


CERTIFICATE

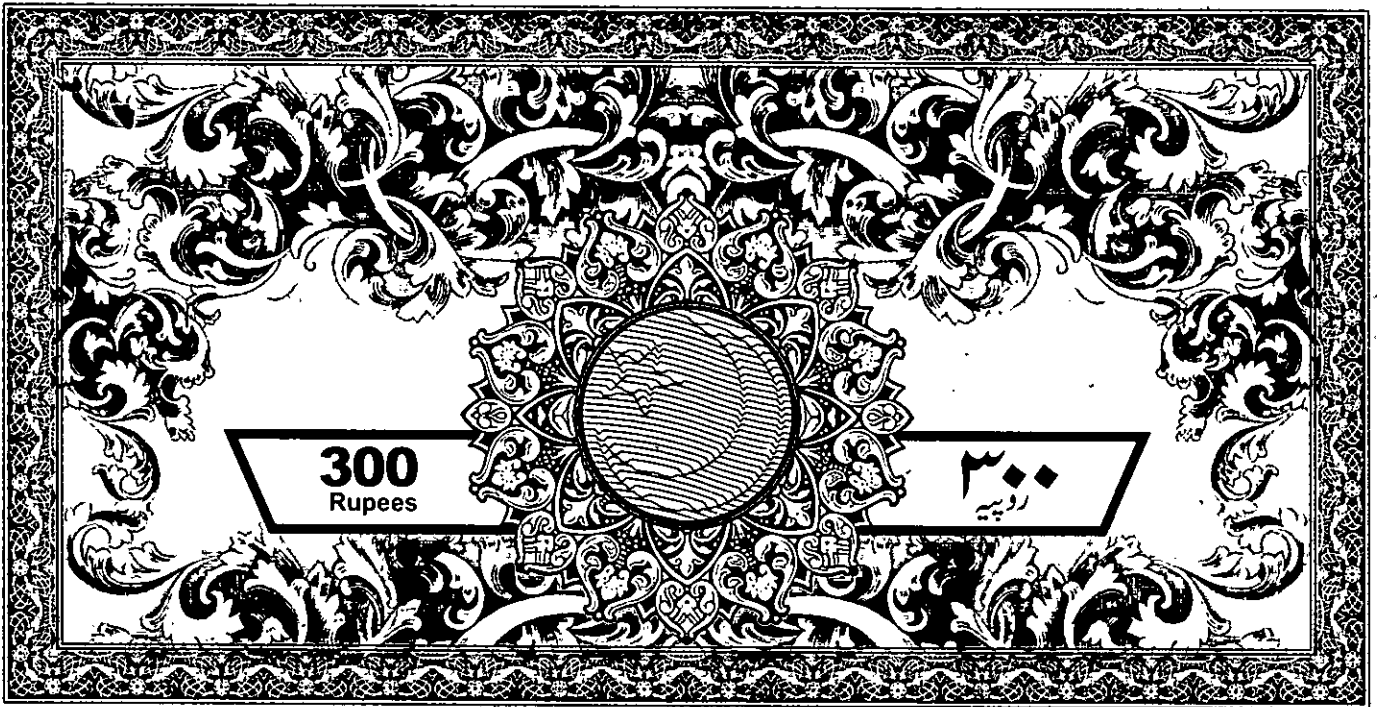
It is certify that Mrs Afia Bibi PHC Technician (MCH/LHV) has submitted her arrival report in DHO Office Swat on 01/10/2018 in the light of her transfer from D.G Health office peshawar vide Order No. 6811-17/AE-VI dated peshawar the 26/09/2018, while further adjusted by DHO Office Swat vide Order No. 13640-43 dated 01/10/2018 in BHU Talang Barikot Swat. and she took over her charge in BHU Talang on 03/10/2018 and performed her duty regularly upto date.

she perform her duty regularly
from 01/10/18 till now.

Incharge / MO
BHU Talang Barikot
Swat.


Medical Officer
i/c BHU Talang
Distt: Swat

14-03-19



مختیار نامہ خاص برائے پیروی مقدمہ

عافیہ بی بی ولد محمد البرہیم سکنہ الہویچ، بلورن
 ضلع شانگلہ خیبر پختونخوا
 در بوقت ہجرت ہجرتی خوش و حواس اقرار کر کے لکھ دیتے ہیں کہ من اختیار
 ہندہ کا مقدمہ زیر تجویز از بر ساعت ہے جس میں من مقرران بوجہ مصروفیات سے اصالتاً عدالت حضور میں آنے سے قاصر ہیں اسلئے اپنی جانب سے
 سعید احمد ولد دلبر خان سکنہ الہویچ، بلورن شانگلہ خیبر پختونخوا کو اختیار
 دیتے ہیں کہ وہ میری جانب سے عدالت میں حاضری دے، وکیل مقرر کرے، شہادت منجانب اختیار ہندگان قلمبند کرے، راضی نامہ کرے، جواب
 دعویٰ داخل کرے، فہرست گواہان پیش کرے، مقدمہ میں اپیل از جمع سیشن جج تاہا ٹیکورٹ داخل کرے، نظر ثانی کرے، ہم اختیار ہندگان کو جملہ ساختہ و
 پرداختہ منظور قبول ہوگا اور جملہ کارروائی در مقدمہ منجانب اختیار ہندگان قبول و منظور ہے۔ الرقوم 10/05/2019

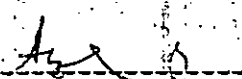
لہذا اختیار نامہ خاص برائے پیروی مقدمہ لکھ دیا تاکہ سند ہے اور بوقت ضرورت کام آئے۔


اختیار ہندہ
 شناختی کارڈ نمبر: 6-15505-0214282

عافیہ بی بی
 العبد

اختیار گر ہندہ
 شناختی کارڈ نمبر: 5-15505-0222571

سعید احمد
 العبد

گواہ شد
 دستخط: 
 نام: اختر احمد
 ولدیت: حبیب احمد
 سکنہ: الہویچ، بلورن، شانگلہ
 شناختی کارڈ نمبر: 1-15505-9115289

گواہ شد
 دستخط: 
 نام: منظور احمد
 ولدیت: سیف الاسلام
 سکنہ: الہویچ، بلورن، شانگلہ
 شناختی کارڈ نمبر: 3-15505-0225496

Бүтэн Гүйцэтгэл Засаг Зам, 13/11 № 1003/2019

УСГААГААР
09.11.2019
(Төрийн Хэргийн Төрийн Газар)

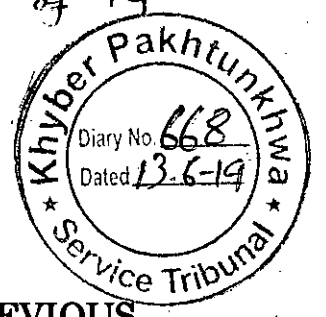
Пешавар Т. А. М. Н. Б.
ЛОНГОН
Д. С.
Ахтар гул Шиянзан

Next date -01-8-2019
Appeal No. 1419/2018

Page 1 of 14

To,

The Hon'ble Judge,
Service Tribunal,
Khyber Pakhtunkhwa, Peshawar.



Put up to the court
with relevant appeal.

SUBJECT:

APPLICATION FOR ACCEPTING MY PREVIOUS
RECORD/REQUESTS FOR TRANSFER.

14/6/18.

Respected Sir,

Leadu

It is humbly requested in your kind honour that I have given my first application to D.G Health Khyber Pakhtunkhwa Peshawar for transfer on 01/11/2017 (Copy attached on page 2) but no positive response received from D.G Health Khyber Pakhtunkhwa Peshawar (Copy attached on Page 2 with registered receipt from post office on Page 7). then I wrote a departmental appeal to Hon'ble Secretary Health Khyber Pakhtunkhwa Peshawar (Copy attached on page 6 with registered receipt from post office on Page 7). And when the post of P.H.C Technician MCH LHV become vacant due to retirement of Mrs. Razia Shah PHC Technician (MCH) LHV attached to BHU Talang Barikot Swat. (copy attached on Page 4)

Then I was transferred by D.G Health Khyber Pakhtunkhwa Peshawar from District Kohistan to District Swat on 26/09/201⁸ (Copy attached on Page 8) which is further adjusted by DHO Swat at BHU Talang Barikot Swat. (Copy attached on page 09) and I started to perform my duty regularly at BHU Talang Swat.

Hon'ble Sir besides this I would like to attach the decision for wedlock policy 2017 P.L.C. (C.S.) 1453 [Hon'ble High Court (AJ & K)] on page 10 to 12. And the other decision for wedlock policy 2009 P.L.C (C.S.) 580 [Hon'ble Lahore High Court] on page 13 and 14.

Respected Sir in the light of the above mentioned and given facts I would like to request in your kind honour to decide my case with kind justice please .

Your's Sincerely,

Respondent NO.4

Afia Bibi LHV *Afia*

BHU Talang Barikot

Swat.

Dated 13/06/2019

خدمت جناب D.G ہیلڈ صاحب محکمہ ہیلتھ سروسز خیبر پختونخوا پشاور
عنوان درخواست مراد تبادلہ "Transfer"

جناب والا

نہایت ہی ادب سے گزارش ہے کہ میں عافیہ بی. ی. ل. ایچ. "LHV" RHC
ڈاسو ضلع کوہستان میں اپنی ڈیوٹی سرانجام دے رہا ہوں۔ ضلع کوہستان
میں میری تقرری 14/02/2014 کو ہوئی ہے۔ دوسری طرف میرے شوہر
کی ڈیوٹی محکمہ تعلیم میں ضلع سوات (سینگورہ) میں ہے اور بچوں کی تعلیم
کی خاطر ضلع سوات (سینگورہ) میں رہائش پزیر ہوں ہے۔ جبکہ
میں RHC ڈاسو میں اپنے 14 ہینس کے بیٹے اور 4 سال کی بیٹی کے
ساتھ رہ رہا ہوں۔

DHO ضلع کوہستان کے دفتر میں تبادلے کی NOC کے لئے میں کئی بار
درخواستیں جمع کر چکی ہوں لیکن اس پر کوئی کارروائی نہیں ہوئی۔ جبکہ
میرے ساتھ جن اظہاریوں کی ضلع کوہستان تقرری ہوئی تھی ان سے اثر رسوخ
بمراں کو "NOC" issue کر کے وہ ضلع کوہستان سے جا چکی ہیں۔

لہذا میں اب صاحبان سے درخواست کرتی ہوں کہ انسانی ہمدردی
کی بنیاد پر Spouse policy کے تحت مجھے ضلع سوات کے منتقل ہینال
یا سردوہستان یا سینگورہ U.C میں کسی BHU میں Transfer کرے
مجھے ذہنی تناؤ سے چٹکارا دلا دیجئے۔ میں ساری زندگی آپ کی
شکر گزار رہوں گی۔

العارض
A.Pia

عافیہ بی. ی. ل. ایچ. محمد ابراہیم

نقول باز احتراماً

"LHV" RHC ڈاسو

① جناب سیکرٹری ہیلتھ سروسز خیبر پختونخوا

ضلع کوہستان یونٹ 01/11/2017

② جناب جسٹس سیکرٹری ہیلتھ سروسز خیبر پختونخوا

نشونو برکالا بطرف 03429670280

~~Page No.~~

محترم جناب DHO صاحب صلیح سوات
 عنوان: درخواست مراد عطا یگی NOC
 جناب عالی

آداب سے گزارش کیجاتی ہے کہ BHU تھنگ پورٹ میں صلیح سوات
 سوات میں محترمہ رعینہ شاہ LHV BPS-12 (MCH) PHC Tech
 کی 26/03/2018 کو مطابق آرڈر نمبر 4371-75 ریٹائرمنٹ
 ہو چکا ہے۔ نقل منسلک ہے اور BHU تھنگ پورٹ میں 47
 کی پوسٹ خالی ہے۔ چونکہ میرے شوہر کی ڈیوٹی جگہ تعلیم میں
 صلیح سوات میں ہے اور میں 04 سال سے ڈوہیوں کے ساتھ اپنے
 شوہر اور دو بچوں سے دور صلیح کوستان کے RHC 17 سو میں
 بحیثیت PHC Tech (MCH) LHV BPS-12 میں بہت زیادہ
 مشکلات کے ساتھ اپنی ڈیوٹی کر رہی ہوں لہذا اگر آپ صاحبہ
 مہربانی کر کے میری مشکلات کو مد نظر رکھ کر انسانی ہمدردی
 کی بنیاد پر اور spouse policy کے تحت مجھے BHU تھنگ
 پورٹ میں خالی پوسٹ پر تبادلے کے لئے NOC عطا فرمائیں
 تو میں اب حضرات کی بہت زیادہ مشکرا کر گزار رہی ہوں۔

Asha

عافیہ بی بی LHV
 RHC 17 سو صلیح کوستان

مورخہ 5/4/2018

شوہر کا رابطہ نمبر

03429670280



OFFICE OF THE DISTRICT HEALTH OFFICER
GULKADA DISTRICT SWAT

Phone No: 0946-9240139, Fax No: 0946-9240215
Email: cdohswat@yahoo.com

No. /R-3

Dated: 20/12/2018

OFFICE ORDER.

Mrs. Razia Shah PHC Tech (MCH) LHV, attached to BHU: Talang Barikot Swat is hereby retired from Govt: Services with effect from 12/3/2018 (A. Noon) on her own request.

No. 437-75 /R-3

Sd/xxxxxxx
DISTRICT HEALTH OFFICER,
DISTRICT SWAT.

Copy forwarded to the:-

- 1- District Account Officer Swat.
 - 2- Medical Officer I/C BHU: Talang Swat.
 - 3- Divisional Monitoring Officer Swat.
 - 4- DHIS Cell of this office Swat.
 - 5- Account Section of this office Swat.
 - 6- The above named Official concerned..
- For information.

[Signature]
DISTRICT HEALTH OFFICER,
DISTRICT SWAT.

Rahman Ali 272017



OFFICE OF THE DISTRICT HEALTH OFFICER
GULKADA DISTRICT SWAT

Phone No: 0946-9240139, Fax No: 0946-9240215

Email: edohswat@yahoo.com

Dated: 23 /4 /2018

No. 6172 IT-5

To,

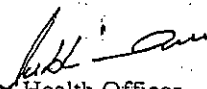
The Director General Health
Services Khyber Pakthunkhwa
Peshawar.

Subject:-
R/Sir,

APPLICATION FOR TRANSFER

I have the honor to enclose herewith an application in original in respect of Mrs. Afia Bibi PHC Tech (MCH) LHV attached to RHC Dassu District Kohistan she is requesting for transfer from District Kohistan to District swat .

It is further added that the undersigned will have no objection if she is transferred from District Kohistan to swat Please.


District Health Officer
District Swat Gulkada.

Rahman ali

خدمت محترم جناب سیکرٹری ہیلتھ سب ڈیپارٹمنٹ خواہ پشاور
عنوان! درخواست نمبر اد الصاف / اپیل از تبادلہ (Transfer)
(Departmental Appeal)
جناب عالی

ہماریت ہے اور آپ سے گزارش ہے کہ میں عافیہ بی بی LHV، BPS-12، RHC Tech (MCH) ضلع کوستان کے RHC داسو میں اپنی ڈیوٹی سر انجام دے رہی ہوں۔ ضلع کوستان میں میری تقرری 14/02/2014 کو ہوئی ہے دوسری طرف میرے شوہر کی ڈیوٹی محکمہ تعلیم میں ضلع سوات (مینگورہ) میں ہے اور وہ بچوں کی تعلیم کی خاطر ضلع سوات (مینگورہ) میں ریٹائرمنٹ پر ہے۔ جبکہ میں RHC داسو میں اپنے 20 ہینے کے بیٹے اور ساڑھے 4 سال کی بیٹی کے ساتھ اپنی رہ رہی ہوں۔

جناب والا ضلع کوستان سے ضلع سوات Transfer کے لئے 6 ماہ پہلے 01/11/2017 کو D.G. صوبہ ہیلتھ کے Through ضلع کوستان کے DHO صوبہ سے بطور مشکل سے NOC حاصل کی۔ پھر D.G. صوبہ ہیلتھ کے پاس تبادلے کے لئے میرا فائل پہنچ کر انہوں نے کہا کہ DHO سوات سے NOC لے کر آؤ۔

محترم سیکرٹری صوبہ ضلع سوات میں LHV کی دو (02) خالی پوسٹیں پہلے سے موجود تھی جبکہ ایک LHV مورف 25/03/2018 کو مطابق آرڈر نمبر 75-4371 ریٹائر ہوئی تو بطور مشکل سے 23/04/2018 کو DHO صوبہ ضلع سوات سے NOC حاصل کی اور 24/04/2018 کو میں خود صبح 9 بجے D.G. ہیلتھ پشاور لے گئی۔ جب D.G. صوبہ ہیلتھ کو میرے تبادلے کے لئے فائل پہنچ گئی تو دوپہر کے ساڑھے تین بجے تک میں انتظار کرتی رہی۔ پھر خود دوپہر کے لوگوں کے ساتھ اندر آفس میں چلی گئی۔ جب میں نے D.G. صوبہ سے بات شروع کی تو انہوں نے کہا کہ بی بی میں مجبور ہوں یہ تبادلہ نہیں ہو سکتا اور اس کے اگلے دن 25/04/2018 کو مجھ سے ایسے Junior LHV (رفعت کی) کو مطابق آرڈر نمبر 63/3455/AE-VI ضلع کوستان سے ضلع سوات Transfer کر کے Issue کر دیا۔ سب نقول منسلک ہیں۔

اب میں آپ صرافے کی خدمت میں اپیل کرتی ہوں کہ انسانی سمجھداری کی بنیاد پر spouse policy کے تحت اور میری seniority کو مد نظر رکھ کر ضلع سوات میں میرے تبادلے کے احکامات جاری کر کے مجھے اس ذہنی تناؤ سے چھٹکارہ دلا دیجئے۔ میں ساری زندگی آپ کے شکر گزار رہوں گی۔

العافین خان (A)
عافیہ بی بی ولد محمد البرہیم
RHC، LHV داسو
ضلع کوستان
مورف :- 02/5/2018
شوہر کا رابطہ نمبر
03429670 280

نقول با احترام
① جناب چیف سیکرٹری صوبہ ہیلتھ خواہ پشاور
② ہیلتھ سب ڈیپارٹمنٹ خواہ پشاور
③ وزیر اعلیٰ خیبر پختونخوا پشاور

No. 1279

For Insurance Notices see reverse. Stamps affixed except in case of uninsured letters of not more than the initial weight prescribed in the Post Office Guide or on which no acknowledgement is due.

Received a registered addressed to [Signature] Date Stamp 60

Initials of Receiving Officer [Signature] *Write here "letter", "postcard", "packet" or "parcel" with the word "insured" before it when necessary.

Insured for Rs. (in figures) 2000 (in words) Two thousand

Insurance fee Rs. 10 Ps. 00 Weight 100 Kilo Grams 100

Name and address of sender [Signature]

No. 1280

For Insurance Notices see reverse. Stamps affixed except in case of uninsured letters of not more than the initial weight prescribed in the Post Office Guide or on which no acknowledgement is due.

Received a registered addressed to [Signature] Date Stamp 60


Initials of Receiving Officer [Signature] *Write here "letter", "postcard", "packet" or "parcel" with the word "insured" before it when necessary.

Insured for Rs. (in figures) 2000 (in words) Two thousand

Insurance fee Rs. 10 Ps. 00 Weight 100 Kilo Grams 100

Name and address of sender [Signature]

28/7/2018

 Call: 111-123-456 GST NO. 12-00-9808-002-73	Acct / Coupon	Consignment No. <u>470</u> <u>8246809</u>		Sales Tax Invoice	
	Mode of Payment <input type="checkbox"/> Coupon <input type="checkbox"/> FOC <input type="checkbox"/> COD <input type="checkbox"/> Account <input type="checkbox"/> Cash	Insured <input type="checkbox"/> Yes <input type="checkbox"/> No	Dimension L(cm) W(cm) H(cm)		Org. <u>S</u>
From (Shipper) <u>[Signature]</u>	To (Consignee) <u>B. G. Health</u>	Value <u>1</u>		Service Type <input type="checkbox"/> Overnight <input type="checkbox"/> Holiday <input type="checkbox"/> Extra Sp. <input type="checkbox"/> Same Day <input type="checkbox"/> Second Day	
Phone <u>[Number]</u>	2. Phone <u>[Number]</u>	E-mail <u>[Address]</u>		Service Charges	
I warrant that I have read the terms and conditions on the reverse of this consignment note and that all details given herein are true and correct. I further declare that the contents of the consignment do not contain any letter. The execution of this consignment note is prima facie evidence of the execution of contract between shipper & TCB (PVT) LTD.		Description <u>PICKUP INFORMATION</u>		Weight	
Shipper's Signature <u>[Signature]</u>		Courier Code		Handling	
AS PER A.O. ACT 1996, TCB WILL NOT CARRY LETTER POSTCARDS.		Gate <u>7</u> Time <u>12</u>		Other	
		Insurance Premium <u>171</u>		GST	
		TOTAL		TOTAL <u>171</u>	

*Any suggested complaint about service may be mailed to PO Box 2262, Kanak 76000.

8

**DIRECTORATE GENERAL HEALTH SERVICES
KHYBER PAKHTUNKHWA, PESHAWAR.**

Office Ph# 091-9210269

Exchange# 091-9210187, 091-9210196.

All communications should be addressed to the Director, General Health Services, Peshawar and not to any

Health Office
27/3/18
Fax #091-9210230

Official by page.

OFFICE ORDER.

As approved by the competent authority, the following posting/transfer of PHC Technicians (MCH)/LHV BPS-12, are hereby ordered with immediate effect:-

S.No.	Name	From	To
1	Mst. Afia Bibi, PHC Technician (MCH)/LHV	DHO, Kohistan	DHO, Swat
2	Mrs. Tahira Naz, PHC Technician (MCH)/LHV	DHO, Swat	DHO, Kohistan

Arrival/ Departure reports should be furnished to this Directorate for record

Sd/xxxxxxxxx
DIRECTOR GENERAL HEALTH SERVICES KHYBER PAKHTUNKHWA

No. 8811-17 /AE-VI,

Dated Peshawar the 26/3/2018.

Copy forwarded to the:

- 1) District Health Officer, Kohistan
- 2) District Health Officer, Swat
- 3) DHO, Kohistan
- 4) DHO, Swat
- 5) Supdt. Promotion Cell DGHS KP (to correct the place of posting of the official concerned in the seniority list).
- 6) DA concerned.
- 7) Official concerned.

For information and necessary action.

DPHO
DHO

Additional Director General (H.R.M)
Directorate General Health Services,
Khyber Pakhtunkhwa, Peshawar

25/3



OFFICE OF THE DISTRICT HEALTH OFFICER
GULKADA DISTRICT SWAT

Phone No: 0946-9240139, Fax No: 0946-9240215
Email: edohswat@yahoo.com

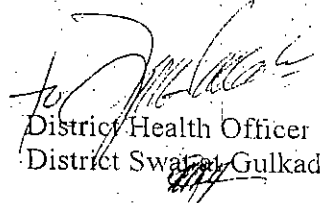
No. 13640-43 / PF

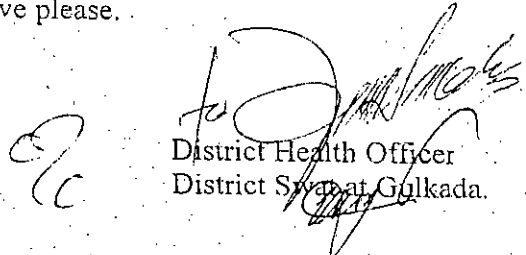
Dated: 01/19/2018

- Copy of the reverse is forwarded to the
- 01- Medical Officer I/C BHU: Talang Barikot swat.
 - 02- Account Section of this office .
 - 03- Divisional Monitoring Officer MKD Division swat.
 - 04- The above named official
- For information.

NO 13644

Copy forwarded to the Director General Health Services Khyber Pakhtunkhwa Peshawar for information with reference to his No.cited above please.


District Health Officer
District Swat Gulkada.


District Health Officer
District Swat Gulkada.

Rahman ali 1492018

2017 P L C (C.S.) 1453

(10)

[High Court (AJ&K)]

Before M. Tabassum Aftab Alvi, J

SHAHISTA NOREEN

Versus

AZAD JAMMU AND KASHMIR GOVERNMENT through Chief Secretary, Muzaffarabad
and 3 others

W.P. No.1066 of 2014, decided on 20th February, 2017.

(a) Azad Jammu and Kashmir Interim Constitution Act (VIII of 1974)---

---Ss. 44 & 51---Writ petition---Civil service---Spouses to be posted at one station---Notification---Scope---Contention of petitioner was that her husband was a government employee and authorities by violating relevant notification had decided to transfer her outside of the municipal limits where her husband was posted---Validity---Petitioner-employee was performing her duties as Assistant Professor in Fatima Jinnah Post Graduate College for Women Muzaffarabad and her husband was performing his duties within the municipal limits of Muzaffarabad as Deputy Director---Husband and wife were entitled to be posted at one station as far as possible---Female civil servant was to be transferred nearest to residence of her husband even if he was not a government servant---Petitioner-employee was entitled to equitable relief of writ jurisdiction---Authorities were restrained to transfer the petitioner-employee from the post of Assistant Professor Fatima Jinnah Post Graduate College for Women Muzaffarabad till her husband remained posted at Muzaffarabad---Writ petition was accepted in circumstances.

(b) Notification---

---Nature---Notification could be included in definition of law.

Raja Muhammad Hanif Khan for Petitioner.

Syed Ishfaq Hussain Kazmi, Legal Advisor for Respondents.

JUDGMENT

M. TABASSUM AFTAB ALVI, J.-- The captioned writ petition has been addressed under section 44 of the Azad Jammu and Kashmir Interim Constitution Act, 1974, whereby, a writ in the nature of prohibition is solicited against respondents jointly and severally posting petitioner from the post of Assistant Professor B-18, Fatima Jinnah Post Graduate College for Women, Muzaffarabad.

2. The precise facts culminating into filing of the instant writ petition are that petitioner was appointed on recommendation of Public Service Commission as Lecturer English B-17, in Girls Degree College Chakswari, vide Government notification dated 20.04.2004. Thereafter, petitioner was appointed by transfer from Girls College Chakswari, against the post of Lecturer English B-17, in Fatima Jinnah Post Graduate College for Women, Muzaffarabad, vide Govt. notification dated 09.11.2005. The petitioner while performing her duties as Lecturer English B-17, was promoted on recommendation of respective Selection Board as Assistant Professor B-18, vide Government notification dated 14.03.2014. The claim of petitioner is that her husband namely Raja Muhammad

(11)

Aftab, is a Government Employee, who is performing his duties within the municipal limits of Muzaffarabad, as Deputy Director Operation B-18, in Azad Jammu and Kashmir TEVTA. It is maintained that according to Government notification dated 25.08.1998, the husband and wife shall be posted at one station, so far as possible, however, respondents by violating the aforesaid Government notification have determined to transfer petitioner outside of the municipal limits, Muzaffarabad, hence, the instant constitution petition.

3. The respondents despite obtaining several opportunities failed to file written statement, hence, were proceeded ex parte, vide order dated 08.09.2016.

4. Raja Muhammad Hanif Khan, the learned counsel for petitioner while reiterating the grounds of writ petition submitted that petitioner was appointed on recommendation of Public Service Commission as Lecturer English B-17, in Girls Degree College Chakswari, vide Government notification dated 20.04.2004, who, was later on posted from the aforesaid College to Fatima Jinnah Post Graduate College for Women, Muzaffarabad, vide Government notification dated 09.08.2005, while she was lastly promoted as Assistant Professor B-18, in the same institution, vide Government notification dated 14.03.2014. He maintained that husband of petitioner is a Government Employee, who is performing his duties within the municipal limits of Muzaffarabad, as Deputy Director Operation B-18, in Azad Jammu and Kashmir TEVTA. The learned counsel pressed into service that according to Government policy notification dated 25.08.1998, husband and wife shall be posted at one station, however, respondents have determined to transfer petitioner outside the municipal limits of Muzaffarabad, hence, craved for issuance of solicited writ.

5. Syed Ishfaq Hussain Kazmi, the learned Legal Advisor of Education Department very generously submitted that Government notification dated 25.08.1998, supports the claim of petitioner.

6. I have perused the contents of writ petition and examined the appended documents made available with utmost care.

7. As per record petitioner is performing her duties as Assistant Professor B-18 in Fatimah Jinnah Post Graduate College for Women, Muzaffarabad, on the basis of Government notification dated 14.03.2014. The husband of petitioner is admittedly performing his duties within the municipal limits of Muzaffarabad, as Deputy Director Operation B-18, in Azad Jammu and Kashmir TEVTA. According to Government policy notification dated 25.08.1998, the husband and wife are entitled to be posted at one station, so far as possible, which speaks as follows:-

URDU

8. The Government, however, later on issued another notification dated 03.07.2006, through which it is maintained that Female Civil Servants, even if their husbands are not Government servants, shall be posted at nearest station of her husband's residence, which is also reproduced as under:-

URDU

9. As per explanation of section 51 of Interim Constitution Act 1974, a notification includes in the definition of law, which speaks as follows:-

"51. Continuance of Existing Laws.- Subject to the provisions of this Act, all laws which, immediately before the commencement of this Act, were in force in Azad Jammu and Kashmir shall continue in force until altered, repealed or amended by an Act of the appropriate authority.

[Explanation.- In this section.-

- (a) 'laws' includes Ordinance, Orders, rules, bye-laws, regulations and any notification and other legal instruments having the force of law; and
- (b) 'in force' in relation to any law, means having effect as law whether or not the law has been brought into operation."

10. The aforesaid Government Policy notifications are, therefore, covering in the definition of law, which postulate that spouses shall be posted at one station, so far as possible, or Females civil servants, shall be transferred nearest to residence of their husbands, even if they are not Government servants, hence, petitioner is entitled to equitable relief of writ jurisdiction.

11. The crux of above discussion is that by accepting the instant writ petition the respondents jointly and severally are restrained to transfer petitioner from the post of Assistant Professor B-18, Fatimah Jinnah Post Graduate College for Women, Muzaffarabad, till her husband remained posted at Muzaffarabad. The writ petition is accepted in the manner as indicated herein above with no order as to the costs.

ZC/8/HC(AJ&K)

Petition allowed.

(13)

2009 P L C (C.S.) 580

[Lahore High Court]

Before Umar Ata Bandial, J

MUHAMMAD AFZAL and another

Versus

CHIEF SECRETARY, GOVERNMENT OF PUNJAB, LAHORE and another

Writ Petition No.1697 of 2009, decided on 30th January, 2009.

Constitution of Pakistan (1973)---

---Arts. 199, 35 & 38---Constitutional petition---Transfer of civil servant under Wedlock Policy---Petitioner who was a Federal Government employee was posted at place and his wife was a teacher in the Provincial Government posted at place 'B'---Husband had applied through his Department to the Provincial Education Department for transfer of petitioner's wife at place 'L' under the Wedlock Policy of Provincial Government---Petitioner's wife who was sought to be transferred to place 'L' had made no application to the defendant---Petitioner did not have a mature grievance against the department for determination by the High Court---Husband claimed a right for his wife and the two were treated as having common interest under the Wedlock Policy---Wife could apply to the department seeking her transfer under the Wedlock Policy to the station of her husband---If she would approach the department, department would consider such representation strictly in accordance with law and decide the same expeditiously---Order accordingly.

Syeda Adeeba Anjum v. Secretary Government of Punjab Education Department Lahore and another 2004 PLC (C.S.) 622 and Province of Sindh through Chief Secretary Sindh, Karachi and 4 others v. Gul Muhammad Hajano 2003 SCMR 325 rel.

Ch. Muhammad Naveed Shabbir Gorraya for Petitioner.

ORDER

UMAR ATA BANDIAL, J.--- Submits that the petitioner No.1 is a Federal Government employee posted in Lahore and his wife petitioner No.2 is a teacher in the Provincial Government posted at Bahawalnagar. Further submits that the petitioner No.1 has through his employer, Income Tax Department, applied to the Provincial Education Department for transfer of the petitioner's wife under the wedlock policy of the Provincial Government. He relies on Syeda Adeeba Anjum v. Secretary Government of Punjab Education Department, Lahore and another 2004 PLC (C.S.) 622 to submit that application under the aforesaid policy are liable to be considered with "compassion and kindness". It is noted that in the present case the petitioner's wife is sought to be transferred to Lahore but she has made no application to respondent No.2, Secretary Education. Accordingly, as such the petitioners do not have a mature grievance against the said respondent, for determination by the Court.

2. Be that as it may, the petitioner No. 1 claims a right for his wife and the two are treated as having common interest under the wedlock policy. Accordingly, if so advised, petitioner No.2 may apply to

(14)
respondent No.2 seeking her transfer under the wedlock policy to the station of her husband, petitioner No.1. If so approached, the respondent No.2 shall under the rules contained in Province of Sindh through Chief Secretary Sindh, Karachi and 4 others v. Gul Muhammad Hajano 2003 SCMR 325 consider such a representation strictly in accordance with law and decide the same expeditiously.

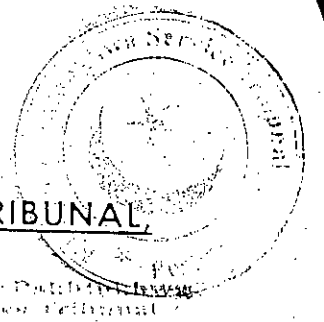
3. Disposed of.

H.B.T./M-54/L

Order accordingly.

1

BEFORE THE KHYBER PAKHTUNKHWA SERVICE TRIBUNAL,
PESHAWAR



Service Appeal No. 1419 /2018

Registration No. 1663

Date: 20/11/2018

Mst. Tahira Naz (P.H.C Technician (MCH/LHV Swat)
Wife of Manzoor Ahmad,
R/o Sikha Cheena, P.O Amankot,
Mingora Tehsil & District Swat.....Appellant

V E R S U S

- 1) District Health Officer, Health Department, Mingora Swat
- 2) Director General Health Khyber Pakhtunkhwa, near District Court, Khyber Road, Peshawar
- 3) Secretary Health, Health Department, Civil Secretariat, Peshawar
- 4) Mst. Afiya Bibi, (P.H.C Technician Mingora Swat)
R/o DHO Swat Respondents

APPEAL U/S 4 OF KHYBER PAKHTUNKHWA
SERVICE TRIBUNAL ACT, 1974 AGAINST THE
IMPUGNED ORDER DATED 26.09.2018,
WHEREIN THE SERVICES OF THE APPELLANT
WERE TRANSFERRED FROM MINGORA SWAT
TO DISTRICT KOSHISTAN WITH IMMEDIATE
EFFECT.

ATTESTED

Khyber Pakhtunkhwa
Service Tribunal,
Peshawar

BEFORE THE SERVICE TRIBUNAL KHYBER PAKHTUNKHWA
PESHAWAR

C.M. No. _____/2019
In
Service Appeal No.1419/2018

Mst. Tahira NazAppellant

V E R S U S


District Health Officer, & others.....Respondents

I N D E X

S#	Description of Documents	Annex	Pages
1.	Application		1-3
2.	Affidavit		4
3.	Copy of the Order dated 26.11.2018	A	5-6
4.	Copy of office order of respondent No.1 dated 20.05.2019	B	7-10

Appellant/petitioner
Through

Dated 22.05.2019


Mumtaz Ahmad
Advocate High Court
Cell No.0333-9118161

BEFORE THE SERVICE TRIBUNAL KHYBER PAKHTUNKHWA
PESHAWAR

C.M. No. _____/2019
In
Service Appeal No.1419/2018

Mst. Tahira Naz **Appellant**

V E R S U S

District Health Officer, & others..... **Respondents**

**Application for extension of Status
quo/suspension order already granted
vide order dated 26.11.2018**

Respectfully Sheweth:

1. That the above titled service appeal is pending adjudication before this Hon'ble Tribunal and is fixed for 13.06.2019 for final arguments.
2. That during the pendency of instant Appeal the respondent No.1 has issued a fresh order dated 20.05.2019 directing the appellant/petitioner to appear before the transferred location i.e. Shangla by relieving her from DHO Office Swat. (Copy of the Order dated 26.11.2018 and office order of respondent No.1 dated 20.05.2019 are attached "A" & "B" respectively).

3. That comments had already been filed from all the respondents and the case was fixed for final hearing/arguments on 15.05.2019 but the Hon'ble Tribunal was not in functioning due to leave of the unable Chairman hence the appeal was adjourned to 13.06.2019.
4. That the instant appeal hence is at concluding stage and issuing fresh relieving order by respondent No.1 is an attempt of contempt of court as well as there is no order from this Hon'ble Tribunal for relieving the appellant from her duty location i.e. Swat.
5. That the respondent No.1 has exceeded his authority /power by over jumping the Tribunal proceeding hence his order dated 20.05.2019 needs to be recalled accordingly.
6. That as the initial hearing the impugned order dated 26.09.2018 has already been suspended but the same needs to be extended till the final disposal of the instant appeal as in case of non extension the instant appeal would stand infructuous and the appellant /petitioner would suffer irreparably.

It is, therefore respectfully submitted that on accpentacde of the instant application, the suspension order /status quo order dated 26.11.2018 may kindly be extended, till the final disposal of the instant appeal.

Through

Appellant/petitioner

Dated 22.05.2019


Mumtaz Ahmad
Advocate High Court

22/5/19

BEFORE THE SERVICE TRIBUNAL KHYBER PAKHTUNKHWA
PESHAWAR

C.M. No. _____/2019
In
Service Appeal No.1419/2018

Mst. Tahira Naz **Appellant**

VERSUS

District Health Officer, & others..... **Respondents**

AFFIDAVIT

I, Manzoor Ahmad (**Special Attorney for Appellant**)
Son of Ghazi Muhammad R/o Village Amankot Tehsil &
District Swat do hereby solemnly affirm and declare on
oath that the contents of the accompanying
Application are true and correct to the best of my
knowledge and belief and nothing has been
concealed from this Hon'ble Court.

Identified by

Mumtaz Ahmad
Advocate High Court

Mumtaz
DEPONENT

CNIC#:13302-0531889-7
Cell No.0344-9614056



OFFICE OF THE DISTRICT HEALTH OFFICER
GULKADA DISTRICT SWAT

Phone No: 0946-9240137, Fax No: 0946-9240215
Email: edohswat@yahoo.com

3
A
F
ves
5

Dated: 20/15/2019

ORDER

In the light of honorable Services Tribunal court decision in services appeal No. 1419/2018
No. 3742 dated 6/5/2019 pay of Mrs. Afa Bibi PHC Tech (MCH) LHV is
hereby released and subsequently Mrs. Tahira Piaz PHC Tech (MCH) LHV is hereby relieved from her
duties 4/5/2019. AN Copy court decision attached.

sd/xxx
District Health Officer
District Swat at Gulkada.

- 01- Director
- 02- Officer
- 03- Mr. [Name]
- 04- District
- 05- Account

Health Services Khyber Pakhtunkhwa Peshawar
Officer
Tahung Barikot Swat
Officer MED Division Swat
of this office
Please

District Health Officer
District Swat at Gulkada.

Better Copy

OFFICE OF THE DISTRICT HEALTH OFFICER

GULKADA DISTRICT SWAT

Phone No.0946-9240139, Fax no.0946-9240215

Email: edohswat@yahoo.com



No.

Dated 20.05.2019

OFFICE ORDER

In the light of honorable Service Tribunal Court decision in services appeal No.1419/2018 _____ No.3742 dated 06.05.2019 pay of Mrs. Afia Bibi PHC, Tech (MCH) LHV is hereby released and subsequently Mrs. Tahira Naz PHC Court Tech (MHC) LHV is hereby relieved from her duties 04.05.2019 AN (Copy court decision attached).

Sd/-

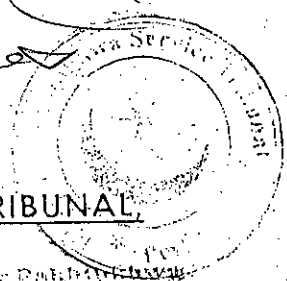
District Health Officer
District Swat at Gulkada

No.

Copy forwarded to the

1. Directorate of Health Services, Khyber Pakhtunkhwa, Peshawar
2. Medical Officer, DHO, Swat
3. Account Officer, District Swat
4. Incharge Medical Officer, BHU Talang, Swat

A B C 7



BEFORE THE KHYBER PAKHTUNKHWA SERVICE TRIBUNAL,
PESHAWAR

Chief Officer Peshawar
Service Tribunal

Diary No. 1663

Dated 20/11/2018

Service Appeal No. 1419 /2018

Mst. Tahira Naz (P.H.C Technician (MCH/LHV Swat)
Wife of Manzoor Ahmad,
R/o Sikhar Cheena, P.O Amankot,
Mingora Tehsil & District Swat.....Appellant

V E R S U S

- 1) ✓ District Health Officer, Health Department, Mingora Swat
- 2) ✓ Director General Health Khyber Pakhtunkhwa, near District Court, Khyber Road, Peshawar
- 3) ✓ Secretary Health, Health Department, Civil Secretariat, Peshawar
- 4) ✓ Mst. Afiya Bibi, (P.H.C Technician Mingora Swat).
M. D. Swat Respondents

20/11/18

APPEAL U/S 4 OF KHYBER PAKHTUNKHWA
SERVICE TRIBUNAL ACT, 1974 AGAINST THE
IMPUGNED ORDER DATED 26.09.2018,
WHEREIN THE SERVICES OF THE APPELLANT
WERE TRANSFERRED FROM MINGORA SWAT
TO DISTRICT KOSHISTAN WITH IMMEDIATE
EFFECT.

ATTESTED

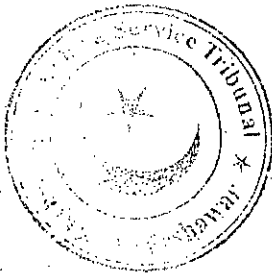
[Signature]
Khyber Pakhtunkhwa
Service Tribunal,
Peshawar

Appeal No. 1419/2018
Mst. Tahira Begum

8

26.11.2018

Counsel for the appellant present.




Contents that the appellant belongs to Swat and while performing duty as PHC Technician (LHV) was transferred from BHU, Nazar Abad, Swat to BHU, Talang Swat on 10.05.2018. Within a span of less than five months she was again transferred from Swat to DHQ Hospital, Kohistan, that too, under the orders of Addl. Director General (HRM), Directorate of Health Services who was not the competent authority for the purpose. Learned counsel for appellant also referred to the posting/transfer policy of Provincial Government wherein it was provided that premature posting/transfer was violative of the policy. Further, the official in BPS-16 and below could only be transferred in consultation with the BEC which was not done in the present case.

In view of the above, the instant appeal is admitted to regular hearing. The appellant is directed to deposit security and process fee within 10 days. Notices be issued to the respondents for submission of written reply/comments on 19.12.2018.

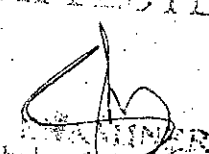
The appeal is accompanied by an application for suspension of the impugned order dated 26.09.2018.

Appellant's Security Fee

Notice of application ~~may~~ also be given to the respondents for the date fixed. Status quo shall be maintained till the next date of hearing.


Chairman

ACCEPTED


Chairman
Khyber Pakhtunkhwa
Service Tribunal,
Peshawar

1419/2018

9

15.03.2019

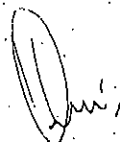
Counsel for the appellant, Mr. Usman Ghani, District Attorney for the official respondents and private respondent No. 4 in person present.

Respondent No. 4 has submitted an application for release of her pay which has been stopped from the month of November, 2018. The application is accompanied by a certificate issued by Medical Officer, Incharge BHU, Talang Barikot, Swat to the effect that private respondent No. 4 has been performing duty regularly from 01.10.2018.

Notice of the application be given respondent No. 1 for next date. The said respondent shall also ensure appearance of a representative along with relevant record.

Adjourned to 26.04.2019 before the D.B.


Member


Chairman


26.04.2019


Due to general strike of the bar, the case is adjourned. To come up for further proceedings as per preceding order sheet on 03.05.2019 before D.B.

Fresh notice be issued to respondent No.1 along with copy of order sheet dated 15.03.2019. Repeated application for the release of salary received and placed on file.


Member

ATTESTED


Member


Attester
Khyber Pakhtunkhwa

10

12.02.2019

Husband of the appellant on behalf of appellant present. Mr. Kabir Ullah Khattak learned Additional Advocate General alongwith Jafar Ali Assistant and Hazrat Shah Superintendent on behalf of respondents present. Written reply submitted. Adjourn. To come up for rejoinder/arguments on 27.02.2019 before D.B.



Member

27.02.2019

Counsel for the appellant, Addl. AG alongwith Hazrat Shah, Superintendent for official respondents and Mr. Saeed Ahmad, husband of private respondent No. 4 present.


Learned counsel for the appellant requests for time to submit rejoinder in respect of reply submitted by respondents. Adjourned to 15.3.2019 before the D.B. The appellant may submit rejoinder within one week.



Member



Chairman

RECEIVED

MEMBER
Khyber Pakhtunkhwa
Service Tribunal,
Peshawar

10/A

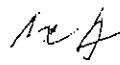
18.12.2018

Iltaf Hussain brother of the appellant present. Hazrat Shah Superintendent present on behalf of respondent department. Written reply not submitted. In the present service appeal, transfer order has been made impugned and orders regarding maintenance of status-quo has also been issued. Last opportunity is granted to the representative of the respondent department to furnish written reply. To come up for written reply on 03.01.2019 before S.B.


Member

03.01.2019

Counsel for the appellant present: Mr. Kabirullah Khattak, Additional AG alongwith Mr. Jaffar Ali, Assistant on behalf of official respondents No. 1 to 3 and husband of private respondent No. 4 present. Written reply on behalf of private respondent No. 4 submitted. Written reply on behalf of official respondents No. 1 to 3 not submitted despite last opportunity. Learned Additional AG requested for further adjournment. Another last opportunity is granted. Adjourned. To come up for written reply/comments on behalf of official respondents No. 1 to 3 on 15.01.2019 before S.B.

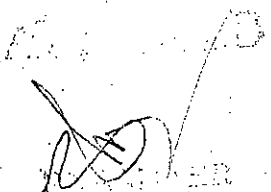



Muhammad Amin Khan Kundi
Member

15.1.2019

Mr. Manzoor Hayat, husband of appellant and Hazrat Shah, Superintendent for respondents No. 1 to 2 alongwith Addl. AG for the respondents present.

Representative of respondents No. 1 to 3 states that the requisite comments of respondents No. 1 to 3 have been received from DHO Swat which are yet to be vetted, therefore, requests for time. Adjourned to 12.02.2019 before the S.B.


Khyber Pakhtunkhwa
Service Tribunal,
Peshawar

Chairman 

تیسری
50 روپے

30482



ایڈویکٹ:

بار کونسل ایسوسی ایشن نمبر:

رابطہ نمبر:

پشاور بار ایسوسی ایشن، خیبر پختونخواہ

بعدالت جناب: سر ایس ایچ کمال

مخاب: مہارہ ظاہر خان، سیکرٹری

دعویٰ:

علت نمبر:

مورخہ:

جرم:

تھانہ:

مسدود کارروائی بنام (H) 2025

باعث تحریر آنگہ

مقدمہ مندرجہ عنوان بالا میں اپنی طرف سے واسطے پیروی و جواب دہی کارروائی متعلقہ
آن مقام کے لیے رضا احمد سید ایڈووکیٹ کو ذیل مقررہ

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 برحلف دینے جواب دعویٰ اقبال دعویٰ اور درخواست از ہر قسم کی تصدیق
زریں پر دستخط کرنے کا اختیار ہوگا، نیز بصورت 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 اور بصورت ضرورت مقدمہ مذکورہ 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 وہی جملہ مذکورہ با اختیارات حاصل ہوں گے اور اس کا ساختہ پر داختم منظور و قبول ہوگا
دوران مقدمہ میں جو خرچہ ہر جانبہ التوائے مقدمہ کے سبب سے ہوگا۔ کوئی تاریخ پیشی مقام دورہ یا حد سے
باہر ہو تو وکیل صاحب پابند نہ ہوں گے کہ پیروی مذکورہ کریں، لہذا وکالت نامہ لکھ دیا تاکہ سند رہے

المرقوم: 17/10/19

العبد العاقل والاہل العاقل

مقام کے لیے منظور ہے۔

نرخ اس وکالت نامہ کی نوٹو کا پیسہ مل قبول ہوگی۔

PESHAWAR HIGH COURT, MINGORA BENCH/ DAR-UL-QAZA, SWAT

CAUSE LIST FOR Monday, The 28th, October, 2019

DB [Divisional Bench] Mr. Justice Syed Arshad Ali Mr. Justice Wiqar Ahmad

MOTION CASES

- | | | | |
|---|--|---|---|
| 1 | Cr.M 318-M/2019 In Cr.A 420-M/2019 (U/S 426)
(Criminal Miscellaneous (Cr.M): Criminal Appeal)
Criminal Miscellaneous (Cr.M) in Case title: Muhammad Zeb V/S The State & 1 Other [Cr.A 420-M/2019]
Auto Case No: 1-1529-2019 | Muhammad Zeb
V/S
The State & 1 Other | Sajjad Anwar |
| 2 | Cr.M 353-M/2019 In Cr.A 233-M/2019
(Criminal Miscellaneous (Cr.M): Criminal Appeal)
Criminal Miscellaneous (Cr.M) in Case title: Gulzar Alam V/S The State & other [Cr.A 233-M/2019]
Auto Case No: 1-1597-2019 | Gulzar Alam
V/S
The State & other | |
| 3 | Cr.A 271-M/2019
Acquittal Appeal [Narcotics]
U/S 9 C CNSA
Auto Case No. 1-1295-2019 | The State
V/S
Sherdar Ali | Additional Advocate General |
| 4 | Cr.A 280-M/2019
Acquittal Appeal [PPC]
U/S 302,324,457,458,148,149 PPC
Auto Case No: 1-1310-2019 | Mst Syeda Jannat Khatoon
V/S
Shahzaib | Asfandyar Yousafzai |
| 5 | Cr.A 316-M/2019
Acquittal Appeal [PPC]
U/S 302/148/149 PPC
Auto Case No: 1-1369-2019 | Muhammad Yar Khan
V/S
Sultan Wahid | Fameed Gul Khan |
| 6 | C.O.C 16-M/2018 with C.M 1144-M/2018 in W.P 202-M/2015
(Contempt of Court (C.O.C): Writ Petitions)
Contempt of Court (C.O.C) in Case title: Fateh Ul Mulk Ali Nasir & Others V/S Govt: of K.P.K & Others [W.P 202-M/2015]
Auto Case No: 5-3408-2018 | Fateh Ul Mulk Ali Nasir & Others
V/S
Irshad Ali Sodhar, Deputy
Commissioner Chitral & Others
[Fixed By Court] | Mumtaz Ahmad

Additional Advocate General |

PESHAWAR HIGH COURT, MINGORA BENCH/ DAR-UL-QAZA, SWAT

D.B CAUSE LIST FOR MONDAY, THE 28 OCTOBER, 2019

BEFORE Mr. JUSTICE SYED ARSHAD ALI

Mr. JUSTICE WIQAR AHMAD

MOTION CASES

1. Cr.M 318-M/2019
In Cr.A 420/2019
{u/s 426 Cr.P.C} Muhammad Zeb
(Sajjad Anwar) Vs The State & 1 other
2. Cr.M 354-M/2019
In Cr.A 233/2019
{For Pauper Counsel} Gulzar Alam
(_____) Vs The State & others
3. Cr.A 271-M/2019
(Against Acquittal)
{u/s 9 (C) CNSA} The State
(A.A.G) Vs Sherdar Ali
4. Cr.A 280-M/2019
(Against Acquittal)
{u/s 302, 324, 457, 458,
148, 149-PPC, 13-AO} Mst. Syeda Jannat Khatoon
(Asfandyar Yousafzai) Vs Shahzaib & 1 other
5. Cr.A 316-M/2019
(Against Acquittal)
{u/s 302, 148, 149-PPC} Muhammad Yar Khan
(Hameed Gul) Vs Sultan Wahid & others
6. C.O.C 16-M/2018
With C.M 1144/2018
In W.P 202/2015
a/w Office Obj. No. 37
{Contempt of Court} Fateh-ul-Mulk Nasir & others
(Mumtaz Ahmad) Vs Irshad Ali Sodhar, Deputy
Commissioner Chitral & others
(A.A.G)
7. C.O.C 78-M/2019
In W.P 291/2014 &
Rev.Pett: 34/2015
{Contempt of Court} Sardar Ali
(Shams ul Hadi) Vs M. Tahir, D.E.O (M) Dir Upper

لعدالت جناب بیج ای سرورس ٹریبونل KP ایشیا

اپیل نمبر 18/1419

طاہرہ ناز بیام ہیلتھ ڈیپارٹمنٹ

درخواست گزار اپیل صلا بوم ورم موجودگی وکیل اپیل نمبر ۰ ملٹوی کرنا

جملعاتی

اپیل نمبر ۰ بڑا ص ب ڈیل ورم راس ۰

۱- کہ اپیل صلا اس قدر کہ یہ ہے و بیج ہیلتھ بٹ مقررہ۔

۲- کہ اپیل نمبر ۰ وکیل ممتاز خان اس قدر دارالقضاء صوات سے Engage ۰ بوم
اس قدر بیان آئے با اسکل عام۔

لہذا اس سبب سے اپیل صلا کو اس قدر سے صیرن تاریخ کے ملٹوی کرنا

مشکور فرانس، لکھنؤ، 28 10 2019

منظور لاء وکیل عازی خان

کتن شکرانی مشکورہ ضلع صوات۔

بعدالت جناب

سید عزیز حسین
لیٹریٹور / جیسا اور کس

مقدمہ عنوان: طائر باز بنام (ورکسٹ و دوا)

درخواست بمراد تبدیلی تاریخ پیشی

جناب عالی! درخواست ذیل عرض ہے۔

(۱) یہ کہ مقدمہ عنوان بالا عدالت حضور میں زیر سماعت ہے جس میں آج تاریخ پیشی مقرر ہے۔

(۲) یہ کہ وکیل رسول احمد پشاور ہائی کورٹ مینگورہ بینچ ضلع سوات میں مصروف ہے اور مقدمہ عنوان بالا میں پیش ہونے سے قاصر ہے۔ نقل کا زسٹ لف ہے۔

لہذا استدعا ہے کہ بمنظوری درخواست ہذا، مقدمہ عنوان بالا میں تاریخ پیشی تبدیل کرنے کا حکم صادر فرمایا جائے۔

عریفہ Mc Ed
الرقوم 0611112019

سائل بذریعہ محمد صالح

خورا

DAILY LIST FOR WEDNESDAY, 06 NOVEMBER, 2019

MR. JUSTICE IKRAMULLAH KHAN &
JUSTICE MS. MUSARRAT HILALI

Court No:

BEFORE:-

NOTICE CASES

42. W.P 5049-P/2019(
W.P 5003/2019
- Pakistan Institute of Communit
Ophthalmology
V/s (Date By Court)
Higher Euducation Commisiso
~~Aimal Khan~~ V/s
~~Chairman Higher Education
commission~~
- Jahanzeb Mahsud
Amir Gilani, Writ Petition Branch
AG Office
~~Mumtaz Ahmad~~
Deputy Attorney General, Amir
Gilani, Writ Petition Branch AG
Office
43. W.P 5810-P/2019(
Shereen Hayat
V/s (Date By Court)
Khyber Medical Univeristy
Peshawar
- Tariq Kamal
44. Rev in WP 206-
P/2018(in WP
1676-P/2018
(Auther is Hon'ble
Mr.Justice
Ikramullah
Khan,Judge))
- Abdul Malik
V/s
Khyber Medical University
through its VC and Others
- Mian Muhibullah Kakakhel,
Mehwish Muhib Kakakhel
Saqib Raza
45. Rev in WP 78-
P/2019(in wp
3918-
P/2017(Auther is
Mr. Justice
Ikramullah Khan))
- Mst. Tahira Maab
V/s
Chief Secretary Government of
KPK
- Malik Misraf
Writ Petition Branch AG Office
46. RFA 94-P/2012()
C.M.132/2011 (N) with
RFA 98/2012
- Aziz Asadullah
V/s
Mst. Amna Aziz and others
Amina Aziz V/s
Aziz Asadullah
- Abdul Lateef Afridi, Abdul
Maabood Khattak, Malik Z
Muhammad Tariq Afridi
Khan, Miss Qurat Ul A
Muhammad Ajmal K
Abdul Lateef Afridi

لکھنؤ میں سروس ٹریننگ کے لئے درخواستیں

جامہ طائرانی
نیما
گورنمنٹ

پروفیسر مہاراج گورنمنٹ کالج

پتہ: گورنمنٹ کالج
پتہ: گورنمنٹ کالج

۱۔ پتہ: گورنمنٹ کالج
پتہ: گورنمنٹ کالج

۲۔ پتہ: گورنمنٹ کالج
پتہ: گورنمنٹ کالج

پتہ: گورنمنٹ کالج
پتہ: گورنمنٹ کالج

7/11/2020

پتہ: گورنمنٹ کالج
پتہ: گورنمنٹ کالج

DAILY LIST FOR TUESDAY, 07 JANUARY, 2020

BEFORE:-

MR. JUSTICE QAISER RASHID KHAN &
MR. JUSTICE MUHAMMAD NAEEM ANWAR

Court No: 2

NOTICE CASES

7. **W.P 6-P/2019**
With IR((Senior
Part on the List)) **Mst. Taskeen**
V/s
Registrar Abdul Wali Khan
University Mardan **Jehangir Alam**
- i W.P 4200/2019 (Senio Mashal Gul
Part) **V/s**
Registrar AWKUM **Jehangir Alam (Mardan)**
Mansoor Tariq
8. **W.P 5049-P/2019**
With
IR(N),((Senior
Part)) **Pakistan Institute of Communit,**
Ophthalmology
V/s
Higher Euducation Commisiso **Jahanzeb Mahsud**
Aimal Khan
V/s
Chairman Higher Education
commission **Abdul Munim Khan, Amir Gilani,**
Writ Petition Branch AG Office
Mumtaz Ahmad
- i W.P. 5003/2019 **Abdul Munim Khan, Deputy**
Attorney General, Amir Gilani,
Writ Petition Branch AG Office
9. **COC 542-**
P/2019(in FAB 35-
P/2009) **Jan Muhammad**
V/s
Ijaz Khan **Abdur Rauf Rohaila**
Ms. Rukhsana Perveen
10. **W.P 3512-P/2017**
With IR() **Muhammad Nazar etc**
V/s
Additional Chief Secretary,
FATA Peshawar etc **Daris Khan**
AG KPK
- i W.P 4555/2017 With
C.M 1585/2018 **Mustaqim Khan**
V/s
Secretary Education FATA and
Others **Rasheed Ahmad Mohmand**
Ijaz Mohmand, AG KPK
11. **W.P 5214-P/2017**
With IR,() **Anees ur Rehman**
V/s
Govt of KPK and Others **Muhammad Tariq**
A.A.G

بعدالت جناب سروس ٹریبونل کمپ کورٹ بمقام گلگدہ سیدو شریف سوات

حکومت

بنام

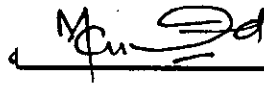
مسماة طاہرہ ناز

درخواست براتبدیلی تاریخ پیشی

جناب عالی! حسب ذیل عرض ہے۔

- ۱- یہ کہ مقدمہ عنوان بالا عدالت حضور میں زیر سماعت ہے۔ جس میں آج مورخہ 03/03/2020 تاریخ پیشی مقرر ہے۔
- ۲- یہ کہ سائلہ کا وکیل ممتاز احمد ایڈوکیٹ پشاور سے سوات آ رہا تھا کہ راستے میں تھانہ بائی پاس کے مقام پر روڈ ایکسیڈنٹ ہونے کی وجہ سے سائلہ کا وکیل شدید زخمی ہوا ہے۔ بدیں وجہ عدالت حضور میں پیش ہونے سے قاصر ہے۔

لہذا استدعا ہے کہ بمنظوری درخواست ہذا سائیل کو تبدیلی تاریخ
پیشی کا حکم صادر فرمایا جائے۔ المرقوم: 03/03/2020

 عریضہ

مسماة طاہرہ ناز (سائلہ)

بذریعہ مختار خاص منظور احمد

بِسْمِ اللَّهِ الرَّحْمَنِ الرَّحِيمِ
بِسْمِ اللَّهِ الرَّحْمَنِ الرَّحِيمِ

مقامِ عالیہ ناز شاہ خاندان

مقامِ عالیہ ناز شاہ خاندان
مقامِ عالیہ ناز شاہ خاندان

مقامِ عالیہ ناز شاہ خاندان

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مقامِ عالیہ ناز شاہ خاندان

مقامِ عالیہ ناز شاہ خاندان

بعدالت جناب سروس ٹریبونل بمقام کمپ کورٹ گلکدہ سید و شریف ضلع سوات

حکومت وغیرہ

بنام


مسماة طاہرہ ناز

درخواست بمراد تبدیلی تاریخ پیشی بوجہ عدم موجودگی ممتاز احمد ایڈووکیٹ کونسل سائلہ

جناب عالی! سائلہ حسب ذیل عرض رساں ہے۔




- ۱۔ یہ کہ مقدمہ عنوان بالا عدالت حضور میں زیر سماعت ہے۔ جس میں آج مورخہ 07/10/2020 تاریخ پیشی مقرر ہے۔
- ۲۔ یہ کہ سائلہ کا وکیل ممتاز احمد ایڈووکیٹ نے گاڑی ایکسیڈنٹ کیا ہے، بدیں وجہ سائلہ کا وکیل عدالت حضور میں پیروی مقدمہ کرنے سے قاصر ہے۔

لہذا استدعا ہے کہ بمنظوری درخواست ہذا سائلہ کو تبدیلی تاریخ پیشی کا حکم صادر فرمایا جائے۔ المرقوم: 07/10/2020



عریضا
07/10/2020

مسماة طاہرہ ناز

بذریعہ مختار خاص منظور احمد

 <p>بار کونسل نمبر: be-17-7394 بار ایسوسی ایشن نمبر: 358 رابطہ نمبر: 0344-45517383</p>	  <p>74673 یریل نمبر:</p>
<h2>ڈسٹرکٹ بار ایسوسی ایشن سوات</h2>	

بعدالت جناب: سر جسٹس نوری محمد کھور، کھار، گلگت

 <p>منجانب: ایمل انڈسٹری</p>	<p>دعویٰ اور خواست: سر جسٹس نوری محمد کھور</p> <p>علت نمبر:</p> <p>مورخہ:</p> <p>جرم:</p> <p>تھانہ:</p>
<h2>بامث تحریروا کہ</h2>	

مقدمہ مندرجہ عنوان بالا میں اپنی طرف سے برائے پیروی مقدمہ

Abdul Nasir
Advocate High Court

آن مقام گلگت سوات کیلئے کو مقرر کر کے اقرار کیا جاتا ہے، کہ صاحب موصوف کو مقدمہ کی کل کارروائی کو کمال اختیار ہوگا، نیز وکیل صاحب کو راضی نامہ کرنے و تقریر ثالث کرنے، دعویٰ، جواب دعویٰ، اقبال دعویٰ، اور درخواست برائے سرسبزی مقدمہ، منسوخی ڈگری یکطرفہ، اجراء و پیروی کرنے کا مختار ہوگا۔ نیز دائر کرنے اپیل نگرانی، نظر ثانی و پیروی کرنے کا مختار ہوگا۔ اور مقدمہ مذکورہ کیلئے کل وقتی یا جزوی کارروائی کیلئے کسی دیگر وکیل یا مختار قانون کو اپنے ہزارہ یا اپنے بجائے تقرر کا اختیار ہوگا اور صاحب مقرر شدہ کو بھی جملہ مذکورہ اختیارات حاصل ہوں گے، اور اس کا ساختہ و پرداختہ منظور قبول ہوگا، بدوران مقدمہ جو خرچہ و ہر جانہ کسی بھی سبب سے حاصل ہوگا، وہ وکیل موصوف وصول کرنے کا حقدار ہوگا، کوئی تاریخ پیشی مقام مذکورہ بالا سے باہر ہو، تو وکیل صاحب پیروی مقدمہ کرنے کے پابند نہ ہوں گے، مقدمہ کسی عدالت میں بعدم پیروی خارج ہونے یا ڈگری یکطرفہ ہونے کے صورت میں وکیل صاحب ذمہ دار نہیں ہوں گے، لہذا وکالت نامہ لکھ دیا کہ سند رہے

مقام گلگت سوات کیلئے منظور ہے۔

Attested and accepted by

Abdul Nasir
Advocate High Court

ایڈوکیٹ دستخط:

08-03-2021

المقوم:

سختہ طرز نامہ مذکورہ
تصدیق رضا کی منظور ہے

**KHYBER PAKHTUNKHWA SERVICE TRIBUNAL, PESHAWAR
JUDICIAL COMPLEX (OLD). KHYBER ROAD PESHAWAR**

No.

Appeal No. 1419 2018

Mst Tahira Naz Appellant/Petitioner

Versus

DHO Health Swat Respondents

Respondents NO. 4

Notice to: Mst Afiya Bibi, (P.H.C Technician Mingora Swat) Through DHO Swat


WHEREAS an appeal/petition under the provision of the Khyber Pakhtunkhwa Province Tribunal Act, 1974, has been presented/registered for consideration, in the above case by the petitioner in this Court and notice has been ordered to issue. You are hereby informed that the said appeal/petition is fixed for hearing before the Tribunal on 08/10/21 at 9.00 A.M. If you wish to urge anything against the appellant/petitioner you are at liberty to do so on the date fixed, or any other day to which the case may be postponed either in person or by authorized representative or by any Advocate, duly supported by your power of Attorney. You are, therefore, required to file in this Court at least seven days before the date of hearing 4 copies of written statement alongwith any other documents upon which you rely. Please also take notice that in default of your appearance on the date fixed and in the manner aforementioned, the appeal/petition will be heard and decided in your absence.

Notice of any alteration in the date fixed for hearing of this appeal/petition will be given to you by registered post. You should inform the Registrar of any change in your address. If you fail to furnish such address your Address contained in this notice which the address given in the appeal/petition will be deemed to be your correct address, and further notice posted to this address by registered post will be deemed sufficient for the purpose of this appeal/petition.

Copy of appeal is attached. Copy of appeal has already been sent to you vide this office Notice No. _____ dated _____

Given under my hand and the seal of this Court, at Peshawar this 6th Day of October 2021.

At Camp Court Swat.


Superintendent
Khyber Pakhtunkhwa Service Tribunal,
Peshawar

بعدالت جناب سرسرس ٹریبونل پشاور مقام مکلہ سندھ

مقدمہ عنوان: سچہ طاہرہ ناز بنام حکومت

درخواست برائے تبدیلی تاریخ پیشی

جناب عالی! درخواست ذیل عرض ہے۔

(۱) یہ کہ مقدمہ عنوان بالا عدالت حضور میں زیر سماعت ہے جس میں آج تاریخ پیشی مقرر ہے۔

(۲) یہ کہ وکیل _____ پشاور ہائی کورٹ ~~پشاور~~ میں مصروف ہے اور مقدمہ عنوان بالا میں پیش ہونے سے قاصر ہے۔ نقل کاز لسٹ لف ہے۔

لہذا استدعا ہے کہ بمنظوری درخواست ہذا، مقدمہ عنوان بالا میں تاریخ پیشی تبدیل کرنے کا حکم صادر فرمایا جائے۔

عریفہ _____ المرقوم 6/10/2021

سائل سچہ طاہرہ ناز بزادہ اعجاز عثمانی

PESHAWAR HIGH COURT, PESHAWAR

DAILY LIST FOR WEDNESDAY, 06 OCTOBER, 2021

BEFORE:-

MR. JUSTICE SYED ARSHAD ALI

Court No:
11

NOTICE CASES

- | | | | |
|-----|---|--|---|
| 17. | W.P 4413-P/2019
With IR()
(147417) | Khadim Jan`
V/s
Mst Rubeena | Fazal e Haque Kohidamani |
| i | W.P 7264/2019 | Khadim Jan`
V/s
Mst. Rubeena | sayyed amjid ali
Fazal Haq Kohdamani |
| ii | W.P 851/2020 | Rubeena
V/s
Khadim Jan | Syed Amjad Ali Advocate
sayyed amjid ali
Fazal Haq Kohdamani |
| 18. | W.P 5100-P/2019
(Rent) With IR
with cm 1127-
p/20(M)(stay
granted on
11/11/2019))
(149288) | Syed Tilawat Shah
V/s
Mst. Farah Deeba | Khalid Mahmood
Mumtaz Khan |
| 19. | W.P 5235-
P/2019(Recovery
of dower/
maintenance)
(149652) | Mst. Sidra
V/s
Fazal Subhan | Aqil Muhammad (Swabi) |
| 20. | W.P 5767-P/2019
With IR(Recovery
of dower)
(151066) | Amir Muhammad
V/s
Mst. Niazmeen | Bilal ud Din Khattak, Haji Abdul
Rehman (Nowshehra) |
| i | W.P 1993/2020 | Mst. Niazmjn
V/s
Ameer Muhammad | Ghulam Muhammad Faleh
(Nowshehra)
Ghulam Muhammad Faleh
(Nowshehra)
Bilal Ud Din |
| 21. | W.P 1255-P/2020
With IR()
(157094) | Chairman Board of Intermediat
& Secondary Educati
V/s
Ali Gohar | Ajmal Khan
Fazal Ilahi |

حکومت صوبہ سرحد میں ٹریڈ یونین کیسٹا اور عظام گلگندہ سہولت

فقدانہ عنوان مسماۃ طاہرہ ناز نام حکومت

درخواست خیراد کیسٹ ٹریڈ یونین

حکومت عالی

موربانہ التماس ہے کہ خیراد کیسٹ طاہرہ ناز نام حکومت

سرحد میں ٹریڈ یونین عدالت سہولت گلگندہ میں زیر ماعت ہے

کلیت وکیل کی اکثر غیبت جو رگی کی ہم سے کیسٹ میں حلال ٹریڈ یونین

خیراد وکیل ضلع کیسٹا اور سے ہے اور کیسٹا اور حلال ٹریڈ یونین میں اکثر

کیسٹ کی سماعت کی ہم سے ہیں آسکتا۔ لہذا آپ سے استدعا ہے

خیراد کیسٹ بھی طاہرہ ناز نام حکومت سہولت سے کیسٹا اور ٹریڈ یونین کو دیا

جائے۔ اور حلال ہی سماعت کیلئے کوئی تاریخ مقرر کرے

سائلہ آپ کی دعاؤں سے ہے

الغافل

Munir

سائن طاہرہ ناز نذرانہ محتاج

Dated 06/10/2021

Sent through Mail on 06/10/21

**KHYBER PAKHTUNKHWA SERVICE TRIBUNAL, PESHAWAR
JUDICIAL COMPLEX (OLD). KHYBER ROAD PESHAWAR**

No.

Appeal No. 1419 2018

Mst Tahira Naz Appellant/Petitioner

Versus

DHO Health Swat Respondents

Respondents NO. 4

Notice to: Mst Afiya Bibi, (P.H.C Technician Mingora Swat) Through DHO Swat

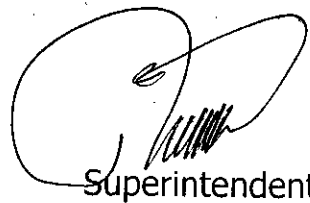
WHEREAS an appeal/petition under the provision of the Khyber Pakhtunkhwa Province Tribunal Act, 1974, has been presented/registered for consideration, in the above case by the petitioner in this Court and notice has been ordered to issue. You are hereby informed that the said appeal/petition is fixed for hearing before the Tribunal on 08/10/21 at 9.00 A.M. If you wish to urge anything against the appellant/petitioner you are at liberty to do so on the date fixed, or any other day to which the case may be postponed either in person or by authorized representative or by any Advocate, duly supported by your power of Attorney. You are, therefore, required to file in this Court at least seven days before the date of hearing 4 copies of written statement alongwith any other documents upon which you rely. Please also take notice that in default of your appearance on the date fixed and in the manner aforementioned, the appeal/petition will be heard and decided in your absence.

Notice of any alteration in the date fixed for hearing of this appeal/petition will be given to you by registered post. You should inform the Registrar of any change in your address. If you fail to furnish such address your Address contained in this notice which the address given in the appeal/petition will be deemed to be your correct address, and further notice posted to this address by registered post will be deemed sufficient for the purpose of this appeal/petition.

Copy of appeal is attached. Copy of appeal has already been sent to you vide this office Notice No. _____ dated _____

Given under my hand and the seal of this Court, at Peshawar this 6th Day of October 2021.

At Camp Court Swat.



Superintendent
Khyber Pakhtunkhwa Service Tribunal,
Peshawar

15
6/10/21 انفرکان

مذکورہ تحریر
Office of the
Date: 6/10/21

ضیاء آباد

صحت اچھ واری D.H.O قہ قہے فرجے جھون

ہاں قہ قہے - لکھے والا بنایا۔ مینڈر جوتے جوتے جوتے
6-10-2021

یان جھتی

فہرے بالارڈ جوتے جوتے جوتے جوتے
6-10-2021

~~6-10-21~~

جناب عالی

زیر ذیل تحریر

مذکورہ تحریر
094 9741

ok

لجلاک ضاب آسین فنڈنگ ڈی بی II سرورٹ پروسیجر لٹاؤ۔

طامہ ناز نیا حکومت
صلوات و دعاؤں کے ساتھ

درخت صحت طمہ فنڈنگ ڈی بی II سرورٹ پروسیجر لٹاؤ۔

صلوات و دعاؤں کے ساتھ!
سائلہ نازیم آسین فنڈنگ ڈی بی II سرورٹ پروسیجر لٹاؤ۔

18/1419 بعنوان نیا سرورٹ پروسیجر لٹاؤ۔ 8/21/2019
برکت سلامت خیریت

22- کین ویل فنڈنگ ڈی بی II سرورٹ پروسیجر لٹاؤ۔ اور باقی جان بھونگت لٹاؤ اور نیا سرورٹ پروسیجر لٹاؤ۔
نہیں۔ بیورو صحت اسٹریٹ سولڈیو اور کونسل ناگن۔ فنڈنگ ڈی بی II سرورٹ پروسیجر لٹاؤ۔

اسٹریٹ سولڈیو اسٹریٹ سولڈیو نیا سرورٹ پروسیجر لٹاؤ۔ 8/21/2019
اللہ

منظور اعلیٰ ولد عازلہ فیضان کفرہ انٹارکٹ ولہ سنی صفا دیگورہ کھیل بانوڑی سوات
(آسین فنڈنگ ڈی بی II سرورٹ پروسیجر لٹاؤ)
CNIC # 13302-0531889-7
Cell # 0344-9614056.

بسم الله الرحمن الرحيم

الحمد لله رب العالمين
والصلاة والسلام على
سيدنا محمد وآله الطيبين الطاهرين

الذين هم خير البرية

والله اعلم بالصواب

هذا هو الحق الذي لا يبدل ولا ينقلب
والله اعلم بالصواب

والله اعلم بالصواب

والله اعلم بالصواب

والله اعلم بالصواب

ITINERARY

DATE 07/20/19
TIME 18:40
CONSULTANT NAME
CALLED REFERENCE GROUP

ITINERARY FOR
AHMAD MUMTAZ MR

DAY	DATE	DEP	CITY/TERMINAL /STOPOVER/CITY	TIME	FLIGHT/ CLASS/ STATUS	STOPS/STOP FLYING TIME/ SERVICE(S)
SUN	11 AUG 19	DEP	FAISALABAD INTERNATIONAL ARPT FAISALABAD PAKISTAN	06:25	FZ324 (OPERATED BY MASTER AIRWAYS) ECONOMY (O) CONFIRMED	NON-STOP BOEING 737-800 (WINGLETS) 03HRS 10MIN MEAL
SUN	11 AUG 19	ARR	DUBAI INTL ARPT DUBAI UNITED ARAB EMIRATES TERMINAL 2	11:15	FZ MASTER AIRWAYS REF 88LPXC	

SERVICE(S)
TICKET NUMBERS (E-TICKETS) 1419599099835C1 - CONFIRMED

SUN	11 AUG 19	DEP	DUBAI INTL ARPT DUBAI UNITED ARAB EMIRATES TERMINAL 2	14:10	FZ733 (OPERATED BY MASTER AIRWAYS) ECONOMY (O) CONFIRMED	NON-STOP BOEING 737-800 (WINGLETS) 02HRS 50MIN MEAL
SUN	11 AUG 19	ARR	HEYDAR ALIYEV INTL ARPT BAKU AZERBAIJAN TERMINAL 1	17:00	FZ - MASTER AIRWAYS REF 88LPXC	

SERVICE(S)
TICKET NUMBERS (E-TICKETS) 1419599099835C2 - CONFIRMED

MON	02 SEP 19	DEP	HEYDAR ALIYEV INTL ARPT BAKU AZERBAIJAN TERMINAL 1	16:40	FZ708 (OPERATED BY MASTER AIRWAYS) ECONOMY (O) CONFIRMED	NON-STOP BOEING 737-800 (WINGLETS) 02HRS 50MIN MEAL
MON	02 SEP 19	ARR	DUBAI INTL ARPT DUBAI UNITED ARAB EMIRATES TERMINAL 2	18:30	FZ - MASTER AIRWAYS REF 88LPXC	

SERVICE(S)
TICKET NUMBERS (E-TICKETS) 1419599099835C3 - CONFIRMED

MON	02 SEP 19	DEP	DUBAI INTL ARPT DUBAI UNITED ARAB EMIRATES TERMINAL 2	23:55	FZ343 (OPERATED BY MASTER AIRWAYS) ECONOMY (O) CONFIRMED	NON-STOP BOEING 737-800 (WINGLETS) 03HRS 00MIN MEAL
TUE	03 SEP 19	ARR	FAISALABAD INTERNATIONAL ARPT	07:35		

about blank





**OFFICE OF THE DISTRICT HEALTH OFFICER
GULKADA DISTRICT SWAT**

Phone No: 0946-9240139, Fax No: 0946-9240215

Email: edohswat@yahoo.com

No. 10521/ S2

Dated: 15/4/2019

To

The Director General Health
Services Khyber Pakhtunkhwa
Health Department Peshawar.


subject:- SERVICE APPEAL NO.1419/2018-TAHIRA NAZ PHC TECHNICIAN
(MCH) LHV VERSUS GOVT: OF KHYBER PAKTHUNKHWA AND
OTHERS .

R/Sir

Reference your letter.NO.2377-80/Lit dated 15/4/2019 on the subject cited above.

In this connection I have the honor to state that Mrs.Tahira Naz PHC Tech (MCH) LHV under transfer to District Kohistan vide your office order No.6811-17AE-VI dated 26/9/2018 has granted status quo by the Honorable Service Tribunal Peshawar against the impugned order cited above (Copy attached) and the pay of Mrs.Afia Bibi PHC Tech (MCH) LHV will be released after court decision please .

Rahman ali

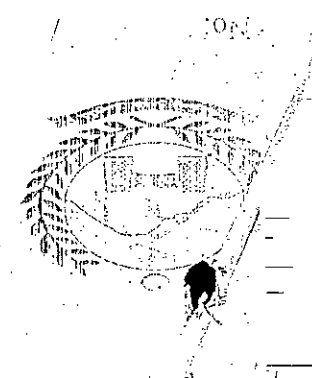

District Health Officer
District Swat at Gulkada.

OFFICE OF THE DISTRICT HEALTH OFFICER
GULKADA DISTRICT SWAT

Phone No: 0946-9240139, Fax No: 0946-9240215

Email: edohswat@yahoo.com

Dated: 10/11/2019



OFFICE ORDER

In the light of honorable court decision services appeal No.1419/2018, received vide this office Dary No.1663 dated 20/11/2018 in respect of Mrs. Tahira Naz PHC Tech (MCH) LHV her pay is hereby released.

Sd/xxxxxx
District Health Officer
District Swat at Gulkada

Copy forwarded to the :-

- 1- Medical Officer /C BHU-Talang swat
 - 2- Litigation Cell of this office
 - 3- Divisional Monitoring Officer MKD Division Swat
 - 4- Account Section of this office
 - 5- The above named officials
 - 6- DHIS Cell of this office
 - 7- Esat II Section of this office
- For information.

District Health Officer
District Swat at Gulkada

Rahman 19122018

29

OFFICE OF THE DISTRICT HEALTH OFFICER
GULKADA DISTRICT SWAT

Phone No: 0946-9240139, Fax No: 0946-9240215
Email: edohswat@yahoo.com

No. 17/100 BHU

Dated: 29/11/2018

To,

Mrs. Afia Bibi
BHU: Talang Swat.

Subject:- WARNING
Memo

Your reply to the explanation was found un satisfactory however you are hereby warned to be careful in future otherwise strict action will be taken against you.

NO 17/100

9c

(DISTRICT HEALTH OFFICER)
DISTRICT SWAT GULKADA.

Subl sw
[Signature]

Copy forwarded to the Medical Officer i/c BHU: Talang swat for information.

9c

(DISTRICT HEALTH OFFICER)
DISTRICT SWAT GULKADA.

Subl sw
[Signature]

Rahman ali

OFFICE OF THE DISTRICT HEALTH OFFICER
GULKADA DISTRICT SWAT

Phone No: 0946-9240139, Fax No: 0946-9240215

Email: edohswat@yahoo.com

No. 16084/1

Dated: 15/11/2018

To.


Mrs. Afia PHC Tech (MCH) LHV
BHU: Talang swat

Subject:-
Memo

EXPLANATION

During surprise visit of the undersigned to BHU: Talang swat on 13/10/2018 at 9-15 AM you were found absent from your duty.

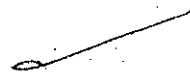
You are directed to explain your position within 3 days otherwise strict disciplinary action will be taken against you.


District Health Officer
District Swat Gulkada.

NO _____

Copy forwarded to the :

- 01- Account Section of this office for information to deduct one day salary from the above named official.
- 02- Medical officer I/C BHU: Talang swat for information and necessary action.
- 03- Divisional Monitoring Officer MKD Division swat.


District Health Officer
District swat at Gulkada.

Rahman ali 2692018

OFFICE
8774-
3/10/14

The DHO Swat.

(3)

(17)

Subject: Arrival Report

Dear Sir,

It is stated that with Reference to your
Office order no. - 13640-43/PR Dated 01/10/2018.

I hereby submitted my arrival Report to

1/C M/O BHO Talang Swat early in the morning

Yours Sincerely

AFIA BIBI Afia

PHC MCH LAHU

Forward to DHO
for A/A.

RJH
Medical Officer
1/C BHO Talang
Distt: Swat

Date = 03/10/18

17/10/18
DHO

DIRECTORATE GENERAL HEALTH SERVICES
 KHYBER PAKHTUNKHWA, PESHAWAR.

Health Office
 27/3/18
 Ex# 091-9210230

Office Pch# 091-9210269 Exchange# 091-9210187, 091-9210196,
 All communications should be addressed to the Director General Health Services Peshawar and not to
 any

Official Ex. stamp.

OFFICE ORDER

As approved by the competent authority, the following posting/transfer of PHC Technicians (MCH)/LHV BPS-12, are hereby ordered with immediate effect:-

S.No.	Name	From	To
1.	Mst. Afia Bibi, PHC Technician (MCH)/LHV	DHO, Kohistan	DHO, Swat
2.	Mrs. Tahira Naz, PHC Technician (MCH)/LHV	DHO, Swat	DHO, Kohistan

Arrival/ Departure reports should be furnished to this Directorate for record

Sd/xxxxxxxxx
 DIRECTOR GENERAL HEALTH SERVICES KHYBER PAKHTUNKHWA

No. 6811-17 /AE-VI,

Dated Peshawar the 26/3/2018.

Copy forwarded to the:

- 1) District Health Officer, Kohistan
- 2) District Health Officer, Swat
- 3) DHO, Kohistan
- 4) DHO, Swat
- 5) Supdt. Promotion Cell DGHS KP (to correct the place of posting of the official concerned in the seniority list).
- 6) DA concerned.
- 7) Official concerned.

For information and necessary action

DDHO

[Handwritten signatures]
 Dye

[Handwritten signature]

Additional Director General (H.R.M)
 Directorate General Health Services,
 Khyber Pakhtunkhwa, Peshawar

25/3



OFFICE OF THE DISTRICT HEALTH OFFICER
GULKADA DISTRICT SWAT

Phone No: 0946-9240139. Fax No: 0946-9240215

Email: edohswat@yahoo.com


No. 13640-43
1 PF

Dated: 0/ ¹⁰ 1-9-2018

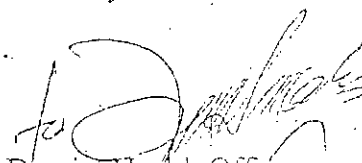
13

- Copy of the reverse is forwarded to the
- 01- Medical Officer I/C BHU: Talang Barikot swat.
 - 02- Account Section of this office .
 - 03- Divisional Monitoring Officer MKD Division swat.
 - 04- The above named official
For information.

NO 13644 1


District Health Officer
District Swat, Gulkada.

Copy forwarded to the Director General Health Services Khyber Pakhtunkhwa Peshawar for information with reference to his No. cited above please.


District Health Officer
District Swat, Gulkada.

Rahman ali 1492018

OFFICE OF THE DISTRICT HEALTH OFFICER
GULKADA DISTRICT SWAT

Phone No: 0946-9240139, Fax No: 0946-9240215
Email: edohswat@yahoo.com

Dated: 2/10/2018

160

No. / PF

OFFICE ORDER.

Reference Director General Health Services Khyber Pakhtunkhwa Peshawar letter bearing endorsement No. 6811-17/AE.VI dated 26/9/2018 Mrs. Tahira Naz PHC Tech (MCH) LHV BPS-12, is hereby relieved from her duties on 31/9/2018 (A.N) and directed to report at DHO Kohistan for further posting.

Sd/xxxxx
DISTRICT HEALTH OFFICER
DISTRICT SWAT AT GULKADA.

NO. 13699-5
1/12-

Copy forwarded to the :-

- 01- Director General Health Services Khyber Pakhtunkhwa Peshawar
- 02- Divisional Monitoring officer MKD Division swat.
- 03- District Health Officer Kohistan
- 04- Account Section of this office .
- 05- DHIS section of this office.
- 06- The e above named official .
For information.

Subl
DISTRICT HEALTH OFFICER
DISTRICT SWAT AT GULKADA.

OFFICE OF THE DISTRICT HEALTH OFFICER
GULKADA DISTRICT SWAT

Phone No: 0946-9240139, Fax No: 0946-9240215.
Email: edohswat@yahoo.com

Dated: 13/10/2018

158

No. 14688 /PF

To,

The Director General Health
Services Khyber Pakthunkhwa
Peshawar.


Subject:-
R/Sir,

REQUEST FOR ADJUSTMENT /POSTING.

Reference your letter No.7699/AE-VI dated 18/10/2018, on the subject cited above.

In this connection I have the honor to state that there is no vacant post of PHC Tech
(MCH)LHV BPS-12, under the control of the undersigned at present ,

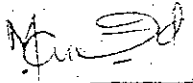
Submitted for information please.


District Health Officer
District Swat Gulkada.

Rahman ali/19102018

D9 copy Recd

By Mr. Mansoor Ali


19/10/18

DIRECTORATE GENERAL HEALTH SERVICES
KHYBER PAKHTUNKHWA PESHAWAR



Exchange No. 9210157.00 - 12/01/96
Communication should be addressed to the Director General Health Services Peshawar and all correspondence should be addressed by name

No. 7699 / 18-10

Dated 18 / 10 / 2018

158

To
The District Health Officer,
Swat.

Subject: - REQUEST FOR ADJUSTMENT/POSTING.

I am directed to refer to the subject noted above and to state that Mst. Tahira Naz, PHC Technician (MCH) BPS-12, (under transfer from DHO Swat to DHO Kohistan) has requested for her adjustment in District Swat.

Please intimate availability of vacant post of PHC Technician (MCH) BPS-12, so as to proceed further.

DEPUTY DIRECTOR (PARAMEDICS)
DGHS KHYBER PAKHTUNKHWA
PESHAWAR.

22/10
f. Ahmad
DHO

18/10

OFFICE OF THE DISTRICT HEALTH OFFICER
GULKADA DISTRICT SWAT

Phone No: 0946-9240139, Fax No: 0946-9240215


Email: edohswat@yahoo.com

Dated: 01/19/2018

157


Copy of the reverse is forwarded to the

- 01- Medical Officer I/C BHU: Talang Barikot swat.
 - 02- Account Section of this office .
 - 03- Divisional Monitoring Officer MKD Division swat.
 - 04- The above named official
- For information.


District Health Officer
District Swat at Gulkada.

NO 13644

Copy forwarded to the Director General Health Services Khyber Pakhtunkhwa Peshawar for information with reference to his No.cited above please.


District Health Officer
District Swat at Gulkada.

Rahman ali 1492018



**OFFICE OF THE DISTRICT HEALTH OFFICER
GULKADA DISTRICT SWAT**

Phone No: 0946-9240139, Fax No: 0946-9240215
Email: edohswat@yahoo.com

No. 1515/CS-4

Dated: 9/12/2015

To,

The Incharge
CH: Barikot swat.

Subject:- CHARGE SHEET

Memo

Enclose please find herewith Charge Sheet in duplicate for information and to serve it upon Mrs. Tahira Naz Jr. PHCT (MCH) attached to Barikot swat and returned one copy as token of receipt duly signed by the concerned official and attested by you, so as to proceed further in the matter.

DISTRICT HEALTH OFFICER
DISTRICT SWAT AT GULKADA



OFFICE OF THE DISTRICT HEALTH OFFICER
GULKADA DISTRICT SWAT

Phone No: 0946-9240139, Fax No: 0946-9240215
Email: edohswat@yahoo.com

Dated: /1/2015

No. //

CHARGE SHEET

I Dr.Said Ali Khan District Health Officer swat as competent authority ,hereby charge you Mrs. Tahir Naz JPHC Tech (MCH) attached to CH: Barikot as follows:

That you, while posted as JPHC Tech:(MCH), BPS-09, committed the following irregularities:-

- (a)- As per report received by the Medical officer I/C CH:Barikot swat that you have been absented your self from Govt: duty without any information/sanction of leave from competent authority with effect from 30-November, 2013 up till now and recommended you for strict disciplinary action.
- (b)- Disobedience
(c)- irresponsible
(d)- irregular in duty.

02 By the reasons of the above,you appear to be guilty of misconduct under Rules-3 (b &c) of the Khyber Pakhtunkhwa Govt: Servant (Efficiency & Discipline) Rules,2011, and have rendered your self liable to all or any of the Penalties specified in rules Rules-4 of the rules ibid.

03- you are therefore required to submit your written defence with in 7 days of the receipt of this charge Sheet to the enquiry committee, as the case may be .

04- your written defence , if any ,should reach to the enquiry committee with in the specified Period ,failing which, it shall be presumed that you have no defence to put in and in that case ex-parte action shall be taken against you.

05- intimate whether you desire to be heard in person .

06- A statement of allegation is enclosed .

(Dr.Said Ali Khan)
DISTRICT HEALTH OFFICER
DISTRICT SWAT AT GULKADA.

NO _____

Copy forwarded to Miss Tahir Naz Jr:PHC Tech:(MCH) attached to CH: Barikot swat for information

(Dr.Said Ali Khan)
DISTRICT HEALTH OFFICER
DISTRICT SWAT AT GULKADA.



**OFFICE OF THE DISTRICT HEALTH OFFICER
GULKADA DISTRICT SWAT**

Phone No: 0946-9240139, Fax No: 0946-9240215
Email: edohswat@yahoo.com

No. /

Dated: 12/2015

DISCIPLINARY ACTION.

I Dr.Said Ali Khan District Health Officer swat as competent authority, am of the opinion that Miss:Tahira Naz Jr.PHCT (MCH), BPS-9 CH: Barikot Swat has rendered himself liable to be proceeded against as She committed the following acts/commissions, within meaning of rule -2, of the Khyber Pakhtunkhwa Govt: servants (efficiency and Discipline) Rules 2011.

STATEMENT OF ALLEGATION

- 1- That as per report by the Medical officer I/C CH:Barikot swat you have absented your self from Govt: duty without any information/sanction of leave from competent authority with effect from 30-9-2013, up till now and recommended for strict disciplinary action.
 - (b)- Disobedience
 - (c)- irresponsible
 - (d)- irregular in duty.
- 2- For the purpose of inquiry against the said accused with reference to the above allegation ,an enquiry committee , consisting of the following , is constituted under rules 10(1)(a) of the ibid rules.
 - i Dr.Ijaz Ahmad Coordinator DHIS Cell .
 - ii Mr.Shah dawran J.PHCT (MP) .
- 3- The enquiry committee shall, in accordance with the provisions of the ibid rules, provide reasonable Opportunity of hearing to the accuse, record its findings and make, within thirty days of the receipt of this order, recommendations as to punishment of other appropriate action against accused.
- 4- The accused and well conversant representative of the Department shall join the proceedings on the date, time and place fixed by the enquiry committee.

(Dr.Said Ali Khan)

DISTRICT HEALTH OFFICER
DISTRICT SWAT AT GULKADA.



OFFICE OF THE DISTRICT HEALTH OFFICER
GULKADA DISTRICT SWAT

Phone No: 0946-9240139, Fax No: 0946-9240215
Email: edohswat@yahoo.com

No. /

Dated: /2/2015

DISCIPLINARY ACTION.

I Dr.Said Ali Khan District Health Officer swat as competent authority, am of the opinion that Miss:Tahira Naz Jr.PHCT (MCH), BPS-9 CH: Barikot Swat has rendered himself liable to be proceeded against as She committed the following acts/commissions, within meaning of rule -2, of the Khyber Pakhtunkhwa Govt: servants (efficiency and Discipline) Rules 2011.

STATEMENT OF ALLEGATION

- 1- That as per report by the Medical officer I/C CH:Barikot swat you have absent your self from Govt: duty without any information/sanction of leave from competent authority with effect from 30-9-2013 up till now and recommended for strict disciplinary action .
 - (b)- Disobedience
 - (c)- irresponsible
 - (d)- irregular in duty.
- 2- For the purpose of inquiry against the said accused with reference to the above allegation ,an enquiry committee , consisting of the following , is constituted under rules 10(1)(a) of the ibid rules.
 - i Dr.Ijaz Ahmad Coordinator DHIS Cell .
 - ii Mr.Shah Wali Khan Office Assistant *Durrain PHC Tech m-p*
- 3- The enquiry committee shall, in accordance with the provisions of the ibid rules, provide reasonable Opportunity of hearing to the accuse, record its findings and make, within thirty days of the receipt of this order, recommendations as to punishment of other appropriate action against accused.
- 4- The accused and well conversant representative of the Department shall join the proceedings on the date, time and place fixed by the enquiry committee.

(Dr.Said Ali Khan)
DISTRICT HEALTH OFFICER
DISTRICT SWAT AT GULKADA.



DISTRICT HEALTH OFFICER
GULKADA, SAIDU SHARIF SWAT.
Phone No. 0946-9240139,
Fax No. 0946-9240215
Email. edohswat@yahoo.com

70

No. 13159, PI

Dated 27 /02/2014.

To,

Mrs. Tahira Naz LHV
Attached to CH: Barikot Swat.

Subject:- REPLY OF SHOWCASE NOTICE

Memo

Reference you reply No. Nil dated 22/2/2014 on the subject noted above.

You are directed to attend the office of the undersigned on 8/3/2014, positively otherwise ex-party action will be taken against you.

District Health Officer
District Swat at Gulkada.

NO 13160, PI

Copy forwarded to the Medical Officer I/C CH: Barikot Swat for information.

District Health Officer
District Swat at Gulkada.

Health
53
1/2/14
District Saidu Sharif

ضابطہ ڈسٹرکٹ ہیلتھ ایف ایف ڈی ضلع سوات مقام ٹلکھ
ضلع سوات

(75)

سماہ طاہر ناز LHV سول اسپتال قصبہ میرپور ضلع سوات سائل

عنوان اظہار وجوہ مشورہ نوٹ نمبر 24/1
2014

ضابطہ عرض رسائی ہے

1 تمہیں سائلہ کثرت LHV سول اسپتال میرپور میں ایف ایف ڈی ہے

2 یہ جب اسپتال میں سٹاف کی کمی تھی تو سائلہ ف باقاعدہ ٹارگٹ شفٹ میں بھی
سٹاف کی نمائندگی سے ڈیوٹی انتظامیہ میں شامل ہوئی تھی تاہم اب اس سلسلے کو روکا

3 ٹارگٹ شفٹ کی ڈیوٹی سہ ماہیہ ہے لیکن اس وقت باوجود فوجی
یہ اب اسپتال میں سٹاف ملنے لگا ہے۔

4 ڈاکٹر سائلہ کو بلاوجہ تنگ کر رہا ہے۔

5 یہ سائلہ انتقال شدہ حالات کے دوران ڈیوٹی سہ ماہیہ ہے تاہم جب

BH4 ٹولس سہ ماہیہ کے حالات کے دوران کارڈنگ ٹولس سے دیواریں اور

دیواریں ٹولس کی کمی تھی تو سائلہ نے اپنی حد تک کوشش کی تاہم

کمزور ہے۔ یہ حالات بالخصوص دیواریں کی کمی اور سائلہ

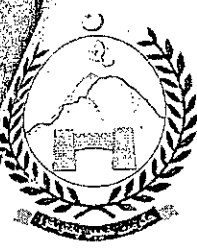
کے خلاف جو کارڈنگ ڈاکٹر نے کی ہے وہ سوائے

صلح حد سے زیادہ ہے

سائلہ طاہر ناز LHV سول اسپتال میرپور سوات 29

2014

1/2/14
District Saidu Sharif



DISTRICT HEALTH OFFICER
SWAT AT GULKADA.
Phone No. 0946-9240139,
Fax No. 0946-9240215
Email. edohswat@yahoo.com

No: 12437-38/PF

Dated: 24/01/2014

To

Mrs. Tahira Naz LHV
Civil Hospital Barikot, Swat

SUBJECT: SHOW CAUSE NOTICE.

It was reported by the In Charge Civil Hospital Barikot vide letter No:73 CH Barikot dated :30/09/2013 that you were absent from your duty without application/information for the last 04 days due to which service delivery to the public badly affected.

Your explanation was called for your absence reported by the In Charge vide this office letter No: 9614 dated 03/10/2013 but you failed to submit the reply within stipulated period of time.

The Medical Officer In Charge again reported your continuous and willful absence from duty vide his letter N; 73 CH Barikot dated: 12/11/2013 and consequently I nominated Dr. Ijaz DDHO to conduct an enquiry.

The enquiry officer confirmed your continuous & willful absence since 01/11/2013 till 16/11/2013. Moreover he contacted you telephonically to appear and record your statement but you talked to him in a very harsh language, a conduct unbecoming of Government servant and a gentleman. He even gave a chance and directed you to visit the office of the District Health Officer to record your statement on 18/11/2013 to enable him to complete his enquiry.

I also visited CH Barikot on 03/12/2013 and found you continuously absent from duty since 01/11/2013.

Medical Officer In Charge CH Barikot vide his letter No:01 Dated:03/01/2014 reported that you are absent since 01/11/2013 till 03/01/2014 without information. The following charges have been proved against you under the Khyber Pakhtunkhwa (E & D) Rules 2011.

1. You have been accused of Misconduct under Rule-2 (1) (L) (i)(ii)(iii) Khyber Pakhtunkhwa (E&D) Rules 2011.
2. You are also accused of Misconduct under Rule-2 (1) (L) (v), Khyber Pakhtunkhwa (E&D) Rules 2011 by pressurizing the administration politically.
3. You are willfully absent since 01/11/2013 without information/application till date and accused to be punished under Rule-9 of KPK (E & D) Rules 2011

You are therefore directed to "SHOW CAUSE" why major penalty / removal from services may not be imposed upon you under Khyber Pakhtunkhwa (E&D) Rules 2011. You are therefore directed to resume your duty immediately and submit reply of this show cause notice within 02 weeks of receipt of this letter.

DISTRICT HEALTH OFFICER SWAT

1. Copy forwarded to Medical Officer In Charge CH Barikot.

DISTRICT HEALTH OFFICER SWAT

72

The District Health Officer,
Swat at Gulkada.

SUBJECT:-

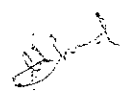
INQUIRY INTO THE REPORT SUBMITTED BY MEDICAL OFFICER I/C CIVIL
HOSPITAL BARIKOT REGARDING ABSENTEE OF TAHIRA NAZ LHV

R/Sir,

With reference to your order date 13-11-2013. I paid visit to Civil Hospital Barikot on 16/11 2013 10.00 A.M; met Medical Officer I/C and had round of all wards/section & physically observed the reality On ground regarding the duty status of the LHV in question, the concerned LHV was not only absent on the same day but the register revealed her continuous absence for the last 15 days. Subsequently I contacted telephonically and directed her to visit office of the DHO Swat regarding inquiry & submission of statement on Monday 18-11-2013, but neither she had attended office nor gave any statement but rather used very harsh language.

• **Findings:-** The report of Medical Officer I/C is 100% right & his report regarding absence of LHV is true & Confirmed.

Recommendation:- Therefore, it is recommended that she may be transferred out of District on Administration ground.


(Dr. Ijaz Ahamed)
Deputy District Health Officer,
Swat at Gulkada.

Dated 18/11/2013.

E-11
Put up file

18/11/13

Office of the District Health Officer
No. 4174
Date 13/11/2013
Swat Distt: Saidu Sharif.

The District Health Officer sb,
Distt Swat.

Subject: Absent Report of Tahira Naz LHV
Civil Hospital Barikot Swat, (71)

R/Sir,

With due respect ~~for~~ it is submitted in your best honor that Tahira Naz LHV has been performing her duty as an LHV at Civil Hospital Barikot Swat on ~~General~~ duty. She is found to be absent continuously from her duty since 1st November 2013 (01-11-2013) till date. Next she does not perform her duty at Labour Room at night we have already reported her to you. Next, she has been recorded at every ^{health} facility centre that she is not dutiful. Please kindly take an immediate action against Tahira Naz LHV.

Dr. Jjaz

Dated 12/11/2013 for Enquiry

THANKS

Dr. Jahangir Khan
S.M.D. 11/11/13



DISTRICT HEALTH OFFICER
SWAT AT GULKADA.
Phone No. 0946-9240139,
Fax No. 0946-9240215
Email. edohswat@yahoo.com

NO 4611 /

Dated 30/9/2013

TO,


The Mst: Tahir Naz LHV,
Civil Hospital Barikot.

Subject:-

EXPLANATION.

As reported by Medical Officer Incharge CH Barikot Swat vide letter NO.73 Dated.30/9/2013, That you are absent from (Four) Night duties without Application/Information to the undersigned. Therefore You are directed to Explain your position with in three days after the receipt of this letter, other wise strict action will be taken against you.

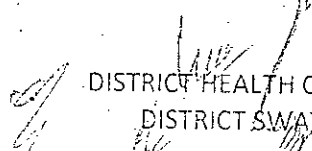
No 9615-H /C-1


DISTRICT HEALTH OFFICER,
DISTRICT SWAT.

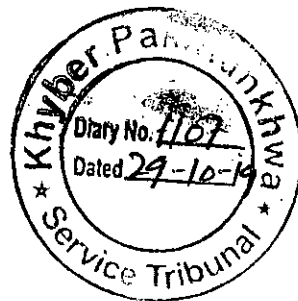
Copy forwarded to the :-

1-Medical Officer Incharge CH:Barikot Swat .

2-Account Section of this office for information to deducted Four days salary *of absent period.*


DISTRICT HEALTH OFFICER,
DISTRICT SWAT.

BEFORE THE SERVICE TRIBUNAL KPK
PESHAWAR



*Put up to the court
with relevant appeal.*

APPEAL NO. 1419/2018

Tahira Naz

VS

EDO etc

**APPLICATION FOR TRANSFER OF INSTANT
APPEAL TO SWAT FOR HEARING**

Respectfully shewith,

1. That the above mentioned appeal has been fixed for hearing for 7/11/019.
2. That instant appeal pertains to Swat district and it is too painful for the appellant to appear regularly before this honble tribunal.
3. That already camp court/tribunal bench is available for swat hence appellant seeks her case to be transferred to swat for further hearing.
4. That there is no legal bar to transfer instant appeal for hearing to Swat.

It is therefore respectfully submitted that instant appeal may kindly be transferred to swat for hearing

Dated: 29-10-2019

M. Ahmed
Appellant/petitioner

M. Ahmed
MUMTAZ AHMED ADVOCATE

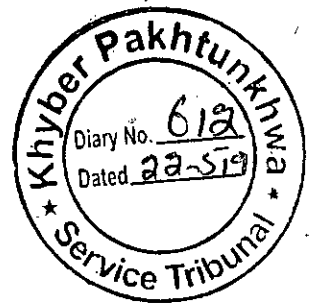
29/10/2019

*Allowed. Notice to all
concerned for next date of
hearing at Swat.*

Through

*06/11/19
swat.*

M. Ahmed
30/10



URGENT FORM

BEFORE THE SERVICE TRIBUNAL KHYBER PAKHTUNKHWA PESHAWAR

C.M. No. _____/2019
In
Service Appeal No.1419/2018

Mst. Tahira NazAppellant

V E R S U S

District Health Officer, & others.....Respondents

1. Will you kindly treat the accompanying **C.M** as urgent and in accordance with the provisions of Rules 9, Chapter 3-A, Rules orders of the High Court Lahore Volume V.

2. The Grounds of urgency are:

"That as the respondent No.1 has issued relieving order of the appellant/petitioner and if instant application for extension of status quo was not fixed urgently i.e. for tomorrow the appellant/petitioner would suffer irreparably and instant appeal would stand infractuous"

Appellant/petitioner

Through

Mumtaz Ahmad
Advocate High Court

Dated 22.05.2019

*Not a copy
Received original file
Sondhu
22/5/19*

Reader

22/5/19

BEFORE THE SERVICE TRIBUNAL KHYBER PAKHTUNKHWA
PESHAWAR

C.M. No. _____/2019
In
Service Appeal No.1419/2018

Mst. Tahira NazAppellant

V E R S U S

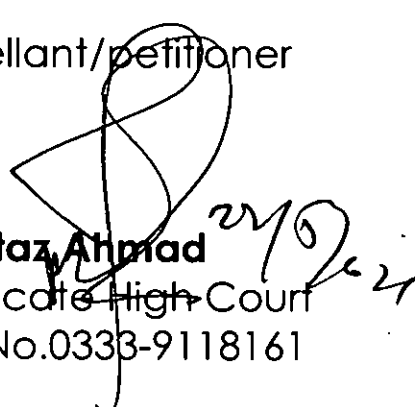
District Health Officer, & others.....Respondents

I N D E X

S#	Description of Documents	Annex	Pages
1.	Application		1-3
2.	Affidavit		4
3.	Copy of the Order dated 26.11.2018	A	5-6
4.	Copy of office order of respondent No.1 dated 20.05.2019	B	7-10

Through Appellant/petitioner

Dated 22.05.2019


Mumtaz Ahmad
Advocate High Court
Cell No.0333-9118161

BEFORE THE SERVICE TRIBUNAL KHYBER PAKHTUNKHWA
PESHAWAR

C.M. No. _____/2019

In

Service Appeal No.1419/2018

Mst. Tahira Naz **Appellant**

V E R S U S

District Health Officer, & others..... **Respondents**

**Application for extension of Status
quo/suspension order already granted
vide order dated 26.11.2018**

Respectfully Sheweth:

1. That the above titled service appeal is pending adjudication before this Hon'ble Tribunal and is fixed for 13.06.2019 for final arguments.
2. That during the pendency of instant Appeal the respondent No.1 has issued a fresh order dated 20.05.2019 directing the appellant/petitioner to appear before the transferred location i.e. Shangla by relieving her from DHO Office Swat. (Copy of the Order dated 26.11.2018 and office order of respondent No.1 dated 20.05.2019 are attached "A" & "B" respectively).

3. That comments had already been filed from all the respondents and the case was fixed for final hearing/arguments on 15.05.2019 but the Hon'ble Tribunal was not in functioning due to leave of the unable Chairman hence the appeal was adjourned to 13.06.2019.
4. That the instant appeal hence is at concluding stage and issuing fresh relieving order by respondent No.1 is an attempt of contempt of court as well as there is no order from this Hon'ble Tribunal for relieving the appellant from her duty location i.e. Swat.
5. That the respondent No.1 has exceeded his authority /power by over jumping the Tribunal proceeding hence his order dated 20.05.2019 needs to be recalled accordingly.
6. That as the initial hearing the impugned order dated 26.09.2018 has already been suspended but the same needs to be extended till the final disposal of the instant appeal as in case of non extension the instant appeal would stand infructuous and the appellant /petitioner would suffer irreparably.

It is, therefore respectfully submitted that on accpentacde of the instant application, the suspension order /status quo order dated 26.11.2018 may kindly be extended, till the final disposal of the instant appeal.

Through

Appellant/petitioner


Mumtaz Ahmad
Advocate High Court

22/5/2019

Dated 22.05.2019

BEFORE THE SERVICE TRIBUNAL KHYBER PAKHTUNKHWA
PESHAWAR

C.M. No. _____/2019

In

Service Appeal No.1419/2018

Mst. Tahira Naz**Appellant**

V E R S U S

District Health Officer, & others.....**Respondents**

A F F I D A V I T

I, Manzoor Ahmad (**Special Attorney for Appellant**)
Son of Ghazi Muhammad R/o Village Amankot Tehsil &
District Swat do hereby solemnly affirm and declare on
oath that the contents of the accompanying
Application are true and correct to the best of my
knowledge and belief and nothing has been
concealed from this Hon'ble Court.

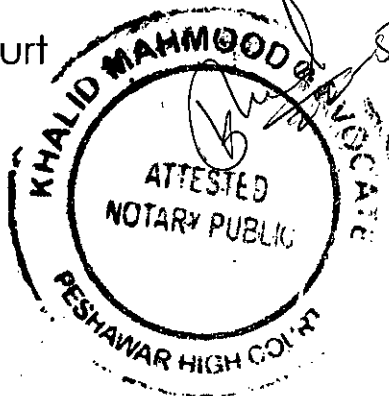
Identified by

Muhammad
DEPONENT

CNIC#:13302-0531889-7

Cell No.0344-9614056

Muhammad
Mumtaz Ahmad
Advocate High Court



W
Approved

[Signature]
District Health Officer
District Swat/Gulikada

sd/xxx
District Health Officer
District Swat at Gulikada.

In the light of honorable Services Tribunal court decision in services appeal No:1419/2018 dated 6/5/2019 pay of Mrs. Aha Bibi PHC Team (MCH) LHV is hereby released and same quantity Mrs. Tahira Naz PHC Team (MCH) LHV is hereby relieved from her duties 4/5/2019. An copy court decision attached.

Dated: 20/15/2019

[Signature]
[Signature]

Phone No: 0946-9240130, Fax No: 0946-9240215
Email: edohswat@yachoo.com

OFFICE OF THE DISTRICT HEALTH OFFICER
GULIKADA DISTRICT SWAT



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Better Copy

OFFICE OF THE DISTRICT HEALTH OFFICER

GULKADA DISTRICT SWAT

Phone No.0946-9240139, Fax no.0946-9240215

Email: edohswat@yahoo.com

C

No.

Dated 20.05.2019

OFFICE ORDER

In the light of honorable Service Tribunal Court decision in services appeal No.1419/2018 _____ No.3742 dated 06.05.2019 pay of Mrs. Afia Bibi PHC, Tech (MCH) LHV is hereby released and subsequently Mrs. Tahira Naz PHC Court Tech (MHC) LHV is hereby relieved from her duties 04.05.2019 AN (Copy court decision attached).

Sd/-

District Health Officer
District Swat at Gulkada

No.

Copy forwarded to the

1. Directorate of Health Services, Khyber Pakhtunkhwa, Peshawar
2. Medical Officer, DHO, Swat
3. Account Officer, District Swat
4. Incharge Medical Officer, BHU Talang, Swat

Affected
H

Aves
B 2
Khyber Pakhtunkhwa Service Tribunal
Peshawar

BEFORE THE KHYBER PAKHTUNKHWA SERVICE TRIBUNAL
PESHAWAR

Service Appeal No. 1419 /2018

Rolling No. 1663
Date 20/11/2018

Mst. Tahira Naz (P.H.C Technician (MCH/LHV Swat)
Wife of Manzoor Ahmad,
R/o Sikha Cheena, P.O Amankot,
Mingora Tehsil & District Swat.....Appellant

V E R S U S

- 1) District Health Officer, Health Department, Mingora Swat
- 2) Director General Health Khyber Pakhtunkhwa, near District Court, Khyber Road, Peshawar
- 3) Secretary Health, Health Department, Civil Secretariat, Peshawar
- 4) Mst. Afiya Bibi, (P.H.C Technician Mingora Swat)
D/o D.H.O Swat Respondents

APPEAL U/S 4 OF KHYBER PAKHTUNKHWA SERVICE TRIBUNAL ACT, 1974 AGAINST THE IMPUGNED ORDER DATED 26.09.2018, WHEREIN THE SERVICES OF THE APPELLANT WERE TRANSFERRED FROM MINGORA SWAT TO DISTRICT KOSHISTAN WITH IMMEDIATE EFFECT.

20/11/18

Attested
[Signature]

Attested

ATTESTED

Khyber Pakhtunkhwa Service Tribunal, Peshawar

Attested
Khyber Pakhtunkhwa
Service Tribunal,
Peshawar

Attested

Chairman

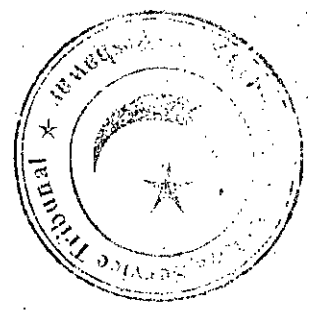
Notice of application ~~was~~ also be given to the respondents for the date fixed. Status quo shall be maintained till the next date of hearing.

Appellate
Security
Fee

The appeal is accompanied by an application for suspension of the impugned order dated 26.09.2018.

In view of the above, the instant appeal is admitted to regular hearing. The appellant is directed to deposit security and process fee within 10 days. Notices be issued to the respondents for submission of written reply/comments on 19.12.2018.

with the DCC which was done in the present case. In view of the above, the instant appeal is admitted to regular hearing. The appellant is directed to deposit security and process fee within 10 days. Notices be issued to the respondents for submission of written reply/comments on 19.12.2018.



Appellate No. 14/19/2018
Mr. Javed Iqbal
Attested
8
Counsel for the appellant present
Contents that the appellant belongs to Swat
and while performing duty as PFC Technician (LHV)
was transferred from BHL Nazir Abad Swat to BHU
Talang Swat on 10.05.2018. Within a span of less than
five months she was again transferred from Swat to
DHO Hospital Kohistan, that too under the orders of
Addl. Director General (HRM), Directorate of Health
Services who was not the competent authority for the
purpose. Learned counsel for appellant also referred to
the posting/transfer policy of Provincial Government
wherein it was provided that premature posting/transfer
was violative of the policy. Further, the official in BPS-
16 and below could only be transferred in consultation
with the DCC which was done in the present case.

26.11.2018

9

1419/2018

15.03.2019

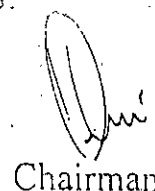
Counsel for the appellant, Mr. Usman Ghani, District Attorney for the official respondents and private respondent No. 4 in person present.


Respondent No. 4 has submitted an application for release of her pay which has been stopped from the month of November, 2018. The application is accompanied by a certificate issued by Medical Officer, Incharge BHU, Talang Barikot, Swat to the effect that private respondent No. 4 has been performing duty regularly from 01.10.2018.

Notice of the application be given respondent No. 1 for next date. The said respondent shall also ensure appearance of a representative alongwith relevant record.

Adjourned to 26.04.2019 before the D.B.


Member


Chairman

Attested


26.04.2019

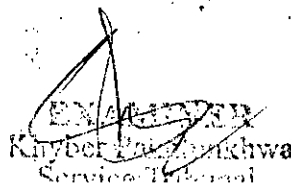
Due to general strike of the bar, the case is adjourned. To come up for further proceedings as per preceding order sheet on 03.05.2019 before D.B.

Fresh notice be issued to respondent No.1 alongwith copy of order sheet dated 15.03.2019. Repeated application for the release of salary received and placed on file.


Member

ATTESTED


Member


ENALIZER
Khyber Pakhtunkhwa
Service Tribunal

10

12.02.2019

Husband of the appellant on behalf of appellant present. Mr. Kabir Ullah Khattak learned Additional Advocate General alongwith Jafar Ali Assistant and Hazrat Shah Superintendent on behalf of respondents present. Written reply submitted. Adjourn. To come up for rejoinder/arguments on 27.02.2019 before D.B.

Member

27.02.2019

Counsel for the appellant, Addl. AG alongwith Hazrat Shah, Superintendent for official respondents and Mr. Saeed Ahmad, husband of private respondent No. 4 present.

Learned counsel for the appellant requests for time to submit rejoinder in respect of reply submitted by respondents. Adjourned to 15.3.2019 before the D.B. The appellant may submit rejoinder within one week.

Member

Chairman

TESTED

MEMBER
Khyber Pakhtunkhwa
Service Tribunal,
Peshawar

TESTED

10/A

18.12.2018

Iltaf Hussain brother of the appellant present. Hazrat Shah Superintendent present on behalf of respondent department. ^{Present} Written reply not submitted. In the present service appeal, transfer order has been made impugned and orders regarding maintenance of status-quo has also been issued. Last opportunity is granted to the representative of the respondent department to furnish written reply. To come up for written reply on 03.01.2019 before S.B


Member

03.01.2019

Counsel for the appellant present. Mr. Kabirullah Khattak, Additional AG alongwith Mr. Jaffar Ali, Assistant on behalf of official respondents No. 1 to 3 and husband of private respondent No. 4 present. Written reply on behalf of private respondent No. 4 submitted. Written reply on behalf of official respondents No. 1 to 3 not submitted despite last opportunity. Learned Additional AG requested for further adjournment. Another last opportunity is granted. Adjourned. To come up for written reply/comments on behalf of official respondents No. 1 to 3 on 15.01.2019 before S.B.

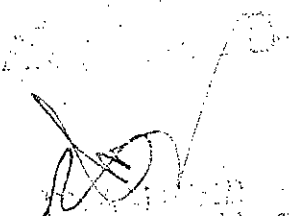


Muhammad Amin Khan Kundi
Member

15.1.2019

Mr. Manzoor Hayat, husband of appellant and Hazrat Shah, Superintendent for respondents No. 1 to 2 alongwith Addl. AG for the respondents present.

Representative of respondents No. 1 to 3 states that the requisite comments of respondents No. 1 to 3 have been received from DHO Swat which are yet to be vetted, therefore, requests for time. Adjourned to 12.02.2019 before the S.B.


Khyber Pakhtunkhwa
Service Tribunal,
Peshawar

Chairman 