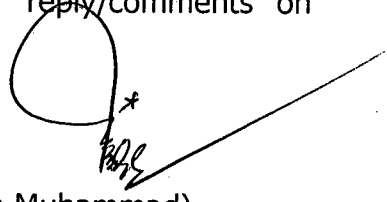


19.08.2022


Learned counsel for the appellant present. Mr. Muhammad Adeel Butt, Additional Advocate General for the respondents present.

On 29.06.2022 and 19.07.2022 last chance/opportunity was granted to the respondents to submit reply/comments but they failed to submit reply/comments even today, therefore, salary of the respondents i.e. (1) Secretary Health, Government of Khyber Pakhtunkhwa Peshawar (2) Director General Health Services, Government of Khyber Pakhtunkhwa Peshawar (3) Medical Superintendent, Government of Khyber Pakhtunkhwa Naseerullah Khan Babar Memorial Hospital, Peshawar is hereby attached till further orders. The Accountant General Khyber Pakhtunkhwa be directed not to release salary to the respondents till further order by the Tribunal. Adjourned. To come up for reply/comments on 19.09.2022 before S.B.


(Mian Muhammad)
Member (E)

29.06.2022

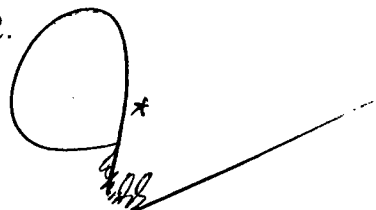
Counsel for the appellant present. Mr. Kabir Ullah Khattak, Additional AG alongwith Safi Ullah, Focal Person on behalf of respondents present and requested for time to file written reply/comments. Request accepted by way of last chance. To come up for written reply/comments on 19.07.2022 before S.B.


(Fareeha Paul)
Member (E)

19.07.2022

Learned counsel for the appellant present. Mr. Muhammad Adeel Butt, Additional Advocate General for the respondents present.

Reply/comments on behalf of respondents not submitted. Learned Additional Advocate General seeks time to contact the respondents for submission of written reply/comment. Another last opportunity is granted. Adjourned. To come up for reply/comments before the S.B. on 19.08.2022.


(Mian Muhammad)
Member (E)


10.05.2022

Appellant present through counsel. Amended appeal submitted. Preliminary arguments heard. Record perused.

Points raised need consideration. Instant appeal is admitted for regular hearing subject to all legal objections. The appellant is directed to deposit security and process fee within 10 days. Thereafter, notice be issued to respondents for submission of written reply/comments. To come up for reply/comments on 30.05.2022 before S.B.

Rs-600/-
Appellant Deposited
Security & Process Fee

A. M. J. /
13/5/22


(Rozina Rehman)
Member (J)

30th May, 2022

Appellant in person present. Mr. Kabirullah Khattak, Additional Advocate General respondents present.

Written reply/comments not submitted. Learned AAG seeks time to submit written reply/comments on the next date. Granted. To come up for written reply/comments on 29.06.2022 before the S.B.



(Kalim Arshad Khan)
Chairman

12.01.2022

Learned counsel for the appellant present and sought adjournment on the ground that he has not made prepared the brief. Adjourned. To come up for preliminary hearing before the S.B on 27.01.2022.

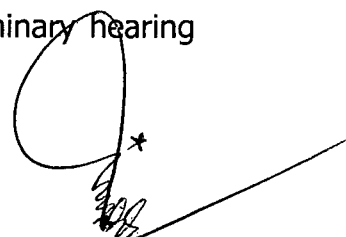


(Salah-Ud-Din)
Member (J)

27.01.2022

Learned counsel for the appellant present.

Learned counsel for the appellant submitted an application seeking permission to file amended memo of appeal in the context that another notification dated 03.12.2021 has subsequently been issued by the respondent-department necessitating to amend the main service appeal to that extent. Request is acceded to and learned counsel for the appellant is allowed to submit amended memo of appeal accordingly. Adjourned. To come up for amended appeal/preliminary hearing on 15.02.2022 before S.B.



(Mian Muhammad)
Member(E)

15.02.2022

Due to retirement of the Worthy Chairman the Tribunal is defunct, therefore, case is adjourned to 10.05.2022. for the same as before.






Reader

FORM OF ORDER SHEET

Court of _____

Case No.- 7787/2021

S.No.	Date of order proceedings	Order or other proceedings with signature of judge
1	2	3
1-	25/11/2021	<p>The appeal of Mr. Razeem Khan presented today by Mr. Daris Khan 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</p>
2-	21.12.2021	<p>This case is entrusted to S. Bench for preliminary hearing to be put there on <u>21/12/21</u>.</p> <p style="text-align: right;"> CHAIRMAN</p>
		<p>Junior to counsel for appellant present.</p> <p>Lawyers are on general strike, therefore, case is adjourned to 12.01.2022 for preliminary hearing before S.B.</p> <p style="text-align: right;"> (Rozina Rehman) Member (J)</p>

KHYBER PAKHTUNKHWA SERVICES TRIBUNAL, PESHAWAR

CHECK LIST

Mt Razam

Versus

Secretary to KPIK

..... Appellant

..... Respondents

S NO	CONTENTS	YES	NO
1.	This petition has been presented by: _____ <u>Advocate</u> _____ <u>Court</u>	√	
2.	Whether Counsel/Appellant/Respondent/Deponent have signed the requisite documents?	√	
3.	Whether appeal is within time?	√	
4.	Whether the enactment under which the appeal is filed mentioned?	√	
5.	Whether the enactment under which the appeal is filed is correct?	√	
6.	Whether affidavit is appended?	√	
7.	Whether affidavit is duly attested by competent Oath Commissioner?	√	
8.	Whether appeal/annexures are properly paged?	√	
9.	Whether certificate regarding filing any earlier appeal on the subject, furnished?	√	
10.	Whether annexures are legible?	√	
11.	Whether annexures are attested?		
12.	Whether copies of annexures are readable/clear?	√	
13.	Whether copy of appeal is delivered to AG/DAG?	√	
14.	Whether Power of Attorney of the Counsel engaged is attested and signed by petitioner/appellant/respondents?	√	
15.	Whether numbers of referred cases given are correct?	√	
16.	Whether appeal contains cutting/overwriting?	x	
17.	Whether list of books has been provided at the end of the appeal?	√	
18.	Whether case relate to this court?	√	
19.	Whether requisite number of spare copies attached?	√	
20.	Whether complete spare copy is filed in separate file cover?	√	
21.	Whether addresses of parties given are complete?	√	
22.	Whether index filed?	√	
23.	Whether index is correct?	√	
24.	Whether Security and Process Fee deposited? On _____		
25.	Whether in view of Khyber Pakhtunkhwa Service Tribunal Rules 1974 Rule 11, notice along with copy of appeal and annexures has been sent to respondents? On _____	√	
26.	Whether copies of comments/reply/rejoinder submitted? On _____		
27.	Whether copies of comments/reply/rejoinder provided to opposite party? On _____		

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

Name:- Davis Khan Adv

Signature:- _____

Dated:- 25-11-21

BEFORE THE KHYBER PAKHTUNKHWA SERVICES TRIBUNAL,
PESHAWAR.

Amended S.A. No. 7787 of 2021

Mr. Razeem Khan..... Appellant
VERSUS

Chief Secretary, Govt. of K.P. and others..... Respondents

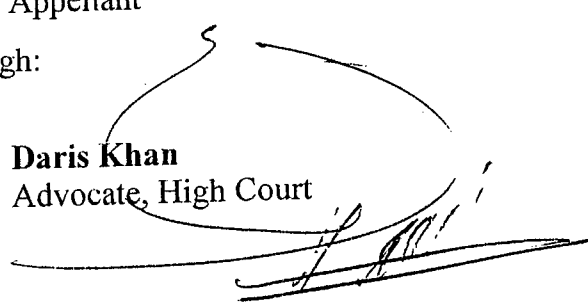
INDEX

<i>S.N</i>	<i>Description of Documents</i>	<i>Annexure</i>	<i>Pages</i>
1.	Opening Sheet		A
2.	Memo of appeal		1-4
3.	Affidavit		5
4.	Application for suspension of orders/ letters/ notification.		6
5.	Affidavit.		7
6.	Addresses of the parties		8
7.	Copy of Notification dated 24.06.2021	A	9
8.	Copy of Notification dated 11.08.2021	B	10-11
9.	Copy of notification dated 28.09.2021	C	12-14
10.	Copy of Charge Repost	D	15
11.	Copy of the letter dated 06.10.2021	E	16
12.	Copy of Office Order dated 07.09.2021 and 07.10.2021	F	17-24
13.	Copies of Notifications and office orders and representation a	G	25-30
14.	Wakalatnama.		31

Razvi
Appellant

Through:

Daris Khan
Advocate, High Court



BEFORE THE KHYBER PAKHTUNKHWA SERVICES TRIBUNAL,
PESHAWAR.

Amended S.A. No. 7787 of 2021

~~S.A. No. 7787~~

Mr. Razeem Khan, Senior Clinical Technologist (Radiology) BS-18,
Govt. Naseerullah Khan Babar Memorial
Hospital, Peshawar.....Appellant

VERSUS

1. Chief Secretary, Government of Khyber Pakhtunkhwa, Civil Secretariat,
Peshawar.
2. Secretary to Government, Khyber Pakhtunkhwa, Health Department
Peshawar.
3. Director General Health Services, Khyber Pakhtunkhwa, Peshawar.
4. Medical Superintendent, Government Naseerullah Khan Babar
Memorial Hospital, Peshawar
5. Mr. Jamil Khan S/O Muhammad Khan, Senior Clinical Technologist
(Radiology) BS-18, Government Naseerullah Khan Babar Memorial
Hospital, PeshawarRespondents

SERVICE APPEAL U/S 4 OF THE KHYBER
PAKHTUNKHWA SERVICE TRIBUNAL ACT, 1974

Respectfully Sheweth:

1. That on 24.06.2021, appellant was transferred as Clinical Technologist
Radiology (BS-17) to Government Naseerullah Khan Babar Hospital
against a vacant post with effect from 01.04.2021 in the interest of
public by the respondent No.2. (Copy of Notification dated 24.06.2021
is annexed as annexure A).

2

2. That process of promotion took place on 11.08.2021 appellant was promoted as Senior Clinical Technologist BS-18 on regular basis by figuring his name at serial No.20 and was posted in the said Government Naseerullah Khan Babar Hospital. (Copy of Notification dated 11.08.2021 is annexed as annexure B).
3. That on 28.09.2021 subsequently posting and transferring notification was issued wherein appellant was again posted at the aforementioned hospital at serial No.20. (Copy of notification dated 28.09.2021 is annexed as annexure C).
4. That on 28.09.2021, appellant assumed the charge of the post in the said hospital. (Copy of Charge Repost is annexed as annexure D).
5. That on 06.10.2021 respondent no.4 wrote a letter to respondent no.3 that no post of Senior Clinical Technologist BS-18 is available to adjust appellant and appellant be posted anywhere against the vacant post as respondent no.5 is adjusted on the said post, here it would not be out of list to mention that respondent no.5 as figured at serial no.21 of notification dated 28.09.2021, waiting for posting in health department and it was incumbent upon department to adjust him, being junior, anywhere on the post as appellant was already posted at the Government Naseerullah Khan Babar Hospital, Peshawar. (Copy of the letter dated 06.10.2021 is annexed as annexure E).
6. That on 07.09.2021 Respondent No.4 issued office order through which the appellant was directed to perform duty as In-Charge of Radiology Unit of GNKBMH and on 07.10.2021, Respondent No.4 issued an office order through which Respondent No.5 was directed to perform duty as Incharge Radiology Unit wherein the appellant was shown as inferior to Respondent No.5, without any reason, recommendation and legal justification with malafide intention. (Copy of Office Order dated 07.09.2021 and 07.10.2021 are annexure F).
7. That on 08.10.2021, appellant submitted representation before respondent no.3 and 4 which met dead response, the appellant filed appeal before honorable tribunal.

3

8. That subsequently Respondent No.2 issued two Notification on 03.12.2021 in partial modification of Departmental Notification dated 28.09.2021 for transfer of appellant to DHO, Peshawar then further posting of appellant to CD Landi Arbab (Pvt. Center), Peshawar in light of office order dated 10.01.2022, the appellant being aggrieved from aforesaid orders and Notifications also filed representation which met dead response. (Copies of Notifications and office orders and representation are annexure G).
9. That being aggrieved from the aforementioned letters and Notifications the appellant has no other adequate and efficacious remedy but invoke the constitutional jurisdiction of this honorable court for the redressal of his grievances on the following ground amongst others

GROUND:

- A. That on promotion, appellant was posted as clinical technologist as such and had hardly assumed the charge of the said assignment but without any reason and justification appellant was thrown from the office, as he has assumed the charge on post on 28.09.2021.
- B. That it was incumbent upon respondent no.4 or 3 to adjust respondent no 5 on any other post and not on the post of the petitioner.
- C. That respondent no.4 is not legally entitled to lay off appellant as he has no authority for the purpose.
- D. That prior right goes in favour of appellant as he was senior than respondent no.5.
- E. That no reason was assigned in the impugned order by not accepting appellant at the post in the said hospital and to post junior at the same.
- F. That the impugned notifications/ orders and letter are based on favoritism, malafide and pre-mature and issued in violation of law , rule and policy.
- G. That the appellant craves permission to agitate any point / ground at the time of arguments.

(4)

It is therefore humbly prayed that on acceptance of this appeal, the impugned notification dated 28.09.2021 to the extent of the appellant, letter dated 06.10.2021, Notifications dated 03.12.2021, 03.12.2021 and office order dated 10.01.2022 issued by Respondents may kindly declared as illegal, unlawful and ab-initio void, be set aside and the appellant may be retained as such at Government Naseerullah Khan Babar Hospital Peshawar with all service benefits.

Any other relief which this Hon'ble Court deems appropriate in the circumstances of the case may kindly also be granted in favour of petitioners.

Rangji
Appellant

Through:

Daris Khan
Advocate High Court

CERTIFICATE:

It is certify that, no such like appeal has earlier been filed by the appellant before this Hon'ble Tribunal



Advocate

5

BEFORE THE KHYBER PAKHTUNKHWA SERVICES TRIBUNAL,
PESHAWAR.

S.A. No. _____ of 2022

Mr. Razeem Khan..... Appellant
VERSUS

Chief Secretary, Govt. of K.P. and others..... Respondents

ADDRESSES OF PARTIES.

PETITIONER:

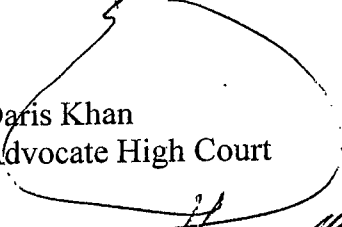
Razeem Khan, Senior Clinical Technologist (Radiology) BS-18,
Govt. Naseerullah Khan Babar Memorial
Hospital, Peshawar

RESPONDENTS

1. Chief Secretary, Government of Khyber Pakhtunkhwa, Civil Secretariat,
Peshawar.
2. Secretary to Government, Khyber Pakhtunkhwa, Health Department,
Peshawar.
3. Director General Health Services, Khyber Pakhtunkhwa, Peshawar.
4. Medical Superintendent, Government Naseerullah Khan Babar
Memorial Hospital, Peshawar
5. Mr. Jamil Khan S/O Muhammad Khan, Senior Clinical Technologist
(Radiology) BS-18, Government Naseerullah Khan Babar Memorial
Hospital, Peshawar


Appellant

Through:


Daris Khan
Advocate High Court

6

BEFORE THE KHYBER PAKHTUNKHWA SERVICES TRIBUNAL,
PESHAWAR.

S.A. No. _____ of 2022

Mr. Razeem Khan..... Appellant

VERSUS

Chief Secretary, Govt. of K.P. and others..... Respondents

AFFIDAVIT

I, Mr. Razeem Khan, Senior Clinical Technologist (Radiology) BS-18, Govt. Naseerullah Khan Babar Memorial Hospital, Peshawar (petitioner), do hereby solemnly affirm and declare on oath that the contents of the accompanying *Amended Service Appeal* are true and correct to the best of my knowledge and belief and nothing has been concealed from this Honourable Tribunal



Razfi
Deponent

7

BEFORE THE KHYBER PAKHTUNKHWA SERVICES TRIBUNAL,
PESHAWAR.

S.A. No. _____ of 2022

Mr. Razeem Khan..... Appellant
VERSUS

Chief Secretary, Govt. of K.P. and others..... Respondents

Application for suspension of operation of
impugned letters/ orders and Notifications till
final disposal of main appeal.

Respectfully Sheweth;

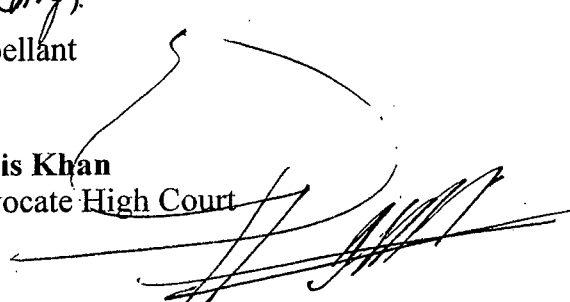
- 1) That the above noted appeal is being filed before this Hon'ble Tribunal in which no date has yet been fixed.
- 2) That grounds of appeal may be read as part and parcel of this application.
- 3) That a prima facie arguable case exists in favour of petitioner and is sanguine about its success.
- 4) That balance of convenience also lies in favour of petitioner.
- 5) That if the operation of the impugned order is not suspended, petitioner will suffer an irreparable loss.

It is, therefore, humbly prayed that on acceptance of this application, operation of impugned letters/ orders and Notifications may kindly be suspended till final disposal of main appeal.

Razay
Appellant

Through:

Daris Khan
Advocate High Court



9

BEFORE THE KHYBER PAKHTUNKHWA SERVICES TRIBUNAL,
PESHAWAR.

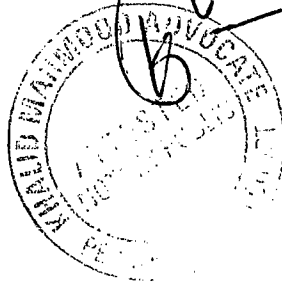
S.A. No. _____ of 2022

Mr.Razeem Khan..... Appellant
VERSUS

Chief Secretary, Govt. of K.P. and others.....Respondents

AFFIDAVIT

I, Mr.Razeem Khan, Senior Clinical Technologist (Radiology) BS-18, Govt. Naseerullah Khan Babar Memorial Hospital, Peshawar (petitioner), do hereby solemnly affirm and declare on oath that the contents of the accompanying *Application* are true and correct to the best of my knowledge and belief and nothing has been concealed from this Honourable Tribunal



Razfi
Deponent



GOVERNMENT OF KHYBER PAKHTUNKHWA
HEALTH DEPARTMENT

Dated Peshawar, the 24th June, 2021

NOTIFICATION.

No. SOH-III/10-4/2021(Razeem Khan). The Competent Authority has been pleased to order the transfer/posting of Mr. Razeem Khan s/o Fazlur Rehman, Clinical Technologist Radiology (BS-17) at Naseerullah Khan Babar Memorial Hospital, Peshawar against the vacant post with effect from 01/04/2021 in the best public interest.

Secretary to Govt. of Khyber Pakhtunkhwa
Health Department

Endst of even No and Date.

Copy forwarded to:

1. The Accountant General, Khyber Pakhtunkhwa, Peshawar.
2. Director General, Health Services, Khyber Pakhtunkhwa Peshawar
3. Medical Superintendent, Naseerullah Khan Babar Memorial Hospital, Peshawar.
4. PA to Additional Secretary Health (E&A), Khyber Pakhtunkhwa.
5. PA to Deputy Secretary (Admn), Health Department.
6. Officer concerned.

Naseer Ahmad
Section Officer (E-III)

RECEIVED

2021

2021



GOVERNMENT OF KHYBER PAKHTUNKHWA
HEALTH DEPARTMENT

Anex B (10)

Dated Peshawar, the 11th August, 2021

NOTIFICATION

SOH-III/8-60/2021: The Competent Authority, on the recommendations of Provincial Selection Board, in its meeting held on 31-07-2021, is pleased to promote the following Clinical/PHC Technologist (BS-17) to the post of Senior Clinical/PHC Technologist (BS-18) on regular basis, with immediate effect.

S.No	Name of Officers	Present Place of Posting
1.	Mr. Said Rehman.	DHO, Mardan.
2.	Mr. Shahid Ahmad.	BBS Teaching Hospital, Abbottabad.
3.	Mr. Riaz Ahmad.	DHO, Peshawar.
4.	Mr. Abdur Rashid.	DHQ Hospital, Haripur.
5.	Mr. Muhammad Tariq.	DHO, Peshawar.
6.	Mr. Johar Muhammad.	DHO, Mardan.
7.	Mr. Kamal Zada.	DHO, Shangla.
8.	Mr. Sajid Ali.	DHO, Charsadda.
9.	Mr. Muhammad Zulfiqar.	MTI, HMC, Peshawar.
10.	Mr. Ashfaq Ullah.	DHQ Hospital, Nowshera.
11.	Mr. Tajmir Shah.	MTI, LRH, Peshawar.
12.	Mr. Mian Zia ul Haq.	Services Hospital, Peshawar.
13.	Mr. Sheraz Khan.	MTI, HMC, Peshawar.
14.	Mr. Muhammad Jamshed.	DHQ Hospital/MTI, D.I Khan.
15.	Mr. Nusrat Gul.	MTI, LRH, Peshawar.
16.	Mr. Khalid Khan.	Sifat Gaur Memorial Hospital, Peshawar.
17.	Mr. Sartaj Bahadar.	MTI, LRH, Peshawar.
18.	Mr. Afzal ur Rahman.	DHQ Hospital, Swabi.
19.	Mr. Gul Sher Khalil.	MTI, KTH, Peshawar.
20.	Mr. Razeem Khan.	Naseer Ullah Khan Baber Memorial Hospital, Peshawar.
21.	Mr. Jamil Khan.	Waiting for posting in Health Department.
22.	Mr. Muhammad Alam.	Saidu Teaching Hospital, Swat.
23.	Mr. Abdur Rahman.	Khalifa Gul Nawaz Teaching Hospital, MTI, Bannu.
24.	Syed Hasnain.	BBS Teaching Hospital, Abbottabad.
25.	Muhammad Fayaz Khan.	Mardan Medical Complex, Mardan.
26.	Mr. Rafiullah.	DHO, Tank.
27.	Mr. Shabir Nawaz.	DHO, Karak.
28.	Mr. Ghulam Hazrat.	DHO, Dir Upper.
29.	Mr. Bashir Ahmad.	DHO, Shangla.
30.	Miss. Nageena Azmat	DHO, Peshawar.

[Handwritten signature and stamp]

Endst of even No and Date:

11

Copy forwarded to the:-

1. Accountant General, Khyber Pakhtunkhwa, Peshawar.
2. Director General, Health Services, Khyber Pakhtunkhwa, Peshawar.
3. Director General, Provincial Health Services, Khyber Pakhtunkhwa, Peshawar.
4. District Health Officer, concerned.
5. Hospital Director, MTI concerned.
6. Medical Superintendent, DHQ Hospital, concerned.
7. Medical Superintendent, Services Hospital, Peshawar.
8. Medical Superintendent, Naseer Ullah Khan Baber Memorial, Hospital, Peshawar.
9. Medical Superintendent, Sifat Ghaur Shaheed Memorial, Hospital, Peshawar.
10. District Accounts Officer, concerned.
11. Principal, ZAB/PGPI, Peshawar.
12. Principal, Paramedical Institute of Technology, concerned.
13. The Deputy Director (I.T) Health Department.
14. PS to Secretary Health, Khyber Pakhtunkhwa.
15. PS to Special Secretary (E&A) Health Khyber Pakhtunkhwa.
16. PA to Additional Secretary (Estab) Health, Khyber Pakhtunkhwa.
17. PA to Deputy Secretary (Admn) Health Department.
18. Officers concerned.

(Naseer Ahmad)
SECTION OFFICER-III

M.KASHIF KHAN/***

R |

ATTACHED

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GOVERNMENT OF KHYBER PAKHTUNKHWA
HEALTH DEPARTMENT

Dated Peshawar, the 28th September, 2021

NOTIFICATION

SOH-III/8-60/2021: Consequent upon their promotion as Senior Clinical/PHC Technologist (BS-18) on regular basis, notified vide this Department's Notification of even number dated 11-08-2021, the Competent Authority is pleased to order transfer/posting of the following Senior Clinical/PHC Technologist (BS-18) with immediate effect, in the public interest:-

S.No	Name & Father Name	From	To	Remarks.
1.	Said Rehman S/O Gul Rahman	DHO Mardan	DHO Peshawar	Against the vacant post.
2.	Shahid Ahmad S/O Aftab Ahmad	BBS Teaching Hosp: Abbottabad.	DHO Abbottabad	Against the vacant post.
3.	Riaz Ahmad S/O Rahimuallah	DHO Peshawar.	DHO Mardan	Against the vacant post.
4.	Abdur Rashid S/O Abdul Hamid	DHQ Hosp: Hripur	DHQ Hosp: Haripur	Against the vacant post.
5.	Muhammad Tariq S/O S. Mubarak Hussain	DHO Peshawar.	Services Hosp: Peshawar.	Against the vacant post.
6.	Johar Muhammad S/O Faiz Muhammad	DHO Mardan	DHO Charsadda	Against the vacant post.
7.	Kamal Zada S/O Muhammad Nawab	DHO Shangla	DHO Shangla	Against the vacant post.
8.	Sajid Ali S/O Habibullah Khan	DHO Charsadda	DHO Charsadda	Against the vacant post.
9.	Muhammad Zulfiqar S/O Noor Zama Jan	MTI HMC Peshawar	Moulvi Ameer Shah Memorial Hospital, Peshawar.	Against the vacant post.
10.	Ashfaq Ullah S/O Salid Ullah Khan	DHQ Hosp: Nowshera	DHQ Hosp: Nowshera	Against the vacant post.
11.	Tajmir Shah S/O Fazli Hakeem	MTI LRH Peshawar	DHO Peshawar	Against the vacant post.
12.	Mian Zia ul Haq S/O Mian Hamdul Haq	Services Hosp: Peshawar	Services Hosp: Peshawar	Against the vacant post.
13.	Sheraz Khan S/O Taj Muhammad	MTI, HMC Peshawar	Police Services Hospital, Peshawar.	Against the vacant post.
14.	Muhammad Jamshed S/O Ghulam Qasim	DHQ Hosp: MTI/D.I Khan	PMI D.I Khan	Against the vacant post.
15.	Nusrat Gul S/O Abad Gul	MTI LRH Peshawar	Sarhad Hospital for Psychiatry.	Against the vacant post.
16.	Khalid Khan S/O Waheedullah	SGMH Peshawar.	DHO Peshawar	Against the vacant post.
17.	Sartaj Bahadar S/O Khan Bahadar	MTI, LRH Peshawar.	DHO Peshawar	Against the vacant post.
18.	Afzal ur Rahman S/O Mira Khan	DHQ, Hosp: Swabi	DHQ, Hosp: Swabi	Against the vacant post.
19.	Gul Sher Khalil S/O	MTI KTH	NKB Memorial	Against the vacant post.

APPROVED

ATTESTED

20.	Razeem Khan S/O: Fazall Rahman	NKB Memorial Hosp: Peshawar.	NKB Memorial Hosp: Peshawar	Against the vacant post.
21.	Jamil Khan S/O Muhammad Amir Khan	Waiting for posting in Health Department.	NKB Memorial Hosp: Peshawar.	Against the vacant post.
22.	Muhammad Alam S/O Habib ur Rehman	SGT Hosp: Swat	SGT Hosp: Swat	Against the vacant post.
23.	Abdur Rahman S/O Gul Hassan Badshah	KGN MTI Bannu	DHQ Hospital, Karak.	Against the vacant post.
24.	Syed Hasnain S/O Syed Muhammad Sibtain	BBS Teaching Hosp: Abbottabad.	DHQ Hospital Haripur.	Against the vacant post.
25.	Muhammad Fayaz Khan S/O Rehan Shah	MMC Mardan	SGT Hosp: Swat.	Against the vacant post.
26.	Rafiullah S/O Dakhil Gul	DHO Tank	DHO Karak	Against the vacant post.
27.	Shabir Nawaz S/O Ghareeb Nawaz	DHO Karak.	DHO Karak	Against the vacant post.
28.	Ghulam Hazrat S/O Ghulam Wahid	DHO Dir Upper	DHO Dir Upper	Against the vacant post.
29.	Bashir Ahmad S/O Faqir Muhammd	DHO Shangla	DHQ Hosp: Shangla.	Against the vacant post.
30.	Nageena Azmat	DHO Peshawar	DHO Peshawar	Against the vacant post.
31.	Rashida Akhtar	DHO Nowshera	DHO Nowshera	Against the vacant post.
32.	Muhammad Ashfaq S/O Inayatullah	MTI, KTH Peshawar	NSK Hospital Swat.	Against the vacant post.
33.	Muslim Jan S/O Muhammad Sharif	DHQ Hosp: Mardan	DHO Mardan	Against the vacant post.
34.	Khushdil Khan S/O Abdur Rahman	ZAB/ PGPI Peshawar	At the disposal of DG PHSA Peshawar	Against the vacant post.
35.	Habib Akbar	MTI HMC Peshawar	Services Hospital Peshawar	Against the vacant post.
36.	Malik Tahir Awan S/O Malik Akhtar Awan	NKB Peshawar	At the disposal of DG PHSA Peshawar	Against the vacant post.
37.	Iftikhar Ahmad S/O Abdul Ghafar	MTI, KTH Peshawar.	Services Hospital Peshawar	Against the vacant post.
38.	Nisar Ahmad S/O Muhammad Ashraf	KAT Hosp: Mansehra.	KAT Hosp: Mansehra.	Against the vacant post.
39.	Shafi ur Rehman S/O Shad Ali Khan	DHQ Hosp: Karak.	DHQ Hosp: Karak.	Against the vacant post.
40.	Jan Muhammad S/O Nowshad Khan	DHO Dir Lower	DHO Dir Lower	Against the vacant post.
41.	Fazle Aala S/O Fazle Moula	NKB Memorial Hosp: Peshawar.	Services Hosp: Peshawar	Against the vacant post.
42.	Malik Irfanullah S/O Malik Afzal Khan	DHQ Hosp: KDA Kohat.	DHQ Hosp: KDA Kohat.	Against the vacant post.

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Handwritten signature/initials

Handwritten signature/initials

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44.	Shaheen Miraj S/O Yousaf Muhammad	DHO Mardan	DHQ Hosp: Mardan	Against the vacant post.
45.	Muhammad Iqbal S/O Karim Gul	ZAB PGPI Peshawar.	ZAB PGPI, Peshawar.	Against the vacant post.
46.	Ulfat Begum S/O Fazaal Ahmad	DHO Peshawar	DHO Peshawar	Against the vacant post.
47.	Qaisar Khan S/O Muhammad Hanif	DHO, Kohat	At the disposal of DG PHSA Peshawar	Against the vacant post.
48.	Abdul Razaq S/O Muhammad Yousaf	DHO Haripur	DHO Haripur	Against the vacant post.
49.	Bashir ul Haq S/O Habib ul Haq	DHO Charsadda	DHO Mardan	Against the vacant post.
50.	Bibi Benazir D/O Mubarik Khan	DHO Chitral	DHO Chitral	Against the vacant post.
51.	Amir Khan S/O Khan Baz	DHO Khyber.	DHO Peshawar	Against the vacant post.
52.	Arbab Sikandar S/O Mir Ahmad Khan	DHQ Hosp: KDA Kohat.	DHO Kohat	Against the vacant post.
53.	Muhammad Usman S/O Muhammad Haroon	DHQ Hosp: Mardan	DHO Mardan	Against the vacant post.
54.	Muhammad Hashim S/O Gul Zarin	DHO Bajaur	DHQ Hospital Bajaur	Against the vacant post.
55.	Ianas Khan S/O Amin Khan	DHO Kohat	DHO Kohat.	Against the vacant post.
56.	Abdul Wahid S/O Gul Muhammad	NKB Memorial Hosp: Peshawar	NKB Memorial Hosp: Peshawar	Against the vacant post.
57.	Khair-ur-Rehman S/O Anwar-ul-Haq	DHO Swat	Para Medical Institute Saidu Sharif Swat	Against the vacant post.

Secretary to Govt. of Khyber Pakhtunkhwa
Health Department

End of even No and Date.

Copy forwarded to the:-

1. Accountant General, Khyber Pakhtunkhwa, Peshawar.
2. Director General, Health Services, Khyber Pakhtunkhwa, Peshawar.
3. Director General, Provincial Health Services, Khyber Pakhtunkhwa, Peshawar.
4. District Health Officer, concerned.
5. Hospital Director, MTI concerned.
6. Medical Superintendent, DHQ Hospital, concerned.
7. Medical Superintendent, Services Hospital, Peshawar.
8. Medical Superintendent, Naseer Ullah Khan Baber Memorial, Hospital, Peshawar.
9. Medical Superintendent, Sifat Ghaur Shaheed Memorial, Hospital, Peshawar.
10. District Accounts Officer, concerned.
11. Principal, ZAB/PGPI, Peshawar.
12. Principal, Paramedical Institute of Technology, concerned.
13. The Deputy Director (I.T) Health Department
14. PS to Secretary Health, Khyber Pakhtunkhwa.
15. PS to Special Secretary (E&A) Health, Khyber Pakhtunkhwa.
16. PA to Additional Secretary (Estab) Health, Khyber Pakhtunkhwa.
17. PA to Deputy Secretary (Admn) Health Department.
18. Officers concerned for information and compliance. Charge relinquishment/assumption may be sent to this department for record.

R. [Signature]

AMENDED 15

GOVERNMENT OF KHYBER PAKHTUNKHWA PROVINCE
CERTIFICATE OF TRANSFER OF CHARGE/CHARGE REPORT.

Certified that Mr/Mrs: Rozam Khan
have this day before noon Taken Over, charge of the office of Sr. Clinical Technologist/PAC
of GOVT: NKBM Hospital Peshawar, with reference to the order of the N.W.F.P. Radiology

Government No. SOH-111/8-60/2021 Dated: 11-8-2021

Posted date 28/9/2021

Station: Govt. NKBMH, Peshawar

Signature of Relieved: _____
Government Servant: _____
Designation: _____ BPS _____

Signature of Receiving: Romp
Government Servant: _____
Designation: Sr. Clinical Technologist BPS 18

Dated: 28/09/2021

Endst. No. _____ Dated: ___/___/___

Medical Superintendent
Govt: NKBM Hospital
Peshawar.

Copy to:

- The Accountant General Khyber Pakhtunkhwa, Peshawar.
- Director General Health Services Khyber Pakhtunkhwa Peshawar.
- DMS (Admin)
- Account Section, Govt: NKBM Hospital Peshawar.
- Official concern.

Govt: NKBM Hospital Peshawar.

Medical Superintendent
Govt: NKBM Hospital
Peshawar.

Not Accepted due to non availability of post

ATTESTED
[Signature]



OFFICE OF THE
MEDICAL SUPERINTENDENT
GOVT NASEERULLAH KHAN BABAR
MEMORIAL HOSPITAL KOHAT ROAD PESHAWAR
Email: gnkmbhospital@gmail.com Fax 091-2324611 | Tele: 091- 9212742



ANEX-E

16

No. 8068-73GNKBMH

Dated: 06/10/2021

To,

The Director General Health Services,
Khyber Pakhtunkhwa, Peshawar.


Subject: ADJUSTMENT OF MR. RAZEEM SENIOR CLINICAL / PHC
TECHNOLOGIST BPS-18:

R/Sir,

Kindly refer to the Govt. of Khyber Pakhtunkhwa Health Deptt.
Notification No. SOH-III/8-60/2021 Dated 28/09/2021.

It is stated that one post of Senior Clinical Technologist (Radiology)
BPS-18 is sanctioned for which Mr. Jamil Khan S/o Muhammad Amir Khan Senior
Clinical Technologist (Radiology) BPS-18 is adjusted by this office, as such no post
of Senior Clinical Technologist BPS-18 (Radiology) is available to adjust Mr. Razeem
Khan S/o Fazli Rahman newly promoted technologist.


Therefore, it is requested that the same officer may kindly be posted
any where against the vacant post.

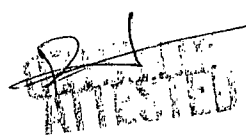

MEDICAL SUPERINTENDENT
Govt. NKBMH, Peshawar.

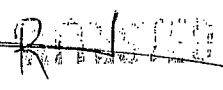
No. 8068-73GNKBMH

Copy to:

01. PS to Secretary Health Govt. of Khyber Pakhtunkhwa.
02. DMS (Admin)
03. HOD Radiology
04. Account section of this office
05. Mr. Razeem S/o Fazli Rahman is directed to report to Director General Health Services, Khyber Pakhtunkhwa, Peshawar for further posting in the province.


MEDICAL SUPERINTENDENT
Govt. NKBMH, Peshawar.







OFFICE OF THE
MEDICAL SUPERINTENDENT
GOVT NASEERULLAH KHAN BABAR
MEMORIAL HOSPITAL KOHAT ROAD PESHAWAR



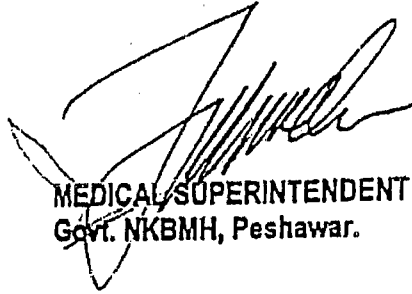
Email. gnkbmhospital@gmail.com Fax: 091-2324611s Tele; 091- 9212742

No. 7335-4GNKBMH

Dated: 7/09/2021

OFFICE ORDER:

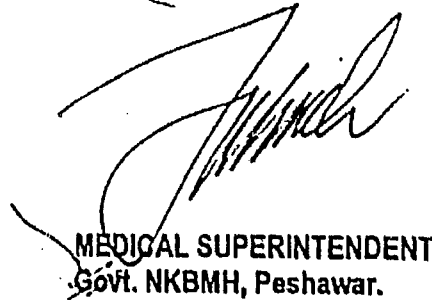
As recommended by HOD Radiology Dr. Muhammad Ijaz Khan, Mr. Razeem Khan Senior Clinical Technologist BPS-18 is hereby directed to perform duty as In-Charge of Radiology Unit of this hospital with immediate effect till further order.

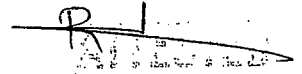

MEDICAL SUPERINTENDENT
Govt. NKBMH, Peshawar.

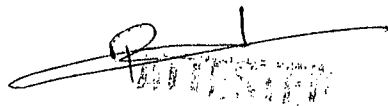
No. 7335-4GNKBMH

Copy to:

01. DMS (Admin)
02. DMS (Estb)
03. RMO
04. Mr. Shafi Chief Technician for information with the direction to hand over complete charge immediately to Mr. Razeem Khan Technologist.
05. Mr. Sajjad SCT Radiology for information with the direction to hand over complete charge immediately to Mr. Razeem Khan Technologist.
06. Mr. Razeem Khan Technologist BPS-18 for information with the direction to take over complete charge of Radiology Unit.


MEDICAL SUPERINTENDENT
Govt. NKBMH, Peshawar.





ANEX. F

○

17



OFFICE OF THE
MEDICAL SUPERINTENDENT
GOVT NASEERULLAH KHAN BABER
MEMORIAL HOSPITAL KOHAT ROAD PESHAWAR



Email. gnkbmhospital@gmail.com Fax 091-2324611s Tel: 091- 9212742


No. 8169-74/GNKBMH

Dated: 7/10/2021

18


OFFICE ORDER:

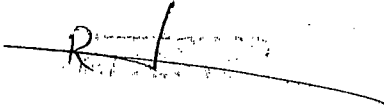
Mr. Jamil Khan Senior Clinical Technologist BPS-18 is hereby directed to perform duty as In-Charge Radiology Unit with immediate effect till further order

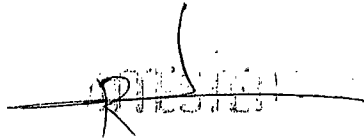

MEDICAL SUPERINTENDENT
Govt. NKEBH, Peshawar.

No. 8169-74/GNKBMH
Copy to:

01. HOD Radiology
02. DMS (Admin)
03. DMS (Record)
04. Mr. Jamil Khan Senior Clinical Technologist BPS-18 to take over complete charge from Mr. Razeem.
05. Mr. Razeem Clinical Technologist BPS-17 to handover the charge of Radiology Unit to Mr. Jamil Kahn Immediately.


MEDICAL SUPERINTENDENT
Govt. NKEBH, Peshawar.





Diary No: 18219
Date 07/10/2021

To

The Secretary to Govt. of Khyber Pahtunkhwa
Health Department Peshawar.

Subject POSTING/ADJUSTMENT.
Dear Sir,

19

With due respect it is stated that I was working as Clinical Technologist (Radiology) BS-17 in Govt. Naseerullah Khan Babar Memorial Hospital, Peshawar and I have been Promoted to Senior Clinical Technologist (Radiology) BS-18 in Health Department and subsequently posted at Govt. Naseerullah Khan Babar Memorial Hospital Peshawar on original post (Flag-A) vide Notification No. SOH-III/8-60/2021 dated 28.09.2021 (Flag-B) vide Sr. No. 20, I submitted my arrival report to Medical Supdt. Govt. Naseerullah Khan Babar Memorial Hospital Peshawar on the same day i.e. 28.09.2021 (Flag-C), but astonishingly Medical Supdt. Govt. Naseerullah Khan Babar Memorial Hospital Peshawar regretted my arrival and relieve me to DGHS KP for further posting (Flag-D) and accepted arrival of another Senior Technologist S. No. 21 of the Promotion Notification who was also Promoted with us and was posted in Govt. Naseerullah Khan Babar Memorial Hospital Peshawar but he was not working in Govt. Naseerullah Khan Babar Memorial Hospital Peshawar before his Promotion rather he was waiting for posting at the time of his Promotion.

In view of the above facts, it is requested that the concerned Medical Supdt. Govt. Naseerullah Khan Babar Memorial Hospital Peshawar may kindly be directed to adjust me on the actual post of Senior Technologist (Radiology) BS-18 at Govt. Naseerullah Khan Babar Memorial Hospital Peshawar.

I shall be highly thankful for anticipating.

Yours obediently

Razee

Mr. Razeem Khan
Senior Clinical Technologist
(Radiology) BS-18

Dated 07/10/2021

Razee

Razee

D.No. 19208



**DIRECTORATE GENERAL HEALTH SERVICES
HYBER PAKHTUNKHWA PESHAWAR**

All communications Should be Addressed to The Director General
Health Services Peshawar and not to any official by name

Office Ph 1 091 9210230 Exchange 22 091 ; 9210137 091 ; 9210196 Fax 0 091 ; 9210230

No. 14662 /AE.VI, Dated Pesh. 22/10 /2021.

20

To:-

The Secretary to Govt. of
Khyber Pakhtunkhwa Health Department,
Peshawar.

Attention to Section Officer-III.

Subject:- POSTING / ADJUSTMENT.

Dear Sir,

Please enclose find herewith a self explanatory application in
respect of Mr. Razeem Khan Senior Clinical Technologist (Radiology) BS-18 for
further necessary action.

DIRECTOR GENERAL HEALTH
SERVICES, KP PESHAWAR.

22/10/21

~~ATTESTED~~

To

The Director General Health
Services, KP Peshawar.

Subject POSTING/ADJUSTMENT
Dear Sir,

With due respect it is stated that I was working as Clinical Technologist (Radiology) BS-17 in Govt. Naseerullah Khan Babar Memorial Hospital, Peshawar and I have been Promoted to Senior Clinical Technologist (Radiology) BS-18 in Health Department and subsequently posted at Govt. Naseerullah Khan Babar Memorial Hospital Peshawar on original post (Flag-A) vide Notification No. SOH-III/8-60/2021 dated 28.09.2021 (Flag-B) vide Sr. No. 20, I submitted my arrival report to Medical Supdt. Govt. Naseerullah Khan Babar Memorial Hospital Peshawar on the same day i.e. 28.09.2021 (Flag-C), but astonishingly Medical Supdt. Govt. Naseerullah Khan Babar Memorial Hospital Peshawar regretted my arrival and accepted arrival of another Senior Technologist who was also Promoted with us and was posted in Govt. Naseerullah Khan Babar Memorial Hospital Peshawar but he was not working in Govt. Naseerullah Khan Babar Memorial Hospital Peshawar before his Promotion rather he was waiting for posting at the time of his Promotion.

I view of the above facts, it is requested that the concerned Medical Supdt. Govt. Naseerullah Khan Babar Memorial Hospital Peshawar may kindly be directed to adjust me on the actual post of Senior Technologist (Radiology) BS-18 at Govt. Naseerullah Khan Babar Memorial Hospital Peshawar.

I shall highly thankful for anticipating.

Yours obediently

Raz.

Mr. Razeem Khan
Senior Clinical Technologist
(Radiology) BS-18

Dated 8/10/2021

Diary No 3843/2021
08/10/2021

(1)

(2)

~~RECEIVED~~

~~RECEIVED~~

~~RECEIVED~~

To

The Secretary to
Government of Khyber Pakhtunkhwa
Health Department, Peshawar

Subject:- DEPARTMENTAL APPEAL

Respectfully Sir:-

With due respect it is stated that the appellant was working as Clinical Technologist (Radiology) BS-17 in Government Naseer Ullah Khan Babar Memorial Hospital, Peshawar, promoted to Senior Clinical Technologist (Radiology) BS-18 in Health Department vide Notification No SOH-III/8-60/2021 dated 11/08/2021 (Flag-A), on 07.09.2021 the Medical Superintendent on recommendation of HOD Radiology directed the appellant(BPS-18) to perform duty as in-charge of Radiology unit in the same hospital with immediate effect vide office order No. 7335-40/GNKBMH and was serving there(Flag B).

Consequent upon the promotion of the appellant the competent authority was pleased to order transfer/posting of the appellant against the vacant post i.e Senior Clinical /PHC Technologist (BS-18) of NKB Memorial Hospital Peshawar in public interest with immediate effect vide Notification No SOH-III/8-60/2021 dated 28.09.2021 (Flag C) and on same date the appellant has taken over charge of the office and submitted arrival report with medical superintend Government Naseer Ullah Kan Babar Memorial Hospital Peshawar(Flag D).

[Signature]

[Signature]

() () (23)

Astonishingly Medical Superintendant through letter/ notification no. 8068-73/GNKBMH dated 06.10.2021 requested to Director General Services, Khyber Pakhtunkhwa Peshawar, to adjust the appellant any where against the vacant post, wherein it is stated that one post of Senior Clinical Technologist (Radiology) BPS-18 is sanctioned for which Mr. Jamil Khan Clinical Technologist (Radiology) BPS-18 is adjusted (Flag E). Feeling aggrieved from the same the appellant approached to this forum through application diary no 18517 dated 07.10.2021 (Flag F)

On 07.10.2021 Medical Superintendent Govt. NKBMH, Peshawar issued an office order No 8169-74/ GNKBMH through which Mr. Jamil Khan Clinical Technologist (Radiology) BPS-18 is directed to perform duty as in-charge Radiology Unit wherein the appellant is shown as inferior to Mr. Jamil Khan Clinical Technologist, without any reason, recommendation and legal justification with malafide intention (Flag G).

The appellant being Senior Clinical Technologist BPS-18, is serving as In-charge of Radiology Unit of this hospital regularly, punctually upto the mark and without any complaint till date.

Impugned letter/ Notification and Office Order are illegal, without jurisdiction and against law rules and policy.

~~_____~~ ~~_____~~
~~_____~~

No reason, whatsoever, was ever advanced as to why appellant was relieved of the assignment and Mr. Jamil Khan, being junior, was entrusted with the same assignment.

In view of aforementioned facts, the Impugned letter/ Notification No. 8068-73/GNKBMH dated 06.10.2021 and Office Order No .8169-74/ GNKBMH dated 07.10.2021 may kindly be set aside and the appellant may graciously be adjusted on the same post of Senior Clinical Technologist (Radiology) BPS-18 at Govt. Naseer Ullah Khan Babar Memorial Hospital Peshawar, with Charge.

Yours Obediently

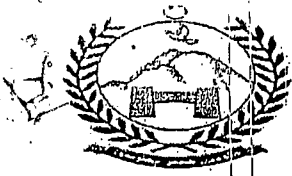
Mr. Razeem Khan SCT
(Radiology) BS-18
Cell No:- 0333-9118930

Rmj/15/10/2021

~~R~~

~~R~~

~~R~~



GOVERNMENT OF KHYBER PAKHTUNKHWA
HEALTH DEPARTMENT

Dated Peshawar, the 03rd Decmeber, 2021

NOTIFICATION

SOH-III/8-60/2021: In partial modification of this Department's Notification of even number dated 28-09-2021, the Competent Authority is pleased to order transfer/posting of Mr. Razeem Khan, Senior Clinical/PHC Technologist (BS-18) (under transfer on the Disposal of DGHS Peshawar) to District Health Officer, Peshawar against the vacant post with immediate effect, in the public interest:-

Secretary to Govt. of Khyber Pakhtunkhwa
Health Department

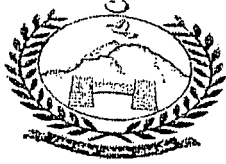
Endst of even No and Date.

Copy forwarded to the:-

1. Accountant General, Khyber Pakhtunkhwa, Peshawar.
2. Director General, Health Services, Khyber Pakhtunkhwa, Peshawar.
3. District Health Officer, Peshawar.
4. The Deputy Director (I.T) Health Department.
5. PS to Secretary Health, Khyber Pakhtunkhwa.
6. PS to Special Secretary (E&A) Health, Khyber Pakhtunkhwa.
7. PA to Additional Secretary (Estab) Health, Khyber Pakhtunkhwa.
8. PA to Deputy Secretary (Admn) Health Department.
9. Officer concerned.

(Dr. Yasir Ali Shah)
SECTION OFFICER-III

TO BE SUBSTITUTED BY THE SAME & DATE



GOVERNMENT OF KHYBER PAKHTUNKHWA
HEALTH DEPARTMENT

Dated Peshawar, the 03rd Decmeber, 2021

NOTIFICATION

SOH-III/8-60/2021: In partial modification of this Department's Notification of even number dated 28-09-2021, the Competent Authority is pleased to order transfer/posting of Mr. Razeem Khan, Senior Clinical/PHC Technologist (BS-18) (under transfer on the Disposal of DGHS Peshawar) to District Health Officer, Peshawar against the vacant post with effect from 28-09-2021, in the public interest:-

Secretary to Govt. of Khyber Pakhtunkhwa
Health Department

Endst of even No and Date.

Copy forwarded to the:-

1. Accountant General, Khyber Pakhtunkhwa, Peshawar.
2. Director General, Health Services, Khyber Pakhtunkhwa, Peshawar.
3. District Health Officer, Peshawar.
4. The Deputy Director (I.T) Health Department.
5. PS to Secretary Health, Khyber Pakhtunkhwa.
6. PS to Special Secretary (E&A) Health, Khyber Pakhtunkhwa.
7. PA to Additional Secretary (Estab) Health, Khyber Pakhtunkhwa.
8. PA to Deputy Secretary (Admn) Health Department.
9. Officer concerned.

(Dr. Yasir Ali Shah)
SECTION OFFICER-III

To

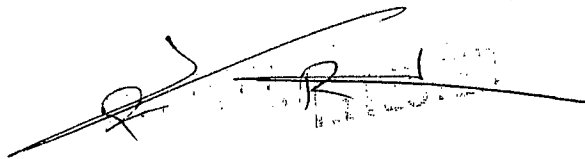
The Chief Secretary Government of Khyber Pukhtunkhwa
Peshawar

Subject:- DEPARTMENTAL APPEAL

Respectfully Sir:-

With due respect it is stated that the appellant was working as Clinical Technologist (Radiology) BS-17 in Government Naseer Ullah Khan Babar Memorial Hospital, Peshawa, promoted to Senior Clinical Technologist (Radiology) BS-18 in Health Department vide Notification No SOH-III/8-60/2021 dated 11/08/2021 (Plag-A), on 07.09.2021 the medical superintendant on recommendation of HOD Radiology directed the appellant(BPS-18) to perform duty as in-charge of Radiology unit in the same hospital with immediate effect vide office order no.7335-40/GNKBMH and was serving there(Plag B).

Consequent upon the promotion of the appellant the competent authority was pleased to order transfer/posting of the appellant against the vacant post i.e Senior Clinical /PHC Technologist (BS-18) of NKB Memorial Hospital Peshawar in public interest with immediate effect vide Notification No SOH-III/8-60/2021 dated 28.09.2021 (Plag C) and on same date the appellant has taken over charge of the office and submitted arrival report with medical superintend Government Naseerullah Kan Babar Memorial Hospital Peshawar(Plag D).



Astonishingly Medical Superintendant through letter/ notification no. 8068-73/GNKBMH dated 06.10.2021 requested to Director General Services, Khyber Pukhtunkhwa Peshawar, to adjust the appellant any where against the vacant post, wherein it is stated that one post of Senior Clinical Technologist (Radiology) BPS-18 is sanctioned for which Mr. Jamil Khan Clinical Technologist (Radiology) BPS-18 is adjusted (Plag E). Feeling aggrieved from the same the appellant approached to this forum through application diary no 18517 dated 07.10.2021 (Plag F)

On 07.10.2021 Medical Superintendent Govt. NKBMH, Peshawar issued an office order no. 8169-74/ GNKBMH through which Mr. Jamil Khan Clinical Technologist (Radiology) BPS-18 is directed to perform duty as in-charge Radiology Unit wherein the appellant is shown as inferior to Mr. Jamil Khan Clinical Technologist, without any reason, recommendation and legal justification with malafide intention (Plag G).

That when appellant approached service tribunal for redressal of his grievance, subsequent Notification dated 03.12.2021 was issued in partial modification of departmental notification dated 28.09.2021 for transfer / posting of appellant to DHO, Peshawar against the vacant post with immediate effect. (Plage H).

~~27/10/2021~~



OFFICE OF THE DISTRICT HEALTH OFFICER
PESHAWAR

Phone No. 091-9225387

() () (30)

OFFICE ORDER

On his promotion from BFS-17 to BPS-18 vide Secretary Health Government of Khyber Pakhtunkhwa office order bearing No. SOH-III/8-60/2021 dated: 03.12.2021, Mr. Razeem Khan Senior PHC Technologist BPS-18 is hereby posted to CD Landi Arbab (Pvt Center) Peshawar, for duty with immediate effect in the best interest of public.

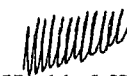
Sd/xxxxxxx
District Health Officer
Peshawar

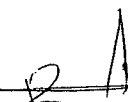

No. 42530 /DHO dated Pesh: 10 / 01 /2022




Copy is forwarded to the:

1. PS to Secretary Health Government of Khyber Pakhtunkhwa.
2. Director General Health Services Khyber Pakhtunkhwa.
3. Accountant General Khyber Pakhtunkhwa.
4. Deputy District Health Officer Town-I Peshawar.
5. Accounts Section DHO Office Peshawar.
6. Official Concerned.

For information and necessary action.


District Health Officer
Peshawar

50	9363			
ایڈوکیٹ: <u>داریس خان ایڈووکیٹ</u>		پشاور بار ایسوسی ایشن، خیبر پختونخواہ		
بار کونسل ایسوسی ایشن نمبر: <u>10-6267</u>		مسٹر جسٹس عبدالرشید خان		
رابطہ نمبر: <u>0343-9664100</u>		بعدالت جناب:		

مخانب:	دعوی:
علت نمبر:	مورخہ:
جرم:	تھانہ:
باعت تحریر آگہ	

مقدمہ مندرجہ عنوان بالا میں اپنی طرف سے واسطے پیروی و جواب دہی کارروائی متعلقہ آن مقام مسٹر جسٹس عبدالرشید خان ایڈووکیٹ کو وکیل مقرر کر کے اقرار کیا جاتا ہے کہ صاحب موصوف کو مقدمہ کی کل کارروائی کا کامل اختیار ہوگا، نیز وکیل صاحب کو راضی نامہ کرنے و تقرر ثالث و فیصلہ بر حلف دینے جواب دعوی اقبال دعوی اور درخواست از ہر قسم کی تصدیق زریں پر دستخط کرنے کا اختیار ہوگا، نیز بصورت عدم پیروی یا ڈگری یکطرفہ یا اپیل کی برآمدگی اور منسوخی، نیز دائر کرنے اپیل نگرانی و نظر ثانی و پیروی کرنے کا مختار ہوگا اور بصورت ضرورت مقدمہ مذکورہ کے کل یا جزوی کارروائی کے واسطے اور وکیل یا مختار قانونی کو اپنے ہمراہ یا اپنے بجائے تقرر کا اختیار ہوگا اور صاحب مقرر شدہ کو وہی جملہ مذکورہ با اختیارات حاصل ہوں گے اور اس کا ساختہ پر داختم منظور و قبول ہوگا دوران مقدمہ میں جو خرچہ ہر 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: 1/9/2022

العبد عبدالرشید خان العبد
مقام پشاور کے لیے منظور ہے۔

نوٹ: اس وکالت نامہ کی فونو کاپی ناقابل قبول ہوگی۔

عبدالرشید خان

داریس خان
Pandi

“B”

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

No.

Appeal No. 7787 of 20

SB
21

..... Razeem Khan Appellant/Petitioner
Versus

Secy to Govt KPK Health Deptt Peshawar
Respondent No. (1)

Notice to: —

Secy to Govt KPK Health Department

WHEREAS an appeal/petition under the provision of the Khyber Pakhtunkhwa Province Service Tribunal Act, 1974, has been presented/registered for consideration, in the above case by the petitioner in this Court and notice has been ordered to issue. You are hereby informed that the said appeal/petition is fixed for hearing before the Tribunal *on.....at 8.00 A.M. If you wish to urge anything against the appellant/petitioner you are at liberty to do so on the date fixed, or any other day to which the case may be postponed either in person or by authorised representative or by any Advocate, duly supported by your power of Attorney. You are, therefore, required to file in this Court at least seven days before the date of hearing 4 copies of written statement alongwith any other documents upon which you rely. Please also take notice that in default of your appearance on the date fixed and in the manner aforementioned, the appeal/petition will be heard and decided in your absence.

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

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

Given under my hand and the seal of this Court, at Peshawar this.....

26th

Day of.....20

22

For Reply
W. Javed
May
21/5/2022

Registrar,
Khyber Pakhtunkhwa Service Tribunal,
Peshawar.

Note: 1. The hours of attendance in the court are the same that of the High Court except Sunday and Gazetted Holidays.
2. Always quote Case No. While making any correspondence.

201

11

FF8F

Passport KIR

Ref to (port KIR Health Dept) Passport

(1)

Ref to (port KIR Health Department) Passport

30/02/2005

Ref

11

Ref

Ref

Ref



KHYBER PAKHTUNKHWA
SERVICE TRIBUNAL, PESHAWAR

All communications should be addressed to the Registrar KPK Service Tribunal and not any official by name.

Ph:- 091-9212281
Fax:- 091-9213262

No: 2549 /ST Dated 12/09 2022

To:

The Accountant General,
Khyber Pakhtunkhwa.

Subject:- **SALARY ATTACHMENT OF THE RESPONDENTS 1 TO 3 TILL FURTHER ORDERS IN CASE TITLE RAZEEM VS HEALTH DEPARTMENT IN APPEAL NO. 7787/2021**

I am directed to forward herewith a certified copy of order dated 19-08-2022 passed by this Tribunal on the above subject for compliance.

REGISTRAR
KHYBER PAKHTUNKHWA
SERVICE TRIBUNAL
PESHAWAR.

BEFORE SERVICE TRIBUNAL KHYBER PAKHTUNKHWA, PESHAWAR

CM NO. _____ 2022

IN

Service Appeal No.7787 of 2021

Mr.Razeem Khan.....Appellant

VERSUS

Secretary to Govt. of Khyber Pakhtunkhwa and others.....Respondents

INDEX

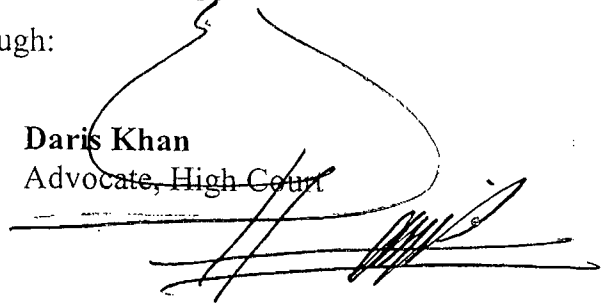
S.N	Description of Documents	Annexure	Pages
1.	Application for permission to file amended memo of appeal with affidavit.		1-2
2.	Copies of Notifications	X-Y	3-34
3.	Copy of representation	Z	5-37
4.	Representation	Z/1	8

Razvi

Petitioner/ Appellant

Through:

Daris Khan
Advocate, High Court



①

BEFORE SERVICE TRIBUNAL KHYBER PUKHTUNKHWA, PESHAWAR

CM NO. _____ 2022

IN

Service Appeal No.7787 of 2021

Mr.Razeem KhanAppellant

VERSUS

Secretary to Govt. of Khyber Pakhtunkhwa and others.....Respondents

APPLICATION FOR GRANTING PERMISSION
TO THE PETITIONER/ APPELLANT TO FILE
AMENDED MEMO OF APPEAL ETC. IN
ABOVE NOTED CASE.

Respectfully Sheweth:

1. That the petitioner filed aforementioned appeal on 24.11.2021 and pending before this honorable Tribunal which was fixed for 12.01.2022 for preliminary hearing and adjourned to 27.01.2022 on request of the petitioner to file application for amendment of memo of appeal in light of subsequent notifications and office order.
2. That the petitioner being aggrieved from the Notification and Letter dated 28.09.2021 and 06.10.2021, impugned through said appeal but subsequently Respondent No.1 issued two Notification on 03.12.2021 in partial modification of Departmental Notification dated 28.09.2021 for transfer/ posting of the petitioner to DHO, Peshawar and then further posting of appellant to CD Landi Arbab (Pvt Center) Peshawar in light of office order dated 10.01.2022. (Copies of Notifications are annexed as X, Y & Z).

2

3. That the petitioner is also aggrieved from the subsequent Notifications issued in partial modification of Notification already impugned herein, requires amendment in memo, ground of appeal and panel of Respondents etc in aforementioned case to tackle the matter properly and substantially.
4. That the petitioner filed representation against the subsequent Notification. (Copy of representation is annexed as Z-1).
5. That valuable rights of the petitioner are involved in the case, if the permission is not granted to the petitioner, the appeal will become infructuous.
6. That there is no limit and legal bar on the powers of this hon'ble Tribunal to allow this application which will not change the nature of the case rather would lead the honorable Tribunal to do substantial justice.

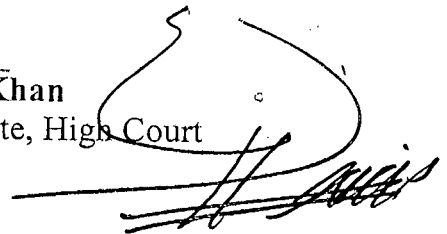
It is therefore humbly prayed that on acceptance of this application the petitioner may kindly be allowed to file amended memo of appeal and application etc in aforementioned case.

Any other relief which this Hon'ble Court deems appropriate in the circumstances of the case may also be granted in favour of petitioner/ appellant.

Ramfi
Petitioner/ Appellant

Through:

Daris Khan
Advocate, High Court



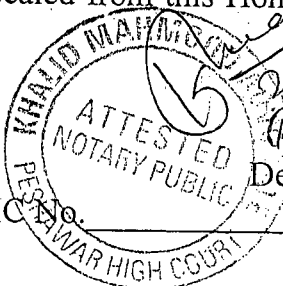
AFFIDAVIT

I, do hereby solemnly affirm and declare on oath that the contents of the accompanying *Application* are true and correct to the best of my knowledge and belief and nothing has been concealed from this Honourable Court.

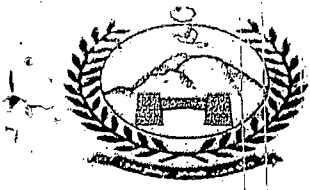
Ramfi
Deponent

22

CNIC No. _____



ATTESTED
NOTARY PUBLIC
KHALID MAHMOOD
PESHAWAR HIGH COURT



GOVERNMENT OF KHYBER PAKHTUNKHWA
HEALTH DEPARTMENT

Dated Peshawar, the 03rd Decmeber, 2021

NOTIFICATION

3


SOH-III/8-60/2021: In partial modification of this Department's Notification of even number dated 28-09-2021, the Competent Authority is pleased to order transfer/posting of Mr. Razeem Khan, Senior Clinical/PHC Technologist (BS-18) (under transfer on the Disposal of DGHS Peshawar) to District Health Officer, Peshawar against the vacant post with immediate effect, in the public interest:-

Secretary to Govt. of Khyber Pakhtunkhwa
Health Department

Endst of even No and Date.

Copy forwarded to the:-

1. Accountant General, Khyber Pakhtunkhwa, Peshawar.
2. Director General, Health Services, Khyber Pakhtunkhwa, Peshawar.
3. District Health Officer, Peshawar.
4. The Deputy Director (I.T) Health Department.
5. PS to Secretary Health, Khyber Pakhtunkhwa.
6. PS to Special Secretary (E&A) Health, Khyber Pakhtunkhwa.
7. PA to Additional Secretary (Estab) Health, Khyber Pakhtunkhwa.
8. PA to Deputy Secretary (Admn) Health Department.
9. Officer concerned.


(Dr. Yasir Ali Shah)
SECTION OFFICER-III

TO BE SUBSTITUTED BY THE SAME & DATE

4



**GOVERNMENT OF KHYBER PAKHTUNKHWA
HEALTH DEPARTMENT**

Dated Peshawar, the 03rd Decmeber, 2021

NOTIFICATION

SOH-III/8-60/2021: In partial modification of this Department's Notification of even number dated 28-09-2021, the Competent Authority is pleased to order transfer/posting of Mr. Razeem Khan, Senior Clinical/PHC Technologist (BS-18) (under transfer on the Disposal of DGHS Peshawar) to District Health Officer, Peshawar against the vacant post with effect from 28-09-2021, in the public interest:-

Secretary to Govt. of Khyber Pakhtunkhwa
Health Department

Endst of even No and Date.

Copy forwarded to the:-

1. Accountant General, Khyber Pakhtunkhwa, Peshawar.
2. Director General, Health Services, Khyber Pakhtunkhwa, Peshawar.
3. District Health Officer, Peshawar.
4. The Deputy Director (I.T) Health Department.
5. PS to Secretary Health, Khyber Pakhtunkhwa.
6. PS to Special Secretary (E&A) Health, Khyber Pakhtunkhwa.
7. PA to Additional Secretary (Estab) Health, Khyber Pakhtunkhwa.
8. PA to Deputy Secretary (Admn) Health Department.
9. Officer concerned.


(Dr. Yasir Ali Shah)
SECTION OFFICER-III

To

The Chief Secretary Government of Khyber Pukhtunkhwa
Peshawar

5

Subject:- DEPARTMENTAL APPEAL

Respectfully Sir:-

With due respect it is stated that the appellant was working as Clinical Technologist (Radiology) BS-17 in Government Naseer Ullah Khan Babar Memorial Hospital, Peshawa, promoted to Senior Clinical Technologist (Radiology) BS-18 in Health Department vide Notification No SOH-III/8-60/2021 dated 11/08/2021 (Plag-A), on 07.09.2021 the medical superintendant on recommendation of HOD Radiology directed the appellant(BPS-18) to perform duty as in-charge of Radiology unit in the same hospital with immediate effect vide office order no.7335-40/GNKBMH and was serving there(Plag B).

Consequent upon the promotion of the appellant the competent authority was pleased to order transfer/posting of the appellant against the vacant post i.e Senior Clinical /PHC Technologist (BS-18) of NKB Memorial Hospital Peshawar in public interest with immediate effect vide Notification No SOH-III/8-60/2021 dated 28.09.2021 (Plag C) and on same date the appellant has taken over charge of the office and submitted arrival report with medical superintend Government Naseerullah Kan Babar Memorial Hospital Peshawar(Plag D).

6

Astonishingly Medical Superintendent through letter/ notification no. 8068-73/GNKBMH dated 06.10.2021 requested to Director General Services, Khyber Pukhtunkhwa Peshawar, to adjust the appellant any where against the vacant post, wherein it is stated that one post of Senior Clinical Technologist (Radiology) BPS-18 is sanctioned for which Mr. Jamil Khan Clinical Technologist (Radiology) BPS-18 is adjusted (Plag E). Feeling aggrieved from the same the appellant approached to this forum through application diary no 18517 dated 07.10.2021 (Plag F)

On 07.10.2021 Medical Superintendent Govt. NKBMH, Peshawar issued an office order no. 8169-74/ GNKBMH through which Mr. Jamil Khan Clinical Technologist (Radiology) BPS-18 is directed to perform duty as in-charge Radiology Unit wherein the appellant is shown as inferior to Mr. Jamil Khan Clinical Technologist, without any reason, recommendation and legal justification with malafide intention (Plag G).

That when appellant approached service tribunal for redressal of his grievance, subsequent Notification dated 03.12.2021 was issued in partial modification of departmental notification dated 28.09.2021 for transfer / posting of appellant to DHO, Peshawar against the vacant post with immediate effect. (Plag H).

5

7

Thereafter another notification dated 03.12.2021 was issued in partial modification of departmental notification dated 28.09.2021 for transfer / posting of the appellant to DHO, Peshawar against the vacant post with effect from 28.09.2021. (Plage I)

The appellant being Senior Clinical Technologist BPS-18, is serving as In-charge of Radiology Unit of this hospital regularly, punctually upto the mark and without any complaint till date.

Impugned letter/ notification no. 8068-73/GNKBMH dated 06.10.2021, office order no.8169-74/ GNKBMH dated 07.10.2021, Notifications dated 03.12.2021 are illegal, without jurisdiction and against law rules and policy.

In view of aforementioned facts, the impugned letter and notifications may kindly be set aside and the appellant may graciously be adjusted on the actual post of Senior Clinical Technologist (Radiology) BPS-18 at Govt. Naseerullah Khan Babar Memorial Hospital Peshawar.

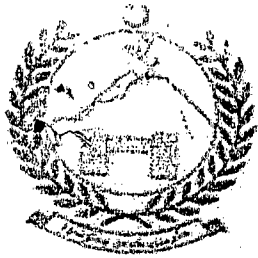
Yours Obediently

Raz

Mr. Razeem Khan SCT (Radiology) BS-18

Dated 20.12.2021

Cell # 0333 911 8930



OFFICE OF THE DISTRICT HEALTH OFFICER
PESHAWAR

Phone No. 091-9225387

8

OFFICE ORDER

On his promotion from BFS-17 to BPS-18 vide Secretary Health Government of Khyber Pakhtunkhwa office order bearing No. SOH-III/8-60/2021 dated: 03.12.2021, Mr. Razeem Khan Senior PHC Technologist BPS-18 is hereby posted to CD Landi Arbab (Pvt Center) Peshawar, for duty with immediate effect in the best interest of public.

Sd/xxxxxxx
District Health Officer
Peshawar

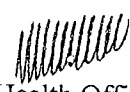
No. 42530 /DHO

dated Pesh. 10 / 01 /2022

Copy is forwarded to the:

1. PS to Secretary Health Government of Khyber Pakhtunkhwa.
2. Director General Health Services Khyber Pakhtunkhwa.
3. Accountant General Khyber Pakhtunkhwa.
4. Deputy District Health Officer Town-I Peshawar.
5. Accounts Section DHO Office Peshawar.
6. Official Concerned.

For information and necessary action.


District Health Officer
Peshawar