

Before Khyber Pakhtunkhwa Service Tribunal

Service Appeal No.543/2018

Date of Institution: 12.03.2018

Date of Decision: 09.04.2019

Shah Khalid S/o Nigar Khan R/o Village Khata Khat, District Mardan.

(Appellant)

Versus

1. I.G Prisons Peshawar and 2 others.

Present.

Mr. Ijaz Ahmad, Advocate .. For appellant

Judgment/Order

HAMID FAROOQ DURRANI, CHAIRMAN.

The appellant was appointed as Warder (BPS-05) by the Superintendent Circle Headquarters Prisons Peshawar and was posted at Central Prison Haripur. He was proceeded against departmentally on account of absence from duty and was removed from service through order dated 30.09.2013.

2. Arguments heard.

3. It is gatherable from the record that after passing of order of removal from service against the appellant, he preferred a departmental appeal on 14.01.2014. The appeal was not responded to, hence the service appeal in hand was preferred on 12.04.2018. In the said manner, it becomes quite clear that the present service appeal was submitted after a delay of more than four (04) years. An application for condonation was submitted alongwith

the appeal in hand, however, the grounds noted therein are evasive and no specific reason for such enormous delay has been provided.


4. In view of above facts, the appeal in hand is dismissed in limine being barred by time File be consigned to the record room.



(Hamid Farooq Durrani)
Chairman

ANNOUNCED

09.04.2019

the appeal in hand, however, the grounds noted therein are evasive and no specific reason for such enormous delay has been provided. ~~SECRET~~ 

4. In view of above facts, the appeal in hand is dismissed in limine being barred by time, File be consigned to the record room.



(Hamid Farooq Durrani)
Chairman

ANNOUNCED
09.04.2019

01.11.2018

Due to retirement of Hon'ble Chairman, the Tribunal is defunct. Therefore, the case is adjourned. To come up on 19.12.2018.



READER

19.12.2018

Learned counsel for the present. Heard. The present service appeal appears to be hopelessly time barred. Adjournment requested for proper assistance/further arguments. Adjourn. To come up for preliminary arguments on 30.01.2019 before S.B



Member

30.01.2019

Counsel for the appellant present. The case was fixed for preliminary arguments however, today application for amendment in appeal was submitted. Application is placed on record. Reasons mentioned in the application appeared to be genuine. As such, application is accepted. To come up for amended appeal on 01.03.2019 before S.B.



(Muhammad Amin Khan Kundi)
Member

01.03.2019

Due to general strike of the bar, the case is adjourned. To come up for further proceedings/amended appeal on 09.04.2019 before S.B



Member

27.06.2018

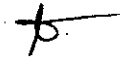
Appellant absent. Learned counsel for the appellant absent. Adjourned. To come up for preliminary hearing on 20.07.2018 before S.B.



Member

20.07.2018

None for the appellant present. Adjourned. To come up for preliminary hearing on 08.08.2018 before S.B.



(Ahmad Hassan)
Member

08.08.2018

Clerk to counsel for the appellant present and seeks adjournment on the ground that learned counsel for the appellant is not available today. Adjourned. To come up for preliminary hearing on 27.09.2018 before S.B.



(Muhammad Amin Kundi)
Member

27.09.2018

Clerk of counsel for the appellant present. Due to general strike of the bar, counsel for the appellant is not in attendance. Requested for adjournment. Granted. To come up preliminary hearing on 01.11.2018 before S.B.



Chairman

Form-A
FORM OF ORDERSHEET

Court of _____
Case No. 543/2018

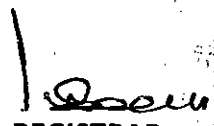
S.No.	Date of order proceedings	Order or other proceedings with signature of judge
1	2	3
1	17/04/2018	<p>The appeal of Mr. Shahkhaled resubmitted today by Mr. Ijaz Ahmad Afridi Advocate may be entered in the Institution Register and put up to the Learned Member for proper order please.</p> <p style="text-align: right;"><i>[Signature]</i> REGISTRAR 17/4/18</p>
2-	18/04/18.	<p>This case is entrusted to S. Bench for preliminary hearing to be put up there on <u>30/04/18.</u></p> <p style="text-align: right;"><i>[Signature]</i> MEMBER</p>
30.04.2018		<p>Junior counsel for the appellant present. The Tribunal is non functional due to retirement of the Honorable Chairman. Therefore, the case is adjourned. To come up for the same on 27.06.2018 before S.B.</p> <p style="text-align: right;"><i>[Signature]</i> Reader</p>

The appeal of Mr. Shah Khaled son Nigar Khan Distt. Mardan received today by i.e. on 12.04.2018 is incomplete on the following score which is returned to the counsel for the appellatant for completion and resubmission within 15 days.

- 1- Annexures of the appeal may be got attested.
- 2- The authority to whom the departmental appeal was made has not been arrayed a necessary party.
- 3- Five more copies/sets of the appeal along with annexures i.e. complete in all respect may be also be submitted with the appeal.

No. 799 /S.T,

Dt. 17/04 /2018


REGISTRAR 17/4/18
SERVICE TRIBUNAL
KHYBER PAKHTUNKHWA
PESHAWAR.

Mr. Ijaz Ahmad Afridi Adv Pesh.

Resubmit

BEFORE THE KHYBER PAKHTUNKHWA SERVICE TRIBUNAL PESHAWAR

A No. 543/18

Shah Khalid

VERSUS

I.G Prison Peshawar & Others

INDEX

S#	Description of Documents	Annexures	Page Nos
1	Memo & Grounds of appeal		1-5
2	Condonation of Delay		6
3	Copy of Fitness Certificate	A	7-9
4	Show cause Notice & Removal Order	B & C	10-11
5	Departmental Appeal	D	12-15
6	Wakalat Nama.		16

Appellant/Petitioner

Through



Ijaz Ahmad
Advocate High Court
Peshawar.

Dated: 12-04-2018

BEFORE THE KHYBER PAKHTUNKHWA SERVICE TRIBUNAL
PESHAWAR

A No. 543/18

Shah Khalid S/o Nigar Khan R/o Village Khata Khat,
District Mardan

Appellant

Diary No. 546

Dated 12-4-18

Versus

1. I.G Prison, Peshawar.
2. Superintendent Circle Head Quarters Prison
Haripur.
3. Superintendent Central Prison Haripur
.....Respondents

APPEAL U/S 4 OF KHYBER
PAKHTUNKHWA SERVICES TRIBUNAL
ACT 1974 AGAINST THE IMPUGNED
ORDER DATED 30-09-2013 OF
RESPONDENT NO-1 WHEREBY THE
APPELLANT WAS REMOVED FROM
SERVICE

PRAYER,

ON ACCEPTANCE OF THIS APPEAL, THIS
HON'BLE TRIBUNAL MAY PLEASE BE SET
ASIDE AND THE IMPUGNED ORDER OF
RESPONDENT NO-1 DATED 30-09-2013 AND
THE APPELLANT MAY KINDLY BE
REINSTATED IN HIS SERVICE FROM THE
DATE OF HIS REMOVAL FROM SERVICE
AND HIS ABSENCE BE CONSIDERED AS
LEAVE WITHOUT PAY.

Filed to-day

Registrar
12/4/18

Re-submitted to -day
and filed.

Registrar

17/4/18

Respectfully Sheweth:-

1. That the appellant is a bona fide and law abiding
citizen of district Mardan.

②

2. That the appellant was appointed as warder (BPS-5) by the Superintendent Circle Headquarter Prisons Peshawar, after filing through all the legal formalities and medical checkups. (Copy of the fitness certificate is attached as annexure A).
3. That after initial appointment of the appellant, he was posted at Central Prison Haripur.
4. That before the removal order, the appellant was face with emergency situation, due to which the appellant couldn't be able to attend to his duties.
5. That the appellant was issued with a show cause notice dated 10/09/2013 as to why he was absent from his duties which the appellant replied again and again but didn't accept the reply of the appellant, for which implement the major penalty of removal from service. (Copy of show cause and order dated 30/09/2013 is attached as annexure 'B' & 'C').

6. That the appellant filed a departmental appeal against his removal but they refused to take any application. (Copy attached). *as "D"*

7. That now the appellant approached this Hon'ble Tribunal for setting aside the removal order dated 30/09/2013 passed by the respondent no-1 on the following grounds.

GROUNDS:

A. That the order of the respondent NO.1 dated 30/09/2013 whereby the departmental appeal of the appellant was not taken by the respondent and that of awarding the major penalty of removal from service is against law, fact and material on record and hence liable to be set aside.

B. That the impugned order suffers from patent illegalities and material procedural irregularities in as much as the impugned order is a non speaking order and the facts and other materials on record has not been considered therefore the same is not tenable.

- C. That the impugned order has been passed in utter violation of the procedure laid down in the Khyber Pakhtunkhwa Government Servants (Efficiency and Discipline) Rules 2011 and therefore, the impugned order is a nullity in the eyes of law.
- D. That the explanation given by the appellant for his absence from duties was not considered in its true perspective. In fact the appellant was confronted with a situation which genuinely prevented him from performing his duties and there is no element of willful and intentional negligence on his part, therefore any major penalty awarded to the appellant has caused grave miscarriage of justice.
- E. That the impugned order has not given any cogent reason for not considering the explanation given by the appellant for being absent from the duties.
- F. That the impugned order is mechanical order without application of the mind and therefore is against the mandatory provisions of the Civil Servants Act 1973 as also the Khyber Pakhtunkhwa Government Servants (Efficiency and Discipline) Rules 2011.

G. That the appellant has put in meritorious services without any previous adverse report and major penalty of removal from service is un-warranted by law.

It is therefore humbly prayed that on acceptance of this appeal the impugned order dated 30/09/2013 by respondent no.1 and not taking as be set aside and the appellant may graciously be reinstated and his absence may be considered as leave without pay.

Dated: 12/04/2018



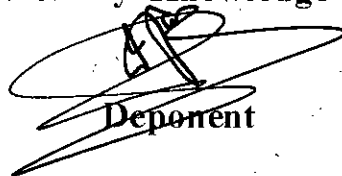
Appellant
Through

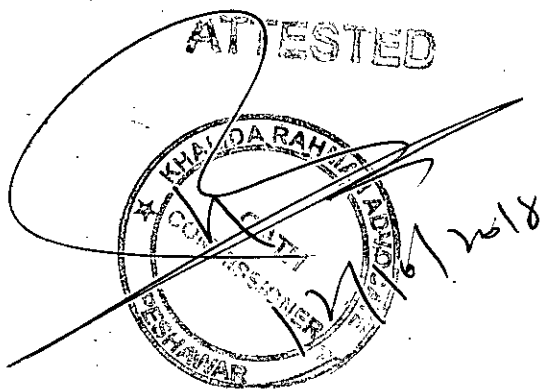


Ijaz Ahmad
Advocate High Court,
Peshawar.

Affidavit

I, Shah Khalid S/o Nigar Khan R/o Village Khata Khat, District Mardan do here by solemnly affirms on oath that the contents of the instant application are correct and true to the best of my Knowledge and belief.


Deponent

ATTESTED


6

BEFORE THE KHYBER PAKHTUNKHWA SERVICE TRIBUNAL PESHAWAR

Shah KhalidAppellant.

Versus

Superintendant Circle Head Quarters Prison Haripur and
othersRespondents

Application for Condonation of delay

Respectfully Sheweth,

1. That the above mentioned appeal is pending before the Hon'ble Court in which no date is fixed.
2. That appellant was faced with emergency situation due to which the appellant was unable to join his duty.
3. That absence of appellant was not intentional but rather the emergency situation with which appellant faced.
4. That the delay occurred was neither intentional nor deliberate or negligent.
5. That there is no legal bar on the time if the spent or condone by this Hon'ble Tribunal.

It is therefore humbly prayed that on acceptance of this application, the delay if any in submission of appeal may kindly be condoned in the interest of justice.

Through

Appellant



**Ijaz Ahmad
Advocate High Court
Peshawar.**

DATE

No.

Rs. 5

FACE VALUE RUPEES 5/-

OUT PATIENTS DEPARTMENT

NAME

10/10/10

YEARLY NO.

92-120

DATE

DISEASE

fitus entofide

Cooper Hill No. 100 Hill

is R4 Jan 1910

Countersigned

[Signature]
Medical Superintendent
D.H.Q. Hospital, Mardan

[Signature]
MEDICAL OFFICER
D.H.Q. HOSPITAL
MARDAN

[Signature]
REGISTERED

h
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ar
)

SU
CIRCLE

do
Amis Zaman
Advocate. *[Signature]*

7

(9)

NWFP Med. No. 4

MEDICAL CERTIFICATE

Name of official Shah Khalid Noor
 Caste or race Fallah
 Father's name Nigar Khan 06/80
 Residence Moh. Babu Lal Kata Hal Teho Dist. Mardan
 Date of birth 01/05/1894
 Exact height by measurement 5-3
 Personal mark of identification MIL
 Signature of the official [Signature]
 Signature of head of office _____

Seal of office _____

I do hereby certify that I have examined Mr. Shah Khalid a candidate
 for employment in the Office of the Prison Deptt
 and cannot discover that he had any disease communicable or other constitutional affection or bodily
 infirmity except MIL

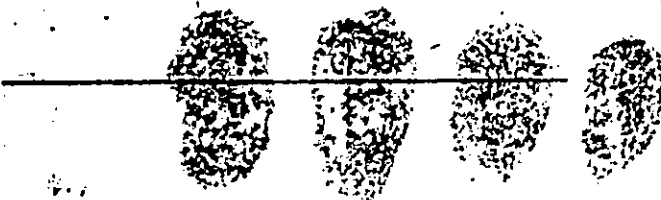
I do not consider this as disqualification for employment in the office of the _____
 His age according to his own statement 19 year and by appearance about
 year 17/05/13

ATTESTED

[Signature]
 Medical Superintendent
 Police/Services Hospital
 Peshawar.
 MEDICAL SUPERINTENDENT,
 CIVIL HOSPITAL [Signature]

17/05/13

LEFT HAND THUMB AND FINGER IMPRESSIONS



[Signature]
 Medical Superintendent
 Prison Peshawar
 17/05/13

SHOW CAUSE NOTICE UNDER RULE-5 (i) READ WITH RULE-7 OF THE KHYBER PUKHTUNKHWA GOVERNMENT SERVANTS (EFFICIENCY DISCIPLINE) RULES, 2011.

You following Warders (BPS-05) attached to Central Prison Haripur absented from duties & lines/Jail premises on the dates noted against your names as under:-

S.No.	Name of Warder.	Date of Absence
1.	Siraj Khan	31-8-2013 to 10-9-2013
2.	Taimoor Khan	31-8-2013
3.	Hamad Khan	-do-
4.	Shahid Ahmad	04-9-2013
5.	Shah Khalid	08-9-2013

I, Masud-ur-Rahman Superintendent Headquarter Prisons, Haripur as competent authority, am satisfied by the report submitted by the Superintendent Central Prison Haripur on 09-9-2013 and there is no need of holding any further inquiry.

Now therefore, you above named Warders are hereby called upon to show cause within 07-days as to why punishment of "Removal from Service" may not be awarded to you for your above stated act.


In case your reply does not reach this office within stipulated period ex-parte action shall be taken against you.

SUPERINTENDENT
CIRCLE H/Q PRISON HARIPUR

Endst No. 2328-291 Dated 10/9/2013

- Copy of the above is forwarded to:-
1. The Superintendent Central Prison Haripur for information w/r to his report dated 09-9-2013. A copy of show cause notice duly signed by the accused Warders may please be returned to this Headquarter as token of receipt and office record.
 2. Warders concerned c/o Superintendent Central Prison Haripur.

SUPERINTENDENT
CIRCLE H/Q PRISON HARIPUR

L.O

ATTESTED



(11)

**OFFICE OF THE SUPERINTENDENT
CIRCLE (EASTERN) HQs PRISON HARIPUR**

No. 2681-1-
Dated 30-09-2013 1-

OFFICE ORDER:

Upon completion of disciplinary proceedings under Khyber Pakhtunkhwa Government Servants Efficiency & Discipline Rules-2011, Warder (BPS-05) Shah Khalid attached with Central Prison Haripur is hereby awarded the penalty of "Removal from Service" with immediate effect, on the charges contained in Show Cause Notice served upon him vide this Headquarter B No. 2328-29 dated 10-09-2013.

Slst: No: 2682-851

**SUPERINTENDENT
CIRCLE H.Q. PRISON HARIPUR**

Copy of the above is forwarded to:

1. The Inspector General of Prisons, Khyber Pakhtunkhwa Peshawar
2. The Superintendent Central Prison Haripur for information & necessary action w/r to above.
3. The D.A.O Haripur for information & necessary action.
4. Warder Shah Khalid S/O Nigar Khan R/O Village & P.O Kata Khan Tehsil & District Mardan.

**SUPERINTENDENT
CIRCLE H.Q. PRISON HARIPUR**

do
Amir Zaman
Advocate.

ATTEST

بھٹو، جناب و جیل خانہ جات سٹاؤ

درخواست میرا بھالی سٹاؤ فالو لنگران

~~ATTESTED~~
ATTESTED

جناب عالی سائل ذیل گھرنا ہے۔

1۔ یہ کہ سائل سال 2000ء میں جیل خانہ جات میں بطور وارڈن بھرتی ہوئی تھی۔

2۔ یہ کہ سائل بڑی ایمانداری اور مخلصانہ سٹائی سے اپنے ڈیوٹی سر انجام دے رہا تھا لیکن کچھ انتہائی ناگہان حالات کی وجہ سے اسے فوراً ڈیوٹی سے محروم کرنا پڑا۔

3۔ یہ کہ سائل کو اس کے بعد چھ مہینے بطور حکم کی طرف سے بڑی سزا Removal from service دے دی گئی جو کہ سائل کے ساتھ زیادتی اور نا انصافی ہے۔

4۔ یہ کہ سائل نے ایسے بار بار درخواستیں دی ہیں کہ وہ جیل خانہ جات سے سٹاف درخواست لے سے انکار کیا۔

5۔ یہ کہ سائل ایک ٹریب ٹائرن سے تعلق رکھتا ہے اور گھر کا وارہ کھیل ہے۔

لہذا آپ مامبان سے استراہت کے لیے اپنے نوٹیفکیشن بحال کر دینا۔
صدر: 2018-1-1
بھٹو
سٹاؤ فالو لنگران

7-11-2017 مورخہ
S. M. Khan
بانی

میں نے اپنے تمام اثاثے اور جائیدادیں
اپنے بیٹے کو منتقل کر دی ہیں۔

میں نے اپنے تمام اثاثے اور جائیدادیں
اپنے بیٹے کو منتقل کر دی ہیں۔

میں نے اپنے تمام اثاثے اور جائیدادیں
اپنے بیٹے کو منتقل کر دی ہیں۔

میں نے اپنے تمام اثاثے اور جائیدادیں
اپنے بیٹے کو منتقل کر دی ہیں۔

میں نے اپنے تمام اثاثے اور جائیدادیں
اپنے بیٹے کو منتقل کر دی ہیں۔

میں نے اپنے تمام اثاثے اور جائیدادیں
اپنے بیٹے کو منتقل کر دی ہیں۔

میں نے اپنے تمام اثاثے اور جائیدادیں
اپنے بیٹے کو منتقل کر دی ہیں۔

ATTESTED

میں نے اپنے تمام اثاثے اور جائیدادیں
اپنے بیٹے کو منتقل کر دی ہیں۔

میں نے اپنے تمام اثاثے اور جائیدادیں
اپنے بیٹے کو منتقل کر دی ہیں۔

کینور جناب آ. ا. جیل خانہ جات شیواور ⁽¹⁴⁾

درخواست نمبر اور بحالی شاہ خانہ اولہ نگار خان

ATTESTED

جناب عالی سائل ذیل کسرفا ۲

۱۔ یہ کہ سائل سال 2000 میں گلہ جیل خانہ جات میں بطور وارڈن بھرتی ہوئی تھی۔

۲۔ یہ کہ سائل بڑی ایمانداری اور فرض شناسی سے اپنی ڈیوٹی سر انجام دیا تھا۔

۳۔ یہ کہ سائل کو ناگزیر حالات کی وجہ سے اسے فوراً ڈیوٹی سے ہٹا دیا گیا۔

۴۔ یہ کہ سائل کو اس کے بعد صحیح طور پر بحالی کی طرف سے بڑی سزا یعنی *Removal from service* دی گئی۔

۵۔ یہ کہ سائل نے ساتھ زیادتی اور نا انصافی کی اور غیر قانونی ہے۔

۶۔ یہ کہ سائل نے ایک شریب خانہ ان سے تعلق رکھنے والے ایک شخص کی بیگن گلہ جیل خانہ جات کے ساتھ درخواست لینے سے انکار کیا۔

۷۔ یہ کہ سائل ایک شریب خانہ ان سے تعلق رکھنے والے ایک شخص کی بیگن گلہ جیل خانہ جات کے ساتھ درخواست لینے سے انکار کیا۔

بہذا آپ مہربانی سے استدعا کی جاتی ہے کہ صحیح اپنے نوکری بحال کریں۔

بہتر بہتر شاہ خانہ اولہ نگار خان *Shah* صور فرم 7-10-2016

محترم جناب آئی جی جیل خانہ جات لاہور

درخواست میراج بحالی شاہ فالح ولد رنگار خان



جناب عالی سائل ذیل مگر ہیں۔

1- یہ کہ سائل سال 2002ء میں جیل خانہ جات میں بطور وارڈن بھرتی ہوئے تھے



2- یہ کہ سائل بڑی ایمانداری اور مخلصانہ رویے سے اپنے ذمہ داری سرانجام دے رہا تھا لیکن کچھ انتہائی ناگہان حالات کی وجہ سے اسے فوراً ڈیوٹی سے محروم کرنا پڑا۔

3- یہ کہ سائل کو اس کے بعد جے جے ٹی کے حکم کی طرف سے بڑی سزا Removal & transference دے دی گئی جو اس کے ساتھ زیادتی اور نا انصافی

4- یہ کہ سائل نے ایسے بار بار درخواستیں دیں تھیں کہ سائل کو جیل خانہ جات سے سٹاف درخواست لینے سے انکار کیا گیا۔

5- یہ کہ سائل ایک قریب فائدہ ان سے تعلق رکھتا ہے اور گھر کا واحد کھیل ہے۔

لہذا آپ مہربان سے استدعا ہے کہ
Attest
میراج بحالی شاہ فالح ولد رنگار خان

قیمت 50 روپے	 	34881
ایڈوکیٹ:	پشاور بار ایسوسی ایشن، خیبر پختونخواہ	
بار کونسل ایسوسی ایشن نمبر: 18-5859		
رابطہ نمبر: 0813-9700935		

بعدالت جناب: Service Tribunal Peshawar

مخانب: appellant	دعویٰ: appeal (service)
شاہ خالد	علت نمبر:
بنام	مورخہ:
سیٹلمنٹ بیڈ کھانا پیری اور	جرم:
	تھانہ:

باعث تحریر آتھ

مقدمہ مندرجہ عنوان بالا میں اپنی طرف سے واسطے پیروی و جواب دہی کاروائی متعلقہ
 آن مقام لیے اور کیلئے اعجاز احمد ایڈووکیٹ کو وکیل مقرر
 کر کے اقرار کیا جاتا ہے کہ صاحب موصوف کو مقدمہ کی کل کاروائی کا کامل اختیار ہوگا، نیز وکیل صاحب کو
 راضی نامہ کرنے و تقرر ثالث و فیصلہ بر حلف 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
 کاروائی 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 جانہ 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: 12-4-2018

المقام: _____

واحد _____

مقام: _____ کے لیے منظور ہے۔

شاہ خالد و لم شکار خان کھانڈا صلح مردان
 Shaid

BEFORE THE KHYBER PAKHTUNKHWA SERVICE TRIBUNAL, PESHAWAR.

Shah Khalid

.....v/s.....I.G.Prison Peshawar etc.

APPLICATION FOR PLACING THE ADDITIONAL
MEDICAL DOCUMENTS IN THE MAIN FILE/CASE.

Respectfully sheweth:

1. That the above noted appeal is pending before this Hon'able Tribunal and is fixed for 07.8.2018.
2. That some additional medical documents are requires to be placed in the main file/case, hence this application.

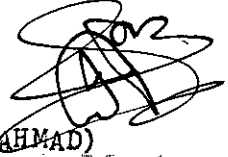
It is therefore most humbly prayed that on acceptance of the instant application the attached medical documents may kindly be placed in main file/case in the larger interest of justice.



Appellant,

Dated: 7.8.2018

Through:



(IJAZ AHMAD)

Advocate High court,
Peshawar.

TREATMENT AT HOME

Countersigned

Medical Superintendent
D.H.Q Hospital mardan

Tad. Angin BD

1-1-1

Tad. Varen

1-1-1

Cap. Esso

1-1-1

Tad. Comolii

1-1-1

Syp. Normacid

1-1-1,

Syp. Trimetabel

1-1-1,

patient condition serious

physiotherapy continue

for 6 six months.

Medical Officer
DHQ Hospital Mardan

دوباره معائنہ کیلئے بروز پیر اور جمعہ
میڈیکل اوبی ڈی تشریف لائیں۔
10/10/13

DISTRICT HEADQUARTER HOSPITAL MARDAN

DISCHARGE SLIP
Medical "A" Unit

Consultant Medical Specialist
Dr. Habib-ur-Rahman
MBBS - MRCP

M.O
Dr. Hanif Afzal
M.B.B.S
Dr. Fazli Rabbi
M.B.B.S
Dr. Fozia Fahim
M.B.B.S

Countersigned

Medical Superintendent
D.H.Q Hospital mardan

Pt. Name Nazakat Bibi m/o Shah Wahid

F/H Name

Address Village Leala Khat Mardan

D/A 26-9-2013 D/D 10-10-2013

Adm. No. 672/54 Bed No. 10

Diagnosis HTN

Prepared & Signed By

Medical Officer
DHQ Hospital Mardan

10/10/13

SHORT HISTORY

HTN

BP 210/100
102⁰F

Fever

Nausea

Abdominal pain

INVESTIGATIONS

EKG

RBS

WBC 40

EKG

HOSPITAL TREATMENT

1/2 Couma

ij. Rocephin 1gm OD

ij. Lasix OD

ij. Zantac OD

ij. Risper OD

ij. Pladax OD

ij. R/D, once OD

No.

Rs. 5

OUT PATIENTS DEPARTMENT

NAME بوعبدالله محمد

YEARLY NO 8934

DATE 15-4-2014

DISEASE HTN

FACE VALUE RUPEES 5/-

BP 200/90

101F0

Tab. Avelox

RBB

1-1 200

with R/B

Tab. Veltrol

ECG

1-1

Tab. Comtin

1-1 ①

Cap. Nexor

1-1 ① 200

Sup. Trimetabol

1-1

Sup. Normacol

1-1



No.

Rs. 5

OUT PATIENTS DEPARTMENT

NAME N. C. M/066 CS 15

YEARLY NO. 35613

DATE 26-9-2013

DISEASE HTN

FACE VALUE RUPEES 5/-

BP 210/100

102°F

RBS

uric acid

ECG

ij. Labix

Tab. Conetur

Admit

Female Medical A/Ward.



SHORT HISTORY

HTN

BP 210/100

ECG

CT Brain

patient condition
serious

INVESTIGATIONS

ECG

CT Brain

uric acid

RBS

HOSPITAL TREATMENT

IV Camla

ij. Titin OD

ij. Lasix OD

ij. Ribex

ij. Phadex OD

ij. R/Diosace OD

TREATMENT AT HOME

Countersigned Cap. Velazef

[Signature]
Medical Superintendent
D.H.Q Hospital Mardan

Tab. Contin

Cap. Esso

Tab. Veren

Syp. Caviscin

Syp. Sangobin

Advised physiotherapy Continue

for 6 months

Medical Officer
DHQ Hospital Mardan

دوباره معائنہ کیلئے بروز پیر اور جمعہ
میڈیکل اوپنی ڈی تشریف لائیں۔
25/9/13

DISTRICT HEADQUARTER HOSPITAL MARDAN

DISCHARGE SLIP

Medical "A" Unit

Consultant Medical Specialist

Dr. Habib-ur-Rahman

MBBS - MRCP

M.O

Dr. Hanif Afzal

M.B.B.S

Dr. Fazli Rabbi

M.B.B.S

Dr. Fozia Fahim

M.B.B.S

Countersigned

[Signature]
Medical Superintendent
D.H.Q Hospital Mardan

Pt. Name Nazakat Bibi m/o Shah Ishaq

F/H Name _____

Address Village & P.O. Katakast Mardan

D/A 10-9-2013 D/D 25-9-2013

Adm. No. 272/47 Bed No. 13

Diagnosis HTN

Prepared & Signed By _____

Medical Officer
DHQ Hospital Mardan

25/9/13

No.

Rs. 5.

FACE VALUE RUPEES 5/-

OUT PATIENTS DEPARTMENT

NAME مناکت م/033

YEARLY NO 6976

DATE 10-9-2013

DISEASE HTN

Admit

Female Medical (A) ward.

BP 210/90

102°F

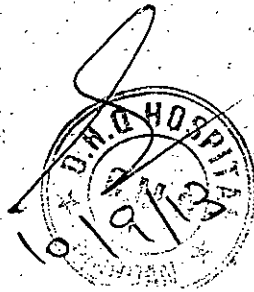
RBS

Urine R/E

ECG

ij. Lasix (3)

Tab - Comblin (1)



TREATMENT AT HOME

Countersigned Cap. Velosef
507

Medical Superintendent
D.H.Q Hospital Mardan
Tab. Contin
۱۱۱

Cap. Esso
۱۱۱

Tab. Verren
۱+۱

Syp. Gaviscin
۱+۱+

Syp. Sangabin
۱+۱+

Advised Physiotherapy Continue

for 6 (6) Six months

Medical Officer
DHQ Hospital Mardan

دوباره معائنہ کیلئے بروز پیر اور جمعہ
میڈیکل اوپن ڈی تشریف لائیں۔
25/9/13

b) Para No. d- h of the reply / parawise comments are incorrect hence denied. Detail given in the memo of appeal is correct. The enquiry report is very much clear that no evidence whatsoever were procured by the enquiry officer against appellant which could suggest the willful absence rather the medical documents verified by the enquiry officer fully support the stance of appellant. After regaining health appellant time and again approached respondents for joining duty but he has not been allowed. The stance of the replying respondents in these para is totally in contrast to the de-novo enquiry report. The Judgment attached with re-joinder is very much clear that appellant is entitled for back benefits.

It is therefore, most humbly prayed that by accepting this rejoinder and the ground of main appeal the appellant is entitled for all back benefits.

Appellant

Through

Shahid Qayum Khattak
Advocate, High Court
Peshawar

Dated: 03/10/2018

Affidavit

I, do hereby solemnly affirm and declare on Oath that the contents of the above rejoinder are true and correct to the best of my knowledge and belief and nothing has been kept secret from this Hon'ble Tribunal.

Accessed
NOTARY PUBLIC
No. 100
Peshawar
3-10-18
Deponent
14301-4081624-5

DEA

Shah Khalid

30.01.2019

Counsel for the appellant present. The case was fixed for preliminary arguments however, today application for amendment in appeal was submitted. Application is placed on record. Reasons mentioned in the application appeared to be genuine. As such, application is accepted. To come up for amended appeal on 01.03.2019 before S.B.

(Muhammad Amin Khan Kundi)
Member

BEFORE THE SERVICE TRIBUNAL PESHAWAR.

Shahid Khalid vs G.O. Prison Peshawar

Application For Adjournment

Respectfully sheweth:

1/- That the above mentioned appeal is pending before the honorable court which is fixed for today.

2/- That the Council for appellants applicant is out of station in Islamabad.

It is therefore humbly prayed that the application may please be accepted.

Date: 30-1-2019.

applicant/appellant

through

Zarfarhan Shah
(Clerk of G.O.)
Ahmed Adreesi

Appeal No. 543/18

Khyber Pakhtunkhwa
Service Tribunal

Diary No. 147

Dated 28-1-2019

Shah Khalidv/s..... I.G.Prison, Peshawar etc.

APPLICATION FOR AMENDMENT IN APPEAL

Respectfully Sheweth:

1. That the above noted service appeal is pending adjudication before this Hon'able Tribunal and is fixed for 30.1.2019.
2. That inadvertently the reason for absence of the appellant i.e medical and medical prescription have not been mentioned or documents pertaining to treatment or not being annexed with the service appeal.
3. That the appellant had never been remained wilful absent but due to illness of his mother, which reason were certainly beyond his control and its mentioning in the main service appeal alongwith annexure attached of the relevant medical documents with body of main appeal or indispensable and for the same purposes necessary amendment in the body of appeal is essential.
4. That beside the above no inquiry was ever conducted against the appellant also, inadvertently not mentioned in the body of main appeal alongwith certain other facts as well.

It is therefore most humbly prayed that on acceptance of the instant application, appellant may graciously be allowed to amend the captioned service appeal in order to have a fair and just adjudication of the appeal in hand.

Appellant/applicant

Through:

Dated: 28.1.2019



(IJAZ AHMAD)
Advocate, Peshawar.

AFFIDAVIT:

As per instruction of my client, the contents of the application is true and correct.


Deponent

TREATMENT AT HOME

Countersigned Cap. Velaseef

Medical Superintendent
P.H.Q Hospital Mardan

Tab. Contin

Cap. Esso

Tab. Verren

Syp. Gaviscin

Syp. Sangobin

Advised Physiotherapy Continue

for 6 months

Medical Officer
DHQ Hospital Mardan

دوباره معائنہ کیلئے بروز پیر اور جمعہ
میڈیکل اوفی ڈی تشریف لائیں۔

DISTRICT HEADQUARTER HOSPITAL MARDAN

DISCHARGE SLIP
Medical "A" Unit

Consultant Medical Specialist
Dr. Habib-ur-Rahman
MBBS - MRCP

M.O

Dr. Hanif Afzal

M.B.B.S

Dr. Fazli Rabbi

M.B.B.S

Dr. Fozia Fahim

M.B.B.S

Countersigned

Medical Superintendent
D.H.Q Hospital Mardan

Pt. Name Nazakat Bibi M/O Shah Khalid

F/H Name _____

Address Village & P.O. Katakhat Mardan

D/A 10-9-2013 D/D 25-9-2013

Adm. No. 272/47 Bed No. 13

Diagnosis HTN

Prepared & Signed By _____

Medical Officer
DHQ Hospital Mardan

TREATMENT AT HOME

Countersigned Tas Anwar BD

[Signature]
Medical Superintendent
D.H.Q Hospital mardan

1-1
Cap. ESO

1-1
Tab. Comolun

1-1
Syp. Normacid

1-1-1
Syp. Trimetabel

1-1-1
patient condition serious

physiotherapy continue

for 6 months

Medical Officer
DHQ Hospital Mardan

دوباره معائنہ کیلئے بروز پیر اور جمعہ
میڈیکل اوپن ڈی تشریف لائیں۔
10/10/13

DISTRICT HEADQUARTER HOSPITAL MARDAN

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M.O
Dr. Hanif Afzal
M.B.B.S
Dr. Fazli Rabbi
M.B.B.S
Dr. Fozia Fahim
M.B.B.S

Countersigned

[Signature]
Medical Superintendent
D.H.Q Hospital Mardan

Pt. Name Nazakat Bibi m/o Shah Lehalid

F/H Name _____

Address Village Lehalid Mardan

D/A 26-9-2013 D/D 10-10-2013

Adm. No. 672/54 Bed No. 10

Diagnosis HTN

Prepared & Signed By _____

Medical Officer
DHQ Hospital Mardan
10/10/13

No.

Rs. 5

OUT PATIENTS DEPARTMENT

NAME M. C. M/O B. K. S. 15

YEARLY NO. 35613

DATE 26-9-2013

DISEASE HTN

FACE VALUE RUPEES 5/-

BP 210/100

102^gF

RBS

ure R/B

ECG

ur. Lax

Tab. Constatin

Admit

Female Medical A/Ward.



No.

Rs. 5

OUT PATIENTS DEPARTMENT

NAME M. C. M/O B. K. S. 15

YEARLY NO. 8934

DATE 15-4-2014

DISEASE HTN

FACE VALUE RUPEES 5/-

BP 200/90

101F

RBS

ure R/B

ECG

Tab. Avalox

HTN

Tab. Viltial

HTN

Tab. Constatin

ur. Lax

Cap. Nasa

ur. Lax

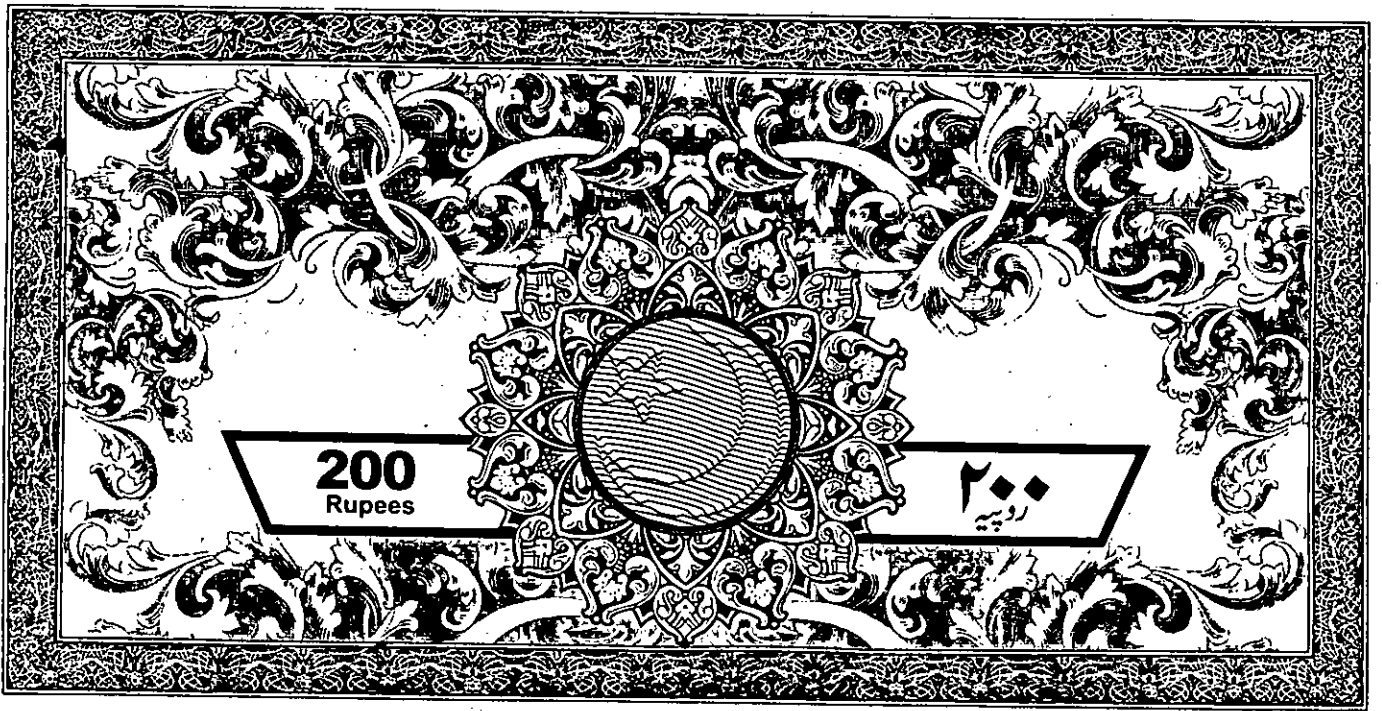
Syp. Trimefobal

HTN

Syp. Nomaed

HTN





بیانِ حلیٰ

مہد شاہ خاندہ در نگران سان عدہ بابو صلی کتہ صفت

تمسک ز صلح مردان سے میری۔ ضد بیان کہتا ہے۔ کہ ن خانہ
 کا والدہ ماجدہ سمانہ تراکت بی بی شدید بیمار تھی۔ اور
 ڈسٹر نیڈ اور ستر ہسپتال مردان سے ورضہ 2013-9-10 سے 2013-10-10
 تک بند ہے۔ 13-10-13 میرا ایڈمٹ تھی۔ بسکی میری بیان
 کی تھی ہے۔ نہ خانہ سے اس قسم دروغی۔ ضد بیان
 مورثین کا ہے۔ بیان پورے مدعی سے اسکا 12/18

16101-8277258-7

مہد شاہ خاندہ
 (Signature)



(Signature)
 19-12-18