

BEFORE THE KHYBER PAKHTUNKHWA SERVICE TRIBUNAL
PESHAWAR.

COC _____/2022

IN

Service Appeal No. 912 of 2022

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4. *DS. litigative impentateh Kellat* D. 7

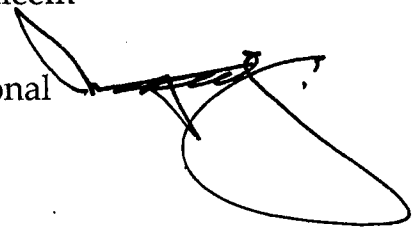
Dated 01.07.2022

Petitioner

Through

Yasir Saleem

In personal



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BEFORE THE KHYBER PAKHTUNKHWA SERVICE TRIBUNAL
PESHAWAR.

COC _____/2022

IN

Service Appeal No. 912 of 2022

Khyber Pakhtunkhwa
Service Tribunal

Diary No. 591

Dated 01/07/2022

Dr. Hafeez Ullah District Health Officer North Waziristan
District

..... Appellant

VERSUS

1. Government of KPK.

..... Respondent

CONTEMPT OF COURT PROCEEDINGS UNDER
ARTICLE 204 OF THE CONSTITUTION OF
ISLAMIC REPUBLIC OF PAKISTAN 1973,
AGAINST ORDER DATED 15.06.2022 AND
24.06.2022 WHEREBY AGAIN LOOK AFTER
CHARGE AND DRAWING AND DISBURSING
OFFICE (DDO) IS GIVEN TO ANOTHER DOCTOR
BY VIOLATION OF THIS AUGUST COURT ORDER
VIDE ORDER SHEET DATED 15.06.2022 WHEREIN
SUSPENSION HAS BEEN GRANTED TO THE
APPLICANT.

Respectfully Sheweth;

1. That Appeal is pending at adjudication before the August Tribunal fixed today dated 01.07.2022.
2. That the applicant filed an appeal against the impugned transferred order dated 10.03.2022 wherein the august court

granted suspension to the applicant. Suspension order is attached as Annexure-A.

- 3. That the respondents not willing to implement/obey the said suspension order vide order sheet dated 15.06.2022 and furthermore the respondent issued another orders dated 15.06.2022, 24.06.2022 granting look after charge and DDO to their blue eyed person violating the court direction which clearly falls under article 204 of the COP, 1973 subsequent order are attached as Annexure B&C).

It is therefore, humbly prayed that on acceptance of this application the respondents may kindly be stopped and stick action be taken against them under article 204 of the COP 1973 for violation of the Hon' able Court direction/order.

Dated: 01/07/2022

Applicant

Dr. Hafeez Ullah EX-DHO
North Waziristan District

Affidavit

I, Dr. Hafeez Ullah DHO North Waziristan District do hereby solemnly and affirm on oath that the contents of this COC is true and correct to the best of my knowledge and belief and nothing has been concealed from this Hon' able court.

DEPONENT



BEFORE THE KHYBER PAKHTUNKHWA SERVICES TRIBUNAL, PESHAWAR

Area A

3

Service Appeal with Int. Relief No. 912 /2022

Khyber Pakhtunkhwa Service Tribunal

255

Date: 14-6-2022

Dr. Hafeez Ullah Ex-DHO North Waziristan under report to Director General Health Services Khyber Pakhtunkhwa Peshawar

Appellant

VERSUS

1. Govt. of Khyber Pakhtunkhwa, Chief Secretary, Secretariat, Peshawar
2. Secretary to Govt of Khyber Pakhtunkhwa Health Department, Peshawar.
3. Director General Health Services, Khyber Pakhtunkhwa, Peshawar.
4. Dr. Gulistan Khan Senior Medical Officer (BPS-18) under transfer as DHO North Waziristan. *The Hospital Mir Ali WWD*
5. Wazir Khan Safi Management Cadre (BS-19) under transfer the DHO North Waziristan. *District*

Respondents

SERVICE APPEAL U/S 4 OF THE KPK SERVICE TRIBUNAL ACT, 1974 AGAINST THE IMPUGNED ORDER DATED 10.03.2022 WHEREBY THE APPELLANT HAS BEEN TRANSFERRED FROM THE POST OF DHO NORTH WAZIRISTAN AND WAS DIRECTED TO REPORT DIRECTORATE GENERAL AND SERVICES KHYBER PAKHTUNKHWA PESHAWAR AND ONE DR. GULISTAN KHAN / RESPONDENT NO. 04 HAS BEEN POSTED VICE THE APPELLANT. IT IS PERTINENT TO MENTION HERE THAT VIDE ANOTHER OFFICE ORDER DATED 12.05.2022 OF RESPONDENT NO. 05 HAS BEEN POSTED VICE RESPONDENT NO. 04.

Prayer:

Filed to-day
Registrar
14/6/2022
ON ACCEPTANCE OF THIS SERVICE APPEAL, THE IMPUGNED OFFICE ORDERS DATED 10.03.2022 & 12.05.2022 MAY KINDLY BE SET-ASIDE AND THE APPELLANT MAY BE ALLOWED TO CONTINUE HIS DUTIES AS DISTRICT HEALTH OFFICER NORTH WAZIRISTAN.

Re-submitted to day and filed.

Registrar
14/6/2022

Certified to be true copy
[Signature]
Khyber Pakhtunkhwa Service Tribunal
Peshawar



15th June, 2022

Counsel for the appellant present.

The appellant is aggrieved of transfer order bearing endorsement No. 923-933 dated 10.03.2022 against which he filed departmental representation on 11.03.2022, which according to the appellant, has not been responded till date and awaiting ninety days statutory period, he filed this appeal. It is urged by the learned counsel for the appellant that the appellant was not allowed to complete his normal tenure and was also transferred during the ban period. Let this appeal be admitted to full hearing subject to all just and legal objections by the other side. The appellant is directed to deposit security and process fee and security within 10 days. Thereafter, notices be issued to the respondents. To come up for written reply/comments on 01.07.2022 before S.B.

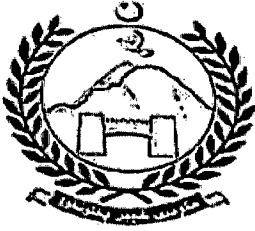
Alongwith the appeal, the appellant has also submitted an application for temporary injunction/suspension of operation of the impugned orders dated 10.03.2022 and 12.05.2022. Notice of application be issued to the respondents for the date fixed. As the appellant has been transferred without completion of his normal tenure, therefore, the operation of the impugned transfer dated 10.03.2022 and 12.05.2022 is suspended till the date fixed subject to notice.

(Kalim Arshad Khan)
Chairman

Date of Presentation of Application 15/6/22
 Number of Words 800
 Copying Fee 60/-
 Urgent 5/1
 Total 141/-
 Name of Applicant _____
 Date of Submission of Copy 15/6/22
 Date of Delivery of Copy 15/6/22

Certified to be true copy

 Khyber Pakhtunkhwa
 Service Tribunal
 Peshawar



GOVERNMENT OF KHYBER PAKHTUNKHWA
HEALTH DEPARTMENT

Annex B

(5)

Dated: Peshawar the 15th June, 2022

NOTIFICATION

NO.SOH (E-V)/4-4/2022

Consequent upon nomination for Hajj Medical Mission, 2022 vide Government of Pakistan Ministry of Religious Affairs and Interfaith Harmony Islamabad Order No. 3(1)/2022-PW(HMM) dated 27.05.2022, in exercise of the power conferred under Section-16(1) of the Khyber Pakhtunkhwa, Civil Servants Revised Leave Rules, 1981, sanction is hereby accorded for grant of 45-days Ex-Pakistan leave (Under Hajj Medical Mission, 2022) with full pay w.e.f 20.06.2022/ from the date of availing (Not more than 21-days) in respect of Dr. Wazir Khan (BS-19), District Health Officer, North Waziristan.

The Provincial Government of Khyber Pakhtunkhwa, Health Department has no objection upon proceeding abroad of the above named officer.

Consequent upon the above, Dr. Muhammad Rehman Afridi, District Health Officer, Bannu is hereby authorized to hold look after charge of the post of District Health Officer, North Waziristan in addition to his own duties till the arrival of Dr. Wazir Khan from Hajj Medical Mission, 2022, in the best public interest.

**SECRETARY TO GOVT: OF KHYBER PAKHTUNKHWA
HEALTH DEPARTMENT**

No. 1483-94 /Notification of even No. & dated:

Copies forwarded to the:-

1. Secretary, National Health Services, Regulation & Coordinator, Government Pakistan, Islamabad.
2. Accountant General, Khyber Pakhtunkhwa Peshawar.
3. Director General Health Services. Khyber Pakhtunkhwa.
4. Section Officer (PW), Government of Pakistan Ministry of Religious Affairs and Interfaith Harmony Islamabad, w/r to his letter quoted above.
5. Deputy Commissioner, North Waziristan.
6. DHO, Bannu and North Waziristan.
7. DAO, Bannu and North Waziristan.
8. PS to Secretary Health Department Khyber Pakhtunkhwa.
9. Deputy Director (IT), Health Department, Peshawar.
10. Doctor concerned.
11. Personal file of the doctor concerned.


(TEHMAS AYYUB)
SECTION OFFICER (E-V)

15/6/2022.





GOVERNMENT OF KHYBER PAKHTUNKHWA

HEALTH DEPARTMENT

(6)

Dated Peshawar the 24th June, 2022

NOTIFICATION

No.SOB-II/HD/1-4/DDO Powers


In pursuance of powers conferred under Rule-3 of the General Financial Rules (GFR), the competent authority is pleased to declare Dr. Muhammad Rehman Afridi, District Health Officer, Bannu as Drawing & Disbursing Officer (DDO) for the financial affairs of the office of DHO North Waziristan Tribal District with immediate effect, till the arrival/return of Dr. Wazir Khan DHO North Waziristan from Hajj Mission.

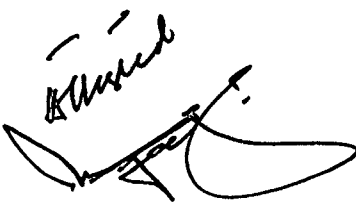
Secretary to Govt. of Khyber Pakhtunkhwa
Health Department

Endst. of even No. & Date

Copy forwarded to:

1. The Director General, Health Services, Khyber Pakhtunkhwa.
2. The District Health Officer, Bannu
3. The District Health Officer, North Waziristan Tribal District (Miranshah)
4. The District Accounts Officer North Waziristan Tribal District (Miranshah)
5. PS to Secretary Health, Khyber Pakhtunkhwa.


(Muhammad Israr)
SECTION OFFICER (BUDGET-II)





MOST IMMEDIATE
COURT MATTER

GOVERNMENT OF KHYBER PAKHTUNKHWA
HEALTH DEPARTMENT

NO. SOH (Lit-II)/S.A No. 912/2022/Dr. Hafiz Ullah
Dated Pesh: the 17-06-2022

Asx D
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To

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The Section Officer (E-V),
Health Department.

Subject:- **REQUEST FOR IMPLEMENTATION OF HONORABLE SERVICE TRIBUNAL, PESHAWAR ORDER DATED 15.06.2022 IN APPEAL NO. 912/2022 DR. HAFIZ ULLAH VERSUS GOVT. OF KHYBER PAKHTUNKHWA**

I am directed to refer to the subject noted above and to forward herewith a copy of an application alongwith certified copy of order dated 15.06.2022 passed by Tribunal for implementation of the order, please.

Encls:As above.

Section Officer (Lit-II)

Endst. No. and date even:

Copy forwarded for information to:-

1. PS to the Secretary Health Department, Khyber Pakhtunkhwa.
2. PA to Deputy Secretary (Litigation) Health Department Peshawar.
3. Master file.

Section Officer (Lit-II)