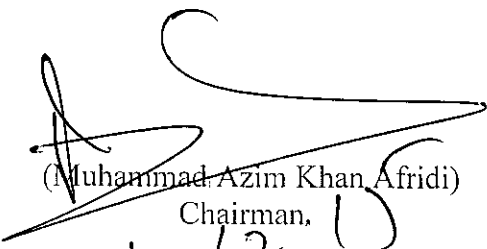


S.No. of proceedings	Date of Order or proceedings.	Order or other proceedings with signature of Judge or Magistrate and that of parties where necessary.
1	2	3
	14.12.2015	<p style="text-align: center;"><u>KHYBER PAKHTUNKHWA SERVICE TRIBUNAL, PESHAWAR</u> <u>CAMP COURT ABBOTTABAD</u></p> <p style="text-align: center;"><u>SERVICE APPEAL NO.340/2013</u></p> <p>( <u>Saeed Akhtar-vs-Govt of Khyber Pakhtunkhwa through Secretary Educatio, Peshawar and 4 others</u>)</p> <p style="text-align: center;"><u>JUDGMENT</u></p> <p style="text-align: center;"><u>Muhammad Azim Khan Afridi, Chairman:</u></p> <p>Appellant with counsel present. Preliminary arguments heard and record perused.</p> <p>Appellant has preferred the instant appeal under section 4 of the Khyber Pakhtunkhwa Service Tribunal Act, 1974 against order dated 2.5.2001 whereby request of the appellant for re-examination by Medical Board was rejected.</p> <p>Brief facts giving rise to the present appeal are that the appellant Saeed Akhtar, Ex-PST, stood retired from service on medical grounds on 1.9.1998. After gaining health he applied for reinstatement in service but his application for examination through Medical Board was rejected vide impugned order dated 2.5.2001 where-against appellant preferred departmental appeal on 3.10.2012 followed by service appeal on 8.1.2013 and then amended service appeal on 26.10.2015.</p> <p>Learned counsel for the appellant has argued that the appellant has crossed the age of superannuation and is claiming re-employment for financial gains and that the appeal is not hit by time limitation.</p> <p>Arguments of the learned counsel for the appellant were not found forceful as the appellant was declined even examination through Medical Board as his request was found beyond the period of thirty days of the</p>

*Handwritten signature and date:*  
14.12.15

decision of the Standing Medical Board. Even otherwise the impugned order was passed in the year 2001 and the appellant did not actively pursue his grievances and, for the first time, preferred departmental appeal on 3.10.2012. No plausible explanation has been put forth for the said noticeable delay between 2.5.2001 to 3.10.2012.

In view of the above and the fact that the appellant has already crossed the age of superannuation as such the appeal is not found maintainable which is dismissed in limine. File be consigned to the record room.

  
(Muhammad Azim Khan Afridi)  
Chairman, (15)

ANNOUNCED  
14.12.2015

S.No. of proceedings	Date of Order or proceedings.	Order or other proceedings with signature of Judge or Magistrate and that of parties where necessary.
1	2	3
	14.12.2015	<p style="text-align: center;"><u>KHYBER PAKHTUNKHWA SERVICE TRIBUNAL, PESHAWAR</u> <u>CAMP COURT ABBOTTABAD</u></p> <p style="text-align: center;"><u>SERVICE APPEAL NO.340/2013</u></p> <p><u>( Saeed Akhtar-vs-Govt of Khyber Pakhtunkhwa through Secretary Educatio, Peshawar and 4 others)</u></p> <p style="text-align: center;"><u>JUDGMENT</u></p> <p style="text-align: center;"><u>Muhammad Azim Khan Afridi, Chairman:</u></p> <p>Appellant with counsel present. Preliminary arguments heard and record perused.</p> <p>Appellant has preferred the instant appeal under section 4 of the Khyber Pakhtunkhwa Service Tribunal Act, 1974 against order dated 2.5.2001 whereby request of the appellant for re-examination by Medical Board was rejected.</p> <p>Brief facts giving rise to the present appeal are that the appellant Saeed Akhtar, Ex-PST, stood retired from service on medical grounds on 1.9.1998. After gaining health he applied for reinstatement in service but his application for examination through Medical Board was rejected vide impugned order dated 2.5.2001 where against appellant preferred departmental appeal on 3.10.2012 followed by service appeal on 8.1.2013 and then amended service appeal on 26.10.2015.</p> <p>Learned counsel for the appellant has argued that the appellant has crossed the age of superannuation and is claiming re-employment for financial gains and <sup>that</sup> as such the appeal is not hit by time limitation.</p> <p>Arguments of the learned counsel for the appellant were not found forceful as the appellant was declined even examination through Medical Board as his request was found beyond the period of thirty days of the</p>

ORDER

As approved by the Departmental Selection Committee, the Competent Authority has been pleased to appoint the following DM (Female) against vacant posts mentioned against each in BPS-9 @ Rs.6200-380-17600 pm plus usual allowances as admissible under the rules in the interest of Public Service with effect from the date of their taking over charge subject to the following terms & conditions:-

S#	Name with	Father's Name	Home Address	Place of Posting	Remarks
1	Naghma Zeb	Aurang Zeb	Perhinna	GGMS Karofi	A/V/Post
2	Sumaira Naz	Ferdos	Ichrian	GGMS Sokal	A/V/Post
3	Nabeela Bibi	Rana Sarfraz	Mansehra	GGMS Madserian	A/V/Post
4	Asma Zeb	Aurag Zeb	Balakot	GGHS Ghanool	A/V/Post
5	Bibi Fatema	Gul Fam	Dhodial	GGMS Kothri	A/V/Post
6	Tayyuba Khan	R.Rustam Khan	Behali	GGMS Jisgran	A/V/Post
7	Anam Salim	M. Salim Khan	T.Sabir Shah	GGMS Mathra Jalgli	A/V/Post
8	Rubia Sabir	Sabir Hussain	Data	GGHS Kaghan	A/V/Post
9	Rashida Zeb	Aurang Zeb	Mansehra	GGMS Kamal Ban	A/V/Post
10	Nusrat Sardar	Ghulm Sarvar	Mansehra	GGMS Sinjli	A/V/Post
11	Javeria Bibi	M.Fiaz Khan	Balakot	GGMS Mohadari	A/V/Post

TERMS & CONDITIONS:

1. Their appointments are purely on temporary basis and liable to termination at any stage without assigning any reason/notice.
2. They will be governed by such rules and regulations enforce and as may be prescribed by the Government from time to time for the category of the Government servants to which they belong.
3. In case they failed to assume the charge of their posts within 15 days of their appointment, candidature-ship will be stand automatically cancelled.
4. Their services are regular but will not be entitled for pension/gratuity & they will not contribute any amount towards GP Fund however they will contribute CP fund on the prescribed rate & half contribution will be made by the Government.
5. They will submit to this office, their all testimonial and along-with bank drafts in the name of controller / treasurer of the concerned BISE / University within 7 days after the taking over charge for verification.

Muzammil

Distt. Officer, Mansehra

19.10.2015

Counsel for the appellant present. Requested for adjournment as he has prepared the amended appeal but has not submitted the same in office. The same be submitted in office where-after the appeal be fixed for preliminary hearing before S.B on 16.11.2015 at Camp Court A/Abad.

  
Chairman  
Camp Court A/Abad

16.11.2015


Counsel for the appellant present. Learned counsel for the appellant, after arguing the appeal at considerable length, requested for adjournment. Adjourned for preliminary hearing to 14.12.2015 before S.B at Camp Court A/Abad.

  
Chairman  
Camp Court A/Abad.


6 18.5.2015 Appellant in person present. Informed the Tribunal that his counsel has not turned up from Peshawar. Requested for adjournment. To come up for preliminary hearing on 23.7.2015 before S.B at camp court A/Abad.

  
Chairman  
Camp Court A/Abad

7 23.7.2015 Counsel for the appellant present. Submitted fresh Wakalat Nama and requested for adjournment. Adjourned for preliminary hearing to 14.9.2015 before S.B at camp court A/Abad.

  
Chairman  
Camp Court A/Abad

14.9.2015 Appellant with counsel present and submitted Wakalat Nama. Learned counsel for the appellant also submitted application for amendment in appeal. Since the appeal is at preliminary stage as such the application is allowed. Directed to submit amended appeal in the office for scrutiny where-after the same be placed before S.B for preliminary hearing on 19.10.2015 at Camp Court A/Abad.

  
Chairman  
Camp Court A/Abad

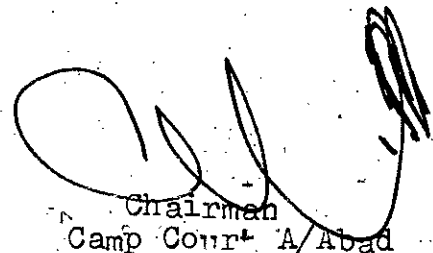
4- 20.01.2014

neither appellant nor his counsel present. Another chance is given for preliminary hearing at camp court A/Abad on 16.6.2014.

  
Chairman  
Camp Court A/Abad

5- 16.6.2014

No one is present on behalf of the appellant. A last chance is given, and notices be issued to the appellant and his counsel for preliminary hearing, positively, at camp court A/Abad on 15.12.2014.

  
Chairman  
Camp Court A/Abad

15.12.2014



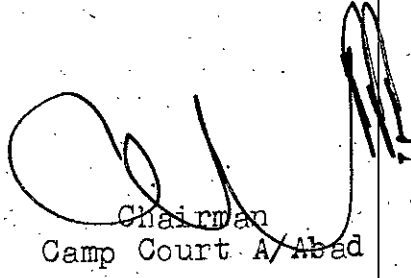
Appellant present in person.  
The Tribunal is incomplete. To come up  
for preliminary hearing at c/c of Abad  
on 18.5.2015.

  
Reader

Form- A  
FORM OF ORDER SHEET

Court of \_\_\_\_\_

Case No. 340/2013

S.No.	Date of order Proceedings	Order or other proceedings with signature of judge or Magistrate
1	2	3
1	04/02/2013	<p>The appeal of Mr. Saeed Akhtar resubmitted today by Mr. Qazi Abdul Jalil Advocate may be entered in the Institution Register and put up to the Worthy Chairman for preliminary hearing.</p> <p style="text-align: right;"> REGISTRAR</p>
2	8.2.13	<p>This case is entrusted to Touring Bench A.Abad for preliminary hearing to be put up there on <u>15-7-13</u></p> <p style="text-align: right;"> CHAIRMAN</p>
3.	15.7.2013	<p>Mr.Mushtaq Khan, Advocate on behalf of counsel for the appellant present, and requested for adjournment. To come up for preliminary hearing at camp court A/Abad on 20.01.2014.</p> <p style="text-align: right;"> Chairman Camp Court A/Abad</p>



**BEFORE THE KHYBER PAKHTUNKHWA SERVICE TRIBUNAL**  
**PESHAWAR**

AMENDED APPEAL NO. 340 /2015

IN SERVICE APPEAL NO. 340 /2013

**SAEED AKHTAR**

**VS**

**Govt: Of KPK**

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2.	Condonation application	.....	4.
3.	Medical report	<b>A</b>	5.
4.	Order of respondent No.3	<b>B</b>	6.
5.	Re-examination report	<b>C</b>	7.
6.	Forwarding letters	<b>D</b>	8- 9.
7.	Impugned order	<b>E</b>	10.
8.	Record	<b>F</b>	11- 18.
9.	Departmental appeal	<b>G</b>	19.
10.	Vakalat nama	.....	33.

**APPELLANT**

**THROUGH:**

**NOOR MOHAMMAD KHATTAK**  
**ADVOCATE**

**BEFORE THE KHYBER PAKHTUNKHWA SERVICE TRIBUNAL**  
**PESHAWAR**

AMENDED APPEAL NO. 340 /2015

IN SERVICE APPEAL NO. 340 /2013

Mr. Saeed Akhtar, Ex: PST,  
R/O Kuthiala, Tehsil & District Abbottabad.

M.W.P. Provincial  
Service Tribunal  
Diary No. 1296  
Dated 26-10-2015

..... APPELLANT

**VERSUS**

- 1- The Government of Khyber Pakhtunkhwa through Secretary (E&SE) Department, Khyber Pakhtunkhwa Peshawar.
- 2- The Secretary Finance Department, Khyber Pakhtunkhwa, Peshawar.
- 3- The Director (E&SE) Department, Khyber Pakhtunkhwa Peshawar.
- 4- The District Education Officer (Male), District Abbottabad.
- 5- The District Account Officer Abbottabad, District Abbottabad

..... RESPONDENTS

**APPEAL UNDER SECTION- 4 OF THE KHYBER PAKHTUNKHWA SERVICE TRIBUNAL ACT 1974 AGAINST THE IMPUGNED ORDER DATED 2.5.2001 WHEREBY THE REQUEST OF THE APPELLANT FOR RE-INSTANTMENT/ RE-EMPLOYEMENT HAS BEEN TURNED DOWN AND AGAINST NO ACTION TAKEN ON THE DEPARTMENTAL APPEAL OF APPELLANT WITHIN THE STATUTORY PERIOD**

**PRAYER:**

That on acceptance of this appeal the impugned orders dated 14.9.1998 and 2.5.2001 may very kindly be set aside and the respondents may be directed to re-instate the appellant w.e.f. 14.9.1998 with all back benefits in light of fitness certificate issued on 30.9.2000. Any other remedy which this august Court deems fit that may also be awarded in favor of the appellant.

**R/SHEWETH:**

**ON FACTS:**

- 1- That appellant was appointed as PTC Teacher now PST in the respondent Department vide order dated 02-04-1981. That in response to the appointment order dated 02-04-1981 the appellant submitted his arrival report on the very next day and started performing his duty quite efficiently and up to the entire satisfaction of his superiors.

- 2- That appellant while serving as PTC Teacher Now PST in the Education Department the Medical Superintendent DHQ Hospital Abbottabad examined the appellant vide dated 17-08-1998 and declared the appellant medically unfit for the said job. That on the said report the respondent No.4 straight away invalidated the appellant vide impugned order dated 14.9.1998. That later on the appellant was again got examined by the Medical Superintendent DHQ Hospital Abbottabad and has been declared fit for the said job vide dated 30.9.2000. Copies of the Medical Superintendent report, respondent No.3 order and re-examination report are attached as annexure ..... **A, B and C.**
- 3- That appellant made his request to the respondent No.4 for his re-instatement in light of the re-examination report issued by the Medical Superintendent DHQ Hospital Abbottabad but the respondent No.4 issued the impugned order dated 2.5.2001 due to which the request of the appellant was turned down. Copies of the forwarding letters and impugned order are attached as annexure ..... **D & E.**
- 4- That it is very pertinent to mention that in the mean time one Mst: Shamshad Bibi Ex-PTC District Abbottabad who was also boarded out by the Medical Superintendent DHQ Hospital Abbottabad was re-examined by the M.S DHQ Hospital Abbottabad but the respondents failed to re-instate the appellant in to service. That feeling aggrieved the above mentioned civil servant filed service appeal in this august service Tribunal which was decided in favor of the appellant vide judgment dated 4.5.2005. Copies of the record of Mst: Shamshad bibi is attached as annexure..... **F.**
- 5- That feeling aggrieved the appellant filed Departmental appeal on 03-10-2012 but no reply has been received so far. Copy of Departmental appeal is attached as annexure ..... **G.**
- 6- Hence the present appeal inter alia on the following grounds.

**GROUND:**

- A- That the impugned orders dated 14.9.1998 and 2.5.2001 issued by the respondent No.3 is against the law, facts, norms of natural justice and materials on the record hence not tenable and liable to be set aside.
- B- That the appellant has not been treated by the respondent Department in accordance with law and rules on the subject

noted above and as such the respondents violated Article 4 and 25 of the Constitution of Islamic Republic of Pakistan 1973.

- C- That it is the consistent view of the Apex Court that one should not be punished on the fault of others. That the illegality has been committed by the respondent Department and not the appellant, therefore the appellant can not be held guilty for the fault of others.
- D- That the respondents acted in arbitrary and malafide manner by issuing the impugned orders against the appellant.
- E- That the appellant has been discriminated by the concerned authority on the subject noted above and as such the respondent No.4 violated the principle of natural justice.
- F- That as similar nature case has been accepted by this august Tribunal vide judgment dated 4.5.2005, therefore in light of the principle of consistency reported in 2009 SCMR page No.1 the appellant is also similarly placed person and is entitle for similar relief as meted out to other civil servant.
- G- That the appellant seeks permission to advance other grounds and proofs at the time of hearing.

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

Dated: 09-10-2015

**APPELLANT**

  
**SAEED AKHTAR**

**THROUGH:**

  
**NOOR MOHAMMAD KHATTAK**  
**ADVOCATE**

**BEFORE THE KHYBER PAKHTUNKHWA SERVICE TRIBUNAL**  
**PESHAWAR**

APPEAL NO. \_\_\_\_\_/2015

**SAEED AKHTAR**

**VS**

**GOVT: OF KPK**

**APPLICATION FOR CONDONATION OF**  
**DELAY IN FILING THE ABOVE NOTED**  
**APPEAL**

**R.SHEWETH:**

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

**GROUND OF APPLICATION:**

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

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

**APPELLANT**

  
**SAEED AKHTAR**

**THROUGH:**

  
**NOOR MOHAMMAD KHATTAK**  
**ADVOCATE**

OFFICE OF THE MEDICAL SUPDTT:  
DHQ HOSPITAL ABBOTTABAD

No. 2552/

Dated: 17-8-1998

(DEO (Pay)  
Abbottabad

Sub: TO APPEAL BEFORE MEDICAL BOARD

Memo:

Pl: ref: DGHS Endst: no.5746 Dated 4-8-1998

Certified that we have carefully examined Mr. Saeed Akhtar S/o Parvez Khan Desig: PTC NIC No. 121-88-047589 reads thumb impression/Signature Tam MMBR today on 5.8,1998 to considered him to be completely and permanently incapacitated for further service of any kind consequence of Depression *polyarthritus*

His incapacity does not appear to us to have been caused by irregular or intemperate habits.

Medical Superintendent  
DHQ Hospital Abbottabad.

*Saeed Akhtar*  
ATTESTED

OFFICE OF THE MEDICAL SUPERINTENDENT  
DHQ HOSPITAL ABBOTTABAD.

A-5  
3

No. 2552  
Date 17-8-1988

*Handwritten notes:*  
1. [illegible]  
2. [illegible]

GENERAL BOARD OF MEDICAL BOARD.

Reference No. 5746 Date 4-8-78

Reference No. 5746 dated 4-8-78 regarding Dr. [illegible]  
has been reviewed and found that the Dr. [illegible]  
has been Dr. [illegible] today at 5:30 PM  
and Dr. [illegible] and Dr. [illegible] have been Dr. [illegible]  
and Dr. [illegible] have been Dr. [illegible]  
and Dr. [illegible] have been Dr. [illegible]

The Dr. [illegible] has been Dr. [illegible]  
and Dr. [illegible] have been Dr. [illegible]

Medical Superintendent  
DHQ Hospital Abbottabad.


*Handwritten signature*

AND VERIFY THIS PROCEEDING.

Copy forwarded to the DGHS WFP Fakhra

MEDICAL SUPERINTENDENT  
DHQ HOSPITAL ABBOTTABAD.

*Handwritten signature*

G. Enghem  B-6

OFFICE OF THE DISTRICT EDUCATION OFFICER (MALE) PRIMARY ABBOTTABAD.

SANCTION OF RETIREMENT/ENCASHMENT.

Sanction is hereby accorded to the encashment of leave of 180 days leave in lieu of not availing LTR lying in his credit in respect of Mr, Saeed Akhter, FTO Govt. Primary School Kuthiala (Atd) as admissible under the rules, 20 of NWFP, Revised rules 1981.

RETIREMENT.

He is further allowed to proceed on retirement Wef, 1-9-1998 (F.N) on Medical grounds in the light of invalid report issued vide Medical Superintendent DHO Hospital Abbottabad vide his letter No. 2552 dated, 17-8-1998 and verified by the MS DHO <sup>Hospital</sup> No. 2713 dt, 2-9-1998.

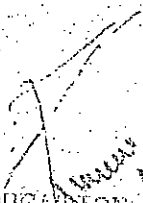
(MUHAMMAD PARVAIZ KHAN)  
DISTRICT EDUCATION OFFICER  
(MALE) PRIMARY ABBOTTABAD.

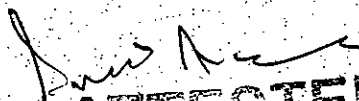
Endst: No. 2859-61

Dated Abbottabad the, 14/9 /1998.

Copy for information to:-

- 1/ The Sub Divisional Edu: Officer, (Male) Primary Abbottabad w/r to his letter No. 6098/GB.1/Rtd dt, 14-9-1998 and his service book is returned herewith.
- 2/ The District Accounts Officer Abbottabad.
- 3/ Teacher concerned GPS, Kuthiala (Atd).

 14/9/98  
DISTRICT EDUCATION OFFICER,  
(MALE) PRIMARY ABBOTTABAD.

  
**ATTESTED**



**OFFICE OF THE DY: MEDICAL SUPERINTENDENT DHQ**  
**HOSPITAL ABBOTTABAD**

**FITNESS CERTIFICATE**

This is to certified that I examined Mr. Saeed Akhtar S/O Parvez Khan NIC No. 121-88-047589 R/O P.O Kothiala Distt: Abbottabad today on 25.9.2000.

He is not suffering from any infectious disease. He is physically and mentally fit to continue his job.

Dy: Medical Superintendent  
DHQ Hospital Abbottabad

  
**ATTESTED** *Advocate*

THE DISTRICT MAGISTRATE, ABU DHABI.

Annexure C (9)

B

(13/7) (14/7) C-7

EMERGENCY CERTIFICATE

This is to certify that I examined

Mr. Sultan S/O. Salvez Khan CID No. 111-11-01/195

NO. 11-0 Kobbilia District Abudhabi today on 25.3.1953.

He is not suffering from any infectious

disease. He is physically and mentally fit to continue

his work.

Tak Salvo

BY: Medical Superintendent,  
DIO, Kobbilia, Abudhabi.

Dr. M. A. ...  
Deputy Medical Superintendent,  
D.M.O. ... Abudhabi.

Attested  
K. K.

Attested  
K. K.  
ATTESTED

No. 1002/WOY-1/AB-11/Correspondence dated 28/8/2000

The District Education Officer  
(Male) Primary Abbottabad

D-8

The Director  
Primary Education  
Peshawar

Subject: APPLICATION REGARDING RE-BOARD RE-EMPLOYMENT  
IN R/O MR. SAIED AKHTER EX-PTC GPS KUTHIALA  
(ATD) RETIRED ON MEDICAL GROUNDS VIDE HIS APP.  
DATED 07-08-2000.

The attached application of Mr. Saied Akhter, retired PTC teacher Govt. Primary School Kuthiala (Atd) requesting for re-appointment after retirement on Medical grounds, received from the Sub-Divisional Education Officer (Male) Primary Abbottabad vide his No. 3909/GB/Medical Board/Cases/Pension etc dated 28-8-2000, is sent herewith pl.

The paraverse history of the case is as under:-

- I. The above named retired teacher was appointed as PTC on 02-04-1981.
- II. He had applied for retirement from Govt. service on medical grounds vide his application (Annexure 'A').
- III. His application for retirement on Medical grounds was sent to the Director General Health Services, Peshawar vide this office No. 2399 dated 01-8-1998.
- IV. He was declared permanently unfit for further service by the Standing Medical Board vide its decision dated 5-8-1998.
- V. He was retired from service vide No. 2859-61 dated 14-9-1998 on medical grounds (Annexure 'C').
- VI. Now he has obtained a fitness certificate from the Dy. Medical Superintendent, DHO Hospital Abbottabad to the effect that he is fit to continue his job vide (Annexure 'D').
- VII. He has already received his pension/Gratuity and all the other emoluments.

It is therefore requested that this office may be advised/guided as to whether the case of above named retired teacher can be sent to Medical board for Re-examination/Re-instated in service on the basis of fitness certificate or otherwise, please.

DISTRICT EDUCATION OFFICER  
(MALE) PRIMARY ABBOTTABAD  
Directorate of Primary Education  
N.W.F.P. Peshawar

Endst. No. \_\_\_\_\_

Copy for information to the \_\_\_\_\_ Dated \_\_\_\_\_

- 1/ Sub-Divisional Education Officer (Male) Primary Abbottabad vide his letter No. 3909/GB/Medical Board Cases/Pension etc dated 28-8-2000.
- 2/ Mr. Saied Akhter, Retired PTC teacher Kuthiala (Atd).

*[Signature]*  
**ATTESTED**

DISTRICT EDUCATION OFFICER  
(MALE) PRIMARY ABBOTTABAD

Annexure-B

8

DIRECTOR GENERAL PRIMARY EDUCATION  
NWFP, PESHAWAR  
NO. 4114 / MRA / PEO (M) / A / Abbottabad (H&A) - (M)  
VOL. IV / MRA - (M)  
Dated Pesh. the 23/7/2000

9

To

The Director General  
Health, NWFP, Peshawar.

Subject: - APPLICATION REGARDING RE-MEDICAL BOARD.

Memo: -

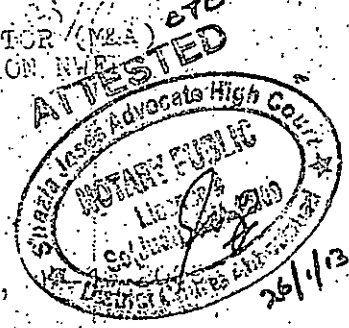
I am directed to enclose herewith a copy of the application in r/o Saeed Akhtar Ex-PTC teacher GHS, Kuthbala (Abbottabad) along with other relevant documents of the above noted subject with the following detail of the case, please:-

1. The above teacher had applied for Medical Board on 15-7-1998 (Annexure-A).
2. On his request a Medical Board was arranged and he was examined and declared completely/permanently incapacitated for further service (Annexure-B).
3. After completion of the above process, he was retired on Medical Grounds w.e.f. 1-9-1998 (Annexure-C).
4. On 25-9-2000, the Ex-PTC teacher approached to the Dy. Medical Superintendent DHO Hospital Abbottabad for his re-medical examination. He was examined by the above mentioned Medical Officer and declared him fit to continue his job (Annexure-D).
5. In support of the above mentioned fitness Certificate, the Ex-teacher concerned has approached the District Education Officer (M/P), Abbottabad for his re-employment as PTC teacher (Annexure-E).
6. The DEO concerned has submitted the subject case to this Office for sending his case to your Office for constitution of appellate Medical Board if feasible under the rules.

Hence submitted for further necessary action, please.

Enclos: As above.

ASSISTANT DIRECTOR (MRA) ETC  
PRIMARY EDUCATION NWFP



Indst: NO.

Copy to the:-

1. DHO (M/P) Abbottabad w/r to hsl letter NO.4009 dated,
2. P.A. to DHO (Local Office).

ATTESTED

ASSISTANT DIRECTOR (MRA)  
PRIMARY EDUCATION NWFP

Directorate of Primary Education  
No. 1166-9  
Dated 13/7/2001

DIRECTORATE GENERAL HEALTH SERVICES, NWFP, PESHAWAR  
Medical,  
Dated Pesh: 13/7/2001.

The Assistant Director (M&A),  
Primary Education NWFP, Peshawar.

page 40/15

SUBJECT:- APPLICATION REGARDING RE-MEDICAL BOARD.

Re: As:

Reference your letter No. 4144/P.No. 152/DPE/M&A, PTC(M)/A/Abad(M&A)- (M) Vol: IV/M&A- (M) dated 23/11/2000, on the subject noted above.

According to latest instruction of the Government of NWFP, Health Department Peshawar, an appeal can be lodged to the Appellate Medical Board within 30 days of the decision of the Standing Medical Board/Standing Invalidating Committee. Since the appeal period/time has been lapsed therefore, the request of Mr. Saeed Akhtar, Ex-PTC, Peshawar GPB, Kuthiala (District Abbottabad), cannot, at present, be acceded to at this stage.

*is regretted*

Assistant Director (Medical),  
For Director General Health Services, NWFP, Peshawar.

OFFICE OF THE DIRECTOR PRIMARY & LITERACY EDUCATION N.W.F.P. PESHAWAR.

Encl: NO. 1166-9/F.No. 152/V.IV/DPE/AD(M) Dated Pesh: 13/7/2001.

Copy of the above is forwarded to the :-

- 1. Executive District Officer (Edu:) A/Abad w/r to Ex-DEO(M/P) A/Abad letter No. 4009 dated 12.10.2000 for information and n/action.

ASSISTANT DIRECTOR (ESTAB.)  
PRIMARY EDUCATION NWFP.

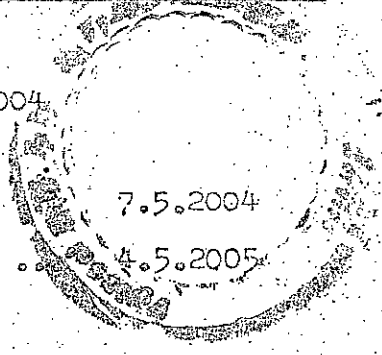
*[Signature]*  
**ATTESTED**

F-(21)

APPEAL NO. 347/2004

Date of institution 7.5.2004

Date of decision 4.5.2005



*By Sh*

Shamshad Bibi, Ex-PTC,  
R/O Village Jaffar P.O Jaffar,  
Abbottabad.

Appellant

VERSUS

1. Govt. of NWFP through Secretary(S&L)  
Department NWFP, Peshawar.
2. Secretary Establishment Department,  
NWFP, Peshawar.
3. Director(S&L) NWFP, Peshawar.
4. Executive District Officer(S&L),  
Abbottabad.

Respondents

Mr. Ijaz Anwar,  
Advocate

For appellant

Mr. Noor Zaman Khan,  
Addl. Govt. Pleader.

For respondents

Mr. Abdul Sattar Khan,  
Mr. Azmat Hanif Orakzai.

Chairman  
Member

JUDGMENT

ABDUL SATTAR KHAN, CHAIRMAN: This appeal u/s 4 of the NWFP Service Tribunals Act, 1974 has been filed by Shamshad Bibi (appellant) against the denial of her reinstatement/re-employment after having declared fit medically by the Standing Medical Board and also against the order dated 9.4.2004 vide which her appeal was rejected, with the prayer that on acceptance of this

NWFP Service Tribunal  
Peshawar

ATTESTED

*[Signature]*  
ATTESTED

12

appeal, the impugned order dated 9.4.04 may be set aside by reinstating the appellant with full back wages and benefits of service.

2. The facts, in brief, as averred in the memo. of appeal are that the appellant was appointed as PT in the Education Department vide order dated 31.3.85 (Annexure-A) and after completion of her PTC Course, she was given the post of PTC. She while serving as such complained of ill health and was referred to Standing Medical Board which vide its meeting dated 9.8.97 declared the appellant as unfit for service(Annexure-B). On the basis of the opinion of the Medical Board, she was allowed invalid pension and was retired from service vide order dated 15.9.97(Annexure-C). Later on she regained her health and applied for reinstatement. Her application was duly processed and vide letter dated 30.10.2002 it was sent to respondent No.3 (Annexure-D). Pursuant to the said letter dated 30.10.02, respondent No.3 directed and conveyed letter dated 16.12.02 to respondent No.4 with direction to the appellant to appear before the Standing Medical Board/Standing Invaliding-Committee on 8.1.2003 for medical examination before the M.S,Police/Services,Hospital Peshawar(Annexure-E). Accordingly, she appeared before the Board and vide letter dated 21.2.03, the Chairman, Standing Medical-Board conveyed its decision to respondent No.4 and gave its opinion declaring the appellant fit for service (Annexures F & G), and on its receipt, respondent No.4 made certain objections on it and referred the matter again to respondent No.3 vide letter dated 1.3.03 (Annexure-H). The office of Assistant Director(Estab.)

Handwritten initials

NWFP  
Peshawar

ATTESTED  
External Tribunal

ATTESTED

Directorate of School & Literacy NWFP, Peshawar, sent certain clarifications in this respect (Annexure-I). In the meantime, the matter was kept without any proceedings, as such the appellant filed her departmental appeal on 16.9.03 (Annexure-J) which was rejected on 9.4.04 vide Annexure-K. Hence this appeal.

3. The grounds of appeal are to the effect that the impugned order is against law, facts and material available on record, hence not tenable; that the Standing Medical Board declared the appellant fit for duty, hence respondents were having no choice except to reinstate her into service; that the decision of the first Medical Board was not challenged <sup>at</sup> that time the appellant was not feeling medically fit, however, having regained her health, she was again declared as medically fit for service and therefore, the period of 7 days of reviewing or appeal is for the respondents to have challenged the opinion of the Medical Board and having not done so, it attained finality, hence the impugned order is not maintainable; that the provision contained in the Civil-Service Regulation and F.Rs prescribes the mode of re-employment after an employe re-gained health despite the legal provision there are instances, whereby the similarly placed employees have been re-employed (Annexures L & M); and that the appellant is ready to deposit the pensionary dues in easy instalments in case <sup>is</sup> she/reinstated into service.

4/10/04

4. Respondents have filed their written reply and refuted the claim of the appellant by alleging that her request is not covered by the rules, therefore, it cannot be honoured. In rebuttal, no replication was filed by the appellant.

ATTESTED  
 EXECUTIVE OFFICER  
 NWFP PESHAWAR

ATTESTED



5. Arguments heard and record perused.

6. From perusal of the record it is evident that appellant was initially appointed <sup>as</sup> /PT (untrained) in the Education Department in 1935. After acquiring the requisite qualification, she was posted against the ITC post. While posted at Govt. Primary School, Jhaffar, she was allowed to retire from service w.e.f 6.8.97(F.N) on medical ground vide order dated 15.9.97. After re-gaining health and found fit by the doctor, she applied for her reinstatement. The appellant was medically examined by a duly constituted Medical Board and was found fit for service. Fitness certificate was also issued. However, on one pretext or the other, the appellant was not reinstated into service. Feeling aggrieved, she filed her departmental appeal on 16.9.03 which was rejected on 9.4.04. Hence this appeal.

7. The prime contention of the appellant is that after having <sup>been</sup> /declared fit by a duly constituted Standing-Medical Board, she was entitled to be reinstated/re-employed into /service on the strength of R.519 of Civil Service Regulations. Reliance was also placed on FLD 1994 SC 647. It was also argued that the appellant is ready to refund pensionary benefits, which she already received.

8. The plea of the respondent department is that appellant has applied for Medical Board herself and as such she has not challenged the proceeding of the first Medical Board within 7 days. After expiry of about four years, she intends to rejoin the Education-Department. Since her request is not covered by rules, therefore, in the light of Notification dated 16.12.03 of the Govt. of NCTE Establishment & Admn. Department, the appeal is liable to be dismissed.

EXAMINED  
NCTE OFFICE JOURNAL  
POSTMASTER  
ATTESTED  
*[Signature]*

*[Signature]*  
ATTESTED

15

9. The Tribunal observes that the claim of the appellant is bonafide. She was declared fit by a duly constituted Medical Board on the order/direction of Director General, Health Services, NWFP. R.519 of C.S.R fully covers her case which is reproduced below:

"R.519. There is no bar to the re-employment of an officer who has regained health after obtaining Invalid pension, or if an officer is invalidated as being incapacitated for employment in a particular branch of the service, to his re-employment in some other branch of service. The rules in such a case as to refunding gratuity, drawing pension, and counting service, the same as in the case of re-employment after Compensation pension."

The authority cited by the learned counsel for the appellant is also on all fours and is fully applicable to the case of the appellant. The plea taken by the respondent deptt: is baseless, unfounded and without substance. There is no bar to the re-employment of the appellant on the basis of notification, referred to above, by the respondent department in their written reply. In the circumstances, the appellant has made out a case for indulgence of the Tribunal. Accordingly, the appeal is accepted. The appellant is re-employed/reinstated into service. The intervening period be treated as leave of the kind due/duty according to rules. The appellant shall refund the pensionary benefits she has already received. No order as to costs. File be consigned to the record.

ANNOUNCED  
04.05.2005

(ABDUL SATTAR KHAN)  
CHAIRMAN  
NWFP SERVICE TRIBUNAL  
PESHAWAR

(AZMAT HANIF ORAKZAI)  
MEMBER

ATTESTED

EXAMINER  
NWFP Services Tribunal  
Peshawar

9/15/05

12-00

10/15/05

10/15/05

Total  
No. of Copy

04/05/05

12-00

45

Hospital, Abbottabad.

The S.D.O (F)  
Abbottabad

16

Subject:-  
Memo:-

APPEAR BEFORE THE MEDICAL BOARD.

Reference: DG Health Services; NWFP, Peshawar  
No. 4830 /M, Dated 23-7-77

It is certified that we have carefully examined Mr. Shamshad Batai DTC to day on 6-8-77. We consider Shamshad Batai to be completely and permanently incapacitated for further service of any kind in consequence of Hydrocephalus. This incapacity does not appear to us to have been caused by irregular or temperate habits.

[Signature]  
(President)  
Medical Superintendent,  
District Headquarters Hospital,  
Abbottabad.

[Signature]  
Medical Superintendent,  
D.H.Q. Hospital, Abbottabad.  
Medical Superintendent,  
District Headquarters Hospital,  
Abbottabad.

[Signature]  
(Member)  
Surgical Specialist  
D.H.Q. Hospital  
Abbottabad.

[Signature]  
(DENTIST)  
D.H.Q. HOSPITAL  
ABBOTTABAD

This is forwarded to the DG Health Services, Peshawar for information please.

Shahzaq Ahmed X\*

[Signature]  
Sub-Divisional Officer  
(Revenue) Abbottabad.

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

[Signature]  
**ATTESTED**

Annex - IV

27

17

OFFICE OF THE CHAIRMAN, STANDING MEDICAL BOARD, POLICE/SERVICES HOSPITAL, PESHAWAR

The Standing Medical Board comprising following members assembled in the office of the Medical Superintendent, Police/Services Hospital, Peshawar to examine M. T. Shahshah B. B. Ex-PTU, G.H.P. School, Jhaffar Abbotabad.

The Standing Medical Board is of the opinion that she is presently fit for duty.

STATION PESHAWAR:-  
DATED: 06/02/2003

( DR. SYED SHAH NAJIB BAKHA )  
CHAIRMAN,  
STANDING MEDICAL BOARD  
MEDICAL SUPER INTENDENT  
POLICE/SERVICES HOSPITAL,  
PESHAWAR.

OPHTHALMOLOGIST  
GOVT LADY READING HOSPITAL,  
PESHAWAR, MEMBER

PHYSICIAN,  
POLICE/SERVICES HOSPITAL,  
PESHAWAR, MEMBER

SECRETARY  
STANDING MEDICAL BOARD  
POLICE/SERVICES HOSPITAL,  
PESHAWAR.

ATTESTED

OFFICE OF THE DISTRICT COORDINATION OFFICER ABBOTTABAD

18

ORDER

In pursuance of government of NWFP Service Tribunal verdict dated 2.5.2005 (Appeal No.347/2004) and Executive District Officer (S&L), Abbottabad letter No.18518 dated 15.8.2005, Mst. Shamsad Bibi Ex-PTC (BPS-10) R/O village Jhafar Tehsil G District Abbottabad is hereby reinstated/reemployed into government service with immediate effect under usual terms and conditions against vacant post at GGPS Dakh Dogal subject to the following:-

1. Pension/ gratuity and encashment of LPR amounting to Rs.174613/- may be recovered @.50% of her pay in (82%) equal monthly installments of Rs.2060/- per month and last/final installment @ Rs.4053/-
2. Stoppage of pension being drawn under PPO No.10170/H/NWFP.
3. Intervening period from 6.9.1997 to date is treated as Extra Ordinary Leave without pay.
3. Updating of her service i.e. Service book, leave Account etc.
4. Pension book bearing PPO No.10170/H/NWFP may be deposited into treasury and a certificate of cancellation thereof may be provided.

*JM*  
OIC DISTRICT COORDINATION OFFICER ABBOTTABAD

Dated Atd the 12/09/2005.

8889-91

- Copy to the:-
1. EDO, Education, Abbottabad.
  2. District Accounts Officer, Abbottabad.
  3. Official concerned.

*JM*  
ATTESTED

*JM*  
OIC DISTRICT COORDINATION OFFICER ABBOTTABAD

10

Annexure-D

G-19

مقامی حکومتوں کو ایسی سہولتیں فراہم کرنے کی ہدایت کی جائے کہ وہ اپنے علاقوں میں تعلیمی اور صحت کی سہولتیں فراہم کر سکیں۔

مقامی حکومتوں کو ایسی سہولتیں فراہم کرنے کی ہدایت کی جائے کہ وہ اپنے علاقوں میں تعلیمی اور صحت کی سہولتیں فراہم کر سکیں۔

مقامی حکومتوں کو ایسی سہولتیں فراہم کرنے کی ہدایت کی جائے کہ وہ اپنے علاقوں میں تعلیمی اور صحت کی سہولتیں فراہم کر سکیں۔

مقامی حکومتوں کو ایسی سہولتیں فراہم کرنے کی ہدایت کی جائے کہ وہ اپنے علاقوں میں تعلیمی اور صحت کی سہولتیں فراہم کر سکیں۔

مقامی حکومتوں کو ایسی سہولتیں فراہم کرنے کی ہدایت کی جائے کہ وہ اپنے علاقوں میں تعلیمی اور صحت کی سہولتیں فراہم کر سکیں۔

مقامی حکومتوں کو ایسی سہولتیں فراہم کرنے کی ہدایت کی جائے کہ وہ اپنے علاقوں میں تعلیمی اور صحت کی سہولتیں فراہم کر سکیں۔

مقامی حکومتوں کو ایسی سہولتیں فراہم کرنے کی ہدایت کی جائے کہ وہ اپنے علاقوں میں تعلیمی اور صحت کی سہولتیں فراہم کر سکیں۔

مقامی حکومتوں کو ایسی سہولتیں فراہم کرنے کی ہدایت کی جائے کہ وہ اپنے علاقوں میں تعلیمی اور صحت کی سہولتیں فراہم کر سکیں۔

مقامی حکومتوں کو ایسی سہولتیں فراہم کرنے کی ہدایت کی جائے کہ وہ اپنے علاقوں میں تعلیمی اور صحت کی سہولتیں فراہم کر سکیں۔

ATTESTED

مقامی حکومتوں کو ایسی سہولتیں فراہم کرنے کی ہدایت کی جائے کہ وہ اپنے علاقوں میں تعلیمی اور صحت کی سہولتیں فراہم کر سکیں۔

مقامی حکومتوں کو ایسی سہولتیں فراہم کرنے کی ہدایت کی جائے کہ وہ اپنے علاقوں میں تعلیمی اور صحت کی سہولتیں فراہم کر سکیں۔

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KPK

Handwritten signature in Urdu script.

Handwritten signature in Urdu script.

Handwritten signature in Urdu script.

11-9-2002  
11-9-1953  
54-2


No. 1224 For Insurance Notices see reverse. Rs. Ps.

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

Received a registered\* addressed to Handwritten name Date-Stamp

Initials of Receiving Office Handwritten initials \*Write here "letter", "postcard", "packet" or "parcel" with the word "insured" before it when necessary.

Insured for Rs. (in figures) Handwritten amount (in words)

If insured. Insurance fee Rs. Handwritten amount Ps. Handwritten amount (in words) Weight Handwritten weight Kilo/ Grams 

Name and address of sender Handwritten name and address


The appeal of Mr. Saeed Akhtar son of Pervez Khan PTC received today i.e. on 09/01/2013 is incomplete on the following scores which is returned to the counsel for the appellant for completion and resubmission within 15 days:-

- not removed*
- ① Copy of impugned retirement order mentioned in the memo of appeal is not attached with the appeal which may be placed on it.
  - 2- The authority to whom departmental appeal was preferred has not been arrayed a necessary party.
  - 3- Annexures of the appeal may be attested.
  - ④ Eight more copies/sets of the appeal along with annexures i.e. complete in all respect may also be submitted with the appeal in file cover.

*seven copies*

No. 69 /S.T,

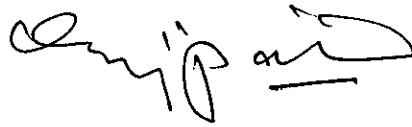
Dt. 09-1 /2013.

  
REGISTRAR  
SERVICE TRIBUNAL  
KHYBER PAKHTUNKHWA  
PESHAWAR.

QAZI ABDUL JALIL ADV. HIGH COURT ABBOTTABAD

N.B

*All objection removed  
& Re filed, please.*





BEFORE THE KHYBER PAKHTUNKHWA SERVICE TRIBUNAL,  
PESHAWAR, CAMP AT ABBOTTABAD.

Appeal No. 340/2013

Saeed Akhtar

Versus

Govt of KPK & others

APPEAL

I N D E X

S.No.	Description of document	Annexure	Page No	Remarks
1.	Appeal		1 to 5	
2.	Affidavit		6	
3.	Letter dated 17.8.98 bearing No.2552 to appear before Medical Superintendent DHQ Hospital, Abbottabad	"A"	7	
4.	Letter of retirement dated 01.9.98 issued by Asstt Director primary Education NWFP	"B"	8	
5.	Copy of fitness Certificate issued by Dy Medical Superintendent DHQ Hospital, Abbottabad dated 30.9.2000.	"C"	9	
6.	Copy of appeal to DCO Abbottabad dated 02.10.12	"D"	10	
7.	Vakalat Nama			

Abbottabad,  
dated 5th Jan 2013

APPELLANT

(Saeed Akhtar)

Through:

QAZI

(ABDUL JALIL)

Advocate High Court,  
Abbottabad.



BEFORE THE KHYBER PAKHTUNKHWA SERVICE TRIBUNAL,  
PESHAWAR, CAMP AT ABBOTTABAD.

Appeal no-340/2013

Case No. 94  
D-8-1-13

Saeed Akhtar son of Pervez Khan (PTC Teacher)  
resident of Kuthiala, Tehsil & District, Abbottabad.

.....APPELLANT

VERSUS

1. Govt of Khyber Pakhtunkhwa through Secretary (S&L) Department KP, Peshawar.
2. Secretary Establishment Department, Khyber Pakhtunkhwa, Peshawar.
3. Director (SEL), Khyber Pakhtunkhwa, Peshawar.
4. Executive District Officer (S&L), Abbottabad.
5. District Education Officer (Male) Primary Abbottabad.
6. Deputy Commissioner, Abbottabad.....RESPONDENTS.

APPEAL against order of the respondents in which they have not reinstated the appellant on his job/post for which the appellant is fit medically, but departmental representation dated 03.10.2011 is neither accepted nor rejected by (Ex-DCO), Abbottabad. The legally it is presumed to be rejected the departmental representation mentioned above, the order in law is illegal and is liable to be set aside.

re-submitted to  
and filed;

8/1/13  
4/2/13

**PRAYER:** It is ~~xxx~~ therefor, humbly prayed before this August Forum that the appellant may please be restored on his relevant post on the ground of medically fit.

---

Respectfully Sheweth:-

1. That appellant was recruited as PTC teacher in district Abbottabad w.e.f. 02.4.1981.
2. That after recruitment appellant served as PTC teacher under the control of respondents on different places with the satisfaction of high quality and the concerned officers were very pleased and satisfied by the appellant's working.
3. That on 17.8.98 Medical Superintendent Abbottabad through a letter No.2552 ~~xxx~~ called the appellant to appear before him for medical check-up, said letter is annexed as Annexure "A".

Contd. on page-3

Before -the khyber Pakhtunkhwa Service Tribunal Peshawar.

Appeal no \_\_\_\_\_/2013

Mr. Saeed Arhtar vs Education Deptt.

Subject: APPLICATION FOR ALLOWING AMENDED APPEAL IN THE INSTANT APPEAL

R/ Sheweth:

1. The above mentioned Service appeal is pending adjudicated before this august Tribunal in which 19/10/2015 date is fixed for hearing.
2. The appellant has filed the above mentioned Service appeal for his re-instatement with all back benefits.
3. That the appellant seeks permission of this august Tribunal to submit amended appeal in this instant appeal.

It is most humbly prayed that on acceptance of this application the appellant may very kindly be allowed to submit the amended appeal.

Dated. 14/9/15

APPELLANT  
SAEED ARHTAR  
through S. Imdad Hussain  
Advocate.

**VAKALATNAMA**

IN THE COURT OF KPK Service Tribunal Peshawar

OF 2015

Saeed Akhtar

(APPELLANT)  
(PLAINTIFF)  
(PETITIONER)

**VERSUS**

Education Department

(RESPONDENT)  
(DEFENDANT)

I/We Saeed Akhtar

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

Dated. 14 / 9 / 2015

Saeed Akhtar

CLIENT

ACCEPTED

NOOR MOHAMMAD KHATTAK  
(ADVOCATE)

Syed Imdad Hussain Shah  
Advocate

OFFICE:  
Room No.1, Upper Floor,  
Islamia Club Building, Khyber Bazar,  
Peshawar City.  
Phone: 091-2211391  
Mobile No.0345-9383141

7

A

3

Annexure A

OFFICE OF THE MEDICAL SUPERINTENDENT:  
DHQ HOSPITAL ABBOTTABAD.

No. 2552/1

Date: 17-8-1988

To,

DEOC (Pny)

Abbottabad

Sub: TO APPEAR BEFORE MEDICAL BOARD.

Memo:

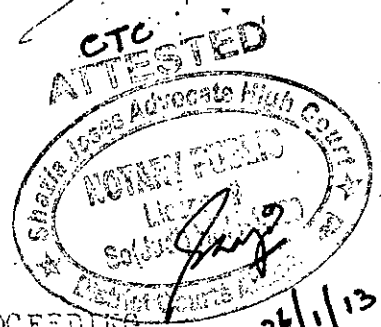
Pl ref: DGHS Endst:No. 5746 Dated 4-8-98

Certified that we have carefully examined Mr. Saeed Akhtar  
S/O Perviz Khan Desig PTC NIC No. 21-82-047584  
whose thumb impression/signature Same MMBR today on 5-8-88  
We consider him to be completely and permanently incapacitated  
for further service of any kind in consequence of Depression  
Psycho

His incapacity does not appear to us to have been caused  
by irregular or intemperate habits.

1. [Signature]  
(President)  
DHQ Hospital Abbottabad
2. [Signature]  
(Member)  
Surgical Specialist  
D. H. Q. Hospital  
Abbottabad
3. [Signature]  
(Member)  
PHYSICIAN  
D.H.Q. HOSPITAL  
ABBOTTABAD

[Signature]  
Medical Superintendent  
DHQ Hospital Abbottabad.



NOTE: DEPTT./DAO CONCERNED SHOULD VERIFY THIS PROCEEDING  
BEFORE FURTHER PROCESS.

No. / dated:

Copy forwarded to the DGHS NWFP Peshawar  
for information pl.

(HAMID)

[Signature]  
MEDICAL SUPERINTENDENT  
DHQ HOSPITAL ABBOTTABAD.

Advised  
[Signature]

21/1/13

8

Annexure B

OFFICE OF THE DISTRICT EDUCATION OFFICER (MALE) PRIMARY ABBOTTABAD.  
SANCTION OF RETIREMENT/ENCASHMENT.

SANCTION is hereby accorded to the encashment of leave of 180 days leave in lieu of not availing LTR lying in his credit in respect of Mr, Saeed Akhter, FPC Govt Primary School Kuthiala (Atd) as admissible under the rules, 20 of NWFP, Revised rules 1981.

RETIREMENT.

He is further allowed to proceed on retirement Wef, 1-9-1998 (F.N) on Medical grounds in the light of invalid report issued vide Medical Superintendent DHQ Hospital Abbottabad Vide his letter No. 2552 dated, 17-8-1998 and <sup>as</sup> verified by the MS DHQ <sup>Hospital Atd.</sup> No. 2713 dt, 2-9-1998.

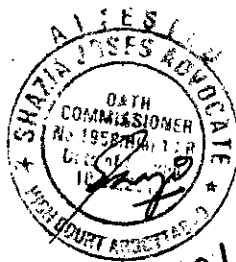
(MUSAMMAD PARVAIZ KHAN)  
DISTRICT EDUCATION OFFICER  
(MALE) PRIMARY ABBOTTABAD.

Endst: No. 2859-61

Dated Abbottabad the, 14/9 /1998.

Copy for information to:-

- 1/ The Sub Divisional Edu: Officer, (Male) Primary Abbottabad w/r to his letter No. 6098/GB.1/Rtd dt, 14-9-1998 and his service book is returned herewith.
- 2/ The District Accounts Officer Abbottabad.
- 3/ Teacher concerned GES, Kuthiala (Atd).



29/1/2013

*Musammas 14/9/98*  
DISTRICT EDUCATION OFFICER,  
(MALE) PRIMARY ABBOTTABAD.

Annexure = C - (9)

B

(4)

(32)

OFFICE OF THE DY: MEDICAL SUPERINTENDENT DHO HOSPITAL  
ABBOTTABAD.

FITNESS CERTIFICATE.

This is to certified that I examined  
Mr. Saad Akhtar S/O Pervez Khan NIC No. 121-37-0199  
R/O P.O Kothiala Distt: Abbottabad today on 25.9.2000.

He is not suffering from any infectious  
disease. He is physically and mentally fit to continue  
his job.

Tal  
26/9/2000  
DY: Medical Superintendent  
DHO Hospital Abbottabad.  
Deputy Medical Superintendent  
D. H. Q. Abbottabad.

Attested  
Rai

etc  
ATTESTED  
Shazia Jabeen Advocate High Court  
NOTARY PUBLIC  
Sole  
District Court Abbottabad  
26/9/00



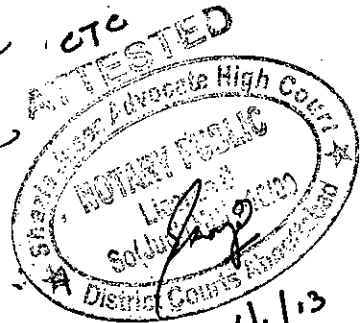
گڈنٹ پ - ۲۵۵ سٹا الٹ آباد  
و ڈسٹرکٹ کونٹری آف الٹ آباد

ایسٹرن سیدر سٹریٹ جج کی عدالت کے سامنے دیا گیا ہے

جنرل: یہ کہ جس نے اس کو سال ۱۹۹۵ سے رہائش رکھنا شروع کیا ہے  
اس نے اسٹریٹ ایڈریسنگ کے لیے اپنی زمین پر ۲۵۵ اور اس کے درمیان  
گذشتہ کچھ برسوں میں دینے کا کہا ہے۔ کیونکہ سال ۲۰۰۲  
میں اس نے کو طبی طور پر مرخص کر دیا گیا ہے۔

۲: یہ کہ جس نے اس کو عدالت کا عدالت نامت دی ہے  
اور اس کو اس کے حق میں - جو کہ قابل ملاحظہ ہے

۳: یہ کہ قانون دانوں نے اس کو کہا ہے کہ اس کا نام اس کا  
تلف ہے جو اس کے قابل ہے۔ اس کا نام جو ہے اس کے  
کوئی دیگر روزگار ہے یا اس کو اس کا نام  
اس کے قابل ہے



26/1/13

یہ کہ جس نے اس کو اس کے حق میں  
P سند کے سامنے ہوگا۔

انڈیہ کے ایسٹریٹ کی اسٹریٹ کو منظور کیا گیا ہے  
اس کے کو اس کے قابل ہے۔  
الٹ آباد 3/10  
2012

سید رفیق ولد سید عزیز  
ایسٹریٹ

کورٹ فیس  
قیمتی

## وکالت نامہ

بعدالت صاحب SERVICE TRIBUNAL بسٹاؤر ایس ایچ ایچ

عنوان: سرحدی ایئر لائنز نام: گورنمنٹ ایئر لائنز

منجانب: ایم ایچ ایئر لائنز

نوعیت مقدمہ: ایچ ای

### باعث تحریر آنکہ

مقدمہ مندرجہ میں اپنی طرف سے واسطے پیروی و جواب دہی کل کاروائی متعلقہ آں مقام

ایس ایچ ایچ قائمہ علیہ الحلیل ایڈووکیٹ ہاں کورٹ

کو وکیل مقرر کر کے اقرار کرتا ہوں کہ صاحب موصوف کو مقدمہ کی کل کاروائی کا کامل اختیار ہوگا نیز وکیل صاحب موصوف کو کرنے راضی نامہ و تقرر ثالث و فیصلہ برحلف دینے اقبال دعویٰ اور بصورت دیگر ڈگری کرانے اجراء

وصولی چیک روپیہ و عرضی دعویٰ کی تصدیق اور اس پر دستخط کرنے کا اختیار ہوگا اور بصورت ضرورت مقدمہ مذکور

کی کل یا کسی جزوی کاروائی کے لئے کسی اور وکیل یا مختار صاحب قانونی کو اپنے ہمراہ اپنی بجائے تقرر کا اختیار

بھی ہوگا اور صاحب مقرر شدہ کو بھی وہی اور ویسے ہی اختیارات ہوں گے اور اس کا ساختہ پر داخستہ مجھ کو منظور و

قبول ہوگا۔ دوران مقدمہ جو خرچہ و ہر جانہ التوائے مقدمہ کے سبب ہوگا اس کے مستحق وکیل صاحب ہوں گے۔

نیز بقایا رقم وصول کرنے کا بھی اختیار ہوگا۔ اگر کوئی پیشی مقام دورہ پر ہو یا حد سے باہر ہو تو وکیل صاحب موصوف

پابند ہوں گے کہ پیروی مقدمہ مذکورہ کریں اور اگر مختار مقرر کردہ میں کوئی جز و بقایا ہو تو وکیل صاحب موصوف

مقدمہ کی پیروی کے پابند نہ ہوں گے۔ نیز درخواست بمراء استجارت نالش بصیغہ مفلسی کے دائرہ کرنے اور اس کی

پیروی کا بھی صاحب موصوف کو اختیار ہوگا۔

لہذا وکالت نامہ تحریر کر دیا تاکہ سند رہے۔

المرقوم: 07-01-2013

بمقام: ایس ایچ ای

Signature  
Signature