17.08.2022 Learned counse for the appellant present.

02. Learned counsel for the appellant could not remove the deficiencies/objections raised by the office of Registrar Service Tribunal at serial No.2 and 3 dated 13.07.2022 and then reiterated in note dated 27.07.2022. When attention of the learned counsel was invited to the fact that there is no impugned order available with the memo/index of the instant service appeal as per requirement of Section 4 of the Khyber Pakhtunkhwa Service Tribunal Act 1974, he opted at his sweet will to withdraw the service appeal in hand. A formal application for withdrawal of the instant service appeal was submitted on the ground that there is no impugned order available on file with further request to file a fresh appeal. Request is allowed. Office is however, directed to make necessary entry in the institutions register and issue appeal number accordingly.

03. As such, the instant service appeal is dismissed as withdrawan. No order as to costs. File be consigned to the record room.

04. *Pronounced in open court at Peshawar and given under my hand and seal of the Tribunal this 17th of August, 2022*

(Mian Muhammad)
Member (E)

(1)

Before the Honourable Service Tribunal KP, Peshawar

Shabir Ahmad vs Govt and others.

"Application for withdrawal of above mention Service Appeal."

Respectfully Sheweth!

1) That the above title Service Appeal is pending adjudication before this H. Tribunal which is fixed for today.
2) That it is pertinent to mention here that there is no impugned order available on case file, thatswhy the appellant/applicant wants to withdraw the instant appeal and to file a fresh if be needed.

It is therefore requested that the instant appeal may please be withdraw. and further requested that the same may please be filed a fresh in the best interest of justice.

Appellant/applicant

Date: 17-08-22

Muhammad Ibrar Khan Afridi
Adv.

Affidavit.

I, the undersigned do hereby solemnly affirm and declare on Oath, that the contents of the application are legal/true and correct.

Deponent

ATTESTED
KHAN ADVOCATE
NOTARY PUBLIC
PESHAWAR

17 AUG 2022

Form-A

FORMOF ORDERSHEET

Court of_____

Case No._____/2022

S.No.	Date of order proceedings	Order or other proceedings with signature of judge
1	2	3
1	27/07/2022	The appeal in hand was returned to the counsel for the appellant. Today he resubmitted the same without removing the objection no 2 & 3 with the request to submit before the Tribunal the same may be submitted to the S. Bench for decision on office objection, be put up there on - 17-8-22 REGISTRAR 27/7/22

The appeal of Mr. Shabir Ahmad son of Fazal Haq resident of Gabral Kandia Upper Kohistn received today i.e. on 07.07.2022 is incomplete on the following score which is returned to the counsel for the appellant for completion and resubmission within 15 days.

1- Memorandum of appeal is unsigned which may be got singed by the appellant as well as appellant.
2- Copy of impugned order is not attached with the appeal which may be placed on it.
3- Copy of departmental appeal is not attached with the appeal which may be placed on it.
4- Necessary party may be made in the heading of appeal.
5- Page no. 20, 30 and 31 of the appeal are illegible which may be replaced by legible/better one.

No. 2189 /S.T,

Dt. 13/07 /2022

REGISTRAR
SERVICE TRIBUNAL
KHYBER PAKHTUNKHWA
PESHAWAR.

Mr. Noman Malik Adv.
High Court A.Abad.

Respected sir,

① objection No 1 cleared,

② impugned order is not given to the appellant by the Department,

③ Departmental appeal copy is not provided by Department, affidavit submitted in this regard.

④ Necessary Party are made in memo of appeal.

⑤ objection No 5 cleared.

Muhammad Ibrar Khan Advocated

KHYBER PAKHTUNKHWA SERVICE TRIBUNAL, PESHAWAR

CHECK LIST

Case Title: Shabir Ahmed Govt

S#	CONTENTS	YES	NO
1	This Appeal has been presented by:	✓	
2	Whether Counsel/Appellant/Respondent/Deponent have signed the requisite documents?	✓	
3	Whether appeal is within time?	✓	
4	Whether the enactment under which the appeal is filed mentioned?		
5	Whether the 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/annexures are properly paged?	✓	
9	Whether certificate regarding filing any earlier appeal on the subject, furnished?		
10	Whether annexures are legible?		✓
11	Whether annexures are attested?		
12	Whether copies of annexures are readable/clear?		
13	Whether copy 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 numbers 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 attached?	✓	
20	Whether complete spare copy is filed in separate file cover?		
21	Whether addresses of parties given are complete?		✓
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 Rules 1974 Rule 11, notice along with copy of appeal and annexures has been sent to respondents? On	✓	
26	Whether copies of comments/reply/rejoinder submitted? On	✓	
27	Whether copies of comments/reply/rejoinder provided to opposite party? On	✓	

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

Name: Muhammad Arbab

Signature:

Dated:

BEFORE THE HONOURABLE KHYBER PAKHTUNKHWA SERVICE TRIBUNAL PESHAWAR

Service Appeal No. 1235-A/2022

Shabir Ahmed son of Fazal Haq, resident of Gabral Kandia Upper Kohistan.

...APPELLANT

VERSUS

1. Govt. of Khyber Pakhtunkhwa, through, Secretary Health Department Khyber Pakhtunkhwa, Peshawar.
2. Executive District Officer Health Upper Kohistan at Dassu.
3. Deputy Commissioner Upper Kohistan.
4. Assistant Director (P-III) Directorate General Health Services, Khyber Pakhtunkhwa Peshawar.

...RESPONDENTS

SERVICE APPEAL

INDEX

S. #	*Description*	*Page Nos.*	*Annexure*
1.	Appeal alongwith affidavit	1 to 7	
2.	Copies of the writ petition order dated 20/01/2021	8 to 11	"A"
3.	Copy of service book	12 to 16	"A-1"
4.	Copy of appointment letter dated 27/01/2005	17 to 19	"B"
5.	Copy of last application	20	"C"
6.	Copy of adjustment appeal	21 to 22	"D"
7.	Copy of Rules of business 2001	23 to 26	"E"
8.	Copy of re-instatement order dated 20/12/2012	27	"F"
9.	Copies of correspondence made for verification of re-instatement order	28 to 32	"G"
10.	Wakalatnama & condonation application with medical	33 to 44	"H"

...APPELLANT

Through

Dated: _____/2022

(NOMAN MALIK)
Advocate High Court, Abbottabad

(1)

BEFORE THE HONOURABLE KHYBER PAKHTUNKHWA SERVICE TRIBUNAL PESHAWAR

Service Appeal No. 1235-A/2021

Shabir Ahmad son of Fazal Haq, resident of Gabral Kandia Upper Kohistan.

...APPELLANT

VERSUS

1. Govt. of Khyber Pakhtunkhwa, through, Secretary Health Department Khyber Pakhtunkhwa, Peshawar.
2. Executive District Officer Health Upper Kohistan at Dassu.
3. Deputy Commissioner Upper Kohistan.
4. Assistant Director (P-III) Directorate General Health Services, Khyber Pakhtunkhwa Peshawar.

...RESPONDENTS

APPEAL UNDER SECTION 4 OF KHYBER PAKHTUNKHWA SERVICE TRIBUNAL ACT 1974 AGAINST, FOR ISSUANCE OF A DECLARATION TO THE EFFECT THAT APPELLANT WHO HAS EARLIER BEEN APPOINTED AS DISPENSER IN BPS-06 VIDE OFFICE ORDER NO. 116-20/PF DATED 27/01/2005 AND THEREAFTER REMOVED FROM SERVICE VIDE ORDER BEARING NO. 944 DATED 02/05/2005 AND ON HIS REINSTATEMENT INTO GOVT. SERVICE AFTER DUE PROCESS OF LAW VIDE DCO KOHISTAN ORDER NO. 12264-66/DCO (KH) DATED 20/12/2012, A RIGHT HAS BEEN ACCRUED IN HIS FAVOUR TO COMPLETE

HIS SERVICE AS PRESCRIBED BY THE LAW, WHEREAS, HIS AGAIN REMOVAL FROM SERVICE WITHOUT ISSUING ANY OFFICE ORDER, SURELY UNDER THE POLITICAL INFLUENCE AND THAT TOO WHEN SIMILARLY PLACED PERSONS HAVING SAME QUALIFICATION ARE STILL IN SERVICE, IS HIGHLY DISCRIMINATORY, BASED ON MALAFIDE, POLITICALLY MOTIVATED, WITHOUT LAWFUL AUTHORITY, WITHOUT JURISDICTION AND ALSO AGAINST THE PRINCIPLE OF NATURAL JUSTICE, HENCE, INEFFECTIVE UPON THE RIGHTS OF APPELLANT.

PRAYER: ON ACCEPTANCE OF THE INSTANT APPEAL, THE IMPUGNED ACT OF RESPONDENTS BE GRACIOUSLY SET-ASIDE AND THEY BE DIRECTED TO FORTHWITH RE-INSTATE THE APPELLANT IN SERVICE WITH ALL BACK BENEFITS. ANY OTHER RELIEF DEEMED FIT AND PROPER IN THE CIRCUMSTANCES OF THE CASE.

Respectfully Sheweth;-

The facts giving rise to the instant appeal are arrayed as under;-

1. That prior hereto, the appellant filed WP No.1186-A/2020 before Honourable Peshawar High Court

Abbottabad Bench which was dismissed by the Honourable Peshawar High Court vide order dated 20/01/2021, however it has been held that the appellant should apply to the Service Tribunal in view of Article 212 (2) of the constitution of the Islamic Republic of Pakistan 1973. Copies of the writ petition order dated 20/01/2021 are attached as Annexure "A".

2. That the appellant was appointed as Dispenser vide office order bearing No. 116-20/PF dated 27/01/2005. However, later on he was removed from service due to non verification of Dispenser Training Certificate vide office order bearing No. 944 dated 02/05/2005. It is worth to mention here that there is no record of letter / order dated 02/05/2005 and the same is bearing mentioned here from the entries of service book made by the respondents. Copies of service book, appointment letter dated 27/01/2005 are attached as Annexures "A-1" & "B".

3. That appellant submitted various application before respondents for redressal of his grievance and his re-instatement in service but to no avail. Resultantly, the appellant filed departmental appeal against the order dated 02/05/2005 before respondent No. 03 who accepted the appeal of appellant and re-instated him in service vide office order No. 12264-65 dated

20/12/2012 and intervening period from the date of termination to 31/12/2012 was treated as extraordinary leave without pay by exercising his powers under section 6 (c) of the North West Frontier Province District Government Rules of Business, 2001. Copies of application, departmental appeal, Rules of business 2001 and order dated 31/12/2012 are attached as Annexures "C", "D", "E" & "F" respectively.

4. That the order of respondent No. 3 was duly verified by the respondent No. 02 vide official correspondence. Copies of correspondence made for verification of re-instatement order is attached as Annexure "G".

5. That the appellant tried his level best to convince the respondents that his re-instatement has been ordered by respondent No. 3 after due process of law but to no avail. The respondent No. 2 is still adamant to obey the lawful and valid order of re-instatement of appellant issued by respondent No. 3.

6. That faced with the situation, the appellant has now come to this Honourable Tribunal with the instant petition in hand, assailing the impugned act of respondents being unwarranted at law and facts, inter-alia on the following grounds;-

GROUNDS;-

a) That the impugned act of respondents is illegal, unlawful, without lawful authority, discriminatory, perverse and hence liable to be set-aside.

b) That act of respondents amounts to highhandedness and result of personal vengeance, which is not warranted at law.

c) That other employees of respondent No. 2 having similar position are still performing their duties and have not been removed from service, this face alone is sufficient to prove the malafide on the part of respondent No. 2.

d) That when the law entitles the appellant to join his service then how could it be refused to the appellant by respondents, surely, due to malafide and sinister motives.

e) That the act of respondents tantamount to infringe the right of appellant which is legally accrued to him.

f) That another important aspect of the case is that till date office orders whereby, the services of

appellant has been terminated has never been communicated to the appellant. Similarly, there is no record of the said letters either in the office of respondents or in the Accounts office of District Kohistan.

g) That addresses of the parties have correctly been mentioned in the heading of the petition and are sufficient for the purpose of service.

h) That the other points shall be urged at the time of arguments.

It is, therefore, most respectfully prayed that on acceptance of the instant appeal, the impugned act of respondents be graciously set-aside and they be directed to forthwith re-instate the appellant in service with all back benefits. Any other relief deemed fit and proper in the circumstances of the case.

...APPELLANT

Through

Dated: 14/6/2022

(NOMAN MALIK)
Advocate High Court, Abbottabad
And
M. Ibrar Khan Afridi
ADV

VERIFICATION:-

Verified that the contents of foregoing appeal are true and correct to the best of my knowledge and belief and nothing has been suppressed from this Honourable Court.

14-6-22

...APPELLANT

KHALID MAHMOOD ADVOCATE PESHAWAR HIGH COURT

(7)

BEFORE THE HONOURABLE KHYBER PAKHTUNKHWA SERVICE TRIBUNAL PESHAWAR

Service Appeal No. _____-A/2021

Shabir Ahmed son of Fazal Haq, resident of Gabral Kandia Upper Kohistan.

...APPELLANT

VERSUS

Executive District Officer Health Upper Kohistan at Dassu & others.

...RESPONDENTS

SERVICE APPEAL

AFFIDAVIT

I, ***Shabir Ahmad son of Fazal Haq, resident of Gabral Kandia Upper Kohistan***, do hereby solemnly affirm and declare on oath that the contents of foregoing appeal are true and correct to the best of my knowledge and belief and nothing has been concealed from this Honourable Court.

14-6-22

KHALID MAHMOOD ADVOCATE ATTESTED NOTARY PUBLIC PESHAWAR HIGH COURT

DEPONENT

(8)

ANN-'A'

BEFORE THE PESHAWAR HIGH COURT, ABBOTTABAD BENCH

SEAL OF THE PESHAWAR HIGH COURT ABBOTTABAD BENCH

Writ Petition No. 1786-A/2020

Shabir Ahmad son of Fazal Haq, resident of Gabral Kandia Upper Kohistan.

...PETITIONER

VERSUS

1. Govt. of Khyber Pakhtunkhwa, through, Secretary Health Department Khyber Pakhtunkhwa, Peshawar.
2. Executive District Officer Health Upper Kohistan at Dassu.
3. Deputy Commissioner Upper Kohistan.
4. Assistant Director (P-III) Directorate General Health Services, Khyber Pakhtunkhwa Peshawar.

...RESPONDENTS

Certified to be True Copy
EXAMINER
02 FEB 2021
Peshawar High Court Abd. Bench
Authorized Under Se: 75 Evid Ordns:

No. 5182
02-10-2020

FILED TODAY
ADDITIONAL REGISTRAR
PESHAWAR HIGH COURT
ABBOTTABAD BENCH
2/10/20

WRIT PETITION UNDER ARTICLE 199 OF THE CONSTITUTION OF ISLAMIC REPUBLIC OF PAKISTAN, 1973, FOR ISSUANCE OF A DECLARATION TO THE EFFECT THAT PETITIONER WHO HAS EARLIER BEEN APPOINTED AS DISPENSER IN BPS-06 VIDE OFFICE ORDER NO. 116-20/PF DATED 27/01/2005 AND THEREAFTER REMOVED FROM SERVICE VIDE ORDER BEARING NO. 944 DATED 02/05/2005 AND ON HIS REINSTATEMENT INTO GOVT. SERVICE AFTER DUE PROCESS OF LAW VIDE DCO KOHISTAN ORDER NO. 12264-66/DCO (KH) DATED 20/12/2012, A RIGHT

HAS BEEN ACCRUED IN HIS FAVOUR TO COMPLETE HIS SERVICE AS PRESCRIBED BY THE LAW, WHEREAS, HIS AGAIN REMOVAL FROM SERVICE WITHOUT ISSUING ANY OFFICE ORDER, SURELY UNDER THE POLITICAL INFLUENCE AND THAT TOO WHEN SIMILARLY PLACED PERSONS HAVING SAME QUALIFICATION ARE STILL IN SERVICE, IS HIGHLY DISCRIMINATORY, BASED ON MALAFIDE, POLITICALLY MOTIVATED, WITHOUT LAWFUL AUTHORITY, WITHOUT JURISDICTION AND ALSO AGAINST THE PRINCIPLE OF NATURAL JUSTICE, HENCE, INEFFECTIVE UPON THE RIGHTS OF PETITIONER.

PRAYER: ON ACCEPTANCE OF THE INSTANT WRIT PETITION, THE IMPUGNED ACT OF RESPONDENTS BE GRACIOUSLY SET-ASIDE AND THEY BE DIRECTED TO FORTHWITH RE-INSTATE THE PETITIONER IN SERVICE WITH ALL BACK BENEFITS. ANY OTHER RELIEF DEEMED FIT AND PROPER IN THE CIRCUMSTANCES OF THE CASE.

Respectfully Sheweth;-

The facts giving rise to the instant constitutional petition are arrayed as under;-

PESHAWAR HIGH COURT, ABBOTTABAD BENCH.

FORM OF ORDER SHEET

Date of Order of Proceedings	Order or other Proceedings with Signature of Judge (s)
1	2
20.01.2020	**W.P.No. 1186-A/2020.** Present: Mr. Noman Malik, Advocate for the petitioner. *** **MOHAMMAD IBRAHIM KHAN, J.-** Petitioner through the instant petition under Article 199 of the Constitution of Islamic Republic of Pakistan, 1973 has prayed the following relief:- "It is, therefore, most respectfully prayed that on acceptance of the instant writ petition, the impugned act of respondents be graciously set-aside and they be directed to forthwith reinstate the petitioner in service with all back benefits." 2. Brief facts of the case are that petitioner was appointed as Dispenser through order bearing No.116-20/PF dated 27.01.2005, however, later on removed from service due to non-verification of Dispenser Training Certificate vide office order No.944 dated 02.05.2005. Thereafter he submitted several applications to the respondents for redressal of his grievance but in vain, hence, he filed the instant writ petition. 3. Arguments heard and record gone through. 4. Admittedly, the petitioner is a civil servant and posting is one of the terms and conditions of service

of a civil servant and if a civil servant is aggrieved of any breach of the terms and conditions of his service, then he should apply to the Service Tribunal, established for that purpose, and not rush to this court, keeping in view the clear bar contained under Article 212 (2) of the Constitution of Islamic Republic of Pakistan, 1973.

5. For what has been discussed above, this petition, being not maintainable, is hereby dismissed in **limine.**

JUDGE

JUDGE

(12)

ANN — "A-1"

(For use in Police Department only)

Marks:—

1.

2.

3.

Verification Roll No. dated received back.

Left Thumb-Impression

Qualifications	Date	Qualifications	Date
English		First Arts	
Pushto		B.L. or B.A.	
Urdu		Pleadership Examination	
Map-Drawing		Training School Final Examination	
Finger Print		Other Qualifications:—	
Drill Instructing		Passed Dispensers Exam. from	
Court Duties		Medical Faculty Peshawar	
Reserve Duties		Under Roll No. 852-ob-marks 95/200	
		January 1995	

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

ATTESTED

(13)

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

1. Name: SHABIR AHMAD

2. Race: Soya Khel

3. Residence: village Bagh seri Coobral Kandia Dabb Kohistan

4. Father's name and residence: Fazal Haq

5. Date of birth by Christian era as nearly as can be ascertained: 03-04-1975

6. Exact height by measurement: 5'-6"

7. Personal marks for Identification: Nil

8. Left hand thumb and Finger Impression of (Non-Gazetted) Officer.

Little Finger

Ring Finger

Middle Finger

Fore Finger

Thumb

9. Signature of Government Servant

10. Signature and Designation of the Head of the Office, or other Attesting Officer.

Assistant Superintendent Station Hospital at Kohat

ATTESTED

(14)

1	2	3	4	5	6	7	8
Name of post	Whether substantive or officiating and whether permanent or temporary	If officiating, state (i) substantive appointment, or (ii) whether service counts for pension under Art. 371 C.S.R.	Pay in substantive post	Additional Pay for officiating	Other emolument falling under the term "Pay"	Date of Appointment	Signature of Government Servant
BPS-06-Rs-2160-110-5460							
		@ Rs-2160/				27/01/2005	[signature]

ATTESTED

9	10	11	12	13			14	15
				Leave				
Signature and Designation of the head of the office or other attesting officer in attestation of columns 1 to 8	Date of termination or appointment	Reason of termination (such as promotion, transfer, dismissal, etc.)	Signature of the head of the office or other attesting officer.	Nature and duration of leave taken	Allocation of period of leave on average pay upto four months for which leave salary is debitable to another Government		Signature of the head of the office or other attesting officer	Reference to any recorded punishment or censure, or reward or praise of the Government Servant
					Period	Government to which debitable		
		Appointed as Dispenser in BPS-NO-06 (Rs-2160-110-5460) vide EDO(H) office order NO- 116-20/PF Dated 27/01/2005						
		Executive District Officer (Health) Hangu at Doaba.						
				Removed from Government Service due to non verification of dispenser training certificate from the competent authority vide this office No-944 dated 02/05/05 with immediate				
							EDO Health	
							Executive District Officer (Health) Hangu at Doaba.	

ATTESTED

16

9	10	11	12	13			14	15
				Leave				
gnature and Designation of the head of the office or other attesting officer in attestation of columns 1 to 8	Date of termination or appointment	Reason of termination (such as promotion, transfer, dismissal, etc.)	Signature of the head of the office or other attesting officer.	Nature and duration of leave taken	Allocation of period of leave on average pay upto four months for which leave salary is debitable to another Government		Signature of the head of the office or other attesting officer	Reference to any recorded punishment or censure, or reward or praise of the Government Servant
					Period	Government to which debitable		
					Re-instated into Government service vide DCO Kohistan order No. 12264-66/DCO(KH) dated 20/12/2012. His intervening period w.e.f 02/05/2005 to 31/12/2012 is hereby treated as extraordinary leave without pay.			
							DHO KOHISTAN	

ATTESTED

Form Med. No. 4 (S&FD—NWFP—2639 NS. 1,000 Pa of 100-15-3-87—(856)

(19)

MEDICAL CERTIFICATE.

Name of Official....Shabir Ahmad

Caste or race....Sora Khail

Father's name..Haje Fazal Haque

Residence..Bagh...Sere Gabral Teh Dassu

....Distric...Kohistan

Date of birth....3.4.1975

Exact height by measurement....5-6

Personal mark of identification, A big black Mole right supraclavicular area

Signature of the Official..

Signature of head of office

Seal of Office

I do hereby certify that I have examined Mr Shabir Ahmad a candidate for employment in the office of the Health Department and can not discover that he had any disease communicable or other constitutional affection or bodily infirmity except Nil

I do not consider this as disqualification for employment in the office of the Health Department. His age according to his own statement (30) years and by appearance about (30) years. (thirty yrs)

N.I.C. No: 13401-6612989-1

Identification Mark: A big black mole right supraclavicular area

Eye sight 6/6 both side eyes

LEFT HAND THUMB AND FINGER IMPRESSIONS

Medical Superintendent
Civil Hospital

Executive Distt. Officer (Health)
Kohistan at Dasu

ATTESTED

(20) A

BETTER COPY

D-NO-5069
14-10-2018

بخدمت جناب ڈسٹرکٹ ہیلتھ آفیسر ضلع کوہستان اپر

جناب عالیٰ!

مؤدبانہ گزارش کی جاتی ہیں کہ بندہ 2005ء میں ڈسپنسر B.H.U بالاکوٹ میں بذریعہ ٹیسٹ انٹرویو میرٹ پر تعینات ہوا بعدازاں بندہ نے تین مہینہ کی تنخواہ بھی وصول کی تھی۔ اور اس کے بعد بندہ کی تنخواہ بند کر دی گی جس کی وجہ متعلقہ دفتر سے معلوم نہ ہو سکی۔ بندہ نے مختلف اوقات میں مختلف طریقوں سے اپنی آواز حکام بالا تک پہنچائی لیکن کوئی شنوائی نہ کی گئی۔

لہذا بندے کو بحال کر کے مشکور فرمائیں۔

العارض

شبیر احمد ولد فضل حق

شناختی کارڈ نمبر: 13101-6612989-1

موبائل نمبر: 0342-3148055

Attested

(20) ANN—"C"

[illegible]

جناب عالی!

5099

[illegible]

[illegible] 2005 [illegible]

[illegible] BH-11 [illegible]

[illegible]

[illegible]

[illegible]

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[illegible]

[illegible]

[illegible]

العارض

[illegible]

13101-6612989-1

0349-3148055

ATTESTED

(21) ANN-"D"

BEFORE THE DIRECTOR GENERAL HEALTH KPK PESHAWAR

Subject: APPEAL FOR ADJUSTMENT AS DISPENSER

SOS 06/1/14

RESPECTED SIR,

That I appointed as dispenser vide appointment No. 116-20/PF dated 27-01-2005 in BPS-6th in health Department (Order is attached herewith)

That then I approached to the concerned forum and the district coordination officer Kohistan re-instated me vide restatement No. 12269 dated 20-12-2012 with immediate effect, the intervening period from the date of termination to 31-12-2012 is treated as extraordinary leave without pay.

That the concerned forum forwarded copies to the executive District Health Officer, Kohistan for necessary action and another copy was forwarded to the concerned office but till today I have not been adjusted on my post.

That I am belong to a respected but poor family and my daily expenses are so high that I cannot meet the challenge of so high expenses of daily uses as well as my school going children expenses,

Therefore, I requested that may I be adjusted on my dispenser post.

put up on file.

7/1/14

ATTESTED

You're Sincerely

Shabir Ahmad.

MR. SHABEER AHMAD

(22)

OFFICE OF THE
DISTRICT HEALTH OFFICER,
KOHISTAN AT DASSU.
NO. 224 / PF (Shabir Ahmad Disp ,
Dated Kohistan Dassu the 24 /01/2014.

To,

The Director General Health Services,
Khyber Pakhtunkhwa, Peshawar.

SUBJECT. **APPEAL FOR ADJUSTMENT AS DISPENSAR.**

Respected Sir,

With Reference to your letter No.214/E-V Dated 15.1.2014 on the subject noted above: I have the honour to state that Mr.Shabir Ahmad S/O Fazal Haq Ex-Dispensar had been appointed as Dispensar BPS-06 vide EDO (Health), Kohistan Office order No.116-20/PF Dated 27.1.2005 (Photo copy attached), and reported arrival on 27.01.2005 and removed from service due to non verification of dispensar certificate vide entry in Service Book page No.5 (Photo copy attached) and Removal from Service Office order are not traceable in this Office. The Official concerned provided Photo copy of reinstatement Office order issued by the District Coordination Officer, Kohistan vide order No.Estt.12264/DCO(KH), Dated 20.12.2012 and the Official concerned was directed verbally to provide original copy of the said order, but the Official concerned could not provide the original copy of the said reinstatement order uptill now.

Now the Official concerned submitted an appeal for adjustment as a Dispenser vide your Office Diary No.505 Dated 06.1.2014 is attached for your kind information and further necessary action please.

District Health Officer,
Kohistan at Dassu.

ATTESTED

(23) ANN — "E"

GOVERNMENT OF N.-W.F.P.

N.W.F.P.

THE NORTH-WEST FRONTIER PROVINCE DISTRICT GOVERNMENT RULES OF BUSINESS 2001

ATTESTED

(24)

GOVERNMENT OF NOTH-WEST FRONTIER PROVINCE
LOCAL GOVERNMENT AND RURAL
DEVELOPMENT DEPARTMENT

Dated Peshawar the 4th September, 2001.

NOTIFICATION.

No.ADMN(LG)/DG/1(28)-2001 In partial modifications of all such rules and exercise of th powers conferred on him by section 31, 182 and 191 of the North-West Frontier Province Loc Government Ordinance, 2001 (Ordinance No.XIV of 2001), the Governor, N.W.F.P, is please to make and promulgate the following rules namely: -

1. **Short title and commencement:**
   a: These rules may be called the N.W.F.P, District Government Rules of Busine 2001.
   b: It shall come into force on 14th August, 2001.

2. **Definitions:**
   The words used shall have respectively the same meaning as assigned to it in section the ordinance or in the relevant Provincial law for the time being in vogue.

PART-I

Administrative Powers

3. **Powers of Zila Nazim:**
   a: Subject to provisions of section 4, 17 and 18 of the Ordinance while wo within the ambit of Provincial or Federal laws where ever applicable, th Nazim shall be head of the District Government and shall be responsib effective control and management.

ATTESTED

b: The Nazim shall be assisted by the District Coordination Officer.

c: The following cases shall be submitted to the Zila Nazim for his approval before issuance of orders: -

(1) Annual Budget Statement.

(2) Laying of supplementary statement of expenditure before the Zila Council.

(3) Cases in which Provincial Government has issued directions.

(4) Complaints to the Provincial Government Commission about disputes between any department of the Government and District Government or between two District Governments.

(5) All cases which are liable to involve District Government into controversy with Provincial Government or with another District Government.

(6) Recommendations for the grant of honours and awards.

4. The following reports when received or issued shall be submitted to Zila Nazim for his information: -

a: All periodical reports of District Coordination Officer, District Police Officer and Executive District Officers.

b: Press notes issued by District Coordination Officer, District Police Officer and Executive District Officers.

c: All periodical and special reports relating to law and order such as fortnightly situation reports submitted by the police.

d: Intelligence reports.

e: Report of Committees of Inquiry appointed by District Government.

5. **Secretariat of District Government:**

a: There shall be a secretariat of the District Government headed by the District Coordination Officer and comprising of the decentralized departments or group of departments as shown in Schedule-I appended to the rules.

b: The business of District Government shall be distributed amongst groups of District offices in the manner indicated in Schedule-II appended to the rules.

c: Each decentralized group of departments shall be headed by an Executive District Officer appointed or nominated by the Government for the purpose.

d: Each Executive Officer shall be responsible to Zila Nazim through the District Coordination Officer and shall channelize his correspondence through him.

e: The orders of the District Government shall be expressed in the name of the District Government and shall be signed by a Nazim, a District Coordination Officer, an Executive District Officer or any other officer specifically authorized by the Zila Nazim for the purpose and such signature shall be deemed to be the proper authentication of such order or instrument and shall not be questioned in any court on the ground that was not made or executed by the District Government.

6. **Deputation of Civil Servants and Power of District Coordination Officers:**

a: The civil servants posted in the decentralized departments shall continue to be civil servants for all intent purposes of the relevant civil servants laws and the rules framed there under with the modification that :-

(1) All civil servants in BPS-16 to BPS-20 shall be appointed by the Provincial Government or Federal Government as the case may be and posted in the decentralized Departments from time to time.

(2) The District Coordination Officer shall have the powers of the appointing authority in respect of the officers/officials in BPS-1 to BPS-15, provided

ATTESTED

that no vacancies are to be filled in by way of direct recruitment or transfers and the officers/officials of the surplus pool are to be absorbed/adjusted against the vacancies, provided further that even after the said period ban on recruitment shall remain continue till the ban is lifted by the Government in the Finance Department.

b: In case of disciplinary actions, the Zila Nazim in case of officers in BPS-19 and District Coordination Officer in the case of officers in BPS-16 to BPS-18 shall refer the cases to the competent authority for decision under the N.W.F.P Removal from Service (Special Powers) Ordinance, 2000 (NWFP Ordinance No: V of 2000), through the administrative Secretary concerned.

c: The District Coordination Officer shall have the powers of competent authority in respect of the officers/officials in BPS-1 to BPS-15 under N.W.F.P Removal from Service (Special Powers) Ordinance, 2000.

d: The Nazim shall exercise the powers of transferring authority within the district in respect of officers in BPS-19 and BPS-20.

e: The District Coordination Officer shall exercise powers of the transferring authority respect of the civil servants in BPS-16 to BPS-18.

f: The Executive District Officer subject to the approval of the District Coordination Officer shall exercise the powers of the transferring authority in respect of the officers/officials in BPS-1 to BPS-15.

g: The District Coordination Officer will be the controlling officer of Traveling Allowance bill for himself, all the Executive District Officers and all heads of the institutions in the District in BPS-19 and BPS-20.

h: The Executive District Officer will be controlling officer in respect of the District Officers of the group of decentralized departments under him.

j: The District Coordination Officer shall be competent to sanction leave to any civil servant under the N.W.F.P Civil Servants (Leave) Rules, 1981, provided that if a substitute of the officer proceeding on leave may be required, the leave shall be

sanctioned in prior consultation with the head of the attached department or administrative Secretary concerned, as the case may be.

k: The District Coordination Officer shall exercise the powers of the head of attached department in respect of the officers posted in the decentralized departments under following rules ;-

(1) Fundamental Rules and Supplementary Rules.

(2) Powers of the head of attached department under the rules framed or saved under the N.W.F.P Civil Servants Act, 1973, provided that in case of the officers of the All Pakistan Civil Servants or Federal United Service posted in the decentralized departments, shall be governed by the rules applicable to them in the original department and their cases are to be forwarded to the Provincial Chief Secretary for necessary action.

7. **Powers of Executive District Officer:**

a: The Executive District Officer shall be head of the office for the purposes of administrative powers in respect of all the decentralized departments grouped under his charge.

b: The Executive District Officer shall have powers to grant casual leave to any officer subordinate to him for a period not extending 10(ten) consecutive days, but in all genuine cases, on his recommendation, the District Coordination Officer may grant causal leave of 15(fifteen) days at a time.

c: Any District Officer and head of office of an institution shall have powers to sanction casual leave up to 5(five) consecutive days.

d: The records of the officers in the decentralized Departments are to be maintained by the Executive District Officer in his office with copy to the head of the attached department concerned for main personal file of the officer concerned.

ATTESTED

PART-II

Financial Powers

8. **Constitution of funds:**

There shall be constituted a Provincial account and a local fund in accordanc with the provisions of section 107 of the ordinance.

9. **Operation of Provincial account.**

The Provincial account funds shall be operated according to the civil accou applicable to all Provincial offices, General Financial Rules and Federal Tr Rules as adopted by the Government coupled with the N.W.F.P Delegation Financial Powers and Powers of Re-appropriation Rules, 1981 (as amende time to time) as if.-

a: A District Coordination Officer was an officer of Category-I ur I of the First Schedule for all the decentralized departments in government

b: An Executive District Officer was an officer of Category-II und of the First Schedule for the group of departments under him

c: District Officer in BPS-18 was an officer of Category-III of I First Schedule for the department headed by him or the institutio case may be

d: All the officers mentioned in the preceding sub rules shall be dr disbursing officer for the funds placed at their disposal for all purposes of the Federal Treasury Rules as adopted by the G

(30) A

BETTER COPY

OFFICE OF THE
DEPUTY COMMISSIONER,
KOHISTAN
No. Esstt: / 1860 /DC (KH)
Dated Dassu the 24/02/2014

To

The Assistant Director (P-III),
Directorate General Health Services,
Khyber Pakhtunkhwa Peshawar

Subject: **OFFICE ORDER**

Memorandum:

Reference your letter No. 1035/AE-VI dated 18/02/2013 on the subject noted above.

The letter No.12264-65 dated 20/12/2012 (office order) is genuine and correct as per record of this office and the same is duly verified. (Copy attached for ready reference).

Sd/-
Deputy Commissioner
Kohistan

(30)

OFFICE OF THE
DEPUTY COMMISSIONER,
KOHISTAN
No. Esstt: / 1860 /DC (KH)
Dated Dassu the 24 /02/2014

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Deputy Commissioner,
Kohistan
Deputy Commissioner
Kohistan

ATTESTED

(31) A

BETTER COPY

KHYBER PAKHTUNKHAWA MEDICAL FACULTY
PESHAWAR

No.652/
Dated: 03/04/2014

To,

The Directorate General Health Services
Khyber Pakhtunkhawa Peshawar

Subject: **VERIFICATION**

Memo:

Reference your office letter No.2578 AE-VI dated 21/04/2014 on the subject noted above and to state that the particulars of Dispenser certificate in Shabbir Ahmed son of Fazal Haq R. No.68 Session 2006 have been checked with the office record and found **correct**.

Sd/-
SECRETARY
KHYBER PAKHTUNKHAWA
MEDICAL FACULTY
PESHAWAR

No.652/M dated: 03/04/2014

Copy forwarded to the District Health Officer Kohistan with respect to office letter No.806/PF (Ex-Dispenser Shabbir Ahmed) dated 06/03/2014.

Sd/-
SECRETARY
KHYBER PAKHTUNKHAWA
MEDICAL FACULTY
PESHAWAR

Attested

(31)

KHYBER PAKHTUNKHWA MEDICAL FACULTY
PESHAWAR

No.
Dated:

To,

The Directorate General Health Services
Khyber Pakhtunkhwa Peshawar.

Subject: - **VERIFICATION.**

Memo:

Reference your Office letter No 2578/AE-VI dated 21-5-2014 on the subject noted above and to state that the particulars of Dispenser certificate in r/o Shabbir Ahmad s/o Fazal Haq R.no.68 session 4-2006 have been checked with the office record and found **correct**.

SECRETARY
KHYBER PAKHTUNKHWA
MEDICAL FACULTY
PESHAWAR

No. 852 /AE dated: 31/4/2014

Copy forwarded to the District Health Officer Kohistan with respect to his office Letter No 806/PF (Ex-Dispenser Shabbir Ahmad) dated 06.03.2014.

SECRETARY
KHYBER PAKHTUNKHWA
MEDICAL FACULTY
PESHAWAR

ATTESTED

BUNGALOW NO. 86/D-5 ABDARA ROAD UNIVERSITY TOWN PESHAWAR
PHONE NO. 091-9216008 FAX NO. 091-9218630

Annexure - H

BEFORE THE HONOURABLE KHYBER PAKHTUNKHWA SERVICE TRIBUNAL PESHAWAR

CM No._____/2022
IN
Service Appeal No. ____-A/2021

Shabir Ahmad son of Fazal Haq, resident of Gabral Kandia Upper Kohistan.

...APPELLANT

VERSUS

Govt. of Khyber Pakhtunkhwa, through, Secretary Health Department Khyber Pakhtunkhwa, Peshawar & others.

...RESPONDENTS

SERVICE APPEAL

APPLICATION FOR CONDONATION OF DELAY IN FILING OF SERVICE APPEAL, IF ANY.

Respectfully Sheweth; -

1. That the above titled appeal is being filed before this Honourable Tribunal and contents of the same may kindly be treated as integral part of this application

2. That the appellant has brought a good prima facie case in his favour.

3. That due to ailment of appellant the appeal could not be filed well within time, however the delay in

filing the appeal is neither, intentional nor deliberate, rather, the circumstances were beyond the control of appellant. Copies of medical record are attached herewith.

4. That valuable rights of the appellant are involved, and in case the delay is not condone by this Honourable Tribunal, the appellant would be subjected to irreparable loss, hence, this application.

Under the circumstances, it is prayed that on acceptance of instant application, the delay if any in fling the appeal may graciously be condone in the highest interest of justice.

...APPELLANT

Through

Dated: _____/2022

(NOMAN MALIK)
Advocate High Court, Abbottabad
And
M. Ibrar Khan Afridi

AFFIDAVIT;-

I, Shabir Ahmad son of Fazal Haq, resident of Gabral Kandia Upper Kohistan, do hereby solemnly affirm and declare that the contents of foregoing application are true and correct to the best of my knowledge and belief and nothing has been concealed therein from this Honourable Court.

KHALID MAHMOOD ADVOCATE ATTESTED NOTARY PUBLIC PESHAWAR HIGH COURT

14-6-22

DEPONENT

35

Dr Syed Mumtaz Anwar Shah

MBBS, MRCS (UK)
FCPS Cardiac Surgery)
Consultant Cardiac Surgeon
Head Department of Cardiac Surgery

ڈاکٹر سید ممتاز انور شاہ

ایم بی بی ایس، ایم آر سی ایس (یو کے)
ایف سی پی ایس (کارڈیک سرجری)
کنسلٹنٹ کارڈیک سرجن
ہیڈ ڈیپارٹمنٹ کارڈیک سرجری

Name: Shabeer Ahmad. Age: 46 Sex: (M) Ht: _____ Date 6-1-2020

NST. echo
Wt. Lu 63K
Temp. 36.6
HR 84/min
SPO - 95%

- RPTs
- RBS
- Echo
- HbA1c

Rx

urgent.

Tab. Rulip 10 mg 1 OD 8 hr

Tab. Coman. 10 mg 1 OD 24 hr

Tab. Rulip 10 mg 1 OD 24/5 hr

Tab. Rulip 10 mg 1 OD 24/2.

Tab. Concor 1.25 mg 1 OD 8 hr

کلینک ٹائم 3 سے 6 بجے تک
ہفتہ اتوار چھٹی

اپوائنٹمنٹ ٹائم 10 سے 5 بجے تک
جمعہ کے دن کلینک 2 سے 6 بجے تک

اوقات مشورہ کیلئے عبدالعزیز رابطہ نمبر 0336-9894087 0300-5835723

Hussain Abbas Shah Shaheed Road Peshawar Cantt Pakistan.

حسین عباس شاہ شہید روڈ پشاور کینٹ پاکستان

30

MEDICAL TEACHING INSTITUTION ABBOTTABAD

Ayub Teaching Hospital. Phone: 0992-9311162, Fax: 0992-380328
Email: info@ath.gov.pk, Website: www.ath.gov.pk

OPD Prescription form

Name	: Shabir Ahmad	Token No	: 093
Father Name	: Fazal Haq	Room No	:
Husband Name:		Department	: DR.MUHAMMAD IMRAN (CAR)
Age	: 45 Year(s)	Date	: 09-JAN-2020 17:45:48
Patient Type	: IBP	Dept Fee	: 1300
		User	: AZIZ UR REHMAN SHAH
		MRNO	: K0400002867750
		Invoice No	: K04220525392
		Sex	: Male

Investigation

NST. =

Wt. 63 kg

Temp - 100 F.

HR. 54/.

SPO — 95%

dm. usf.

Rx. Trifamay. Lonis. Angs.

Rx (M)

CABG.

Rest for Bed.

Patient very weak.

cnd. Bed Rest.

Medical Officer
Ayub Teaching Hospital
Abbottabad

37

Bed No: M.B -

DEPARTMENT OF CARDIOLOGY

SAIDU GROUP OF TEACHING HOSPITALS SWAT.

Admission No:	Adm. Date & Time	Discharge Date & Time
512	9:30 PM 3/01/2020	

Patient's Name Shabeer Ahmad S/O ~~D/O~~ ~~W/O~~ Fazal Haq.

Age 45 Sex (M) Emergency ✓ Regular

Address Bagh Seri Gabral Dasu.

Upper Kohistan.

Communication of Attendent

Name Haji Ahmad.

N.I.C No 13401-1506572-3

Phone #: 0346-9029599.

Diagnosis USA / Sum LM disease & Left Anterior of T wave inv.

Streptokinase: Trop I: Z

Complication: Referred for CABG

TIMI Risk Score: Formism Study for CABG

House Officer: Medical Officer:

Golden Press Mingora Ph: 711474

HISTORY SHEET

NAME Shabeer Ahmad.			FATHER/HUSBAND NAME: Fozal Haq.	
AGE: 45 yrs.	SEX:	M	OCCUPATION:	EDUCATION:
Residence: Kohistan				DATE/TIME
				3-1-2020

CHIEF COMPLAINTS

HTN
N.STEMI. (month back)
Chest pain
Nausea
Rigors. discomfort.

HISTORY OF PRESENT ILLNESS

According to the patient attendant he is pt of HTN (15yrs) on meds
Also pt of MI month back.
Now presented to us with complain of chest pain radiating to back leg and neck associated with nausea also epigastric discomfort associated to Bring.

Lowplat Plus
(Clopidogrel / Aspirin)

X Plended 5/10/20mg
(Rosuvastatin)

Lowplat 75
(Clopidogrel)

PAST MEDICAL HISTORY

HTN (15yrs)

NSTEMI (1mnth back)

FAMILY HISTORY

Further insert problem.

SOCIO-ECONOMIC / PERSONAL HISTORY

- Teacher
- Rent house
- Tap water.

40

GPE_____ B.P_____ P: _____ T:_____

R.R:_____ JVP:_____ Pallor _____ Oedema_____

Thyroid:_____ Jaundice_____ L.Nodes_____

Systemic Examination:_____

RESP: SYSTEM

B/c clear
Normal Breking sound.

CARDIOVASCULAR SYSTEM

$S_1 + S_2 + O$

GASTRO - INTESTINAL SYSTEM

NERVOUS SYSTEM

well oriented to place person & time

Doctor's Signature / Name

(41)

CARDIOLOGY DEPARTMENT

Saidu Group of Teaching Hospital Swat.

23/01-2020 9:MM **Arrival Reports**

MO Notes on Arrival

Echo 53/40/5cm
MR-P1
PAH

Rwd NSTEMI 10/01/2020

Adm Ttl through OPD
E c/c of ant pain cating 2dy
Tab s mild
q ut mgbt
N Sw Abd tenderness
Lab ed UA in OPD
Lab. Angio done today Sun LAD dis.
BP. 185/110
WS = Smoker - 0
Bru Bilateral
1st CABG - Plan

Echocardiography

3/02/2020

Normal size cardiac chambers.
passed w systolic Anterior
valves appear normal.
NO Significant Pericardial
Mild MR

CuPb Grade I → FT - = 55 58% OT.

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SAIDU GROUP OF TEACHING HOSPITAL

Saidu Sharif Swat Tel: 0946-9240125

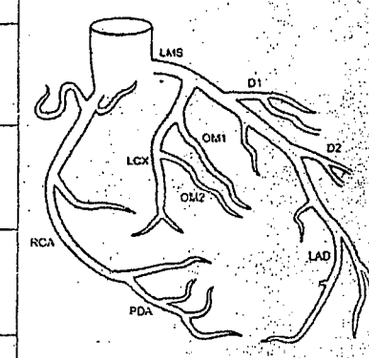
CARDIAC CATHETERIZATION REPORT

Patient Name	Shabir Ahmad		Age/Sex	03-04-1975 (45)		Address	Koihstan
Father/Husband	Fazal Haq		Cell #	0342-3148055		CNIC	13401-6612989-1
Operator	IA/SA		Assistant	Arif Ali		Date	03-01-2020
Cath Lab ID	SGTH-125-22		Yearly No	125		Visit ID	0645971
Creatinine	0.80	HB	13.6	HBs –ve HCV –ve			
Procedure	Angiography	Contrast	50m	Fluoro	3.0mins	Echo: EF: 55, RWMA%	
Angio Indication	Angina II/III			Status	Sehat Card		

PROCEDURE

Angiography done through Right Radial Artery approach using seldinger technique.
Procedure done with diagnostic Catheter TIG-II 6F used for LCA & RCA.

LMS	Ostial: Mild disease Mid: Severe disease Large aneurysm at the trifurcation of LMS
LAD	Proximal: Normal Mid: Normal Distal: Normal
LCX	Proximal: Normal Distal: Normal
RAMUS	Normal
RCA	Proximal: Normal Mid: Normal Distal: Normal



Interpretation	Severe LMS disease with large aneurysm at the trifurcation of LMS
Recommendations	CABG

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CARDIOLOGY DEPT, SAIDU TEACHING HOSPITAL SWAT

ECHOCARDIOGRAPHY REPORT

Patient Name: Shabir Ahmad **Age:** 45 Years **Gender:** M

Status: ADMITTED **Date:** 03/01/2020

Measurements	Observed	Normal Range (cm)
Right Ventricle Dimension	2.3	<2.8
LV End diastolic Dimension	5.3	3.6-5.5
LV End Systolic Dimension	4.0	2.5-4.1
IVS Thickness	1.2	0.8-1.1
PW Thickness	1.2	0.7-1.1
Aortic Wall Diameter	2.9	2.0-4.0
Left Atrial Dimension	3.3	1.9-3.9

LV Ejection Fraction: 55%(Normal >50%) LV Fractional Shortening: 27%(Normal >25%)

RV Systolic Functions/TAPSE: (Normal >16mm) RVSP: mmHg

Valves	Regurgitation	Valve Area (cm)2	Gradient mmHg	
		2D	Peak	Mean
Mitral	+1			
Tricuspid				
Aortic				
Pulmonic				

2D & M-MODE:

- Normal size cardiac chammbers
- Preserved LV systolic function.
- No significant RWMA Seen.
- No LA/LV Clot Seen.
- No ASD/ VSD seen.
- No Pericardial Effusion seen.
- Values Appear Normal

DOPPLER STUDY:

- E/A Ratio is Reversed, MR

FINAL IMPRESSION:

RWMA as above, Mild MR, Preserved LV systolic function

Sign _____

Q342218

100
Rupees

۱۰۰
روپیہ

(بیان حلفی)

منکہ شبیر احمد ولد فضل حق سکنہ گبریال کندیا ڈاکخانہ کمیالہ اپر کوہستان کا ہوں اور حلفاً بیانی ہوں کہ من مقر ایک پیٹشن بعنوان شبیر احمد بنام کے پی کے گورنمنٹ وغیرہ سروس ٹریبونل خیبر پختون خواہ پشاور میں ہیلتھ ڈیپارٹمنٹ وغیرہ کے خلاف دائر کر رہا ہوں۔ مزید براں بیانی ہوں کہ من مقر نے بارہا زبانی و تحریر طور پر ہیلتھ ڈیپارٹمنٹ سے کیس کے متعلق کاغذات/دستاویزات فراہم کرنے کی استدعا کی مگر متعلقہ ادارہ/ڈیپارٹمنٹ ہیلتھ ٹال مٹول سے کام لیتے ہوئے صریحاً انکاری ہیں جس وجہ من مقر مقدمہ عنوان کے ساتھ متنازعہ آرڈر/حکم نمبری 944 محررہ 02-05-2005 اور ڈیپارٹمنٹل اپیل وغیرہ فراہم نہیں کرسکتا۔

استدعا ہے کہ عدالت متعلقہ ادارہ جملہ ریکارڈ بابت من مقر بذریعہ عدالت طلب فرمائے۔ اور مقدمہ/اپیل ہذا کو جلد از جلد سماعت کے لیے مقرر فرمائیں۔

المرقوم: 26-07-2022

شبیر احمد ولد فضل حق
سکنہ گبریال کندیا ڈاکخانہ کمیالہ اپر کوہستان
13101-6612989-1

ATTESTED
SAIMA SAEED
NOTARY PUBLIC
Advocate High Court

26/07/22

44

DBA NO. 257

BC No. 10-1307

Name of Advocate نعمان ملک

S.No 8367

وکالت نامہ

Head Clerk
District Bar Association
Abbottabad

بعدالت جناب سروس کمیشن پشاور ایبٹ آباد

عنوان: شبیر احمد بنام ڈسٹرکٹ ہیلتھ آفیسر کوہستان ایبٹ آباد وغیرہ

منجانب: اپیلانٹ (شبیر احمد) نوعیت مقدمہ سروس اپیل

باعث تحریر آنکہ

مقدمہ مندرجہ بالا عنوان میں اپنی طرف سے واسطے پیروی وجوابدہی برائے پیشی یا تصفیہ مقدمہ بمقام ایبٹ آباد کے لیے

نعمان ملک ایڈووکیٹ ہائی کورٹ

کو حسب ذیل شرائط پر وکیل مقرر کیا ہے کہ میں ہر پیشی پر خود یا بذریعہ مختار خاص روبرو عدالت حاضر ہوتا رہوں گا اور بروقت پکارے جانے مقدمہ وکیل صاحب موصوف کو اطلاع دے کر حاضر عدالت کروں گا۔ اگر پیشی پر مظہر حاضر نہ ہوا اور مقدمہ میری غیر حاضری کی وجہ سے کسی طور پر میرے خلاف ہو گیا تو صاحب موصوف اس کے کسی طور پر ذمہ دار نہ ہوں گے نیز وکیل صاحب موصوف صدر مقام کچہری کے علاوہ کسی جگہ یا کچہری کے اوقات سے پہلے یا پیچھے یا بروز تعطیل پیروی کرنے کے ذمہ دار نہ ہوں گے اور مقدمہ کچہری کے علاوہ کسی اور جگہ سماعت ہونے پر یا بروز تعطیل یا کچہری کے اوقات کے آگے پیچھے پیش ہونے پر مظہر کو کوئی نقصان پہنچے تو اس کے ذمہ دار یا اس کے واسطے کسی معاوضہ کے ادا کرنے یا محتانہ کے واپس کرنے کے بھی صاحب موصوف ذمہ دار نہ ہونگے۔ مجھ کو کل ساختہ پرداختہ صاحب موصوف مثل کردہ ذات منظور و مقبول ہوگا اور صاحب موصوف کو عرض دعویٰ یا جواب دعویٰ اور درخواست اجرائے ڈگری و نظر ثانی اپیل نگرانی و ہر قسم درخواست پر دستخط و تصدیق کرنے کا بھی اختیار ہوگا اور کسی حکم یا ڈگری کرانے اور ہر قسم کا روپیہ وصول کرنے اور رسید دینے اور داخل کرنے اور ہر قسم کے بیان دینے اور اس پر ثالثی و راضی نامہ و فیصلہ برحلف کرنے اقبال دعویٰ دینے کا بھی اختیار ہوگا اور بصورت جانے بیرونجات از کچہری صدر اپیل و برآمدگی مقدمہ یا منسوخی ڈگری یکطرفہ درخواست حکم امتناعی یا قرقی یا گرفتاری قبل از گرفتاری و اجرائے ڈگری بھی صاحب موصوف کو بشرط ادائیگی علیحدہ محتانہ پیروی کا اختیار ہوگا۔ اور بصورت ضرورت صاحب موصوف کو یہ بھی اختیار ہوگا کہ مقدمہ مذکور یا اس کے کسی جزو کی کاروائی کے یا بصورت اپیل کسی دوسرے وکیل کو اپنے بجائے یا اپنے ہمراہ مقرر کریں اور ایسے وکیل کو بھی ہر امر میں وہی اور ویسے اختیارات حاصل ہونگے جیسے صاحب موصوف کو حاصل ہیں اور دوران مقدمہ جو کچھ ہرجانہ التوا پڑے گا وہ صاحب موصوف کا حق ہوگا۔ اگر وکیل صاحب موصوف کو پوری فیس تاریخ پیشی سے پہلے ادا نہ کروں گا تو صاحب موصوف کو پورا اختیار ہوگا کہ وہ مقدمہ کی پیروی نہ کریں اور ایسی صورت میں میرا کوئی مطالبہ کسی قسم کا صاحب موصوف کے برخلاف نہیں ہوگا۔

لہذا وکالت نامہ لکھ دیا ہے کہ سند رہے۔

مورخہ: 2022/6/14
سال ماہ دن

مضمون وکالت نامہ سن لیا ہے اور اچھی طرح سمجھ لیا ہے اور منظور ہے۔

Accepted

Attested
Accepted

شبیر احمد ولد فضل حق (اپیلانٹ)