


FORM OF ORDER SHEET

Court of _____

Appeal No. 2446/2024

S.No.	Date of order proceedings	Order or other proceedings with signature of judge
1	2	3
1-	12/11/2024	<p>The appeal of Mst. Sarwar Begum resubmitted today by Syed Noman Ali Bukhari Advocate. It is fixed for preliminary hearing before Single Bench at Peshawar on 19.11.2024. Parcha Peshi given to counsel for the appellant.</p> <p>By order of the Chairman</p> <p> REGISTRAR</p>

The appeal of Mr. Sarwar Begum received today i.e on 31.10.2024 is incomplete on the following score which is returned to the counsel for the appellant for completion and resubmission within 15 days.

- 1- Annexure-B of the appeal is illegible be replaced by legible/better one.
- 2- Copies of charge sheet, statement of allegations, show cause notice, enquiry report and replies thereto are not attached with the appeal be placed on it.

No. 1009 /Inst./2024/KPST,

Dt. 31/10 /2024.

Syed Noman Ali Bukhari Adv.
High Court at Peshawar.

Amalullah
ADDITIONAL REGISTRAR
SERVICE TRIBUNAL
KHYBER PAKHTUNKHWA
PESHAWAR.

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appellant, may
depts.
7/10
12/11/24

BEFORE THE KP SERVICE TRIBUNAL PESHAWAR

Appeal No. 2446 /2024

Sarwar Begum

V/S

Education Deptt:

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S.NO.	DOCUMENTS	ANNEXURE	PAGE
1.	Memo of Appeal	-----	1-6
2.	Copy of service book	A	7-13
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Sarwar Begum
APPELLANT
Sarwar Begum

THROUGH:

Syed Noman Ali Bukhari
(SYED NOMAN ALI BUKHARI)
ADVOCATE HIGH COURT.

Uzma Syed
(UZMA SYED)
ADVOCATE HIGH COURT

①

**BEFORE THE KHYBER PAKHTUNKHWA SERVICE TRIBUNAL,
PESHAWAR.**

Appeal No. 2446 /2024

Sarwar Begum Ex-PST
GGCMS Jijal, Kohistan.

APPELLANT

VERSUS

1. The Director (E&SE), Education Department, Khyber Pakhtunkhwa, Peshawar.
2. The District Education Officer (Female), Kohistan.

RESPONDENTS

APPEAL UNDER SECTION 4 OF THE KP SERVICE TRIBUNALS ACT, 1974, AGAINST THE ORDER DATED 24/11/2015 WHEREBY THE APPELLANT HAS BEEN REMOVED FROM SERVICE AND AGAINST NOT DECIDING THE DEPARTMENTAL APPEAL OF THE APPELLANT WITHIN STATUTORY PERIOD OF 90 DAYS.

.....

PRAYER:

THAT ON ACCEPTANCE OF THIS SERVICE APPEAL, THE IMPUGNED ORDER DATED 24/11/2015 MAY BE MODIFIED AND MAJOR PENALTY OF DISMISSAL FROM SERVICE MAY BE CONVERTED IN TO MAJOR PENALTY OF COMPULSORY RETIREMENT KEEPING IN VIEW LONG SERVICE CAREER OF APPELLANT OF 20 YEARS ON STRENGTH OF SUPERIOR COURT JUDGMENT, 2007 PLC CS 678 AND TRIBUNAL JUDGMENT CITED AS 2008 PLC CS 77, APPEAL NO. 67/2018, 218/2022 AND SERVICE APPEAL NO 219/2022 OR THE APPELLANT MAY BE ALLOWED TO COMPASSIONATE ALLOWANCES UNDER SECTION 3 OF CIVIL SERVANT ACT 1973. ANY OTHER REMEDY WHICH TRIBUNAL DEEMS FIT AND APPROPRIATE THAT

2

MAY ALSO BE AWARDED IN FAVOUR OF APPELLANT

RESPECTFULLY SHEWETH:

1. That the appellant was appointed as PST vide order dated 02/07/1995. Since appointment appellant working with full zeal and devotion. **Copy of Service Book and appointment order are attached as annexure-A & B.**
2. That the appellant was feel seriously ill, therefore, cannot attended her duties, on the basis of which appellant was removed from service vide order dated 24.11.2015 on the basis of willful absence, without following proper procedure mentioned in E&D Rules, 2011. **Copy of removal order is attached as annexure-C.**
3. That the appellant having 20 years of service on her credit. Therefore, filed Departmental Appeal for conversion of major penalty of removal from service to major penalty of compulsory retirement on strength of superior court Judgment **2007 PLC CS 678** and Tribunal Judgment Cited **AS 2008 PLC CS 77, APPEAL NO. 67/2018, 218/2022 AND SERVICE APPEAL NO 219/2022** OR allowed compassionate allowances U/S 3 Civil Servant Act, 1973. **Copy of Departmental appeal is attached as annexure-D.**
4. That the departmental appeal of the appellant was not responded within statutory period of 90 days hence the present appeal on the following grounds amongst others

GROUND:

- A. That the impugned order dated 24.11.2015 removal from service was very harsh.
- B. That according to section 3 of Civil Servant Act, 1973 the person removal or dismissed from service shall be eligible for compassionate allowances of pensionary benefit the appellant has twenty years of service on her credit therefore entitled for the same.
- C. That according to superior court Judgment cited as 2007 PLC (CS) 678, without touching other merit of the case on the basis of twenty years' service major penalty of Removal from service was converted into compulsory retirement for pensionary benefits.

- D. That the absence of the appellant is not willful but due to compelling reason so, the penalty imposed upon the appellant is so, harsh without considering the 20 years of service on her credit.
- E. That the appellant was not treated accordance to law and rules.
- F. That no proper procedure has been followed before the awarding the major penalty of "Removal from service", the whole proceedings are conduction in violation of the E & D Rules 2011 and thus not tenable in the eye of the law.
- G. That the appellant has 20 years' service with good record at his credit and the impugned order has been passed so harsh. So keeping in view the long service career of the appellant the major penalty of removal from service may be converted in to the major penalty of the compulsory retirement.
- H. That the appellant has been condemned unheard and has not been treated according to law and rules.
- I. That the Supreme Court in judgment cited as *2007 PLC CS 678* and tribunal judgment cited as *2008 PLC CS 77* and in service appeals NO. *872/2014, 898/2014, 67/2018, 218/2022 AND SERVICE APPEAL NO 219/2022*, in same circumstances the Hon'able Tribunal kind enough to accept the appeal and the major penalty of Dismissal from service was converted in to the major penalty of compulsory retirement. So the appellant is also entitled to the same relief under the rules of consistency and law of good governance as per supreme court judgment cited as 2009 SCMR 1, 2018 SCMR 380, 2021 SCMR 1313.
- J. That In a similar case i.e. in Civil Appeal No.1520/2008 titled Abdul "Qudus Vs. Government of NWFP through Secretary Education Department, NWFP, decided by the Supreme Court of Pakistan on 23.04.2013, it was held that:

It is being argued by the learned counsel for the appellant that after reinstatement of the appellant in service the order dated 24.09.2000, withdrawing his reinstatement, had. Been illegally passed without adopting proper procedure as no show cause notice was issued. That the said order of withdrawal of his reinstatement had been passed after the appellant had. Served, for 6/7 years as such he was fully entitled to pensionary benefits. His appeal was accepted in terms as The Tribunal holds that the appellant has a long service at his credit and consider it appropriate to compensate him for the service rendered

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by him. In order to enable the appellant to get his pension for the period before his involvement in the criminal case the retirement order dated 26.08.2000 is amended to the extent that he will stand, retired from service. The appeal is accepted to that extent and the impugned order is partially set aside. No order as to costs file be consigned to the record". He further asserted, that the Tribunal has also failed to take into consideration that the appellant after reinstatement have rendered service for 6/7 years on account of which he was entitled, to pension from the period 06.02.1989 to 17.07.1994. Therefore, while granting the appellant partial relief the same should have been allowed which needs to be rectified. The appellant has a long service record at his credit. He had been inducted in service as CT Teacher on 01.08.1961, he has not been involved in any departmental disciplinary proceeding and prior to the period. Moreover, the contention of the appellant for the grant of pension for the period from 06.02.1989 to 17.07.1994 cannot be justified in any manner as during this period he has been absent from service which, on sympathetic grounds, has been converted into Extra Ordinary Leave without pay. ". Following the above judgment of the Supreme Court of Pakistan"

Keeping in view the length of service, please to modify the punishment of dismissal and convert into that of consideration of the cases of the appellants for pensionary benefits.

- K. That the penalty of dismissal from service is very harsh which was passed in violation of law and rules, therefore, the same is not sustainable in the eyes of law.
- L. That the appellant has been condemned unheard in violation of Article 10-A of the Constitution of Islamic republic of Pakistan and in violation of maxim "Audi Alterum Partum" and has not been treated according to law and rules. That according to reported judgment cited as *2019 CLC 1750* stated that Audi Alterum Partum" shall be read as part and parcel of the every statute. The same principle held in the Superior Court judgments cited as *2016 SCMR 943, 2010 SCMR 1554 and 2020 PLC(cs) 67*, where in clearly stated that the penalty awarded in violation of maxim "Audi Alterum Partum" is not sustainable in the eye of law.
- M. That the appellant is seriously ill, therefore cannot attend duties, so absentia of the appellant was not willful but on the ground of illness which is beyond the control of the appellant. So, according to superior Court Judgment cited *as 2008 SCMR 214* availing

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leave on medical grounds without permission could not be considered an act of gross misconduct entailing major penalty, the major penalty in this case on the basis of absentia on medical ground is so harsh and not commensurate with guilt. So the impugned order is liable to be set-aside.

N. That impugned order was based on willful absence, so, for the willful absence procedure is provided in Rule 9 of the E&D rule 2011, which is so much crystal clear. The authority before imposing major penalty also violates the procedure of Rule-9. So the impugned order is defected in eye of law.

O. That the appellant seeks permission to advance others grounds and proofs at the time of hearing.

It is, therefore, most humbly prayed that the appeal of the appellant maybe accepted as prayed for.

[Signature]
APPELLANT
Sarwar Begum

THROUGH:
[Signature]
(SYED NOMAN ALI BUKHARI)
ADVOCATE HIGH COURT.
& *[Signature]*
(UZMA SYED)
ADVOCATE HIGH COURT

CERTIFICATE:

It is certified that no other service appeal earlier has been filed between the present parties in this Tribunal, except the present one.

[Signature]
DEPONENT

LIT OF BOOKS:

1. Constitution of the Islamic Republic of Pakistan, 1973.
2. The ESTA CODE.
3. Any other case law as per need.
- 4.

[Signature]
(SYED NOMAN ALI BUKHARI)
ADVOCATE HIGH COURT

BEFORE THE KP SERVICE TRIBUNAL PESHAWAR

Appeal No. _____ /2024

Sarwar Begum

V/S

Education Deptt:

AFFIDAVIT

I, Sarwar Begum, (Appellant) do hereby affirm that the contents of this service appeal are true and correct, and nothing has been concealed from this honorable Tribunal.


DEPONENT

Sarwar Begum


The stamp is circular and contains the text "KP SERVICE TRIBUNAL PESHAWAR" around the perimeter. In the center, there is a handwritten signature and the date "21/10/24".

A (27)

(For use in Home Department only)

Retn—

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2.

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Verification Roll No. _____ dated _____ received back _____

Roll No. _____

Thumb Impression _____

Signature _____

Passed S.S.E. Exam under
from S.S.E. Peshawar under
Roll No. 1278 (A) 1980
marks 387/400

Qualifications	Date	Qualifications	Date
English		First Arts	
Pushto		B.L. or B.A.	
Urdu		Pledership Examination	
Plan-Drawing		Training School Final Examination	
Finger-Print		Other Qualifications:—	
Drill Instructing			
Court Duties			
Reserve Duties			

N.B.— Line to be drawn under the qualification possessed.

ATTESTED

Notes— The 10 of 10

Rank

Rank

Rank

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Date

Exec

Person

Left of 04

Grade

Signal

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ATTESTED

Sub-Division, Education Division
Officer (F)

[Signature]

Signature and Designation of the Head of the Office or other Attesting Officer

Signature of Government Servant

Thumb

Middle Finger

Fore Finger

Ring Finger

Ring Finger

Left Hand Thumb and Finger Impressions of (Non-Carried) Officer

Personal marks for identification

NIC

Exact height by measurement

Date of birth by Christian era as nearly as can be ascertained

~~THAN KHAM~~
~~Second January 1968~~
~~Siem Reap, Cambodia~~

Father's name and residence

Residence

Wong, P.O. Chaleasay, Phnom Penh

Race

Alak

Name

SARIM B. B. B. B.

Note:— The entries in this page should be renewed or re-attested at least every five years and the Signatures to Lines 9 and 10 should be dated.

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NON
Date
Height in inches
Weight in pounds
Date of birth by Christian era as nearly as can be ascertained
Date of birth by measurement
Exact height by measurement
Personal marks for identification
Left Hand Thumb and Finger Impressions of (Non-Carried) Officer
Ring Finger
Middle Finger
Fore Finger
Thumb

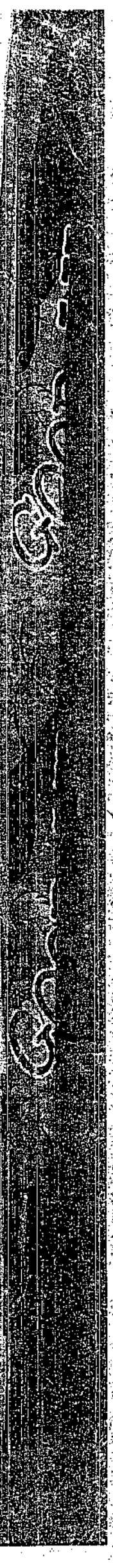
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9	10	11	12	13		14	15
				Nature and duration of leave taken	Allocation of period of leave on average pay upto four months for which leave salary is debitab to another Government		
						Specified EPS No. 2105/10/11/12 Via Finance Department Notification No. SDFRYFD/10-22/E/010 Dated Peshawar the 26-03-2012 With EHECE from 1-7-2012	
						Awarded B.F. 07 Due to upgrade of Due to up Director No. 1685-179 dated 27-03-2012 W.e.f. 01-07-2012	D.D.O. (F) Kohistan
							Deputy Distt. Officer Kohistan
						Service verified w.e.f. 1-12-2011 to 30-11-2012 from acc. roll & other records of this office	D.D.O. (F) Kohistan
						Service verified w.e.f. 1-12-2011 to 30-11-2012 from acc. roll & other records of this office	S.D.D.O. (F) Distt. Kohistan Service verified w.e.f. 1-12-2011 to 30-11-2012 from acc. roll & other records of this office
							D.D.O. (F) Pry. KH P3

Removal from Service
vide DEP. CH. Kohistan order
No. 7536-63 dt. 24/11/2015
w.e.f. 4/5/2015

S.D.D.O. (Female)
Kohistan

ATTESTED

B (14)

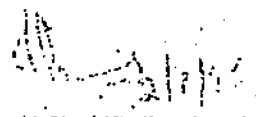
**OFFICE OF THE DISTRICT EDUCATION OFFICER PRIMARY KOHISTAN.
APPOINTMENT.**

Consequent upon the interview held on 6/11/1984 in the office of the District Education Officer at Dasso, the following female candidates are hereby appointed as P.T.C. (Un-Trained) teachers in BPS No. 7, @ Rs. 1480/-PM (Fixed) plus usual Allowances as admissible under the rules, with effect from the date of taking over of their charge, on the following terms and conditions:

Sl. No.	Name & F/Name	Category	Remarks
1	Roshan D/O Khushal	GOPTS Lohi Darda	AVP
2	Mahina Bibi D/O Mohd Haqit	GOPTS Dassa	AVP
3	Gezeelat D/O Sardar Ahmad Khan	Do	Do
4	Safia Naz D/O Yar Mohd	Do	Do
5	Faiwasht D/O Meerat	Do	Do
6	Sarwat Begum D/O Nabowal Khan	Gannan Al-nd	Do
7	Zobia Bibi D/O Saif Jan	Kanjhar (C.A.S)	Do
8	Rifat Shaheen D/O Fazal Rehman	Kachhan	Do
9	Malika Mehr Nigar D/O S: Alam Shah	Do	Do
10	Nighat Parveen D/O Santar Bahader Khan	Trakan	Do
11	Naseem Begum D/O Abdul Qayyum	Chachang	Do
12	Khush Niaz D/O Roshan Khan	Do	Do
13	Bibi Aama Jabeen D/O S: Mir Badshah	GOPTS Yaza	Do
14	Samila Naz D/O Qazi Israr ul Haq	GOPTS Yaza	Do

CONDITIONS.

1. No T.A/OA is allowed.
2. They should not be allowed to take over charge if their age is less than 18 and above 40 years.
3. They should provide Age and Health certificate from the DHO Kohistan.
4. Their original certificates should be checked and verified from the Concerned Board by the SDEO (Female) Kohistan before handing over of charge.
5. Their services are purely temporary and can be terminated without assigning any reason.
6. Charge reports should be submitted to all concerned.
7. Their order will be considered as cancelled if they failed to take over charge within 10 days.


 (ABDUR RASHID)
 District Education Officer
 Primary Kohistan (Dasso)

ATTESTED

14-A

BETTER COPY OF ANNEXURE - B**OFFICE OF THE DISTRICT EDUCATION OFFICER PRIMARY KOHISTAN.****APPOINTMENT:**

Consequent upon the interview held on 05/11/1994 in the office of the District Education Officer at Dassu, the following female candidates are hereby appointed as PTC (Un Trained) teachers in BPS No. 7 @ Rs. 1480/PM (Fixed) plus usual allowances as admissible under the rules with effect from the date of taking order of their charge, on the following terms and conditions.

S.No	Name & F/Name	School	Remarks
1.	Rehana D/o Khushal	GGPS Lohi Dhand	AVP
2.	Rehana Bibi D/o Mohd Hanif	GGPS Sazin	AVP
3.	Fazeelat D/o Sardar Ahmad Khan	DO	Do
4.	Safia Naz D/o Yar Mohd	She Dara	Do
5.	Palwasha D/o Meead	Do	Do
6.	Sarwar Begum D/o Nabowat Khan	Aman Abad	Do
7.	Zobia Bibi D/o Said Jan	Banjar (SAP)	Do
8.	Refat Shaheen D/o Fazal Rehman		Do
9.	Malika Mehr Nigar D/o S. Alam Shah		Do
10	Nighat Parveen D/o Sardar Bahader Khan		Do
11.	Naseem Begum D/o Abdul Qayyum		Do
12	Khosh Niaz D/o Roshan Khan		Do
13	Bibi Asma jabeen D/o S. Mir Badshah	GGPS Yazai	Do
14	Saira Naz D/o Qazi Israr Ul Haq	GGPS Yazai	Do

CONDITIONS:

1. TA/DA is allowed.
2. They should not be allowed to take over charge if her age is less than 18 and above 40 years.
3. They should provide age and health condition from the DHO Kohistan
4. Their original certificate should be check and verified then the concerned board by the SDEO (Female) Kohistan before handing over the charge.
5. Their services are purely temporary and can be formulated with assignig any reason.
6. Charge reports should be submitted to the concerned.
7. Their order will be considered as cancelled anyfailed to take over charge with in 10 days.


(ABDUR RASHID)
District Education Officer
Primary Khoistan (Dassu)

15

End: No: 1074-91 Dated Kohistan the 27/1/1995.

Copy of the above is forwarded to the:

1. Director of Primary Education NWFP, Hattaynabad Peshawar.
2. District Account Officer Kohistan at Dasso.
3. Candidate concerned.
4. Office Order File.


District Education Officer
Primary Kohistan (Dasso)

ATTESTED

c (16)

20. 26. 7. 2015

OFFICE OF THE DISTRICT EDUCATION OFFICER, (F) KOHISTAN.

Phone No. 030027725

Notification:

WHERE AS you were reported absent by ASDEO/SDEO /DEO (F) Kohistan
 WHERE AS a show cause notices were issued at your home address available in this office through registered post, and where as neither you were joined your duty nor submitted convincing reply.
 WHERE AS final show cause was issued in the DAILY NEWSPAPERS daily AAJ Peshawar dated 21-09-2015 in which you were directed to assume your duty or submit your reason for willful absent from duty but neither you attended the school nor submitted convincing reply to the department.
 WHERE AS the competent authority imposed the major penalty up to the removal from service.
 WHERE AS to again clarify/verify your attendance in the school the removal order was held in abeyance AND WHERE AS the ASDEO/SDEO (F) submitted the report that you are still absent from your duty and also not submitted any reply and failed to attend your school duty, despite of a chance given to you.

Hence the competent authority imposed the major penalty that is up to the removal from service under ERD rules 2011 with effect from date mentioned against your name and recovery of the absent period pay.

S No	Name of Teacher with School	Termination w.e.f.
1	Asma Norin PST GGPS Behram Abad	8/2014
2	Sania Javed PST GGPS Muhammad Abad	13/9/2014
3	Rafat bibi PST GGPS Razaidanor	2/2015
4	Bushra Mushtaq PST GGPS KK Ranolla	1/2015
5	Nozia bibi PST GGPS samad Abad	25/10/2014
6	Rafat Jabeen PST GGPS Samad Abad	25/10/2014
7	Sarwar begum PST GGPS JJal	4/1/2015
8	Shahen Mistin PST GGPS Kandaro Bahr	9/5/2015
9	Rohana Yousaf PST GGPS KK Ranolla	28/1/2015
10	Abida Jahan Geer PST GGPS Habib Abad	2/2/2015
11	Nargis bibi PST GGPS Hab b Abad	2/2/15
12	Huma Jani PST GGPS Bahadar Abad	5/2015
13	Shahen Imam PST GGPS Suri Dubair	8/4/2015
14	Nazmeen bibi GGPS Kandaro Bahr	9/5/2015
15	Shagufta PST GGPS JeeChawa	Date of Posting this school:
16	Samina PST GGPS JeeChawa	Date of posting this school:
17	Gulsanga PST GGPS Yazi	Date of posting this school:

ok District Education Officer (Female) Kohistan.

E/NO.15/Estab: 7556-63 /DEO (F) KH: dated 26/11/2015.

- Copy of the above is forwarded to:
1. The Director, Elementary & Secondary Education, Khyber Pakhtunkhwa.
 2. The Deputy Commissioner Kohistan Upper.
 3. The Deputy Commissioner Kohistan Lower.
 4. The District Monitoring Officer (DMO) District Kohistan
 5. The District Accounts Officer, Kohistan.
 6. The Sub-Divisional Education Officer (SDEO) Kohistan with the direction to ensure the recovery of absent period from the Teacher concerned.
 7. The ASDEO, Circles
 8. Teacher concerned

ATTENDED

ok District Education Officer (Female) Kohistan.

To

The Director (E&SE) Department,
Khyber Pakhtunkhwa Peshawar.

D 17
Duty No: 105
9-7-2022

THROUGH: PROPER CHANNEL:

SUBJECT: DEPARTMENTAL AGAINST THE ORDER DATED 24/11/2015 WHEREBY THE APPELLANT HAS BEEN REMOVED FROM SERVICE AND FOR ALLOWED COMPASSIONATE ALLOWANCE UNDER SECTION 3 OF CIVIL SERVANT ACT 1973.

PRAYER:

THAT ON ACCEPTANCE OF THIS APPEAL, THE IMPUGNED ORDER DATED 24/11/2015 MAY BE SET ASIDE AND MAJOR PENALTY OF DISMISSAL FROM SERVICE MAY BE CONVERTED IN TO MAJOR PENALTY OF COMPULSORY RETIREMENT KEEPING IN VIEW LONG SERVICE CAREER OF APPELLANT OF 20 YEARS ON STRENGTH OF SUPERIOR COURT JUDGMENT, 2007-PLC (CS) 978 AND TRIBUNAL JUDGMENT DATED 19.01.2022 IN APPEAL NO. 67/2018 OR THE APPELLANT MAY BE ALLOWED TO COMPASSIONATE ALLOWANCES UNDER SECTION 3 OF CIVIL SERVANT ACT 1973.

Respectfully Sheweth:

1. That the appellant was appointed as PST vide order dated 02/07/1995. since appointment appellant working with full zeal and devotion. (Copy of appointment order is attached as annexure-A).

ATTESTED

2. That the appellant was feel seriously ill, therefore, cannot attended her duties, on the basis of which appellant was removed from service vide order dated 24.11.2015 on the basis of wilful absence. That the appellant having 20 years of service on her credit. Therefore, filling this Departmental Appeal for conversion of major penalty of removal from service to major penalty of compulsory retirement on strength of superior court Judgment and service tribunal judgment dated 19.01.2022 in appeal No. 67/2018 OR allowed compassionate allowances U/S 3 Civil Servant Act, 1973, on the following grounds amongst the others. (Copy of removal order is attached as annexure-B).

GROUND:

- A. That the impugned order dated 24.11.2015 removal from service was very harsh.
- B. That according to section 3 of Civil Servant Act, 1973 the person removal or dismissed from service shall be eligible for compassionate allowances of pensionary benefit the appellant has twenty years of service on her credit therefore entitled for the same.
- C. That according to superior court Judgment cited as 2007 PLC (CS) 678, without touching other merit of the case on the basis of twenty years' service, major penalty of Removal from service was converted into compulsory retirement for pensionary benefits.
- D. That the absence of the appellant is not willful but due to compelling reason so, the penalty imposed upon the appellant is so, harsh without considering the 20 years of service on her credit.
- E. That the appellant was not treated accordance to law and rules.

ATTESTED

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- F. That no proper procedure has been followed before the awarding the major penalty of "Removal from service", the whole proceedings are conducted in violation of the E & D Rules 2011 and thus not tenable in the eye of the law.
- G. That the appellant has 20 years service with good record at his credit and the impugned order has been passed so harsh. So keeping in view the long service career of the appellant the major penalty of removal from service may be converted in to the major penalty of the compulsory retirement.
- H. That the appellant has been condemned unheard and has not been treated according to law and rules.
- I. That the in the service appeals NO 872/2014 and 898/2014. in same circumstances the Hon'able Tribunal kind enough to accept the appeal and the major penalty of Dismissal from service was converted in to the major penalty of compulsory retirement. So the appellant is entitled to the same relief.
- J. That the penalty of dismissal from service is very harsh which was passed in violation of law and rules, therefore, the same is not sustainable in the eyes of law.

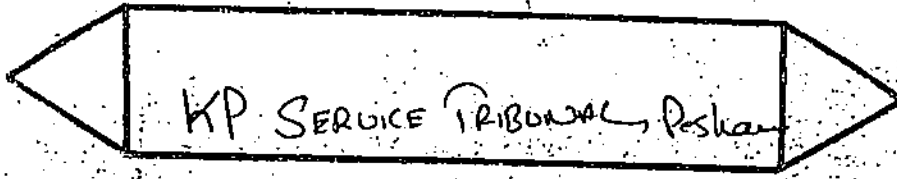
It is, therefore, most humbly prayed that the appeal of the appellant maybe accepted as prayed for.

APPELLANT
Sarwar Begum Ex-Pst
GGCMS Jijal

Date: 09/07/2024

ATTESTED

بعدالت



2۶ منجانب
بنام

SANWAR Begum

vs

Education Deptt

مورثہ

مقدمہ

دعویٰ

جرم

باعث تحریر آنکے

مقدمہ مندرجہ عنوان بالا میں اپنی طرف سے واسطے پیروی و جواب دہی وکل کاروائی متعلقہ

آن مقام پشاور کیلئے سیدضمان علی بخاری صاحب عظمیٰ سپر

مقرر کر کے اقرار کیا جاتا ہے۔ کہ صاحب موصوف کو مقدمہ کی کل کاروائی کا کمال اختیار ہوگا۔ نیز وکیل صاحب کو راضی نامہ کرنے قی تقرر ثالث و فیصلہ پر حلف دینے جواب دہی اور اقبال دعویٰ اور بصورت ڈگری کرنے اجراء اور وصولی چیک و روپیہ ارضی دعویٰ اور درخواست ہر قسم کی تصدیق و زرائع 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 محتاج ہوگا۔ از بصورت ضرورت مقدمہ مذکور کے کل یا جزوی کاروائی 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 مذکور با اختیارات حاصل ہوں گے اور اس کا ساختہ پر داختم منظور قبول ہوگا۔ دوران مقدمہ میں جو خرچہ ہر جانہ التوائے مقدمہ ہوں گے سب 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 وکالت نامہ لکھ دیا کہ سندر ہے۔

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الزقوم

اپنے سبب
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العبد د گ و اہ العبد د

مقام کے لئے منظور ہے۔