribunal  
Peshawar

2. Precise averments raised by the appellant in her appeal are that she was appointed as Primary School Teacher in the year 2011 and was performing her duty with full devotion; that vide Notification dated 09.10.2021, she was removed from service without any justification or lawful Authority, therefore, she preferred departmental

appeal, however the same was not responded within the statutory period, hence the instant appeal.

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3. On receipt of the appeal and its admission to regular hearing, respondents were summoned, who put appearance through their representative and contested the appeal by way of filing written reply raising therein numerous legal as well as factual objections.

4. Learned counsel for the appellant contended that whole of the proceeding were conducted at back of the appellant and no charge sheet, statement of allegations or show-cause notice was served upon her. He next contended that the appellant was proceeded against on account of willful absence but the procedure as laid down in Rule-9 of Khyber Pakhtunkhwa Government Servants (Efficiency & Discipline) Rules, 2011 was not at all complied with, rendering the impugned order of removal of the appellant from service as wrong and illegal. He further contended that all the proceedings were conducted in a haphazard manner without complying the procedure provided in Khyber Pakhtunkhwa Government Servants (Efficiency & Discipline) Rules, 2011. He next argued that no opportunity of personal hearing was afforded to the appellant and she was thus condemned unheard. He further argued that the rights of the appellant as guaranteed under Articles 4 & 25 of the Constitution of Islamic Republic of Pakistan, 1973 were badly violated. In the last he requested that the impugned order may be set-aside and the appellant may be reinstated in service with all back benefits.

5. On the other hand, learned Additional Advocate General while controverting the arguments advanced by learned counsel for the appellant, contended that the appellant was not performing her duty

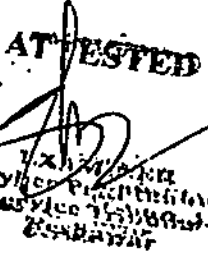
TESTED  
Khyber Pakhtunkhwa  
Service Tribunal  
Peshawar

regularly, and was found absent from duty on so many occasions as reported by IMU. He next contended that show-cause notices were issued to the appellant, however she deliberately avoided to submit reply of the same. He further contended that notice for personal hearing was also issued to the appellant but she failed to appear before the competent Authority. He next argued that previously too, the appellant was found absent from duty on 07.08.2021, 12.07.2021, 08.06.2021, 27.05.2021 as well as 09.04.2021 and was penalized for the same. He further argued that the inquiry proceedings were conducted by complying the procedure as laid down in Khyber Pakhtunkhwa Government Servants (Efficiency & Discipline) Rules, 2011. In the last he requested that the impugned order may be kept intact and the appeal in hand may be dismissed with cost.

6. We have heard the arguments of learned counsel for the parties and have perused the record.

7. According to the impugned Notification dated 09.10.2021, whereby the appellant has been removed from service, the appellant was held liable for willful absence with effect from 17.03.2021 till the date of her removal from service i.e 09.10.2021. According to the record annexed by the respondents alongwith their reply, an absence notice as well as a show-cause notice was issued to the appellant on 12.04.2021 by the District Education Officer (F) Battagram. In the absence notice, it has been mentioned that the appellant was found absent from duty with effect from 09.03.2021 and

she had been asked to submit reply within seven days, failing which she would be proceeded under Rule-3 (a), (b), (c), (d) of the Khyber Pakhtunkhwa Government Servants (Efficiency & Discipline)

ATTESTED  
  
 District Education Officer (F)  
 Battagram

(10)

Rules, 2011. However in the show-cause notice issued to the appellant on the same day, it had been mentioned that she was found absent during the surprise visit on 17.03.2021 and 10.04.2021 and that the competent Authority had tentatively decided to impose major penalty of removal from service upon the appellant under Rule-9 of Khyber Pakhtunkhwa Government Servants (Efficiency & Discipline) Rules, 2011. Instead of any action on the aforementioned show-cause as well as absence notices, the District Education Officer (Female) Battagram issued another absence notice to the appellant on 30.06.2021 wherein it had been mentioned that in case of failure to join her duty within seven days, the appellant will be proceeded against under Rule-9 of Khyber Pakhtunkhwa Government Servants (Efficiency & Discipline) Rules, 2011. While going through the show-cause as well as absence notices allegedly issued to the appellant, it can be observed that the District Education Officer (F) Battagram was herself not certain to proceed against the appellant for habitual absence as provided in Rule-3 (d) of Khyber Pakhtunkhwa Government Servants (Efficiency & Discipline) Rules, 2011 or for willful absence as provided in Rule-9 of the said rules. Ultimately another show-cause notice dated 23.09.2021 was issued to the appellant, the contents of which would show that the appellant had been proceeded against for misconduct as well as habitual absence, while the impugned Notification of removal of the appellant from service dated 09.10.2021 would show that she was proceeded against for willful absence. Another interesting aspect of the case is that on one hand the appellant has been shown to have remained absent from duty with effect from 17.03.2021 till her removal from



TESTED  
 [Signature]  
 MEMBER  
 Khyber Pakhtunkhwa  
 Service Tribunal  
 Battagram




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service on 09.10.2021, while on the other hand, it has been mentioned in para-3 of facts of the reply submitted by the respondents that in the intervening period the appellant had remained absent on 09.04.2021, 27.05.2021, 08.06.2021, 12.07.2021 and 07.08.2021 and that she had been previously penalized for the same. In such a scenario, the impugned order of removal of the appellant from service is not sustainable in the eye of law and is liable to be set-aside.

8. In view of the above discussion, the impugned order of removal of the appellant is set-aside and she is reinstated in service with directions to the competent Authority to conduct de-novo inquiry in the matter strictly in accordance with the relevant law/rules within a period of 60 days of receipt of copy of this judgment. Needless to mention that the appellant shall be associated with the inquiry proceedings and fair opportunity be provided to her to defend herself. The issue of back benefits shall be subject to outcome of the de-novo inquiry. In case the respondents failed to conduct de-novo inquiry within the period of 60 days mentioned above, the appellant shall be deemed to have been reinstated in service with all back benefits. Parties are left to bear their own costs. File be consigned to the record room.

ANNOUNCED  
11.12.2023

  
(SALAH-UD-DIN)  
MEMBER (JUDICIAL)  
CAMP COURT ABBOTTABAD

  
(FARZEHA PAUL)  
MEMBER (EXECUTIVE)  
CAMP COURT ABBOTTABAD

Certified to be true copy  
  
hyb...  
Service Tribunal  
Peshawar

ANNEXURE "C" 17

**BEFORE THE HONOURABLE SERVICE TRIBUNAL KHYBER  
PAKHTUNKHWA PESHAWAR**

Khyber Pakhtunkhwa  
Service Tribunal

E.P No. 206 /2024

IN

Appeal No. 312/2022.

Dir. No. 11292

Dated 02-02-2024

Mst. Seema Naz Ex-PST, daughter of Khuda Dad, wife of Abdul Jabbar,  
resident of Sanda Saray Cum Arghashori, Tehsil & District Battagram.

...PETITIONER

VERSUS

1. Government of Khyber Pakhtunkhwa through Elementary & Secondary Education, Peshawar.
2. Director Elementary & Secondary Education, Khyber Pakhtunkhwa, Peshawar.
3. District Education Officer (Female), Battagram.

...RESPONDENTS


**APPLICATION** FOR IMPLEMENTATION OF  
JUDGMENT DATED 11/12/2023 PASSED BY THIS  
HONOURABLE TRIBUNAL IN APPEAL NO.  
312/2022 TITLED "MST. SEEMA NAZ V/S GOVT. OF  
KHYBER PAKHTUNKHWA & OTHERS".

Respectfully Sheweth:-

**ATTESTED**  
  
**EXAMINER**  
Khyber Pakhtunkhwa  
Service Tribunal  
Peshawar

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1. That petitioner filed service appeal No. 312/2022 against the impugned order dated 09/10/2021 passed by respondent No. 3. Copy of appeal is attached as Annexure "A".
  2. That on 11/12/2023 after hearing of arguments this Honourable tribunal accepted appeal of the appellant and set-aside impugned order dated 09/10/2021. Copy of judgment is attached as annexure "B".
  3. That thereafter, petitioner submitted judgment passed by this Honourable court in the office of respondent No. 3 for implementation.
  4. That after laps of more than 02 months respondents had not implemented judgment dated 11/12/2023 of this Honourable tribunal till date and refuse implement the same.
  5. That respondent No. 3 instead of complying with the direction of this Honourable Tribunal, straightaway refused to comply with the direction of this Honourable Tribunal.

ATTESTED

  
EXAMINER  
Khayee Pakhtakwan  
Service Tribunal  
Peshawar

6. That other point would be raised at the time of arguments kind permission of this Honourable Tribunal.

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It is therefore, humbly prayed that on acceptance of instant application respondents be kindly be directed forthwith implement the judgment dated 11/12/2023 passed by this Honourable Tribunal in its true letter and spirit



...PETITIONER

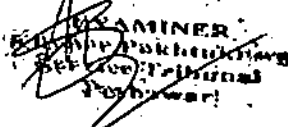
Through

Dated: 20/12/2024

  
(HAMAYUN KHAN)

&  
  
(FAZLULLAH KHAN)

ATTESSE Advocates High Court, Abbottabad



EXAMINER  
High Court, Abbottabad  
Service Tribunal  
Peshawar

Date of Presentation of Application 02/8/23  
Number of Words 3-1  
Copying Fee 287  
Urgent 5/2  
Total 300  
Name of Copyist \_\_\_\_\_  
Date of Completion 02/8/23  
Date of Receipt 02/8/23

E.P No.206/2024 in S.A No. 312/2022

20  
ANNEXURE 'D'



ORDER

22.07.2024 MR. RASHIDA BANO, MEMBER (J): Learned counsel for the

petitioner present. Mr. Arshad Azam, Assistant Advocate General alongwith Mr. Ihsan Ullah, ADEO for the respondents present.

2. Representative of respondent submitted a copy of notification bearing Endst. No. 1867-75 dated 27.05.2024, vide which the petitioner has been reinstated into service from the date of removal from service and she was adjusted against the vacant post of PST BPS-12 at GGPS Sehri Jehanzeb with immediate effect.

3. Perusal of notification dated 27.01.2024 reveals that after receiving copy of the judgment dated 11.12.2023 of this Tribunal, DEO (F) Battagram vide letter bearing No. 4302 dated 28.12.2023 requested the Director, Elementary & Secondary Education Department, Peshawar for appointment of inquiry officer as a consequence of which DEO(F) Swat was appointed as inquiry officer on 02.05.2024 who conducted the enquiry and submitted report on 18.05.2024 as a result of which order dated 27.05.2024 was issued. Learned counsel for petitioner argued that direction of this Tribunal was not complied within the statutory period of sixty days, therefore, respondents were required to reinstate the petitioner with all back benefits.

4. Arguments of learned counsel for the petitioner have no force because process of denovo inquiry was initiated by DEO (F) Swat on 28.12.2023 which is within time limit given by this

**TESTED**  
*[Signature]*  
**EXAMINER**  
Khyber Pakhtunkhwa  
Service Tribunal  
Peshawar  
*[Signature]*

Tribunal. Otherwise too, inquiry is in respect of factual controversy which requires adequate time to probe into the matter. Appellant was associated with the inquiry due which after participating in the inquiry he cannot challenge it.

5. In my humble view, order of this Tribunal is complied with and fully implemented and there is no need in the particular circumstances of the case in hand to reinstate the petitioner with all back benefits merely on technical ground as there is slight delay in conducting and concluding inquiry within period of 60 days by this Tribunal. However, petitioner is at liberty to challenge that order to the extent of all back benefits in accordance with law subject to all legal objections, if so advised. File be consigned to record room.

6. Pronounced in open Court at Abbottabad and given under my hand and seal of the Tribunal on this 22<sup>nd</sup> day of July, 2024.

(Rashida Bano)  
Member (J)  
Camp Court, Abbottabad

**ATTESTED**  
*[Signature]*  
EXAMINER  
Syed Akhter  
Service Tribunal  
Peshawar

\*Kaleemullah\*

Date of Presentation of Application 02-9-24  
 Number of Words 2-8  
 Copying Fee 10/-  
 Urgent 5/-  
 Total 15/-  
 Name of Copyiest \_\_\_\_\_  
 Date of Completion of Copy 02-9-24  
 Date of Delivery of copy 02-9-24



**NOTIFICATION**

1. Whereas Mst: Salma Naz D/O Khuda Dad Khan posted against the post of PST BPS-12 at GGPS Sanda Saray Qasim Khan was removed from service by the then District Education Officer (F) Battagram vide Notification No. 3103-10 Dated 09.10.2021 on account of her absence from duty.
2. And whereas she filed a service appeal No. 312/2022 Dated 04.03.2022 against the said order before the honourable Service Tribunal Khyber Pakhtunkhwa camp court at Abbottabad.
3. And whereas the honourable Service Tribunal Khyber Pakhtunkhwa decided the case in her favor on 11.12.2023 and ordered her reinstatement while the issue of back benefit was left on the outcome of denovo inquiry.
4. And whereas this office in compliance with the order of the honourable court this office requested the Director Elementary & Secondary Education Peshawar vide letter No. 4304 Dated 28.12.2023 to order the appointment of inquiry officer to dispose off the case accordingly.
5. And whereas the Director Elementary & Secondary Education Peshawar ordered the appointment of Mst: Dr. Shamim Akhter District Education Officer (F) Swat as inquiry officer vide Notification No. 2518-21/Service Appeal No.312/2022/Litigation-II Dated 02.05.2024.
6. And whereas the inquiry officer conducted inquiry and submitted report to Director (E&SE) Peshawar vide her office letter No. 4125 Dated 18.05.2024.
7. And whereas the Director Elementary & Secondary Education Peshawar forwarded the inquiry report to this office vide her office letter No. F.No.(lit-II)/SA#312/22/Mst. Salma Naz/PST/Battagram/2024 Dated 24.05.2024 with the direction to the undersigned to implement the recommendations of inquiry officer by passing a speaking order.

Now therefore the undersigned being competent authority is pleased to reinstate her in the services from the date of removal without back benefits and the intervening period w.e.f 17.03.2021 to 27.05.2024 ( 03 Years 02 Months and 10 days) is hereby converted in to leave without pay (excluding 04 months i.e April, May and June 2021) for which her salaries have been drawn and received by her "as recommended by the inquiry officer" and she is adjusted against the vacant post of PST BPS-12 at GGPS Sehri Jehanzeb with immediate effect.

Rohana Yasmin Abbasi  
District Education Officer (F)  
Battagram  
Dated Battagram the 27/5.2024

Endst: No. 1867-75

A copy of the above is forwarded to the:

1. Registrar Service Tribunal Peshawar alongwith copy of enquiry report.
2. Director Elementary & Secondary Education Peshawar.
3. District Accounts Officer Battagram.
4. DMO (IMU) Battagram.
5. PS to Secretary to Government of Khyber Pakhtunkhwa Elementary & Secondary Education Department Peshawar.
6. SDEO (F) Battagram with the direction to make necessary entry to this effect in her service book.
7. EMIS Local Office.
8. Mst: Salma Naz PST.

Rohana Yasmin Abbasi  
District Education Officer (F)  
Battagram

27/5/2024

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1. ... 2011 ... PST ...
2. ...
3. ... 2021 ...
4. ... 312/2022 ...
5. ... 11/23 ...
6. ... 206/24 ...
7. ... DEO ...

ANNEXURE 'F'



پست (پست) (پست)

عالمی ایسوسی ایشن کے زیر اہتمام

01-8-24

پست کے ذریعے ایسوسی ایشن کے ذریعے

پست کے ذریعے ایسوسی ایشن کے ذریعے

پست کے ذریعے ایسوسی ایشن کے ذریعے

پست کے ذریعے ایسوسی ایشن کے ذریعے

پست کے ذریعے ایسوسی ایشن کے ذریعے

پست کے ذریعے ایسوسی ایشن کے ذریعے

پست کے ذریعے ایسوسی ایشن کے ذریعے

پست کے ذریعے ایسوسی ایشن کے ذریعے

پست کے ذریعے ایسوسی ایشن کے ذریعے

پست کے ذریعے ایسوسی ایشن کے ذریعے

پست کے ذریعے ایسوسی ایشن کے ذریعے

