

Form- A

FORM OF ORDER SHEET

Court of _____

Case No.- _____ **1152/2022** _____

S.No.	Date of order proceedings	Order or other proceedings with signature of judge
1	2	3
1-	25/07/2022	<p>The appeal of Muhammad Assad presented today by Muhammad Awais Ajiz Advocate. It is fixed for preliminary hearing before touring Single Bench at Abbottabad on . Notices be issued to appellant and his counsel for the date fixed.</p> <p>By the order of Chairman</p> <p>REGISTRAR</p>

KHYBER PAKHTUNKHWA SERVICE TRIBUNAL, PESHAWAR

CHECK LIST

Case Title: _____

S#	CONTENTS	Yes	No
1.	This Appeal has been presented by _____	✓	
2.	Whether counsel / appellant / respondent / deponent have signed the requisite document?	✓	
3.	Whether appeal is within time?	✓	
4.	Whether appeal enactment under which the appeal is filed is mentioned?	/	
5.	Whether 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 / annexure are properly paged?	/	
9.	Whether certificate regarding filling any earlier appeal in the subject, furnished?	/	
10.	Whether annexures are legible?	/	
11.	Whether annexures are attested?	/	
12.	Whether copies of annexures are readable/ clear?	/	
13.	Whether copies 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 number of referred cases given are correct?		
16.	Whether appeal contains cutting / overwriting?		
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 are attached?		
20.	Whether complete spare copy is filed in separate file cover?		
21.	Whether addresses of parties given are completed?		
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 Rule 1974 rule 11, Notice along with copy of appeal and annexure has been sent to respondents? On _____		
26.	Whether copies of comments / replay/ rejoinder submitted? On _____		
27.	Whether copies of comments / replay/ rejoinder provided to opposite party? On _____		

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

Name:- M. Anais Aje Adv
 Signature:- [Signature]
 Dated:- 25-07-22

BEFORE THE SERVICE TRIBUNAL
K.P.K PESHAWAR

Service appeal No 1152 of 2022

Muhammad Assad.....**Appellant**

VERSUS

The Govt. of KPK through Secretary Health
Services/Department Peshawar and
others.....**Respondents**

APPEAL

INDEX

S#	Description of documents	Annexure	Page#
1.	Memo of Appeal	-	1-7
2.	Affidavit	-	8
3.	Correct address of Parties		9
4.	copy of domicile certificate and educational testimonials.	A	10-13
5.	copy of appointment order appellant	B	-14-
6.	copy of appointment order respondent No. 04.	C	-15-
7	copy of letter dated 22.02.2022 .	D	-16-
8	copy of impugned dispatch entry dated 07.03.2022.	E	-17-
9	copy of applications.	F	18-20
10	copy of the departmental representation	G	21-24
13	Wakalat Nama		25

Dated 22.07.2022

Muhammad Assad
(Appellant)

Through:-


MUHAMMAD AWAIS AJIZ
ADVOCATE HIGH COURT

1

BEFORE THE SERVICE TRIBUNAL
KHYBER PAKHTUNKHWA PESHAWAR

Service appeal No _____ of 2022

Muhammad Assad son of Jehanzeb R/o
Attershisha Mansehra presently serving as
Ward boy/Ward Orderly in KATH
Manshera.....Appellant

VERSUS

- 1) The Government of Khyber
Pakhtunkhwa through Secretary
Health Services/Department Peshawar.
- 2) Director General Health services
Khyber Pakhtunkhwa Peshawar.
- 3) Medical Superintendent, King Abdullah
Teaching Hospital (KATH) Mansehra.
- 4) Hashim Waheed son of Muhammad
Waheed resident of village Suffaida
Tehsil & District Manserha.

.....**Respondents**

APPEAL UNDER SECTION 4 OF KPK
SERVICE TRIBUNAL ACT, 1974 AGAINST
THE ACT OF RESPONDENT NO 03
WHEREBY RESPONDENT NO. 04 IS

PROMOTED VIDE IMPUGNED DISPATCH
NO. 1817 DATED 07.03.2022 FROM CLASS-
IV TO JUNIOR CLERK BPS-11 AND IN THIS
RESPECT ALL OTHER CORRESPONDENTS
AND PROMOTION ORDERS ARE WRONG,
ILLEGAL, ARBITRARY, FANCIFUL,
PERVERSE, AGAINST THE LAW AND
RULES, AGAINST THE FUNDAMENTAL
RIGHT OF THE APPELLANT, WITHOUT
OBSERVING PROMOTION LAW AND RULES,
WITHOUT LAWFUL AUTHORITY AND OF
HAVING NO LEGAL EFFECT UPON THE
RIGHTS OF THE APPELLANT HENCE
LIABLE TO BE CANCELLED/ STRUCK
DOWN.

PRAYER:-

On acceptance of the instant service appeal, the impugned act of respondents whereby respondent No. 04 promoted from Class-IV to Junior Clerk BPS-11 is declared wrong, illegal, against the law and fact, arbitrary, fanciful, without observing promotion law and rules. Respondents No. 01 to 03 be directed to promote the appellant to the post of Junior Clerk (BPS-11) as senior than respondents No. 04 and having requisite qualification and experience.

Respectfully Sheweth:-

1. That, appellant is the resident of Village Attershisha, Tehsil & District Mansehra and having requisite qualification and experience for the post of Junior Clerk.

(copy of domicile certificate and educational testimonials annexed as annexure "A").

2. That the appellant was appointed as Ward Boy in KATH Mansehra vide order No. 7059 dated 31.12.2012.

(copy of appointment order annexed as annexure "B").

3. That, the respondent No. 04 was appointed as Blood Bank attendant in KATH Mansehra vide order No. 6930 dated 12.10.2021.

(copy of appointment order annexed as annexure "C").

4. That, during service certain directions were given by respondent No. 02 in respect of promotion of Class-IV Employees to Junior Clerk therefore respondent No. 03 called all the Class-IV employees for typing test and interview vide letter No. 1428 dated 22.02.2022.

(copy of letter dated 22.02.2022 is annexed as annexure "D").

5. That after conducting test and interview the respondent No. 03 wrongly and illegally promote respondent No. 04 to the Post of Junior Clerk impugned dispatch No. 1817 dated 07.03.2022.

(copy of impugned dispatch entry dated 07.03.2022 annexed as annexure "E").

6. That, appellant time and again approach to respondent No. 03 for taking information in respect of any promotion order but respondent No. 03 intentionally concealed the impugned promotion orders and proceedings, the appellant moved different applications to respondent No. 03 and Deputy Commissioner Mansehra for taking information about promotion order but in vain.

(copy of applications are annexed as annexure "F").

7. That when appellant came into the knowledge of impugned promotion order at the time of taking dispatch entry in relevant register, and from taking the information about said entry the appellant filed the a departmental representation before respondent No. 02 which is not decided and the statutory period has been lapsed.

(copy of the departmental representation is annexed as annexure "G").

8. That, felling aggrieved, appellant having no other remedy except to file the present service appeal on the following amongst other grounds.

GROUND:-


- A) That, the impugned orders issued by respondents No. 03 are illegal, against the law, against the fact, arbitrary, fanciful, against the fundamental right of the appellant, without observing promotion law and rules, without lawful authority hence liable to be struck down/cancelled.
- B) That the appellant most senior than respondent No. 04 and eligible and qualified in all respect for his promotion as Junior Clerk but respondent No. 03 ignored the appellant.
- C) That, respondent No. 04 is most junior employee in KATH Mansehra, but respondent No. 03 promoted him from Class-IV to Junior Clerk with malafide intention and just to deprive the appellant from his fundamental right.

- D) That, the promoting authority overlooked the relevant rules and law regarding the promotion of class-IV employees hence committed illegality and irregularity.
- E) That, it is settled law that class-IV will be promoted on seniority basis but respondent No. 03 ignored the relevant law of the promotion and exercise his power not so vested and responded No. 04 is promoted just on the basis of political influence, discriminatory manners and to accommodate their blue eye chip.
- F) That, the impugned action of respondent No. 03 is wrong, illegal, against the law and against natural justice and against the fundamental right of the appellant hence not maintainable in the eyes of law.
- G) That, the only criteria for the promotion in question is seniority cum fitness which criteria is fulfilled by the appellant.
- H) That, impugned act of respondent no 03 is illegal, un lawful without lawful authority and of having no legal effect.

PRAYER:-

On acceptance of the instant service appeal, the impugned act of respondents whereby respondent No. 04 promoted from Class-IV to Junior Clerk BPS-11 is declared wrong, illegal, against the law and fact, arbitrary, fanciful, without observing promotion law and rules. Respondents No. 01 to 03 be directed to promote the appellant to the post of Junior Clerk (BPS-11) as senior than respondents No. 04 and having requisite qualification and experience.

Dated 22.07.2022


Muhammad Assad
(Appellant)

Through:-


MUHAMMAD AWAIS AJIZ
ADVOCATE HIGH COURT

VERIFICATION :

I, Muhammad Assad son of Jehanzeb R/o Attershisha Manshra presently serving as Ward boy/Ward Orderly in KATH Manshra, do hereby solemnly affirm and declare that the contents of fore-going Appeal are true and correct to the best of my knowledge and belief and nothing has been concealed or suppressed form this Honorable Tribunal.


Muhammad Assad

BEFORE THE SERVICE TRIBUNAL
K.P.K PESHAWAR

Muhammad Assad.....Appellant

VERSUS

The Govt. of KPK through Secretary Health
 Services/Department Peshawar and
 others.....Respondents

APPEAL

AFFIDAVIT

I, MUHAMMAD ASSAD SON OF JEHANZEB R/O
 ATTERSISHA MANSEHRA PRESENTLY SERVING
 AS WARD BOY/WARD ORDERLY IN KATH
 MANSHERA, DO HERBY SOLEMNLY AFFIRM AND
 DECLARE ON OATH THAT THE NO SUCH
 SUBJECT MATTER APPEAL HAS EVER BEEN
 FILED BEFORE THIS HONORABLE COURT NOR
 PENDING NOR DECIDED. THAT THE CONTENTS
 OF FORE-GOING AFFIDAVIT ARE TRUE AND
 CORRECT TO THE BEST OF MY KNOWLEDGE
 AND BELIEF AND NOTHING HAS BEEN
 CONCEALED OR SUPPRESSED FROM THIS
 HONOURABLE TRIBUNAL.

Dated: 22.07.2022


 MUHAMMAD ASSAD
 DEPONENT

BEFORE THE SERVICE TRIBUNAL
K.P.K PESHAWAR

Service appeal No _____ of 2022

Muhammad Assad.....**Appellant**

VERSUS

The Govt. of KPK through Secretary Health
Services/Department Peshawar and
others.....**Respondents**

APPEAL

CORRECT ADDRESSES OF THE PARTIES


APPELLANT:

Muhammad Assad son of Jehanzeb R/o
Attershisha Mansehra presently serving as
Ward boy/Ward Orderly in KATH Manshera.

RESPONDENTS:

- 1) The Government of Khyber
Pakhtunkhwa through Secretary
Health Services/Department Peshawar.
- 2) Director General Health services
Khyber Pakhtunkhwa Peshawar.
- 3) Medical Superintendent, King Abdullah
Teaching Hospital (KATH) Mansehra.
- 4) Hashim Waheed son of Muhammad
Waheed resident of village Suffaida
Tehsil & District Manserha.

Dated 22.07.2022


Muhammad Assad
(Appellant)

Through:-


MUHAMMAD AWAIS AJIZ
ADVOCATE HIGH COURT

10
A
DOMICILE CERTIFICATE



I declare that I am born of parents who are permanently domiciled having been born in this Province.

I was born at VILLAGE AND P.O. A. SHISHA Tehsil MANSEHRA

District MANSEHRA

I passed Primary Examination from G.P.S A. SHISHA School ATPERSHISHA

Resident of VILLAGE AND P.O. ATPERSHISHA (MANSEHRA)

Tehsil MANSEHRA

District MANSEHRA

Sd/ Muhammad Amir Dated 7.5.92

Pursuance to the declaration dated _____

Filed by MUHAMMAD ASSAD S/o JEHANZEB

Tribe AWAN Section _____ Sub Section _____

Tehsil MANSEHRA District MANSEHRA

to the effect that he had been born of parents who are permanently domiciled in N.W.F. Province having been born within it.

I have satisfied myself ^{From the Verifications Made Over Leaf} ~~from personal~~ ^{own} knowledge the above declaration is true and correct and certify accordingly

Given under my hand and the seal of Court this _____

2324 Dated 9/6/92
COUNTERSIGNED

MAGISTRATE 1ST CLASS

MUMIB AMMAD
Extra Assistant Commissioner
18/6/92

District Magistrate
Mansehra

DISTRICT MAGISTRATE _____

۷۱۶
فصل اول

تقدیر کیا جاتا ہے کہ محمد اسد ولد جہان دین قوم و گون احمد علی خاں
پر امر کی تعمیل کو رعیت پر انگریزوں کی طرف سے مقرر کیا گیا ہے
اور رعیت سے بائیکاٹ ہے نیز اور یہ دیکھنا ضروری ہے

Amir Khatun
H.No. 172
Bahawalpur
(Manshra)

THE
OFFICE OF THE
SECRETARY
TO THE GOVERNMENT
OF THE PUNJAB
LUDHIANA

بندگی اور اس کی حالت
وہ اس وقت تک اس کے پاس ہے۔
نہ اس وقت اس کے پاس ہے۔
۱۹۸۸
۱۹۸۸
۱۲
۹۵
۳۰

۸/۵/۹۲
۳۰
۹۲
۱۱

Verified the above report of
the revenue staff

Bahawalpur
8-6-92 No 501

Attest
by
[Signature]

Roll No 13309

Govt. High School Atter Shisha (Hazara)
PROVISIONAL CERTIFICATE

This is to Certify that Mr Mohammed Assad
s/o Tahar Zeb passed from this School
the Secondary School Certificate Examination of the Board of Inter
and Secondary Education ^{S-Abad} Peshawar held in March 1992
Obtaining 463 Marks "C" Grade

He also passed in the following Subjects

- 1) English
- 2) Urdu
- 3) Islamiyat
- 4) Pak. Studies
- 5) Math @ Physics @ Chemistry @ Biology

His conduct during his study at this School was Good

He was Captian/Member of the School First/Second 1

team. He was 1 of the School literary society

His date of birth according to the School record is (08-04-1976)

Eight of April N.H. & Seventy Six

Dated Atter Shisha the 16-8-1992 19

ENR/NO 3-AB/PATS-90

[Signature]
Headmaster,
Govt High School,
Atter Shisha Hazara.
Govt. High School
Atter Shisha (Manshera)

Attested by
Dor - 12-

11418

Roll No. 34387

S-B.

IPC

BOARD OF INTERMEDIATE & SECONDARY EDUCATION

ABBOTTABAD
N. W. F. P. PAKISTAN
PROVISIONAL CERTIFICATE
INTERMEDIATE EXAMINATION

Session 1996 Annual/Supplementary
Humanities Group

THIS IS TO CERTIFY THAT Mohammed Assad,
Son/daughter of Jehan Zeb,
and a candidate of Manshana.
Registered No. — has passed the INTERMEDIATE EXAMINATION of the
Board of Intermediate & Secondary Education Abbottabad held in June 19 96
as a Regular/Private candidate. He/She obtained 436 Marks out of 1100 and
has been placed in Grade (E) Representing (Satisfactory)

The Examination was taken as a whole/in parts

Prepared by [Signature]
Checked by —
Date of Preparation 04-11-96.

[Signature]
Asstt. Secretary (Certificates)
Board of Intermediate &
Secondary Education Abbottabad

Attested
Date

- 13 -

HAZARA UNIVERSITY MANSEHRA NWFP



(PAKISTAN)

PROVISIONAL CERTIFICATE

Annual/Supplementary Examination 2005

Serial No: 0742

Registration No: 03-P-1880

Roll No: 07346

Result declared on: 25, December 2005.

Certified that Mr/Miss/Mrs. Mohammad Assad Son/Daughter of Jehanzeb
and a student/candidate of BA/3 has passed the BA/3 Examination held in November 2005.
by securing 248 Marks out of 550 and has been placed in 2nd Division/Grade.

(The Examination was taken as a whole/in parts)



Sey B

Checked by: Yaghin Ahmad Khan

[Signature]
Deputy Controller Examinations
Hazara University

- 14 -

"B"

OFFICE OF THE EXECUTIVE DISTRICT OFFICER
HEALTH MANSEHRA.

TEL: 9997 920169, Fax: 9997 920166, E mail: edchhra@yahoo.com.
Website: WWW.edchhramansehra.com

No. 7259 Dated 31/12/2012

To

Mr MUHAMMAD ASSAD S/O JEHAÑZEB


Village Atter Shisha District & Tehsil Mansehra.

Subject: OFFER OF APPOINTMENT.

The competent authority, in accordance with KP Civil servants (Amendment) Act 2005, (appointment, Promotion and Transfer) Rules 1989, as amended, under Employees' son quota, is pleased to offer you a post of Ward Orderly BPS 2@ Rs4900.170-10000 plus usual allowances as admissible under the rules in the interest of public service subject to the following terms and conditions.

TERMS & CONDITIONS.

- 1) You are domiciled of District Mansehra.
- 2) You are medically fit and subject to provision of Medical Fitness Certificate from the Medical Superintendent King Abdullah Teaching Hospital Mansehra.
- 3) Your appointment will be on probation for 1 year from the date of arrival, during which you can be terminated without assigning reason due to non performance, indiscipline and misconduct.
- 4) You will be governed such rules and orders issued by government from time to time.
- 5) If you wish to resign from service you will have to give one month notice in advance or forfeit one month pay in lieu of, and will have to continue service till acceptance of resignation.
- 6) You can be transferred anywhere in the District.
- 7) You will not be entitled for pension and Gratuity Benefits.
- 8) You will not contribute to GPF but contribute CP Fund according to prevailing rules.
- 9) If the above offer of appointment is acceptable to you on the above terms and condition, you are directed to report for duty to Medical Superintendent King Abdullah Teaching Hospital Mansehra within 40 days of the issuance of this letter failing which the appointment order will stand cancelled.


Executive District Officer
Health Mansehra.

No. /

Copy forwarded for information to the:

- 1) M.S. King Abdullah Teaching hospital Mansehra
- 2) District Accounts Officer Mansehra.
- 3) Establishment Section EDO(H) Office Mansehra

- 15 -

Annexure

M. Hashim Waheed
D. Waheed

**OFFICE OF THE MEDICAL SUPERINTENDENT
KING ABDULLAH TEACHING HOSPITAL MANSEHRA**

Tel: 0997-920096, Fax: 0997-540211; email: mskathmansehra@gmail.com
Website: www.athmansehra.com

NO. 6930 / Dated 12-10/2021

To

Mr. Hashim Waheed S/O Muhammad Waheed
Resident of Village Safaida PO Manshra
Tehsil and District Manshra.

Subject: - **OFFER OF APPOINTMENT.**

Accordance with Khyber Pakhtunkhwa, Civil Servant (Appointment, Promotion and Transfer) Rule 1989 under rule 10 (4), the competent authority is pleased to offer you post **Blood Bank Attendant (BPS-04) @ 9900-440 23100** plus Usual allowance as admissible under the rule in the interest of public services subject to the following terms and conditions:-

- 1) You are domiciled of District Manshra.
- 2) Your appointment are purely temporary basis and liable to termination at any stage without assigning any reason/notice.
- 3) You will remain on probation for one year.
- 4) You will be governed such rules and orders issued by Government from time to time.
- 5) Your services will be transfer able anywhere in the district.
- 6) According to prevailing rules GPF will be contributed from your salary.
- 7) If you wish to resign from service you will have to give one month notice in advance or forfeit one month pay in the lieu of, and will have to continue service till acceptance of resignation.
- 8) You should produce Health & Age Certificate from the Medical Superintendent KAT Hospital Manshra.
- 9) NO travelling allowance/Daily allowance is allowed.
- 10) If the above appointment order is acceptable to you on the above terms and conditions, you are directed to report for duty at King Abdullah Teaching Hospital Manshra within 10 days from the receipt of this letter.

No-6931-33

Medical Superintendent
King Abdullah Teaching Hospital
Manshra

Copy to:-

1. The Director General Health Services Khyber Pakhtunkhwa Peshawar.
2. The District Accounts Officer Manshra.
3. Account Section undersigned for necessary action.

Medical Superintendent
King Abdullah Teaching Hospital
Manshra

Resident of Manshra
Tehsil and District Manshra

- 16 -

ANNEXURE : "D"

**OFFICE OF THE MEDICAL SUPERINTENDENT
KING ABDULLAH TEACHING HOSPITAL MANSEHRA**

Tel: 0997-920096, Fax: 0997-540211; email: mskathmansehra@gmail.com
Website: www.kathmansehra.com

Attested by
[Signature]

No. 1428
Dated 22/02 / 2022

To

1. Mr. Muhammad Assad, Ward Orderly
2. Mr. Muhammad Sohail, Chowkidar
3. Mr. Shakir Saeed, Ward Orderly
4. Mr. Nouman Ali, Ward Orderly
5. Mr. Adil Malik, X-Ray Attendant
6. Mr. Hashim Waneed, Blood Bank Attendant
7. Mr. Zubair Khan, Ward Orderly

Subject: - **CALL FOR TYPING TEST / WALK AND INTERVIEW**

With reference to your applications for promotion from Class-IV to Junior Clerk (BPS-11), therefore all of you are hereby directed to appear for typing test / Walk & interview along with all relevant original documents on 23.02.2022 (Wednesday) at 11:00 AM, positively.

[Signature]
Medical Superintendent
King Abdullah Teaching Hospital
Mansehra

No. 1429-30

Copy to:-

1. All Members Committee KATH Mansehra.
2. Office Copy for Record.

[Signature]
Medical Superintendent
King Abdullah Teaching Hospital
Mansehra

17.

REGISTER OF ISSUES

Annexure

07-03-22

Serial No	Branch	Inward Register Daily or General No	To whom and number of enclosures	Subject or File No.	Remarks (record reference amount of stamps, etc.)	Stamps Value (Rs.)
1817	UHC				Minutes Departmental Selection / Promotion Committee of class-IV (Sr) to	
1818	UHC				Senior clerk (MPS-III)	
1819	UHC				Umar Rashid s/o Akbar Rashid	Appt as DEC under HMC
1820	UHC				Resident of Mahallah Jabri Manshera	Appt as Driver under HMC
1821	UHC				M. Yasin s/o M. Yousif	
1822	UHC				P/O Moh. Nazari Manshera	Appt as Assistant HMC
1823	UHC				M. Nizam Khan s/o Nazakat Khan	
1824	UHC				P/O Village Kotkay	Appt as Attendant under
1825	UHC				M. Nizam s/o M. Rizaz	
1826	UHC				P/O Moh. Bela Murtaza Manshera	Appt as Attendant under
1827	UHC				Baker Zohab s/o M. Lybad	
1828	UHC				P/O Moh. Nazari Manshera	
1829	UHC					HMC
1830	UHC				P/O Moh. Nazari	Appt as Attendant under
1831	UHC				Atiqur Rehman s/o M. Iqbal	HMC
1832	UHC				P/O Moh. Nazari	Appt as Attendant under
1833	UHC				M. Junaid Khan s/o M. Saad Naz	HMC
1834	UHC				P/O M. Saad Naz	Appt as Attendant under
1835	UHC				Junaid Khan s/o Junaid Khan	HMC

Attested by
D.W.D.

تحت وصالت اہم امور کے لئے
Attested by
[Signature]

جو نامہ اتراد آئی کہ سائبر اور دیگر امور
ملا سکا ہے پروٹیکشن اور دیگر امور
کو بہت اہم سمجھا کر اس کے لئے
نئے پروٹیکشن لہر دیئے ہیں

لہذا اس سے گزارش ہے کہ پروٹیکشن
آرڈر جو سائبر فورسز کے پاس
اور رول ریگولیشن کے پاس

الغرض
صفحہ 4/4
22

شاہد اہل خانہ - ڈیپٹی سیکریٹری + اسد
لہان

Attested by
D.S.

مقامت جناب ڈپٹی کمشنر ملک ماٹیریل سیکرٹری
مختار آباد راجستراٹری

جناب عالی

مدرسہ گورنمنٹ پبلسک اسکول
مختار آباد

ملاسن حضور پورہ پورٹ جو غیر ملکی دکان قبل حضور پورہ پورٹ
ایم ایس آئی ٹی گنگ عبداللہ ڈگریس ہسپتال ماٹیریل سیکرٹری

ملاسن کو غیر ملکی دکان سے ملا لیا گیا ہے جو پورہ پورٹ
پورہ پورٹ آرڈر ملو تھر ایرا سا کر دیا گیا ہے

جناب عالی

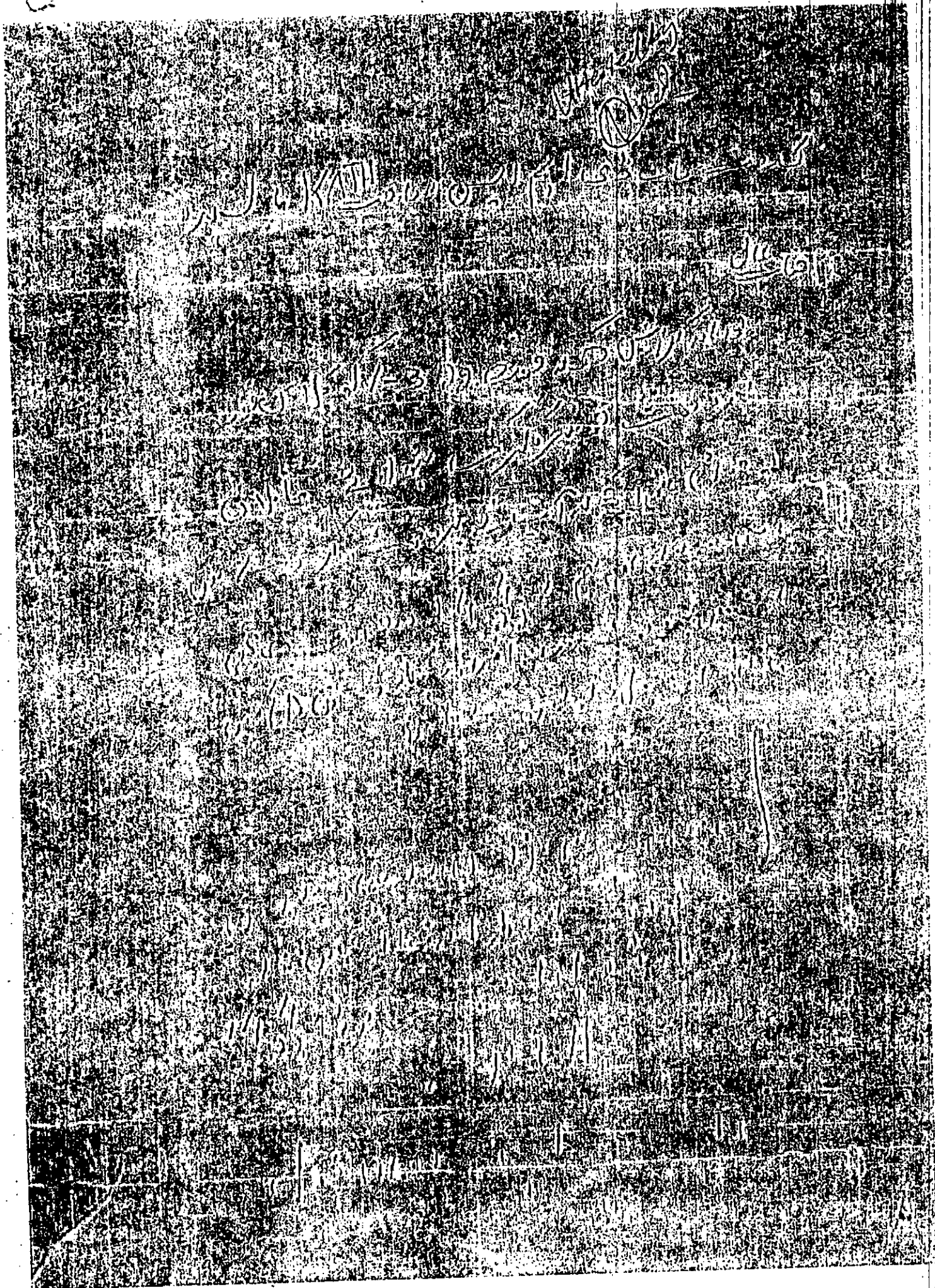
مختار آباد ایس ایس گنگ عبداللہ ڈگریس ہسپتال ماٹیریل سیکرٹری
کو در خواست دی گئی ہے اور اس پر جواب دیا گیا ہے
کہ وہاں پٹرولنگ ڈپارٹمنٹ ایس ایس گنگ عبداللہ ڈگریس ہسپتال ماٹیریل سیکرٹری
ہیں گئے اور وہاں سے جواب دیا گیا ہے

لہذا جناب عالی سے گزارش ہے کہ ایس ایس گنگ عبداللہ ڈگریس ہسپتال ماٹیریل سیکرٹری
کو جواب دیا گیا ہے کہ وہاں ایس ایس گنگ عبداللہ ڈگریس ہسپتال ماٹیریل سیکرٹری
ہیں گئے اور وہاں سے جواب دیا گیا ہے

عین گزارش ہوئی

27/9/21

الحامدین (مائلن)
1. ایس ایس گنگ عبداللہ ڈگریس ہسپتال ماٹیریل سیکرٹری
2. ایس ایس گنگ عبداللہ ڈگریس ہسپتال ماٹیریل سیکرٹری
3. ایس ایس گنگ عبداللہ ڈگریس ہسپتال ماٹیریل سیکرٹری
4. ایس ایس گنگ عبداللہ ڈگریس ہسپتال ماٹیریل سیکرٹری



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Stamps affixed except in case of
uninsured letters of not more than
the value of Rs. 1000.
Post Guide or on which no
acknowledgement is due.

Rs. Ps.

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Addressed to

Date-Stamp

*Write here "letter", "postcard", "packet" or "parcel"
of Receiving Officer with the word "insured" before it when necessary.
Insured for Rs. (in figures) (in words)

Insurance fee Rs. Ps. (in words) } Kilo Grams

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Annexure "G"

To,

The worthy Director General
Health Services
Khyber Pakhtunkhwa, Peshawar

U Hasheed b
Durr?

**SUBJECT: DEPARTMENTAL REPRESENTATION
AGAINST THE PROMOTION ORDER OF
HASIM WAHEED SON OF MUHAMMAD
WAHEED R/O VILLAGE SAFIDA
TEHSIL & DISTRICT MANSEHRA FROM
CLASS-IV TO JUNIOR CLERK BPS-11
THROUGH IMPUGNED DISPATCH NO.
1817 DATED 07.03.2022 ISSUED BY
MEDICAL SUPERINTENDENT KATH
MANSEHRA.**

Respected Sir,

1. That the appellant was appointed as Ward Boy in KATH Mansehra vide order No. 7059 dated 31.12.2012.
(copy of appointment order annexed as annexure "A").
2. That, the said Mr. Hasim Waheed was appointed as Blood Bank attendant in KATH Mansehra vide order No. 6930 dated 12.10.2021.
(copy of appointment order annexed as annexure "B").

3. That, during service certain directions were given by your good office in respect of promotion of Class-IV Employees to Junior Clerk therefore the medical superintendent called all the Class-IV employees for typing test and interview vide letter No. 1428 dated 22.02.2022.

(copy of letter dated 22.02.2022 is annexed as annexure "C").

4. That after conducting all the legal and codal formalities the medical superintendent wrongly and illegally promoted Mr Hashim Waheed from class-IV to Junior clerk through impugned dispatch No. 1817 dated 07.03.2022.

(copy of impugned dispatch entry dated 07.03.2022 annexed as annexure "D").

5. That, appellant time and again approached to concerned authority for taking information in respect of any promotion order but authority intentionally concealed the impugned promotion order and proceeding.

6. That appellant came into the knowledge of impugned promotion order at the time of taking dispatch entry in relevant register, and from taking the information about said

entirety the appellant filed the instant representation with in time.

7. That, the appellant is most senior than Mr. Hasim Waheed and eligible and qualified in all respect for his promotion as Junior clerk and also qualified the requisite qualification as required.
8. That, Mr Hasim Waheed is most junior employee in KATH Manschra but the relevant authority promoted the said person with the political influence and with mala-fide intention just to deprive the appellant from his fundamental right.
9. That, the promoting authority overlooked the relevant rules and law regarding the promotion of class-IV employees hence committed illegality and irregularity.
10. That, it is settled law that class-IV will be promoted on seniority basis but MS KATH Manschra ignored the relevant law of the promotion and exercise his power not so vested.
11. That, the impugned action of MS KATH is wrong, illegal, against the law and against natural justice and against the fundamental right of the appellant

24-

hence not maintainable in the eyes of law.

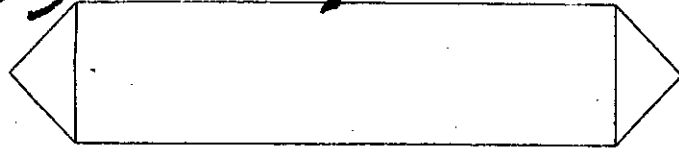
IT IS THEREFORE, most humbly prayed that on acceptance of the instant departmental appeal the impugned promotion order of Mr. Hasim Waheed may please be withdrawn/cancelled and the appellant may please be promoted as Junior Clerk.

Dated: 11.04.2022



.....
Muhammad Asad son of Jehanzeb
R/o Attershisha Manshra presently
appointed as Ward boy/Ward Orderly
in KATH Manshera.....Appellant
Cell No. 0311-5373134

بعدالت جناب دوس ٹریبونل پشاور



مورخہ 25-07-2022 2^م منجانب

مقدمہ محمد اسد نیامہ حکومت ۱۰۶۱۱ جہلم

دعویٰ جہلم (اپیلانٹ) (ریسپانڈنٹس)

باعث تحریر آنکہ

مقدمہ مندرجہ عنوان بالا میں اپنی طرف سے واسطے پیروی و جواب دہی وکل کارروائی متعلقہ
آن مقام ہوس ٹریبونل کیلئے جسے اولیٰ عازم ایڈووکیٹ ہائیکورٹ
مقرر کر کے اقرار کیا جاتا ہے۔ کہ صاحب موصوف کو مقدمہ کی کل کارروائی کا کامل اختیار ہوگا۔ نیز
وکیل صاحب کو راضی نامہ کرنے و تقرر ثالث و فیصلہ پر حلف دیئے جواب دہی اور اقبال دعویٰ اور
بصورت ڈگری کرنے اجراء اور وصولی چیک و روپیہ ار عرضی دعویٰ اور درخواست ہر قسم کی تصدیق
زرائیں 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 مختار ہوگا۔ از بصورت ضرورت
مقدمہ مذکور کے کل یا جزوی کارروائی 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 مذکورہ باختیارات حاصل ہوں گے
اور اس کا ساختہ پرداختہ منظور قبول ہوگا دوران مقدمہ میں جو خرچہ ہر جانہ التوائے مقدمہ کے
سبب 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 سند ہے۔

المرقوم 25/07/22 ہا جولائی 2022

محمد اسد

اپیلانٹ کے لئے منظور ہے

محمد اسد