

29.05.2019

Counsel for the appellant present.

Learned counsel for the appellant states that in essence instant appeal is for implementation of judgment passed in Service Appeal No. 630/2014 as the relief granted therein to the appellant was not materialized by the respondents in letter and spirit. The Notification issued on 03.11.2017 by the Secretary to Government of Khyber Pakhtunkhwa Health Department, required that the service rendered by the appellant in FATA was regularized with effect from 12.08.2008 to 18.08.2013 till her selection as Charge Nurse BPS-16 in the Health Department for the purpose of pay protection only and not seniority. Upon issuance of said notification the execution proceedings under No. 25/2017 were withdrawn.

Now learned counsel is under instructions to withdraw the appeal in hand and pursue the implementation of judgment in Appeal No. 630/2014 through restoration of Execution Petition No. 25/2017. He therefore, requests for withdrawal of instant appeal in order to seek appropriate remedy.

The appeal in hand is dismissed as withdrawn. File be consigned to the record room.


Chairman

ANNOUNCED

29.05.2019

29.05.2019

Counsel for the appellant present.

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Chairman

ANNOUNCED

29.05.2019

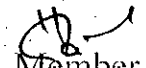
20.03.2019

Due to general strike of the bar, the case is adjourned.
To come up for preliminary hearing on 18.04.2019
before S.B.


(Hussain Shah)
Member

18.04.2019

Due to general strike of the bar, the case is adjourned. to
come up for preliminary hearing on 29.05.2019 before S.B.


Member

16.1.2019

Mr. Muhammad Mahaz Madni Advocate for appellant present.

Learned counsel for the appellant requests for time to further prepare the brief also on the point that whether the appeal in hand could proceed in a matter already decided by this Tribunal or the execution proceedings disposed of on 06.03.2018 should be restored for redressal of grievance of appellant in view of notification dated 04.12.2017.

Adjudged to 14.02.2019 before S.B.

Chairman

14.02.2019

Due to general strike of the bar, the case is adjourned. To come up for preliminary hearing on 18.03.2019 before S.B.

Member

18.03.2019

Counsel for the appellant present.

In view of order dated 14.01.2019 learned counsel for the appellant requests for further time to meet the proposition.

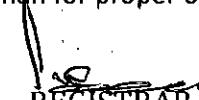
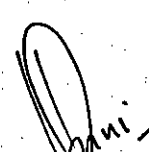
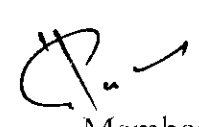
Adjudged to ^{20.03} ~~17.04~~ 2019 before the S.B.

Chairman

Form- A
FORM OF ORDER SHEET

Court of _____

Case No. 1360/2018

S.No.	Date of order proceedings	Order or other proceedings with signature of judge
1	2	3
1-	31/10/2018	<p>The appeal of Mst. Bakht Sania presented today by Mr. Noor Muhammad Khattak Advocate may be entered in the Institution Register and put up to the Worthy Chairman for proper order please.</p> <p style="text-align: right;"> REGISTRAR 31/10/18</p>
2-	17-11-2018	<p>This case is entrusted to S. Bench for preliminary hearing to be put up there on <u>29-11-18</u>.</p> <p style="text-align: right;"> CHAIRMAN</p>
29.11.2018		<p>Learned counsel for the appellant present and seeks adjournment. Adjourn. To come up for preliminary hearing on 16.01.2019 before S.B</p> <p style="text-align: right;"> Member</p>

**BEFORE THE KHYBER PAKHTUNKHWA SERVICE TRIBUNAL
PESHAWAR**

APPEAL NO. 1360 /2018

BAKHT SANIA

VS

HEALTH DEPTT:

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3	Appointment order	A	6.
4	Posting order	B	7.
5	Arrival report	C	8.
6	Order dated 09.08.2008	D	9- 10.
7	Relieving order	E	11.
8	LPC	F	12.
9	Arrival report	G	13.
10	Regularization order	H	14.
11	Transfer order & charge report	I & J	15- 16.
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26	Vakalat nama	48.

PETITIONER

THROUGH:


**NOOR MOHAMMAD KHATTAK,
ADVOCATE**

BEFORE THE KHYBER PAKHTUNKHWA SERVICE TRIBUNAL
PESHAWAR

APPEAL NO. 1360 /2018

Khyber Pakhtunkhwa
Service Tribunal

Diary No. 1582

Dated 31-10-2018

Mst: Bakht Sania, Charge Nurse (BPS-16),
Hayat Abad Medical Complex, Khyber Pakhtunkhwa, Peshawar.

.....**APPELLANT**

VERSUS

- 1- The Secretary Health Department, Khyber Pakhtunkhwa, Peshawar.
- 2- The Secretary Finance Department, Khyber Pakhtunkhwa, Peshawar.
- 3- The Director General Health Services Department, Khyber Pakhtunkhwa, Peshawar.

.....**RESPONDENTS**

APPEAL UNDER SECTION 4 OF THE KHYBER PAKHTUNKHWA SERVICE TRIBUNAL ACT 1974 AGAINST THE IMPUGNED ORDER DATED 04.12.2017 COMMUNICATED TO THE APPELLANT DURING PROCEEDING BEFORE THE AUGUST SERVICE TRIBUNAL ON 27.03.2018 WHEREBY THE APPELLANT HAS BEEN IGNORED FROM BACK BENEFITS INCLUDING SENIORITY AND AGAINST NOT TAKING ACTION ON THE DEPARTMENTAL APPEAL OF THE APPELLANT WITHIN THE STATUTORY PERIOD OF NINETY DAYS

PRAYER:

That on acceptance of this appeal the impugned order dated 04.12.2017 may very kindly be modify/rectify to the extent of seniority w.e.f. 12.08.2008 with all other consequential back benefits. Any other remedy which this august Tribunal deems fit that may also be awarded in favor of the appellant.

R/SHEWETH:

ON FACTS:

- 1- That appellant was inducted in the respondent Department as Charge Nurse(BPS-16) on the proper recommendations of the Departmental Selection Committee on contract basis in the respondent No.4 vide order dated 08.03.2008. that in light of order dated 08.03.2008 the appellant was further posted to civil Hospital Ghiljo Upper Orakzai Agency. That in compliance of the order dated 08.03.2008 the appellant submitted her arrival report on 11.03.2008 and started performing her duties quite efficiently and upto the entire satisfaction of her superiors. Copies of appointment order, posting order and arrival report are attached as annexure.....**A, B & C.**

Filed to-day

Registrar

31/10/18

- 2- That vide order dated 09.08.2008 the services of the appellant were placed at the disposal of Agency Surgeon Khyber at Jamrud for further posting in Khyber Agency. That vide order dated 09.08.2008 the appellant was posted as Charge Nurse (BPS-16) at Tehsil Headquarter Hospital Dogra Picket Bara. That in compliance of the said order the appellant submitted her arrival report on 12.08.2008. Copies of the order dated 09.08.2008, relieving order, LPC and arrival report are attached as annexure.....**D, E, F & G.**
- 3- That appellant while serving as Charge Nurse (BPS-16) At Tehsil Headquarters Hospital Dogra, Bara her services were regularized from the date of her appointment as Charge Nurse (BPS-16) vide order dated 06.01.2009. That vide order dated 18.03.2013 the services of the appellant was transferred to Agency Headquarter Hospital Bajaur at Khar. That the appellant submitted her charge report on 20.03.2013 and started performing her duties at Agency Headquarters Hospital Bajaur at Khar. Copies of regularization order, transfer order, charge report and LPC are attached as annexure.....**H, I, J & K.**
- 4- That the provincial public service commission advertised some posts of Charge nurse (BPS-16) on settled side. That appellant being a bonfide resident of District Swat applied for the said posts through proper channel. That the appellant was called for interview by the public service commission on 18.02.2013 with certificate of permission from the District Health Services FATA. That the appellant qualified the interview and recommended for appointment as charge Nurse (BPS-16) by the public service commission letter dated 18.07.2013. Copies of the letter of public Service Commission, NOC and recommendation letter are attached as annexure.....**L, M & N.**
- 5- That in compliance of the letter dated 18.07.2013 of the Public Service Commission the appellant was appointed and posted as Charge Nurse (BPS-16) at Saidu Government Teaching Hospital Swat vide order dated 19.08.2013. That the Director Health Services FATA on 09.10.2013 relieved the appellant to join her new assignment. Copies of the appointment order and relieving order are attached as annexure.....**O & P.**
- 6- That vide order dated 02.09.2013 the appellant was transferred to Hayat Abad Medical Complex Peshawar. That the appellant submitted her charge report on 03.09.2013 and started performing her duties quite efficiently and upto the entire satisfaction of her superiors. That the appellant applied for fixation of her/LIEN through Departmental appeal dated 20.01.2014 but no heed was paid to the request of the appellant. Copies of the transfer order, charge report, Departmental appeal and forwarding letter are attached as annexure.....**Q, R & S.**
- 7- That appellant feeling aggrieved from the inaction of the respondents filed service appeal No.630/2014 before this august Tribunal which

was accepted vide judgment dated 06.12.2016. Copies of the memo of appeal and judgment are attached as annexure.....**T & U.**

8- That appellant after receiving the above said judgment submitted before the respondents but the respondents were not willing to obey the judgment of this august Tribunal. That appellant feeling aggrieved filed implementation petition No.25/2017 before this august Tribunal. That during the pendency of the above mentioned implementation petition the respondent Department implemented the judgment and issued order dated 04.12.2017 whereby the appellant was awarded pay protection and refused the other benefits including seniority. Copies of the implementation petition, order dated 04.12.2017 and withdrawal order are attached as annexure.....**V, W & X.**

9- That appellant further aggrieved from the impugned order dated 04.12.2017 by refusing the seniority of the appellant preferred Departmental appeal but no response has been given by the respondents so far. Hence the present appeal on the following grounds amongst the others. Copy of the Departmental appeal is attached as annexure.....**Y.**

GROUND:

- A- That the impugned order dated 04.12.2017 communicated to the appellant during proceedings on 27.03.2018 is against the law, facts, norms of natural justice and materials on the record hence not tenable and liable to be modified/rectified to the extent of seniority of the appellant.
- B- That appellant has not been treated in accordance with law and rules on the subject noted above and as such the respondents violated Article 4 and 25 of the Constitution of Islamic Republic of Pakistan 1973.
- C- That the respondents acted in arbitrary and malafide manner by ignoring the appellant from seniority and other emoluments.
- D- That neither the appellant has changed the post nor the Department but has only changed the area i.e. FATA to settle, therefore the appellant is entitle for the grant of seniority and other back benefits.
- E- That now the FATA has been merged in the province of Khyber Pakhtunkhwa, therefore under the law and Rules the appellant is entitle for the grant of seniority and back benefits.
- F- That the appellant has been discriminated by the respondent Department on the subject noted above and as such the respondent violated the principle of natural justice.

G- That not allowing seniority and other back benefits the respondents violated Article 38(e) of the Constitution of Pakistan 1973.

H- That the impugned order dated 4.12.2017 is violative of FR-14(A) of the Fundamental Rules, therefore not tenable and liable to be modified.

I- That appellant seeks permission to advance other grounds and proofs at the time of hearing.

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

Dated: 29.10.2018

APPELLANT

Bakht Sania

BAKHT SANIA

THROUGH:

NOOR MOHAMMAD KHATTAK

MOHAMMAD MAJID MADNI

&

Shaykh
SHAHZULLAH KHAN YOUSAFZAI
ADVOCATES

BEFORE THE KHYBER PAKHTUNKHWA SERVICE TRIBUNAL
PESHAWAR

APPEAL NO. _____ 2018

BAKHT SANIA

VS

HEALTH DEPTT:

APPLICATION FOR CONDONATION OF
DELAY IN FILING THE ABOVE NOTED
APPEAL

R.SHEWETH:


- 1- That the appellant has filed an appeal along with this application in which no date has been fixed so for.
- 2- That the appellant prays for the condonation of delay in filing the above noted appeal inter alia on the following grounds:

GROUND OF APPLICATION:

- A- That valuable rights of the appellant are involved in the case hence the appeal deserve to decide on merit.
- B- That it has been the consistent view of the Superior Courts that cases should be decided on merit rather on technicalities including the limitation. The same is reported in 2004 PLC (CS) 1014 and 2003 PLC (CS) 76.

It is therefore prayed that on acceptance of this application the delay in filing the above noted appeal may please be condoned.

APPELLANT



BAKHT SANIA

THROUGH:


NOOR MOHAMMAD KHATTAK
ADVOCATE

②-②

A-6

DIRECTORATE OF HEALTH & POPULATION WELFARE FATA

FATA SECRETARIAT, Warsak Road Peshawar

OFFICE ORDER

On the recommendation of the Departmental Selection Committee the competent authority is pleased to appoint MISS. BAKHT SANIA D/O ABDUL AHAD of DISTRICT SWAT as CHARGE NURSE PS 16 on contract basis on the terms and conditions laid down below:

1. His/Her appointment shall be for a period of 3 years on contract basis from the date of his/her joining in services and shall be extended on his satisfactory performance & will remain on probation for ONE year.
2. He/She is declared medically fit for this job.
3. His/Her appointment is purely on contract basis (prescribed under Government of NWFP Contract Policy 2005).
4. He/She shall be bound to serve for at least 5 years in FATA.
5. He/She shall not indulge in any trade, business and any other activity whatsoever which has been declared prohibited for the Government Servants in Civil Servant Act 1973.
6. He/She shall be entitled for all those allowances admissible under the rules.
7. He/She will not be entitled for any TA/DA for joining service.
8. If he/she wishes to resign the services a prior notice of 60 days will be submitted or pay of 60 days should be deposited in lieu of resignation in Govt.
9. He/She will have to serve anywhere in FATA.
10. Salaries should be released after the verification of all the documents by the respective Agency Surgeon/Medical Superintendent from the concerned Board/Faculty etc.
11. He/She will submit undertaking on stamp paper on prescribed format prior to joining of the service.
12. The offer shall be automatically held cancelled if he/she fails to join the duty within 15 days of the receipt of this offer.

If he/she accepts the above terms and conditions, he/she is directed to report for duty to the Agency Surgeon ORAKZAI AGENCY

Sd/xxxx
Dr Muhammad Zubair Khan
Director Health Services FATA
Peshawar

No. 4029-33 /DHS/Admin/FATA Dated: 28 /03/2008.
Copy for information an necessary action to:

1. Deputy Director Admin DHS FATA.
2. Agency Surgeon ORAKZAI AGENCY
3. Agency Accounts Officer ORAKZAI AGENCY
4. Dealing Assistant for record DHS FATA
5. Official Concerned.

Deputy Director (Admin)
DHS FATA Peshawar

ATTESTED

ATTESTED

OFFICE OF THE AGENCY SURGEON ORAKZAI AT HANGU.

②②②
B-7

OFFICE ORDER.

On appointment as Charge Nurse in BPS-16, vide Director Health Services, Office Order bearing Eids: No.4029-33-23 DHS/Agan/FATA dated 08/3/2008. Miss: Bakht Sania D/O Abdul Ahad is hereby posted at CH Ghiljo Upper Orakzai Agency with immediate effect.

N.B: Arrival report should be submitted to this Office for record.

Agency Surgeon
Orakzai at Hangu.

No. _____ /PI/Ch/Nurse: Dated, Orakzai at Hangu the 13/2008.

Copy forwarded to:-

1. The Director Health Services FATA, NWFP, Peshawar, for information and with reference to his order No cited above.
2. Incharge CH Ghiljo Orakzai Agency.
3. Miss: Bakht Sania Charge Nurse for strict compliance of the order.

Agency Surgeon
Orakzai at Hangu.

ATTESTED

[Handwritten signature]

OFFICE OF THE AGENCY SURGEON ORAKZAI AT HANGU.

ATTESTED

[Handwritten signature]

To,

The Agency Surgeon,
Orakzi at Hangu.

Sub;

Arrival Report

R/Sr,

Reference Office Order No, 362-64/
PFCH/Nurse dated Orakzi at Hangu
10.03.2008. I have the honour to submit
my arrival report at CH, Guljo today
the 11th, March, 2008, After noon.

Dated : 11-03-2008

Thanks.

Yours Obediently,

Forwarded to AS
for necessary Act

[Signature]
11-03-08

(BAKHT SANIA)

Charge Nurse

CH, Guljo.

ATTESTED

[Signature]

ATTESTED

[Signature]

②

D-9

DIRECTORATE HEALTH SERVICES,
FATA, N.W.F.P., PESHAWAR

OFFICE ORDER.

Miss: Bakht Sania Charge Nurse attached to Agency Surgeon Orakzai at Hangu is hereby transferred and her services are placed at the disposal of Agency Surgeon Khyber at Jamrud for further posting in the Khyber Agency against the vacant post of Charge Nurse at THQ: Hospital. Dogra Picket Bara in the interest of public service immediate effect.

Sd/-----
DIRECTOR HEALTH SERVICES,
FATA, N.W.F.P., PESHAWAR.

Dated 09/08/2008

NO 16538-42 FATA/Admn

Copy forwarded to the:-

1. Agency Surgeon Orakzai at Hangu.
2. Agency Surgeon Khyber at Jamrud.
3. Agency Accounts Officer Orakzai, Khyber.
4. Official concerned.

DIRECTOR HEALTH SERVICES,
FATA, N.W.F.P., PESHAWAR.

ATTESTED

Transferred

Khyber Agency

ATTESTED

Directorate of Health & Population Welfare, FATA Warsak Road Peshawar. ✓

⑨
10

OFFICE ORDER.

Miss: Bakht Sania Charge nurse attached to Agency Surgeon Orakzai at Hangu is hereby transferred and her services are placed at the disposal of Agency Surgeon Khyber at Jamrud for further posting in the Khyber Agency against the vacant post of charge Nurse at THQ: Hospital Dogra Picket Bara in the interest of Public Services immediate effect.

Sd/-----
Director Health Services,
FATA, NWFP, Peshawar.

No.16538-42/FATA/Admn dated 9.8.2008.

Copy to :-

1. Agency Surgeon Orakzia at Hangu.
2. Agency Surgeon Khyber at Jamrud.
3. Agency Account Officer Orakzai, Khyber.
4. Official concerned.

Director Health Services,
FATA NWFP, Peshawar.

OFFICE OF THE AGENCY SURGEON KHYBER AT JAMRUD.

NO 2080-82 /As-Khy dated 12/8 /2008 ✓

Copy to :-

1. Senior Medical Officer Incharge CH: Jamrud.
2. Miss: Bakht Sania Charge Nurse is hereby directed to report for duty at Civil Hospital Jamrud on general duty on her request and heavy load there.
3. Agency Account Officer Khyber at Jamrud.

Maria
Agency Surgeon Khyber,
At Jamrud.

NO-----/As-Khy dated-----/2008.

Copy to:-

1. Director Health and Population welfare FATA for information.

Agency Surgeon Khyber,
At Jamrud.

ATTESTED
12/8

*Posted in THQ Hospital
Picket Bara.*

ATTESTED
A

The Agency Surgeon,
Orakzai Agency at Hangu. E-11

Sub;

Departure Report. ✓

Resu,

Relief

Reference Directorate Health Ser
FATA, NWFP, Peshawar NO, 16538-42,
I Admin Dated 09/08/2008. I have
honour to submit my departure k
at CH, Ghiljo to day the 11/08/2008
forenoon.

Dated: 11/08/2008

Thanks.

Forwarded to
Agency Surgeon of
Orakzai at Hangu
for information pl.

I/C Medical Officer
C.H. Ghiljo Orakzai

Your's Obedient
~~BB~~

(MRS. BAKHT SANIA
Charge Nurse
CH, Ghiljo

ATTESTED
g

ATTESTED
g

LAST PAY CERTIFICATE

F-12

Last Pay Certificate of Bekht Sania Charge Nurse
 of the Agency Surgeon Drakzoi at Hangu
 proceeding to Agency Surgeon Khyber at Jamrud
 He has been paid upto 31-07-2008

at the following rates:--

Particulars:
 Substantive Pay: no work
 Officiating Pay: no work
 Exchange Compensation Allowance: no work

Pay — 6060/-
 MUA — 800/-
 UAA — 125/-
 MA — 500/-
 Total — 7485/-

Agency Accounts Officer
19/8/08

Deductions:—

BF - 20/-
G-9ns - 44/-
Total - 64/-

3. He made over charge of the Office of civil Hospital Ghilgo
Drakzoi Agency
 on the 21/8 noon of 11-8-2008

4. Recoveries are to be made from the pay of the Government servant as detailed on the reverse.
5. He has ben paid leave salary as detailed below. Deductions have been made as noted on the reverse.
- From _____ to _____ at Rs. _____ a mont
- From _____ to _____ at Rs. _____ a mont
- From _____ to _____ at Rs. _____ a mont

6. He is entitled to draw the following:—

7. He is also entitled to joining time for usual days.

8. The details to the Income Tax recovered from him upto the date from the beginning of current year are noted on the reverse.

ATTESTED
ATTESTED

[Signature]

[Signature]

Agency Account Officer

The Agency Surgeon G-13
Khyber at Jamrud

Sub:

Arrival Report

Ref: 1810

Reference office order NO 16538-42/
FATA/ADM Dated 9-8-2008 at Khyber
at Jamrud,

I have the honour to submit
my arrival report at THQ Hospital
Dogra Picket Bada today the 12 August
2008, at morning.

THANK U.
Dated 12-08-2008.

Yours Obeyingly,

Bakht Samia
Charg. Nurse
THQ Hospital
Dogra Picket

Recommended and
forwarded to A/S
for w/A.

M.S. Dogra Hosp
Bada.

12/8/2008

ATTESTED

ATTESTED

[Signature]

DIRECTORATE OF HEALTH SERVICES FATA
FATA SECRETARIAT WARSAK ROAD PESHAWAR.

H-103
H-114

OFFICE ORDER:

In pursuance to Government of NWFP, Civil Servants (Amendment) Act 2005 read with Government of NWFP, Establishment & Administration Department (Regulation Wing) Notification No. SO-VI(Regulation) (E&D)1-13/2005 dated 10.8.2005 the Services of Miss Bakht Sania ~~S/O~~ Abdul Ahad appointed as Charge Nurse (BPS-16) vide Office Order No. 4029-33/DHS/Admin/FATA Dated 08.03.2008 presently attached to Agency Surgeon Khyber Agency is hereby regularized from the date of his appointment/charge assumption as Charge Nurse.

A/O

He will for all intent and purposes are civil servant except the purpose of Pension and gratuity. In lieu of the same. He will be entitled to receive contributory provident fund. For the said fund 10% will contributed by the Civil Servant concerned in the prescribe manner. Provided further that in the event of death of the Civil Servant, whether before or after retirement his family shall be entitled to receive the said amount, if it has already not received by concerned deceased Civil Servant.

Sd/-xxx
Director Health Services,
FATA, Peshawar.

Dated 06/01/2009

323-26
No. 323-26 /FATA/Admin.

Copy forwarded to the:-

1. Director General Health Services, NWFP, Peshawar.
2. Agency Surgeon Khyber Agency
3. Agency Accounts Officer, Khyber Agency
4. Official concerned.

[Signature]
Director Health Services,
FATA, Peshawar.

Her services were regularized w.e.f. first appointment.

1-2-2008-3-2008
ATTESTED
[Signature]

ATTESTED
[Signature]

DIRECTORATE OF HEALTH SERVICES FATA
FATA SECRETARIAT WAZIRABAD ROAD PESHAWAR

10/13
I - (15)

OFFICE ORDER:

On her arrival in this Directorate on 26/02/2013, Miss. Bakht Sadiq, Charge Nurse, waiting for posting is hereby posted in the Agency Headquarter Hospital Bajaur at Khar against the vacant post with the approval of competent authority in the interest of public service with immediate effect.

sd/-
Director Health Services
FATA, Peshawar

Dated 10/3/2013

No. 44/01-5 /DHS/FATA/Admin
Copy to the:

1. Secretary Social Sectors Department FATA.
 2. Director General Health Services Khyber Pakhtunkhwa Peshawar.
 3. Medical Superintendent Agency Headquarter Hospital Bajaur at Khar.
 4. Agency Account Officer Bajaur at Khar.
 5. Charge Nurse concerned.
- For information and necessary action.

After her regularization she was posted

Director Health Services,
FATA, Peshawar.

ATTESTED

MS

ATTESTED

MS

CERTIFICATE OF TRANSFER OF CHARGE.

(10) (10)

1. Certified that we have on the fore/afternoon of this day respectively made over and received charge of the office of the Mst. Bakht Sania Charge Nurse
2. Particulars of cash and important secret and confidential documents handed over are noted on the reverse:-

(16)

Signature of relieved Government servant _____
 Designation _____
 Station A.H.O. Hospital Buzurg

Dated 20/3/2013 (F.N)
 Signature of relieving Government servant _____
 Designation Charge Nurse

ATTESTED

127

ATTESTED

127

1. _____
 2. _____
 3. _____
 4. _____
 5. _____

1. _____
2. _____

respect _____

ne

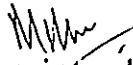
OFFICE OF THE MEDICAL SUPERINTENDENT AHQH, KHAR BAJAUR.

No. 794-97 /PF/C-10/MS

Dated Khar the 20/3/2013.

Copy forwarded to the: -

- 1- Director General Health Services, Khyber Pakhtunkhwa Peshawar.
- 2- Director Health Services FATA Peshawar for information w/r to his office order No. 4401-5/DHS/FATA/Admin dated 18/3/2013 please.
- 3- Agency Accounts Officer Bajaur at Khar for information and n/action.
- 4- Nurse concerned for information.


Medical Superintendent,
AHQH, Bajaur at Khar.

OFFICE OF THE AGENCY ACCOUNTS OFFICE KHYBER AT JAMRUD
 No Agency Accounts Office /Khyber /GAD/ 2000/13/522

100
 K-17

DATED: 8-11-13

To LPC

The District/ Agency Accounts Officer
Beyan

Subject: LPC AND TRANSFER OF SERVICE DOCUMENTS IN RESPECT OF

Mrs. Bakht Sadia - Charge Nurse Bosa Khyber Agency

Memo: The above name Officer has been transferred to your Audit Control His/Her Personnel file, S/Book and Service Statement are sent here with His/Her other documents are as under:

He/She has been paid up to 31-8-2012 Pay Rs 14000
 Account No _____

DEDUCTION
 G.P.FUND Rs _____
 • B.F Rs 250
 G.I Rs 173
 Income Tax Rs _____
AC Rs 19

HRA Rs 1818
 SANCIA Rs 5000
 UAA/AAA Rs 1500
 ARD/A Rs 600
 SRAMS Rs 500
 DA MA Rs 1120
 AR10 - 3735
 AR11 - Rs 1120
 AR12 Rs 1400
 Total Rs 30793

He/she is authorized to draw pay and allowance from _____ to _____ at the above rates
 Over Payment of pay and allowances from _____ To _____ is recoverable at the above rates.
 Service Statement at the above prior to _____ the Officer was under the control of A.G.NWFP/DAO.

Station	Date	Pay	HRA	CA	UAA	DA	SRAMS	AR10	AR11	AR12	TOTAL	
AAC Khybr	1.8.2012	14000	1818	5000	1500	600	500	1120	3735	1120	1400	30793

Agency Accounts Officer
 Khyber Agency (JAMRUD)

ATTESTED

ATTESTED

A.T.M.-9 NUGAD/AA/137/1494 - dt 11/13
Para 59, Audit Manual)

PAY SLIP

OFFICE OF THE
No. Bekht Sania the 20
A.H. 2 Hospital, Banjar Charge Nurse B-16

() he is entitled to draw pay and allowance at the monthly rates shown below from the dates specified less already drawn:

Detail of calculation
20-3-13 1-7

	From	From	From	From
Substantive pay <u>Pay</u>	14000-	14000-		
Officiating pay <u>W.A.W</u>	1818-	1818-		
Overseas pay <u>U.K.A</u>	1500-	1500-		
Special pay <u>M.A</u>	1120-	1120-		
Indexed pay <u>C.W</u>	5000-	5000-		
	3725-	3725-		
	1120-	1120-		
	2800	2800		
	1400	1400		
	31083			
Total	27683	32483		

[Handwritten signature]
A.B.

ATTESTED *[Signature]* ATTESTED *[Signature]*

REGISTERED

Telephone: 091-9214131, 9213563,
9213750, 9212897

Khyber Pakhtunkhwa, Public Service Commission
2-Fort Road Peshawar Cantt Near Governor House.

①-19
②-19
18/2
L-19



No. KP/PSC/SR-IV _____

30524

Dated: ___ / ___ / 2013.

To

Bakht Sania D/O Abdul Ahad

Khyber Pakhtunkhwa Peshawar.

C/O Alam Khan PA DG Health Services ~~KP Peshawar~~

Subject:

RECRUITMENT OF FEMALE CHARGE NURSE (B-16) IN HEALTH DEPARTMENT (ADVT: 01/2012 S.NO.17)

With reference to your application for the above post, you are required in the Commission's Office at 2-Fort Road, Peshawar Cantt. (Near Governor House) at 08:30 A.M on 08.03.2013 for Oral Test (interview). Please bring original certificates, degrees and testimonials which will be returned to you on conclusion of your interview.

2. You should rectify the following [✓] tick deficiencies if any, Three (03) days before interview failing which the Commission will reject your application and shall not interview you for the above post:-

Attested copy of:

A	Secondary School Certificate.
B	Diploma Certificate in Nursing.
C	Diploma Certificate in Midwifery.
D	D.M.C's of 1 st , 2 nd and 3 rd Year Nursing AND Midwifery.
<input checked="" type="checkbox"/> E	Pakistan Nursing Council Registration Valid For Current Year and Recognition of 'A' Grade Nurse and Midwifery <i>and post Midwifery.</i>
F	Domicile Certificate.
G	Husband Domicile Certificate along with Marriage Certificate (Nikkah Nama).
H	Computerized National Identity Card.(For Married candidates where in Husband Name is Registered)
I	Photographs.
<input checked="" type="checkbox"/>	<i>Departmental Permission Certificate</i>
<input checked="" type="checkbox"/>	<i>DG Health FATA.</i>

Note: -

Please note that no request for change the date of interview is entertained.

No C

ATTESTED

[Signature]
Superintendent

ATTESTED



Establishment Section

Director General Health Services,
Khyber Pakhtunkhwa, Peshawar.

FATA SECRETARIAT
(ADMINISTRATION & COORDINATION DEPARTMENT)
WARSAK ROAD PESHAWAR

No.FS/E/100-81 (Vol:10) / 5437
Dated 14/2/2012

~~M-19~~

26/3 M-20
6/6/

Subject: DEPARTMENTAL PERMISSION

Dear Sir,

I am directed to enclose herewith prescribed application form bearing No.303027 of Provincial Public Service Commission in original in respect of Miss. ~~Bakht~~ Sania Charge Nurse, Civil Hospital Jamrud Khyber Agency who has applied for the post of Female Charge Nurse (BS-16) completion and onward submission to the Commission under intimation to department.

2- I am further directed to state that in case of selection of the officer concerned, her substitute may be provided to FATA and that she will only be relieved once her substitute reports for duty in FATA, first.

Yours faithfully,

Sd/-
(Muhammad Abbas Khan)
Section Officer (Estab)

Encl: (As above)
Copy to:-

- Director Health Services (FATA) for information.

Section Officer (Estab)

KDA
9/6/2
ATTESTED
9/14
05

ATTESTED
12/9

Congratulations

~~100~~

Telephone: 9212897



Khyber Pakhtunkhwa Public Service Commission, Peshawar
2-Fort Road Near Governor House Peshawar Cantt.

No. KP/PSC/SR-IV/ 070304

N-21

Date: 18 / 07 / 2013

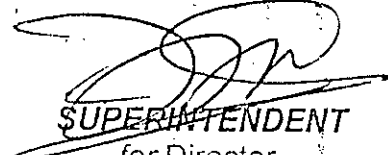
To

Bakht Sania D/O Abdul Ahad

Mohallah School, Bar Shawar Thesil Matta Distt: Swat.


Subject: - RECRUITMENT TO THREE HUNDRED & FIFTY NINE (359) POSTS OF FEMALE CHARGE NURSE (BPS-16) IN HEALTH DEPARTMENT (ADVT: 01/2012, S: NO.17).

The commission has recommended you to the government for appointment, but please do not treat this as a letter of appointment for which government is the final authority. The commission cannot entertain any correspondence from you in this regard.


SUPERINTENDENT
for Director
FAZAL QAYYUM

ATTESTED

ATTESTED


Recommendations letter in favour
of applicant by PSC.



DIRECTORATE
GENERAL HEALTH SERVICES
KHYBER PAKHTUNKHWA PESHAWAR

0-22

All communications should be addressed to the Director General Health Services Peshawar and not to any office by name.

E-Mail Address: hyg@ghs.gov.pk
Office Ph# 091-9210269
Exchange# 091-9210187, 921019
Fax # 091-9210230

OFFICE ORDER.

On the recommendation of Khyber Pakhtunkhwa Public Service Commission, the following Nurses are hereby appointed as Charge Nurses BPS-16 @ Rs. 10,000-800-34,000, plus use of allowances as admissible under the rules, on regular basis and posted against the vacant post in the Hospitals mentioned against their names with immediate effect :-

S.No.	Name with Father's Name	Place of Posting.	Remarks
01	Naseem D/O Khan Bashar	SGTH Swat	Against the vacant post
02	Yasmin D/O Abdul Wahid	DHQ Hospital, Bakhela	Against the vacant post
03	Roqia D/O Bakht Amin	SGTH Swat	Against the vacant post
04	Sakina Bibi D/O Sher Mohammad	DHQ Hospital, Chitral	Against the vacant post
05	Nabeed Bibi D/O Mohammad Zahir Shah	DHQ Hospital, Daggar (Buner)	Against the vacant post
06	Sheema Bibi D/O Mohammad Fayon	SGTH Swat	Against the vacant post
07	Samina Bibi D/O Fazal Rehman	DHQ Hospital, Bakhela	Against the vacant post
08	Shabana D/O Gul Nabi	SGTH Swat	Against the vacant post
09	Salmas D/O Ahmadi Jan	SGTH Swat	Against the vacant post
10	Shazia Bibi D/O Bakht Jan	Civil Hospital, Kalam (Swat)	Against the vacant post
11	Nusrat Bibi D/O Sher Wazir Khan	DHQ Hospital, Chitral	Against the vacant post
12	Tahira Gul D/O Gul Wali	DHQ Hospital, Chitral	Against the vacant post
13	Bakht Sania D/O Abdul Ahad	SGTH Swat	Against the vacant post
14	Farzana Bibi D/O Ajmal Khan	DHQ Hospital, Bakhela	Against the vacant post
15	Sharifa Bibi D/O Shan Ayub	DHQ Hospital, Chitral	Against the vacant post
16	Tahira D/O Zahir Shah	DHQ Hospital, Daggar (Buner)	Against the vacant post
17	Shabiqa Gul D/O Husil Mohammad	DHQ Hospital, Chitral	Against the vacant post
18	Ambrin Gul D/O Wahid Gul	Civil Hospital, Barikot (Swat)	Against the vacant post
19	Rafida Bibi D/O Gul Faraz	DHQ Hospital, Chitral	Against the vacant post
20	Shamia Wadood D/O Abdul Wadood	Civil Hospital, Kalam (Swat)	Against the vacant post
21	Nasreen Bibi D/O Amir Khan	DHQ Hospital, Chitral	Against the vacant post

TESTED

TESTED

19.

23

	Zardana Bibi D/O Afas Aman	DHQ Hospital, Chitral	Against the vacant post
23 ✓	Shazia Qamar D/O Ali Murad Baig	DHQ Hospital, Chitral	Against the vacant post
24 ✓	Sumaira D/O Bacha Rahman	DHQ Hospital, Daggar (Buner)	Against the vacant post
25 ✓	Riffat Saeed D/O Mohammad Saeed	Zanana Hospital, Upper Dir	Against the vacant post
26 ✓	Shazamina D/O Yar Gul	DHQ Hospital, Daggar (Buner)	Against the vacant post
27 ✓	Shamim Akhtar D/O Bakht Raj	DHQ Hospital, Daggar (Buner)	Against the vacant post
28 ✓	Tasleem Begum D/O Amir Haider	Civil Hospital, Kalam (Swat)	Against the vacant post
29 ✓	Safia D/O Mohammad Ismail	SGTH Swat	Against the vacant post
30 ✓	Shoukat D/O Khista Rahman	DHQ Hospital, Timergara	Against the vacant post
31 ✓	Rubina D/O Amir Baig	DHQ Hospital, Chitral	Against the vacant post

Their appointment in the Health Department Govt. of Khyber Pakhtunkhwa will be subject to the following terms and conditions:-

01. They will be on probation initially for a period of one year extendable for a further period not exceeding one year.
02. Their Services can be dispensed with during the probation period, if their work and conduct found unsatisfactory.
03. Their appointment will be subject to medical fitness and verification of character and antecedents/Educational qualification etc by the respective Medical Supdt./ District Health Officer from the concerned Board/Faculty etc.
04. They will not be entitled to any TA/DA for medical examination and joining their first place of appointment.
05. They will be governed by such Rules and orders as may be issued by the Government from time to time for the category of Government Servants to which they belong.
06. They are liable to be posted/served any where in Khyber Pakhtunkhwa/FATA.
07. They will complete normal tenure at their places of 1st posting as per Government rules.
08. They will submit an undertaking on judicial stamp paper stating that the documents submitted with application form are genuine and not fake. Moreover they have not been dismissed from Service by any Govt. or semi Govt. organization.
09. If they wish to resign from Service, they will resign in writing by giving prior notice of one month OR deposit one month pay in lieu of one month's advance notice, in the Government treasury. However they will continue to serve the Government till their resignation is accepted by the competent authority.

ATTESTED

[Signature]

ATTESTED

[Signature]

If the above terms and conditions are acceptable to them, they should submit arrival report in the institutions mentioned against their names for duty within (14) days of the issuance of this order.

Sd/-
DIRECTOR GENERAL HEALTH
SERVICES, K.P.K, PESHAWAR.

No. 20108-20 /E.H. Dated Pesh. The 19-8 /2013

Copy forwarded to the:-

- 01. Secretary to Govt. of Khyber Pakhtunkhwa Health Department Peshawar.
- 02. Secretary Khyber Pakhtunkhwa Public Service Commission, Peshawar.
- 03. Medical Superintendent Saidu Group of Teaching Hospital, Swat.
- 04. Medical Superintendent DHQ Hospital, Bakhela.
- 05. Medical Superintendent DHQ Hospital, Chitral.
- 06. Medical Superintendent DHQ Hospital, Daggar (Buner).
- 07. Medical Superintendent DHQ Hospital, Timergara (Lower Dir).
- 08. Medical Superintendent DHQ Hospital, Upper Dir.
- 09. District Health Officer, Swat.
- 10. District Health Officer, Upper Dir.
- 11. DAOS, Malakand, Upper Dir, Swat, Buner, Chitral and Lower Dir.
- 12. DA-concerned, DGHS office Peshawar.
- 13. Charge Nurse concerned.

For information and necessary action.

DIRECTOR GENERAL HEALTH
SERVICES, KHYBER PAKHTUNKHWA
PESHAWAR.

19/8/13

ATTESTED ATTESTED

24

(Handwritten marks)

(20)

P-25

DIRECTORATE OF HEALTH SERVICES FATA
FATA SECRETARIAT WARSAK ROAD PESHAWAR.

OFFICE ORDER

As approved by the competent authority, Miss. Bakht Sania Charge Nurse working on contract basis at AHQ Hospital Khar is hereby relieved of her duties on eve of her appointment on regular basis contained in Director General Health Services Khyber Pakhtunkhwa No. 20108-20/F.II dated 19.09.2013 to join her new assignment in settled area in the best interest of public.

Malafide

NO. 16327-30/DHS/FATA/Admn

Dated 9/10/2013

.....Sd.....

Director Health Services,
FATA, Peshawar.

Copy forwarded to the:-

1. Deputy Director (Admin :) DHS, FATA.
2. Medical Superintendent AHQ Hospital Bajaur at Khar.
3. Agency Accounts Officer Bajaur at Khar.
4. Official concerned.

For information and necessary action.

Muazzam
Director Health Services,
FATA, Peshawar.

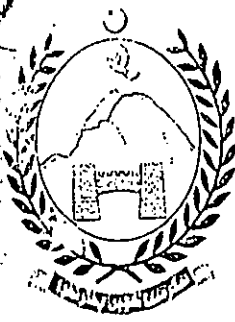
ATTESTED

6/9

ATTESTED

Q

Relieving order



DIRECTORATE
GENERAL HEALTH SERVICES
KHYBER PAKHTUNKHWA PESHAWAR

Q-26
All communications should be addressed to the Director General Health Services Peshawar and not to any official by name.

E-Mail Address: mgfdghs@yahoo.com
Office Ph# 091-9210230
Exchange# 091-9210107, 9210106
Fax # 091-9210230

OFFICE ORDER.

In-partial modification of this Directorate office order bearing Endst. No. 20108-07/11 dated 19.03.2013, Mr. Bahi Sami D/O. Abdul Ahad newly appointed Charge Nurse (BPS-16) under Posting to SGTH Swat is hereby posted in HMC Peshawar against the vacant post of Charge Nurse. in the interest of public service with immediate effect.

Her terms and conditions of appointment will be the same as mentioned in the above referred office order.

Sd/-
DIRECTOR GENERAL HEALTH
SERVICES, KPK PESHAWAR.

No. 21333-38 /E.H. Dated Pesh. The 2/9/2013. ✓

Copy forwarded to the :-

01. Medical Superintendent HMC Peshawar.
02. Medical Superintendent SGTH Swat.
03. AG Khyber Pakhtunkhwa Peshawar.
04. DAO, Swat.
05. Charge Nurse concerned.
06. DA-concerned, DGHS Peshawar.

For information and necessary action.

mmw 27/01/13
DEPUTY DIRECTOR (NURSING),
DGHS KHYBER PAKHTUNKHWA
PESHAWAR.

ATTESTED
g

ATTESTED
g

~~10~~ ~~27~~

CERTIFICATE OF TRANSFER OF CHARGE

1. Certified that we have on the fore/afternoon of this day respectively made over the receive charge of this office of Medical Superintendent Hospital
Abad Medical Complex Peshawar
2. Particulars of case and important secret and confidential documents handed over are noted on the reverse:-

R-27

Signature of relieved
Government servant _____

Station Peshawar

Designation _____

Signature of receiving
Government servant BRA

Dated 03-09-2013

Bakht Jania D10 Abdul Ahad
Designation Charge nurse

x

ATTESTED

[Signature]

ATTESTED

[Signature]

CHIEF CLERK

جناب عالی گزارش درج ذیل ہیں۔

1. یہ کہ سالانہ بخت ثانیہ بنت عبدالملک کے بطور چارج نرس تقریبی کے احکامات 2008 مارچ کو ہوئے تھے۔ (کاپی لف ہے)
2. سالانہ کی تبدیلی کے احکامات 12 اگست 2008 کو جمروہ ہسپتال کر دیئے گئے۔ (کاپی لف ہے)
3. سالانہ کی T.H.Q ہسپتال Dogra پیکٹ ہاڑھا کو ہو گئے (کاپی لف ہے)
4. سالانہ کی گورنر صوبہ سرحد نے کنٹریکٹ ملازمت کو مستقل کر دیا (کاپی لف ہے) بحوالہ نمبر 26-323 تاریخ 6/1/09
5. سالانہ کی سروسز کو ڈائریکٹوریٹ ہیلتھ سروسز فانا والوں نے ڈی جی ہیلتھ سروسز کے ذریعے بحوالہ نمبر آرڈر 88-14286 تاریخ 08.08.2012
6. سالانہ مندرجہ بالا کی تعمیل کرتے ہوئے DGHS میں Arival رپورٹ بحوالہ ڈائری نمبر 18340 تاریخ 24/8/12 کو کر دی۔ (کاپی لف ہے)
7. آرڈر کی تعمیل کے بعد DGHS والوں نے سالانہ کی تقرری کے متعلق فانا ڈائریکٹوریٹ سے تفصیلات مانگ لی (کاپی لف ہے) لیٹر نمبر 2563 مورخہ 17/9/12
8. فانا والوں نے DGHS کو کچھ کاغذات دیئے جو کہ DGHS والوں نے دوبارہ واپس کر دیئے اور مزید تفصیلات مانگ لی
9. مزید تفصیلات مانگنے پر ڈائریکٹوریٹ آف ہیلتھ فانا والوں نے اپنی غلطی مان لی (کاپی لف ہے) جس میں انہوں نے لکھا تھا کہ 2002 کی بجائے 2005 کو غلطی سے لکھا گیا اور غلطی کو معاف کی جائے ڈائری نمبر 16343 مورخہ 21/11/12
10. آخر کار سالانہ کو DGHS والوں نے سالانہ کی سروس اس بناء پر فانا ڈائریکٹوریٹ کو حوالہ کی کہ یہ نرس صوبائی پبلک سروس کمیشن کے تھرو سیلفٹ نہیں ہوئی ہے۔ ڈائری نمبر 4998 مورخہ 26/12/13
11. سالانہ کے متعلق DGHS کے ریمارکس کو مد نظر رکھتے ہوئے فانا ڈائریکٹوریٹ نے باجوڑ ہسپتال خار میں تعیناتی کے آرڈر کر دیئے۔ (کاپی لف ہے)
12. سالانہ نے اسی اثناء صوبائی پبلک سروس کمیشن کو اشتہار نمبر 01/2012 کیلئے فارم جمع کئے۔ اور اس کے لئے سالانہ نے باقاعدہ طور پر فانا ڈائریکٹوریٹ سے ڈپارٹمنٹل پرمیشن حاصل کی جسکی (کاپی لف ہے)۔
13. سالانہ کو صوبائی پبلک سروس کمیشن چارج نرس کی پوسٹ کیلئے ری کامنڈ کیا۔ اور ری کامنڈیشن لیٹر نمبر KP/PSC/SR/IV/070304 تاریخ 18.07.2013 بھجوا میں۔
14. سالانہ کو صوبائی پبلک سروس کمیشن کے ذریعے DGHS والوں نے حیات آباد میڈیکل کالج میں بحوالہ آرڈر نمبر 21333-38/E تاریخ 02.09.2013 کو کر دیئے۔ لیکن ڈی جی ہیلتھ سروسز والوں نے سالانہ کے آرڈر بطور New Appointee کر دیئے۔ جو کہ سالانہ کے ساتھ سراسر زدی پٹی ہے۔ کیونکہ سالانہ کی کنٹریکٹ سے مستقل طور پر گورنر صوبہ سرحد صاحب باقاعدہ طور پر کر دیئے۔ اور اسکے جواب فانا

ATTESTED ATTESTED

سائلہ کی مندرجہ بالا مستقل حیثیت بابت ملازمت دیکھتے ہوئے سائلہ کی پچھلی سروس کو بھی اس میں شامل کیا وے۔ اور سائلہ کے ساتھ کی ہوئی زیادتی کا ازالہ کیا وے۔ اور سائلہ کی تقرری کے احکامات DGHS سے دوبارہ Corrigendum کے ذریعے issue کی جا وے۔ اور سائلہ کو دعا گو ہونے کا موقع فراہم کیا وے۔ سائلہ تاحیات دعا گو رہے گی۔

29

20.01.2014 مورخہ:

العارضہ

آپ کی تابع فرمان بخت ثانیہ بنت عبدالاحد چارج نرس حیات آباد میڈیکل کمپلکس حیات آباد پشاور۔

ATTESTED



ATTESTED





GOVT. OF KHYBER PAKHTUNKHWA
HEALTH DEPARTMENT

No. SOH-III/8-89/2014(Bakht Sania)
Dated the Peshawar 22nd April, 2014

To

The Secretary to
Govt: of Khyber Pakhtunkhwa,
Establishment Department.

SUBJECT: APPEAL FOR JUSTICE.

Dear Sir,

I am directed to enclose herewith a copy of letter No. SO (Secret)/HD/1-5/2014/Jan dated: 19-03-2014 and other enclosures received from Section Officer (Secret/Comp) Health Department and to state that Miss. Bakht Sania D/O Abdul Ahad were appointed by Director Health FATA on contract basis dated 08.03.2008. Her services were regularized in pursuance to Government of Khyber Pakhtunkhwa, Civil Servant (amendment) Act, 2005 read with Government of Khyber Pakhtunkhwa Establishment and Administration Department (Regulation wing) notification No. SO-VI (Reg) (E&D) 1-13/2005 dated 10.02.2005 vide Directorate order dated: 06-01-2009. She served in FATA as Charge Nurse w.e.f 08.03.2008 till 19.09.2013. She applied for the post of Charge Nurse (BPS-16) through proper channel (Advertised by Public Service Commission, 2013 with Department permission certificate dated 25.02.2013. She got selected by Public Service Commission as Charge Nurse (BPS-16) and DGHS posted her in HMC w.e.f 19.08.2013. She filed an appeal to Secretary Health forwarded by CM's Secretariat with the request to count her previous services as Charge Nurse (BPS-16) in FATA towards pay fixation.

It is therefore, requested that necessary advice from Establishment Department may kindly be conveyed to this department to proceed further in the matter.

Encl: As above.

ATTESTED

M. G.

ATTESTED

M. G.

Your's faithfully,

(Wajid Ali Khan)
Section Officer-III

30

T-31

**BEFORE THE KHYBER PAKHTUNKHWA SERVICE TRIBUNAL
PESHAWAR**

APPEAL NO. _____ / 2014

Bakht Sania

VS

Health Department

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28

Relieving

Process for Security received

ATTESTED

[Signature]

APPELLANT

THROUGH:

[Signature]
19/3/15

**NOOR MOHAMMAD KHATTAK
ADVOCATE**

32

BEFPRE THE KHYBER PAKHTUNKHWA SERVICE TRIBUNAL
PESHAWAR

Appeal No. 630 /2014

Mst: Bakht Sania, Charge Nurse (BPS-16),
Hayat Abad Medical Complex, Khyber Pakhtunkhwa, Peshawar
..... **Appellant**

VERSUS

- 1- The Secretary Health, Govt of Khyber Pakhtunkhwa, Peshawar.
- 2- The Secretary Finance Department, Govt of Khyber Pakhtunkhwa, Peshawar.
- 3- The Director General Health Services, Govt of Khyber Pakhtunkhwa, Peshawar.
- 4- The Director Health Services FATA, FATA Secretariat, Warsak Road, Peshawar.

..... **Respondents**

APPEAL UNDER SECTION-4 OF THE KHYBER PAKHTUNKHWA SERVICE TRIBUNAL ACT 1974 FOR THE GRANT OF LIEN i.e. BY COUNTING THE SERVICE OF APPELLANT FROM FATA TOWARDS SETTLED AS CHARGE NURSE (BPS-16) IN LIGHT OF THE NOTIFICATIONS DATED 19-08-2013 AND 09-10-2013 AND AGAINST NOT TAKING ACTION ON DEPARTMENTAL APPEAL OF THE APPELLANT WITH IN THE STATUTORY PERIOD OF NINETY DAYS

PRAYER:

That on acceptance of this appeal the respondents may be directed to count the service of the appellant from FATA towards Settled as Charge Nurse (BPS-16) i.e. LIEN in light of the Notifications dated 19-08-2013 and 09-10-2013. Any other remedy which this august Court deems fit may also be very kindly awarded in favor of the appellant.

R/SHEWETH:

FACTS:

ATTESTED



1- That the appellant was inducted in the service as Charge Nurse (BPS-16) on the recommendations of the Departmental Selection Committee on contract basis in the respondent No.4 Department vide order dated 08-03-2008. That in light of order dated 08-03-2008 the appellant was further posted to civil hospital Ghiljo upper orakzai Agency. That in compliance of the order dated 08-03-2008 the appellant submitted her arrival report on 11-03-2008 and started performing her duties quite efficiently and up to the entire satisfaction of her

superiors. Copies of the appointment order, posting order and arrival report are attached as annexure **A, B and C.**

2- That vide order dated 09-08-2008 the services of the appellant were placed at the disposal of Agency Surgeon Khyber at Jamrud for further posting in Khyber Agency. That vide order dated 09-08-2008 the appellant was posted as Charge Nurse (BPS-16) at Tahsil Headquarter Hospital Dogra Picket Bara. That in compliance of the said order the appellant submitted her arrival report on 12-08-2008. Copies of the order dated 09-08-2008, relieving order, LPC, and arrival report are attached as annexure **D, E, F & G.**

3- That appellant while serving as Charge Nurse (BPS-16) AT Tehsil Headquarters Hospital Dogra, Bara, her service regularized from the date of her appointment as Charge Nurse (BPS-16) vide order dated 06-01-2009. That vide order dated 18-03-2013 the services of the appellant was transferred to Agency Headquarters Hospital Bajaur at Khar. That the appellant submitted her charge report on 20-03-2013 and started performing her duties at Agency Headquarters Hospital Bajaur at Khar. Copies of regularization order, Transfer order, charge report and LPC are attached as annexure **H, I, J and K.**

4- That the provincial public service commission advertised some posts of Charge Nurse (BPS-16) on settled side. That appellant being a bonafide resident of District Swat applied for the said posts through proper channel. That the appellant was called for interview by the public service commission on 18-02-2013 with certificate of permission from respondent No.4. That the appellant qualified the interview and recommended for appointment as Charge Nurse (BPS-16) by the public service commission letter dated 18-07-2013. Copies of the letter of public service commission, NOC and recommendation letter are attached as annexure **L, M and N.**

5- That in compliance of the letter dated 18-07-2013 of public service commission the appellant was appointed and posted as Charge Nurse (BPS-16) at Saidu Government Teaching Hospital Swat vide order dated 19-08-2013. That the respondent No.4 on 09-10-2013 relieved the appellant to join her new assignment. Copies of the appointment order and relieving order are attached as annexure **O and P.**

ATTESTED



- 6- That vide order dated 02-09-2013 the appellant was transferred to Hayat Abad Medical Complex Peshawar. That the appellant submitted her charge report on 03-09-2013 and started performing her duties quite efficiently and up to the entire satisfaction of her superiors. That the appellant applied for fixation of her pay/LIEN through Departmental appeal dated 20-01-2014. Copies of the transfer order, charge report, Departmental appeal and forwarding letter are attached as annexure **Q, R and S.**
- 7- That on the said Departmental appeal no reply has been received so far. That having no other remedy the appellant filed this appeal on the following grounds amongst the others.

GROUND:

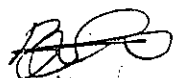
- A- That not granted lien to the appellant by the respondent Department is against the law, facts, and norms of natural justice.
- B- That the appellant has not been treated by the respondents in accordance with law and rules on the subject noted above and as such the respondents violated Article 4 and 25 of the Constitution of Pakistan 1973.
- C- That the respondent Department acted in arbitrary and malafide manner by not granting lien to appellant inspite of NOC and relieving order of the respondent No.4.
- D- That appellant has served the respondent No.4 Department for more than five years and her services were regularized in the year 2009 by the respondent No.4, therefore under the law the appellant is fully entitled for the grant of lien by counting her service from FATA to settle.
- E- That inspite of NOC and relieving order the respondent Department is not willing to count the service of appellant as charge nurse (BPS-16) from FATA towards settle area.
- F- That the respondent Department discriminated the appellant on the subject noted above and as such the respondents violated the principle of equity and equality.
- G- That appellant seeks permission to advance other grounds and proofs at the time of hearing.

ATTESTED



It is therefore most humbly prayed that the appeal of the appellant may very kindly be accepted as prayed for.

APPELLANT



BAKHT SANIA

THROUGH: 
NOOR MUHAMMAD KHATTAK
ADVOCATE

ATTESTED



yed for.

(4) (6)
U-36

BEFORE THE KHYBER PAKHTUNKHWA SERVICE TRIBUNAL
PESHAWAR

Appeal No. 630 /2014

Mst: Bakht Sania, Charge Nurse (BPS-16),
Hayat Abad Medical Complex, Khyber Pakhtunkhwa, Peshawar

668
07/5/2014
Appellant



VERSUS

- 1- The Secretary Health, Govt of Khyber Pakhtunkhwa, Peshawar.
- 2- The Secretary Finance Department, Govt of Khyber Pakhtunkhwa, Peshawar.
- 3- The Director General Health Services, Govt of Khyber Pakhtunkhwa, Peshawar.
- 4- The Director Health Services FATA, FATA Secretariat, Warsak Road, Peshawar.

..... Respondents

APPEAL UNDER SECTION-4 OF THE KHYBER PAKHTUNKHWA SERVICE TRIBUNAL ACT 1974 FOR THE GRANT OF LIEN i.e. BY COUNTING THE SERVICE OF APPELLANT FROM FATA TOWARDS SETTLED AS CHARGE NURSE (BPS-16) IN LIGHT OF THE NOTIFICATIONS DATED 19-08-2013 AND 09-10-2013 AND AGAINST NOT TAKING ACTION ON DEPARTMENTAL APPEAL OF THE APPELLANT WITH IN THE STATUTORY PERIOD OF NINETY DAYS

PRAYER:

That on acceptance of this appeal the respondents may be directed to count the service of the appellant from FATA towards Settled as Charge Nurse (BPS-16) i.e. LIEN in light of the Notifications dated 19-08-2013 and 09-10-2013. Any other remedy which this august Court deems fit may also be very kindly awarded in favor of the appellant.

R/SHEWETH:

FACTS:

- ATTESTED
- 1- That the appellant was inducted in the service as Charge Nurse (BPS-16) on the recommendations of the Departmental Selection Committee on contract basis in the respondent No.4 Department vide order dated 08-03-2008. That in light of order dated 08-03-2008 the appellant was further posted to civil hospital Ghiljo upper orakzai Agency. That in compliance of the order dated 08-03-2008 the appellant submitted her arrival report on 11-03-2008 and started performing her
- ATTESTED
- EX-1000000
Khyber Pakhtunkhwa
Service Tribunal
Peshawar

BEFORE THE KHYBER PAKHTUNKHWA SERVICE TRIBUNAL,
PESHAWAR.

37

SERVICE APPEAL NO. 630/2014

Date of institution ... 07.05.2014

Date of judgment ... 06.12.2016



Mst. Bakht Sania, Charge Nurse (BPS-16),
Hayatabad Medical Complex, Khyber Pakhtunkhwa, Peshawar.

... (Appellant)

VERSUS

1. The Secretary Health, Government of Khyber Pakhtunkhwa, Peshawar.
2. The Secretary Finance Department, Government of Khyber Pakhtunkhwa, Peshawar.
3. The Director General Health Services, Government of Khyber Pakhtunkhwa, Peshawar.
4. The Director Health Services FATA, FATA Secretariat, Warsak Road, Peshawar.

... (Respondents)

APPEAL UNDER SECTION-4 OF THE KHYBER PAKHTUNKHWA SERVICE TRIBUNAL ACT, 1974 FOR THE GRANT OF LIEN i.e BY COUNTING THE SERVICE OF APPELLANT FROM FATA TOWARDS SETTLED AS CHARGE NURSE (BPS-16) IN LIGHT OF THE NOTIFICATIONS DATED 19.08.2013 AND 09.10.2013 AND AGAINST NOT TAKING ACTION ON DEPARTMENTAL APPEAL OF THE APPELLANT WITHIN THE STATUTORY PERIOD OF NINETY DAYS.

Mr. Noor Muhammad Khattak, Advocate.
Mr. Muhammad Jan, Government Pleader

.. For appellant.
.. For respondents.

MR. ASHFAQUE TAJ
MR. MUHAMMAD AAMIR NAZIR

.. MEMBER (JUDICIAL)
.. MEMBER (JUDICIAL)

ATTESTED

JUDGMENT

EXAMINER
Khyber Pakhtunkhwa
Service Tribunal,
Peshawar

ASHFAQUE TAJ, MEMBER:-

The appellant Mst. Bakht Sania, Charge Nurse

(BPS-16) Hayatabad Medical Complex, Khyber Pakhtunkhwa, Peshawar, had filed instant

appeal under Section-4 of Khyber Pakhtunkhwa Service Tribunal Act, 1974 with prayer to

count service of the appellant from FATA towards settled area as Charge Nurse (BPS-16)

i.e in light of notifications dated 19.08.2013 and 09.10.2013.

ATTESTED

38

2. Facts in brief are that the appellant was initially inducted in service as Charge Nurse (BPS-16) on the recommendations of Departmental Selection Committee on contract basis vide departmental order dated 08.03.2008 issued by respondent No. 4. She was posted in Civil Hospital Ghiljo Upper Orakzai Agency and accordingly she submitted her arrival report on 11.03.2008. She was further posted/transferred to Agency Surgeon Khyber at Jamrud in Khyber Agency on 09.08.2008 and her arrival report is on 12.08.2008. Later on the services of appellant were regularized from the date of her appointment as Charge Nurse (BPS-16) on 06.01.2009 vide Notification No. SO-VI (Regulation) (E&D) 1-13/2005 dated 10.08.2005 and her charge report in this regard was on 20.03.2013. In the meanwhile, Public Service Commission announced posts of Charge Nurse (BPS-16) of settled area. Appellant being resident of District Swat applied for the said post through proper channel and she qualified the interview and was accordingly recommended for appointment as Charge Nurse (BPS-16) by the Public Service Commission. Later on 18.07.2013 she was posted at Saidu Government Teaching Hospital Swat on 19.08.2013 and the respondent No. 4 on 09.10.2013 relieved the appellant to join her new assignment. Subsequently, she was transferred to Hayatabad Medical Complex Peshawar on 02.09.2013 and she started performing her duties. That the appellant has applied for fixation of lien in departmental appeal dated 20.01.2014. That no reply/action was received, hence the instant appeal.
3. The learned counsel for the appellant argued that initially appellant Mst. Bakht Sania daughter of Abdul Ahad was appointed as Charge Nurse (BPS-16) on contract basis on the recommendations of Departmental Selection Committee, thus her entry in the service was legal and proper. That subsequently, she was regularized from the date of her appointment charge assumption by respondent No. 4 on 06.01.2009 vide Government Notification. That when post of Charge Nurse was published in settled area she applied through proper channel and accordingly she was recommended by the Public Service Commission. That NOC and relieving order was issued inter-alia the department has got no objection of her shifting from FATA to settled area as a Charge Nurse new assignment. That when the appellant requested respondents for grant of lien the same was not granted

ATTESTED

ATTESTED
 EXAMINED
 Khyber Pakhtunkhwa
 Service Commission

on the ground that in relieving order dated 09.10.2013 it was mentioned that her job was on contract basis at AHQ Hospital Khar. That transfer of lien of previous job is her right in term of FR-12-A which lays down that a government servant on substantive appointment to any permanent post acquires a lien on that post and ceases to hold any lien previously acquired on any other post. Hence, prayed that the appeal in hand may be accepted and that her previous services may be counted and services of the appellant prior to the said appointment may be granted as she acquired proper lien on that post.

4. On the contrary learned Government Pleader resisted the stance of appellant on many grounds. The main arguments of learned Government Pleader was that the initial appointment of the appellant by the Director Health Services FATA Peshawar was not in accordance with rules and therefore, the question of lien did not arise. That incorrect appointment and subsequent regularization orders were issued by respondent No. 4 and he was not authorized to do so and that the appellant had been appointed as a fresh employee in light of recommendations of Public Service Commission and that her previous irregular services could not be counted. Hence the appeal be dismissed.

5. Examination of record transpires that initially the appellant was appointed as Charge Nurse (BPS-16) on the recommendations of Departmental Selection Committee on contract basis. The services of appellant were regularized by respondent No. 4 on 06.01.2009 in pursuance of Notification No. SO-VI (Regulation) (E&D) 1-13/2005. The respondents though have raised objection that the initial appointment and regularization order was not proper but in support of their contention they failed to bring on record or proof that the said appointment was illegal. Merely, an explanation letter was issued to Director General Health FATA Peshawar that under Contract Employment Policy 2002 the appellant was required to be recommended by Public Service Commission and that she was regularized by the office of D.G which was clear deviation from rules but no further process in this regard has been placed on file. It would not be out of context to mention here that in the year 2009 all the contract employees were regularized by the Act of Assembly known as Khyber Pakhtunkhwa Employees (Regularization of Services) Act, 2009, so if for the sake of arguments it is reckoned that the regularization of the appellant

ATTESTED

[Handwritten signature]

[Handwritten signature]
 Director General Health
 FATA Peshawar

40

was doubtful as pleaded by learned Government Pleader even then appellant stands protected under the umbrella of regularization of Services Act *ibid.* Meaning thereby her regularization order dated 06.01.2009 is intact and holds field unless is set-aside by any competent authority. So without falling further in the controversy which is neither impugned nor challenged by the respondents that her initial recruitment in BPS-16 on contract basis and further regularization was illegal the question of lien is hereby taken into consideration. It is to be noted that "Lien" means the title of a civil servant to hold substantively a post on which he has been confirmed (Rule-2 (b) of Civil Servants (Confirmation) Rules, 1993). There is no cavil to the proposition that an employee on substantive appointment to any permanent post acquires a lien on that post and ceases to hold any lien previously acquired on any other post (F.R.12-A). It is well-settled by now that for the termination of lien of a permanent Civil Servant from his original Department three prerequisites had to be satisfied which are as under:

- i. the Civil Servant concerned had joined other Department on regular basis;
- ii. the joining to other Department was result of his selection;
- iii. the selection was through a regular selection process.

(Reliance is placed on 2011 SCMR 442)

6. The rule FR-12-A is very much perspicuous to the effect that a government servant on substantive appointment to any permanent post acquires a lien on that post and ceases to hold any lien previously acquired on any other post.

7. For the reasons stated above the appeal in hand stands accepted to the effect that the earlier service of the appellant shall be counted from FATA towards settled area as Charge Nurse (BPS-16) from the date when she was regularized in the earlier post at FATA.

Parties are left to bear their own costs. File be consigned to the record room.

ANNOUNCED
06.12.2016

Sd/- Ashfaqul Taj, Member

Sd/- M. Amir Nazir, Member

ATTESTED

B

Certified to be true
Secretary
Service Tribunal

06.12.16

V - (41)

BEFORE THE KHYBER PAKHTUNKHWA SERVICE TRIBUNAL
PESHAWAR

Implementation petition No. _____/2017
in
Appeal No. 630/2014

BAKHT SANIA

VS

HEALTH DEPARTMENT

INDEX

S.NO.	DOCUMENTS	ANNEXURE	PAGE
1.	Memo of implementation	1- 2.
2.	Judgment	A	3- 7.
3.	Vakalat nama	8.

PETITIONER

THROUGH:
NOOR MUHAMMAD KHATTAK
ADVOCATE

ATTESTED



42

**BEFORE THE KHYBER PAKHTUNKHWA SERVICE TRIBUNAL
PESHAWAR**

Implementation Petition No. _____/2017

In

Appeal No.630/2014

Mst: Bakht Sania, Charge Nurse (BPS-16),
Hayat Abad Medical Complex, Khyber Pakhtunkhwa, Peshawar.

.....**PETITIONER**

VERSUS

- 1- The Secretary Health, Govt of Khyber Pakhtunkhwa, Peshawar.
- 2- The Secretary Finance Department, Govt: of Khyber Pakhtunkhwa, Peshawar.
- 3- The Director General Health Services, Govt: of Khyber Pakhtunkhwa, Peshawar.
- 4- The Director Health Services FATA, FATA Secretariat, Warsak Road, Peshawar.....**RESPONDENTS**

**IMPLEMENTATION PETITION FOR DIRECTING THE
RESPONDENTS TO OBEY THE JUDGMENT IN LETTER
AND SPIRIT**

R/SHEWETH:

- 1- That the petitioner filed appeal bearing No. 630/2014 before this august service tribunal for the grant of Lien i.e. by counting the service of appellant from FATA Towards settled as charge Nurse (BPS-16) in light of the Notifications dated 19.8.2013 and 09.10.2013.
- 2- That the appeal of the petitioner was finally heard by the august tribunal on 06.12.2016 and decided the appeal in favor of the petitioner and the august Service Tribunal directed the respondent Department that the earlier service of the appellant shall be counted from FATA towards settled as Charge Nurse (BPS-16) from the date when she was regularized on the earlier post at FATA. Copy of the judgment is attached as annexure **A.**
- 3- That after obtaining copy of the judgment the petitioner applied to the Department for his claim but the respondent Department is not willing to obey the judgment in letter and spirit.
- 4- That the petitioner has no other remedy but to file this implementation petition.

ATTESTED





GOVERNMENT OF KHYBER PAKHTUNKHWA
HEALTH DEPARTMENT

Dated the Peshawar 03rd November, 2017

NOTIFICATION.

No. SOH-III/3-5/2017. In pursuance of judgment of Service Tribunal, dated: 06-12-2016 in Service Appeal No. 630/2016, the services of Mst. Bakht Sania, Charge Nurse BS-16 rendered in FATA is hereby regularized with effect from 12-08-2008 to 18-08-2013 i.e till her selection as Charge Nurse BS-16 in Health Department for purpose of pay protection only **NOT** seniority.

Secretary to Govt. of Khyber Pakhtunkhwa
Health Department

Endst No. of even No and Date.

Copy forwarded to:-

1. The Accountant General, Khyber Pakhtunkhwa, Peshawar.
2. The Director General, Health Services Khyber Pakhtunkhwa.
3. The Director Health Services FATA, FATA Secretariat, Warsak Road, Peshawar.
4. The Agency Accounts Officer, Khyber Agency.
5. The Registrar, Khyber Pakhtunkhwa Service Tribunal, Peshawar.
6. The Section Officer (Lit-II) Health Department.
7. PS to Secretary Health, Khyber Pakhtunkhwa.
8. Charge Nurse concerned.

Section Officer-III

OFFICE OF THE DIRECTOR GENERAL HEALTH SERVICES, KPK PESHAWAR.

No. 255-57 /E.II, Dated Peshawar the 04-12 /2017.

Copy forwarded to the:-

01. Hospital Director, MTI HMC Peshawar
02. Director Health Services, FATA Peshawar.
03. DA-concerned DGHS Office Peshawar.

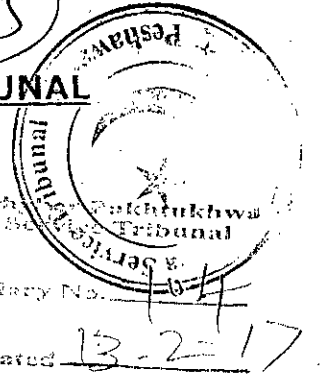
For information and necessary action

ATTESTED

DEPUTY DIRECTOR (NURSING)
DGHS, KPK, PESHAWAR.

X-45

**BEFORE THE KHYBER PAKHTUNKHWA SERVICE TRIBUNAL
PESHAWAR**



Implementation Petition No. 25 /2017
In
Appeal No.630/2014

Mst: Bakht Sania, Charge Nurse (BPS-16),
Hayat Abad Medical Complex, Khyber Pakhtunkhwa, Peshawar.

.....**PETITIONER**

VERSUS

- 1- The Secretary Health, Govt of Khyber Pakhtunkhwa, Peshawar.
- 2- The Secretary Finance Department, Govt: of Khyber Pakhtunkhwa, Peshawar.
- 3- The Director General Health Services, Govt: of Khyber Pakhtunkhwa, Peshawar.
- 4- The Director Health Services FATA, FATA Secretariat, Warsak Road, Peshawar.....**RESPONDENTS**

**IMPLEMENTATION PETITION FOR DIRECTING THE
RESPONDENTS TO OBEY THE JUDGMENT IN LETTER
AND SPIRIT**

R/SHEWETH:

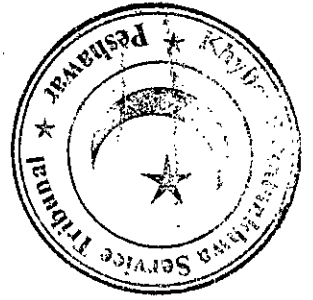
- 1- That the petitioner filed appeal bearing No. 630/2014 before this august service tribunal for the grant of Lien i.e. by counting the service of appellant from FATA Towards settled as charge Nurse (BPS-16) in light of the Notifications dated 19.8.2013 and 09.10.2013.
- 2- That the appeal of the petitioner was finally heard by the august tribunal on 06.12.2016 and decided the appeal in favor of the petitioner and the august Service Tribunal directed the respondent Department that the earlier service of the appellant shall be counted from FATA towards settled as Charge Nurse (BPS-16) from the date when she was regularized on the earlier post at FATA. Copy of the judgment is attached as annexure **A.**
- 3- That after obtaining copy of the judgment the petitioner applied to the Department for his claim but the respondent Department is not willing to obey the judgment in letter and spirit.
- 4- That the petitioner has no other remedy but to file this implementation petition.

ATTESTED
EXAMINER
Khyber Pakhtunkhwa
Service Tribunal,
Peshawar

06.03.2018

46

Junior counsel for the petitioner present. Mr. Muhammad Jan. DDA for the respondents present. Junior counsel for the petitioner seeks withdrawal of the present execution petition. In this regard signature of the junior counsel for the petitioner has ^{been obtained} signed on the margin of order sheet as token ^{of} proof. Consequently, the execution petition is dismissed as withdrawn. It be consigned to the record room.



Certified to be true copy

Khyber Pakhtunkhwa
Service Tribunal,
Peshawar

Date of Presentation of Application 27-3-18
 Number of Words 800
 Copying Fee 6
 Urgent 2
 Total 8
 Name of Copyist [Signature]
 Date of Completion 27-3-18
 Date of Delivery of Copy 27-3-18

TO,

The Chief Secretary,
Khyber Pakhtunkhwa, Peshawar.

Y-47

Subject: **DEPARTMENTAL APPEAL AGAINST THE IMPUGNED NOTIFICATION DATED 03/11/2017**

Respected Sir,

Most respectfully, it is stated, that I was appointed as Charge Nurse (BPS-16) vide order dated 08/03/2008 in DHS, FATA and later on regularized from the date of my appointment on 06/01/2009 through Government Notification. In the meanwhile, Public Service Commission announced the post of Charge Nurse (BPS-16) of the settled area. I applied to the same and was recommended by the Public Service Commission. I then requested to the concerned department for the grant of lien but the same was refused, feeling aggrieved I preferred an appeal No.630/2014 before the August Service Tribunal which was decided in my favor with the direction that the earlier service of the appellant shall be counted. The concerned department did not compliance with the judgment of the August Service Tribunal hence moved an implementation petition No. 25 /2017, in meanwhile, the impugned Notification dated 03/11/2017 was issued by concerned authority which was communicated to the me on 06.03.2018 through the august Service Tribunal, where the judgment of the August Service Tribunal was partially implemented to the extent of pay and pension but the seniority was not counted.

It is, therefore, most humbly prayed that the impugned notification may kindly be modified to the extent that along with pay and pension the seniority of the appellant may also be counted from the date of initial appointment dated 08/03/2008.

Dated: 26/03/2018

ATTESTED

Your Obediently,

Mst Bakht Sania, Charge Nurse

Hayatabad Medical Complex, Peshawar

VAKALATNAMA

Before the KP Service Tribunal, Peshawar

_____ OF 2018

Bakht Sania

(APPELLANT)
(PLAINTIFF)
(PETITIONER)

VERSUS

Health Department


(RESPONDENT)
(DEFENDANT)

I/We Bakht Sania

Do hereby appoint and constitute **NOOR MOHAMMAD KHATTAK, Advocate, Peshawar** to appear, plead, act, compromise, withdraw or refer to arbitration for me/us as my/our Counsel/Advocate in the above noted matter, without any liability for his default and with the authority to engage/appoint any other Advocate Counsel on my/our cost. I/we authorize the said Advocate to deposit, withdraw and receive on my/our behalf all sums and amounts payable or deposited on my/our account in the above noted matter.

Dated. ____/____/2018


CLIENT


ACCEPTED
NOOR MOHAMMAD KHATTAK
&
MUHAMMAD MAAZ MADNI
ADVOCATES

OFFICE:
Flat No.3, Upper Floor,
Islamia Club Building, Khyber Bazar,
Peshawar City.
Phone: 091-2211391
Mobile No.0345-9383141