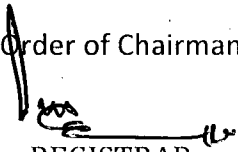


Form- A
FORM OF ORDER SHEET

Court of _____

Case No. 1353/2022

S.No.	Date of order proceedings	Order or other proceedings with signature of judge or Magistrate
1	2	3
1	19/09/2022	<p>The present appellant initially went in Writ Petition before the Hon'ble Peshawar High Court Mingora Bench Swat and the Hon'ble High Court vide its order dated 13.09.2022 while treating the Writ Petition into an appeal and has sent the same to this Tribunal for decision in accordance with law. This case is entrusted to Single Bench at Peshawar for preliminary hearing to be put up there on <u>22.09.2022</u>.</p> <p style="text-align: right;">By the Order of Chairman  REGISTRAR</p>



The
PESHAWAR HIGH COURT
Mingora Bench/Dar-ul-Qaza
Swat

All communications should be
addressed to the Additional Registrar
of this Bench.

Office: 0946-885005
Fax: 0946-885004
E-Mail: darulqazawat2011@gmail.com

No. 5559 / Writ Petition Branch;

Dated: 16-09-2022

To,

Khyber Pakhtunkhwa
Service Tribunal

Diary No. 1365

Dated 19-9-2022

The Registrar,
Khyber Pakhtunkhwa Service Tribunal,
Judicial Complex, Peshawar.

Subject: TRANSMISSION OF WRIT PETITION 304-M of 2022
TITLED AS "DR. SHAMSUL HAQ VS GOVT: OF KPK
& OTHERS".

Memo:

I am directed by the Hon'ble Division Bench of this court vide order dated 13/09/2022 in the subject noted above writ petition to transmit the same in original for disposal in accordance with law therefore, the original writ petition alongwith the annexures, C.Ms and order sheets are sent herewith for compliance of directions contained in the ibid order / judgment.

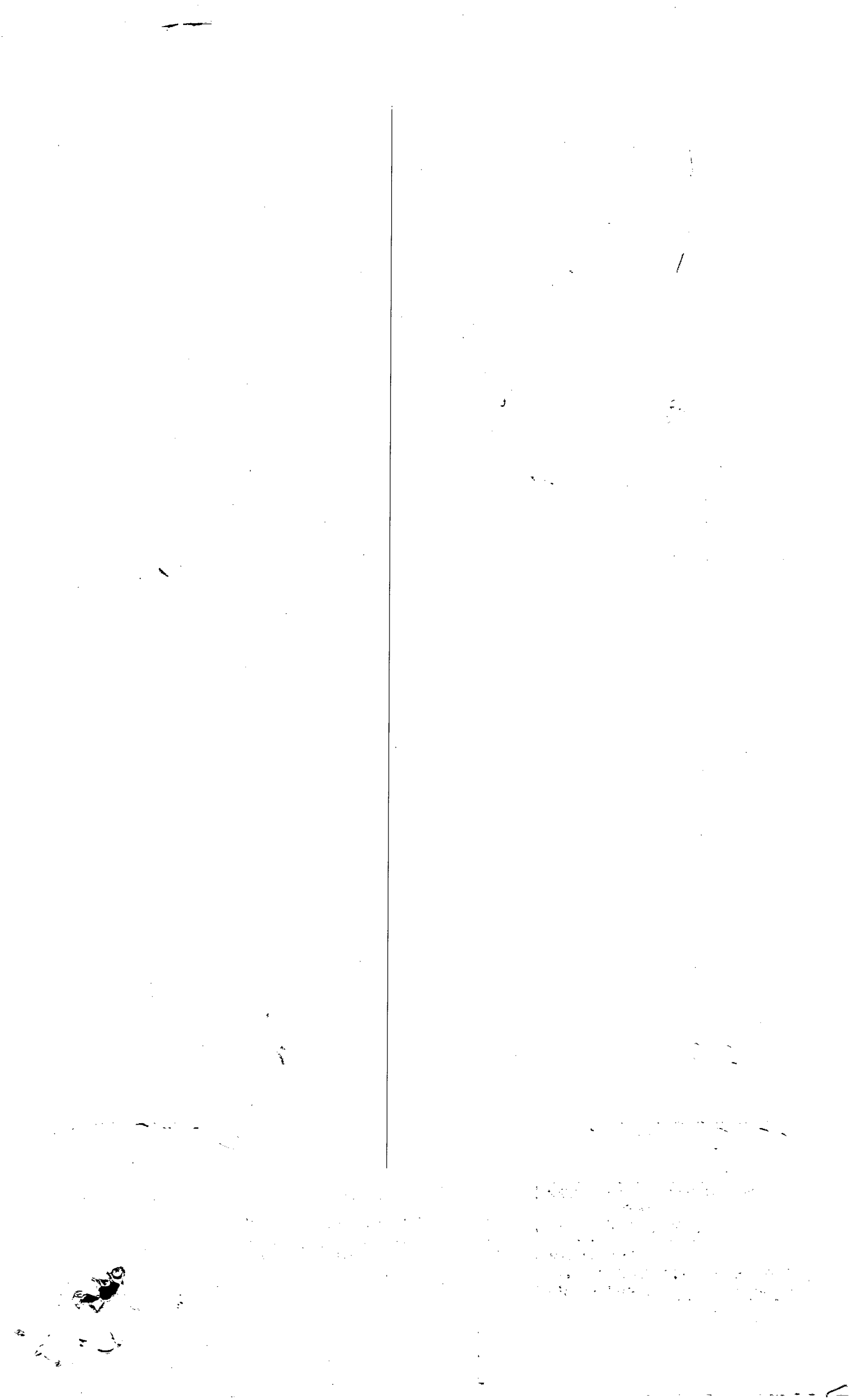
Kindly, acknowledge the receipt of this letter alongwith its enclosures.

Encl:

- a) Original Writ Petition mentioned in the subject noted above alongwith order sheets, C.Ms & annexures consisting of 51 pages.

Additional Registrar

15/9/22
R



PESHAWAR HIGH COURT, MINGORA BENCH
(DAR-UL-QAZA), SWAT

FORM OF ORDER SHEET

Court of

Case No..... of.....


Serial No. of order or proceeding 1	Date of Order or Proceedings 2	Order or other Proceedings with Signature of Judge and that of parties or counsel where necessary. 3
<p style="text-align: center;">13.09.2022</p>	<p style="text-align: center;">13.09.2022</p>	<p><u>W.P No.304-M/2022 with Interim Relief (N) & C.M No.706/2022</u></p> <p>Present: Barrister Asad-ur-Rehman, Advocate for Petitioner.</p> <p>Mr. Sabir Shah, Advocate for Applicant in C.M No.706-M/2022.</p> <p>Mr. Alam Khan Adenzai, A.A.G for Respondents.</p> <p style="text-align: center;">***</p> <p><u>MUHAMMAD IJAZ KHAN, J.</u>-At the very outset, learned counsel for the petitioner stated at the bar that the instant petition was filed before this Court when the Service Tribunal was dysfunctional and now same is functional, therefore, requested that the instant petition may be sent to the Service Tribunal for disposal.</p> <p>2. In view of submission of learned counsel for petitioner, office is directed to send this petition to Khyber Pakhtunkhwa Service Tribunal immediately for treating</p>

and disposal in accordance with law while a copy whereof
be retained for the record of this Court. Parties are directed
to appear before the Service Tribunal on 22.09.2022.

Announced
13.09.2022



JUDGE



JUDGE

Office
14/09/22

Sabz Ali/*

(D.B)

HON'BLE MR. JUSTICE MUHAMMAD NAEEM ANWAR
HON'BLE MR. JUSTICE MUHAMMAD IJAZ KIAN

IN THE PESHAWAR HIGH COURT, MINGORA BENCH,
SWAT

WRIT PETITION NO. 304-M OF 2022

Dr. Shamsul Haq VIS Govt; of FPK etc

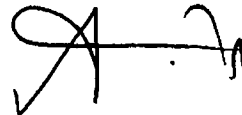
This petition had been presented by M.r. Barrister Asad ur Rehman Advocate

On behalf of the petitioner /petitioners.

The petition is in proper form, copies of all the relevant documents have been attached.

^{One} Three (03) spare copies of writ petition have also been attached.

Petition be entered in the relevant register and placed before Hon'able court
(D.17) For further orders on 16-03-2022 the date fixed.



READER

Dated: 09/03/2022

COUNTERSIGNED


Additional Registrar,
Peshawar High court,
Mingora Bench, swat.

Dated: 09/03/2022

**IN THE PESHAWAR HIGH COURT, MINGORA BENCH/ DAR-UL-QAZA, SWAT
OBJECTION SLIP**

Dr. Shams Ul Haq VERSUS Govt of KPK through Chief Secretary & Others

Receipt No. 2022-3308

1 Copies of annexures/ page # some pages are dim are not legible.

2 The petition has not been flagged/ marked with annexures marks

(2nd copy as well)

Reader

Returned with the objections mentioned above. Case be re-submitted on or before 19-03-2022

[Signature]
Additional Registrar
PHC, Mingora Bench

Dated: 09-03-2022

Note: Sir, objection is not removed Please put before the Court along with objection

[Signature]
09-03-2022

URGENT FORM

**IN THE PESHAWAR HIGH COURT, MINGORA BENCH/ DAR UL
QAZA, SWAT.**

(Constitutional Jurisdiction)

Writ Petition No. 304-M/2022

Dr. Shams ul Haq

PETITIONER

VERSUS

Government of Khyber Pakhtunkhwa etc

RESPONDENTS

May this Honourable Court treat this Writ Petition as Urgent for early hearing on the grounds respectfully submitted herein below;

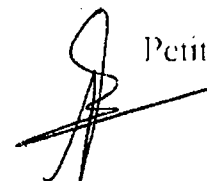
- (A) That the instant Writ Petition is filed for addressing the injustice caused by the act of Respondents.
- (B) That the Petitioner has already got suffered due to the unreasonable behaviour on part of the Respondents. Therefore, it is requested to fix the case at the earliest. Otherwise, their agony will increase many folds.
- (C) That, if the instant matter is not being heard on immediate basis, it will become infructuous as the Petitioner will be transferred.
- (D) That the principles of natural justice also demand that the Petitioners be heard as early as practicable.

FILED TODAY

09 MAR 2022

Additional Registrar

Through:

 Petitioner

Barrister Asad ur Rahman

(Advocate High Court)

CHECK LIST

1.	Case Title:	Dr. Shams ul Haq Vs Govt. of KPK & others	
2.	Petition is duly signed.	Yes	No
3.	The law under which the Petition preferred has been mentioned.	✓	
4.	Approned file cover is used.	✓	
5.	Affidavit is duly attested and appended.	✓	
6.	Case and Annexures are properly paged and numbered according to index.	✓	
7.	Copies of Annexures are legible and attested. (if not, then better copies duly attested have been annexed).	✓	
8.	Certified copies of all the requisite documents have been filed.	✓	
9.	Certificate specifying that no case on similar grounds was earlier submitted in this court, filed.	✓	
10.	Case within time.	✓	
11.	The value for the purpose of Court fee and jurisdiction has been mentioned in the relevant column.	✓	
12.	Court fee in shape of Stamp Paper is affixed, (For Writ Rs.500/-. For other required).	✓	
13.	Power of Attorney is in proper form.		
14.	Memo of addressed filed.	✓	
15.	List of Book mentioned in the Petition.	✓	
16.	The requisite number of spare copies attached. (Writ Petition-3, Nos Civil Appeal (SB-1, SB-2) Civil Revision (SB-1, SD-2).	✓	
17.	Case (Revision/ Appeal/ Petition etc) is filed on the prescribed form	✓	
18.	Power of Attorney is attached by Jail Authority (for Jail Prisoners only).		

It is certified that formalities/ documentation as required in column 2 to 18 above, have been fulfilled.

Name: Barrister Asad ur Rehman

Signature: _____

Dated: _____

FOR OFFICE USE ONLY

Case No. _____

Case received _____

Complete in all respect: Yes/No (if No the grounds) _____

Dated in Court _____

FILED TODAY

0-9 MAR 2022

Additional Registrar

Signature _____

(Reader)

Dated _____

Countersigned: _____

(Deputy Registrar)

IN THE PESHAWAR HIGH COURT, MINGORA BENCH/ DAR UL
QAZA, SWAT.

(Constitutional Jurisdiction)

Writ Petition No. 304-m/2022

Re-Filed Today

09 MAR 2022

Additional Registrar

Dr. Shams ul Haq

PETITIONER

VERSUS

Government of Khyber Pakhtunkhwa etc.

RESPONDENTS

INDEX

S #	Description of documents	Annexures	Pages
	Opening Sheet		A-B
1.	Memo of Writ Petition with Interim Relief	....	1-3
2.	Affidavit	....	4
3.	Addresses of the Parties	....	5
4.	Relevant Documents	..	6-13
5.	Court Fees		14
6.	Wakalatnama + Legal Notice		15-16

FILED TODAY

09 MAR 2022

Additional Registrar

**Noted for
AAG**

Sign.....
Date.....9-3-2022

Petitioner
Through counsel

Barrister Asad ur Rehman

(Advocate High Court)

"A"

**IN THE PESHAWAR HIGH COURT, MINGORA BENCH
OPENING SHEET FOR WRIT BRANCH**

Date of Filing: 09/03/2021

Case Type: Writ Petition Nature of Original Proceeding:

Category Code:

--	--	--	--	--	--

(Categories & Sub categories are given at the back of the opening sheet)

Review/ Contempt of Court in respect of:

--

Writ of:

Habeas Corpus	Prohibition	Mandamus	Quo Warranto	Certiorari
---------------	-------------	----------	--------------	------------

If Certiorari:

Forum which passed impugned order	Date	(I)nterlocutory/ (F)inal Order	Case Pertains to
			<input type="checkbox"/> SB <input checked="" type="checkbox"/> DB

Petitioner Name	Dr Shams ul Haq
Mobile No.	03339275679
Address	Dr. Shams ul Haq S/o Muhammad Sultan, District Specialist District Head Quarter Hospital Dir Lower (DHQ Dir Lower) Timergara Dir Lower.
CNIC No.	
Email Address	NIL
Counsel for Petitioner (s)	Barrister Asad Ur Rahman advocate
Mobile No.	0333-4646814
Address	High Court
Email Address	Asad_yzai@hotmail.com
Respondents	Govt of KPK & others
Address	District Dir Lower

FILED TODAY

0.9 MAR 2022

Additional Registrar

"B"

Original Order/Action/Inaction Complained of:

Writ petition against the respondents

Prayer:

On acceptance of this writ petition,

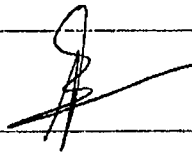
In view of the above submissions, it is respectfully prayed that the impugned order, dated 02/02/2022, may kindly be declared as unlawful and illegal being arbitrary and unfounded. Accordingly, the Respondents may be directed to withdraw the impugned order by allowing the Petitioner to continue his duty as District Specialist Eye (BS-18).

Any other relief which this Honourable Court deems fit may also be granted.

Law/Rules/governing the original proceedings/action/Inaction

U/S 199 of Constitution of Pakistan.

Signature of petitioner or counsel: _____



dated: 09/03/2021

FILED TODAY

09 MAR 2022

Additional Registrar

①

BEFORE THE HONOURABLE PESHAWAR HIGH COURT, MINGORA
BENCH SWAT.

Appeal no. 1353/2022

FILED TODAY

WP No. 304-m/2022

09 MAR 2022

Additional Registrar

Dr. Shams ul Haq S/o Muhammad Sultan, District Specialist District Head
Quarter Hospital Dir Lower (DHQ Dir Lower) Timergara Dir Lower.

PETITIONER

VERSUS

1. Government of Khyber Pakhtunkhwa through Chief Secretary, Civil Secretariat Peshawar.
2. Government of Khyber Pakhtunkhwa through Secretary Health, Civil Secretariat Peshawar.
3. Director General Health Services Khyber Pakhtunkhwa, Civil Secretariat Peshawar.
4. Medical Superintendent District Head Quarter Hospital Dir Lower (DHQ Dir Lower) Timergara Dir Lower.

RESPONDENTS

WRIT PETITION UNDER ARTICLE 199 OF THE ISLMAIC REPUBLIC
OF PAKISTAN

Respectfully Submitted:

1. The material facts that lead to the institution of the instant Writ Petition are that the Petitioner was appointed as District Specialist Eye (BS-18), through Khyber Pakhtunkhwa Public Service Commission, at District Head Quarter Hospital Dir Lower ("DHQ Dir Lower") Timergara Dir Lower, in 2018. **It is important to set out here that the Petitioner was appointed in a specialist cadre as it is clear from the record.**
(All the relevant documents, including the Appointment/posting order, of the Petitioner is attached as Annexure A)
2. That the Petitioner has been performing his duty in his cadre, as set out above, to all the satisfaction of the Department with zeal and competence. However, to his sudden surprise, on the 2nd of February 2022, he came to know that he has been transferred by the Department from DHQ Hospital Timergara as District Specialist Eye Dir Lower to DHQ Hospital Timergara Dir Lower against the

post of Senior Medical. *It is noteworthy that the post of senior medical officer belongs to general cadre.*

3. That the Petitioner has written to the Respondent No.1, as a departmental appeal/representation, regarding his grievance. However, no response has been received yet.
4. That the Petitioner couldn't approach the Service Tribunal at the moment as it is dysfunctional. Therefore, in light of the *ratio decidendi*, settled in **Sarfaraz Saleem vs Federation of Pakistan; reported as PLD 2014 SC 232**, the Petitioner does not have any other remedy but to invoke the extra ordinary jurisdiction of this Honourable Court on the basis of the following grounds;

GROUNDS

- A. The impugned transfer order, dated 02/02/2022, is illegal, unlawful and unreasonable.
- B. The impugned transfer order is nothing else but a tool of political victimization.
- C. That the impugned transfer order is inherently illegal as an officer of specialist cadre could not be transferred to general cadre without any reason.
- D. The instant matter is a fit case of procedural impropriety. Accordingly, it is a settled principle that procedural improprieties have always been considered as a valid ground for reversing administrative actions.
- E. It is also a settled principle that administrative actions/ decisions will be taken in a lawful and reasonable manner.
- F. Other grounds will be taken at the time of arguments with the permission of the Honourable Court.
- G. The Petitioner is near to his retirement, and there is no reason for transferring him to a different cadre at this stage.

PRAYER

In view of the above submissions, it is respectfully prayed that the impugned order, dated 02/02/2022, may kindly be declared as unlawful and illegal being arbitrary and unfounded. Accordingly, the Respondents may be directed to withdraw the impugned order by allowing the Petitioner to continue his duty as District Specialist Eye (BS-18).

FILED TODAY

09 MAR 2022

Additional Registrar

3

Any other relief which this Honourable Court deems fit may also be granted.

PETITIONER

Through



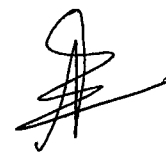
Counsels

Barrister Asad ur Rehman
(Barrister of Lincoln's Inn)
Advocate High Court

INTERIM RELIEF

By way of interim relief, the impugned order dated 02/02/2022 may kindly be suspended till the final decision of the instant Writ Petition.

Counsel



Barrister Asad ur Rehman

LIST OF BOOKS/RELEVANT LAW

1. The Constitution of the Islamic Republic of Pakistan, 1973.

CERTIFICATE

As per the instructions of my client, no such like Writ Petition has earlier been filed by the Petitioner, on the subject matter, before this Honourable Court.

FILED TODAY

09 MAR 2022

Additional Registrar



Advocate

4

IN THE PESHAWAR HIGH COURT, MINGORA BENCH/ DAR UL QAZA, SWAT.

(Constitutional Jurisdiction)

Writ Petition No. 304/M /2022

Dr. Shams ul Haq

VERSUS

Government of KPK and others

AFFIDAVIT

I Dr. Shams ul Haq S/o Muhammad Sultan, District Specialist District Head Quarter Hospital Dir Lower (DHQ Dir Lower) Timergara Dir Lower, do hereby state on oath that the contents of the instant Writ Petition are true and correct to the best of my knowledge and nothing has been concealed from this August Court.

Deponent

Shams

Dr. Shams ul Haq

FILED TODAY

09 MAR 2022

Additional Registrar

S.No. 1120
Certified that the above was verified on Solemn affirmation before me on this 09 day of 03 2022
by Shams ul Haq
S/o Muhammad Sultan P.O. Maukard
who was identified by self

Who is personally known to me.
[Signature]
Oath Commissioner
Peshawar High Court
Mingora Bench/Dar-ul-Qaza, Swat.
10/9/22

5

**IN THE PESHAWAR HIGH COURT, MINGORA BENCH/ DAR UL
QAZA, SWAT.**

Writ Petition No. 304-m /2022

Dr. Shams ul Haq

PETITIONER

VERSUS

Government of Khyber Pakhtunkhwa etc.

RESPONDENTS

MEMO OF ADDRESSES

Petitioner's address:

1. Dr. Shams ul Haq S/o Muhammad Sultan, District Specialist District Head Quarter Hospital Dir Lower (DHQ Dir Lower) Timergara Dir Lower.

CNIC No:

Cell No: 0333 9275679

Respondents' addresses

1. Government of Khyber Pakhtunkhwa through Chief Secretary, Civil Secretariat Peshawar.
2. Government of Khyber Pakhtunkhwa through Secretary Health, Civil Secretariat Peshawar.
3. Director General Health Services Khyber Pakhtunkhwa, Civil Secretariat Peshawar.
Medical Superintendent District Head Quarter Hospital Dir Lower (DHQ Dir Lower) Timergara Dir Lower.

FILED TODAY

09 MAR 2022

Additional Registrar

RESPONDENTS



Through Counsel

Barrister Asad ur Rahman



GOVERNMENT OF KHYBER PAKHTUNKHWA
HEALTH DEPARTMENT

Dated Peshawar, the 02nd February, 2022

6
Annex "A"

NOTIFICATION

SOH-I/HD/3-1231/16: The Competent Authority is pleased to order the following posting/transfers with immediate effect, in the best public interest:-

S.NO	Name of doctor	From	To
1.	Dr. Shams ul Haq District Specialist Eye (BS-18)	DHQ Hospital Timegara Dir Lower	DHQ Hospital Timegara Dir Lower against the vacant post of SMO (BS-18)

-SD-

Secretary to Govt. of Khyber Pakhtunkhwa
Health Department

Endst: of even No. & date:-

Copy forwarded to the:-

1. Accountant General, Khyber Pakhtunkhwa.
2. Director General Health Services, Khyber Pakhtunkhwa.
3. Medical Superintendent, DHQ Hospital, Timergara Dir Lower.
4. District Accounts Officer, Dir Lower.
5. Deputy Director (IT) to upload this Notification on official website.
6. PS to the Secretary Health Govt. of Khyber Pakhtunkhwa, Peshawar.
7. PS to the Special Secretary (E&A), Health Department, Govt. of Khyber Pakhtunkhwa, Peshawar.
8. PS to the Additional Secretary (E&A), Health Department, Govt. of Khyber Pakhtunkhwa, Peshawar.
9. The Doctor concerned.
10. Master file.

Section Officer (Estab-I)

2/2/22

Attested
to be true copy

Attested
to be true copy

REGISTERED

Interview Call Letter

7

Phone : 091-9213750, 9213553
Ext : 1097
Website : www.kppsc.gov.pk

KHYBER PAKHTUNKHWA
PUBLIC SERVICE COMMISSION
2-Fort Road, Peshawar Cantt.

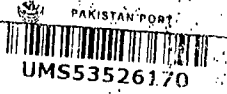
No. PSC/SR-III/033506

Dated : 22/7/2016

Bajaur Agency / 1

To

SHAMS UL HAQ S/O MUHAMMAD SULTAN
H# 409, STREET 6, N1, PHASE 4, HAYATABAD PESHAWAR



Subject : RECRUITMENT TO FOURTEEN (14) POST(S) OF DISTRICT
SPECIALIST EYE (B-18) IN HEALTH DEPARTMENT (ADVT: NO.
06/2015, S.NO. 20)

In response to your application for the subject cited post(s), you are provisionally called for interview in the Commission's Office at 2-Fort Road, Peshawar Cantt. (Near, Governor House) at **08:30 A.M** on **01/08/2016** for Oral Test (interview). Please **bring** original certificates, degrees and testimonials which will be returned to you on conclusion of your interview.

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

Attested copy of:

1	Original certificates of Matric/Inter.
2	Original Degree of MBBS/MD/FCPS/MS/Diploma in Specialty.
3	All DMCs of MBBS/MD issued by Controller of Examination.
4	Character certificate(s) from two responsible persons and last attended Institutions.
5	Your Domicile / Husband's Domicile Certificate.
6	CNIC / Three attested photographs.
7	Complete TMOship/PG Residency Experience Certificate(s).
8	Departmental Permission Certificate from the Competent Authority.
9	Permanent PM&DC Registration valid for current year & PM&DC's recognition of your post graduate qualifications i.e FCPS/MS/MD/Diploma in Specialty.
10	You have suppressed material information / given wrong information in certain columns of the application form.
11	Upto date proper Experience Certificate duly signed by Competent Authority clearly showing designation of post/slot held in the specialty in which the experience gained.
12	Result of your Post Graduate Qualification Examination has been declared after the closing date of Advt. No. 06/2015 i.e 07.10.2015.
13	
14	

Note: - Please note that request for rescheduling interview will not be entertained.

Attested
to be true copy

(Superintendent)

Attested
to be true copy

8



GOVERNMENT OF KHYBER PAKHTUNKHWA
HEALTH DEPARTMENT

Dated Pesh: the 13th December, 2018

NOTIFICATION:

No. SOH-I/HD/3-1231/2016: The Competent Authority is pleased to withdraw the Notification No. SOH-I/HD/3-1231/2016 dated 11-12-2018.

2- Consequent upon above, this Department's Notification bearing No. SOH-I/HD/3-1231/2016 dated 26-11-2018 regarding posting / transfer of Dr. Ihsanullah and Dr. Shamsul Haq Eye Specialists (BS-18) is hereby restored.

SECRETARY HEALTH DEPARTMENT

Encls: No & date even

Cc:

1. Director General Health Services Khyber Pakhtunkhwa.
2. District Health Officer Timergara.
3. Medical Superintendent DHQ Hospital Timergara Dir Lower.
4. Medical Superintendent / Incharge THQ Hospital Samarbagh Dir Lower.
5. District Accounts Officer Timergara.
6. Doctors concerned.
7. Personal file of the doctors concerned.

Section Officer (E-I)

Attested
to be true copy

Attested
to be true copy

COLLEGE OF
 PHYSICIANS AND SURGEONS
 PAKISTAN



Know all men by these Presents, that we, the
 President and Council of the College of Physicians
 and Surgeons Pakistan admit

Verified From The College
 Record And Certified To Be True

Dr. Shams-Ul-Haq

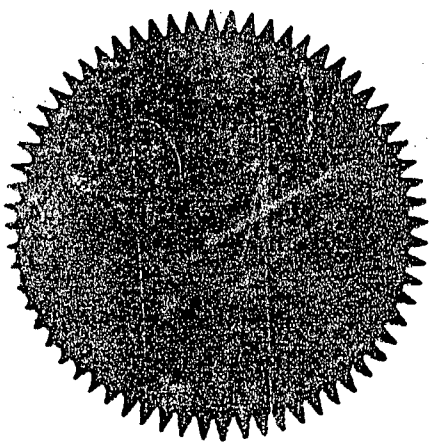
DR MUHAMMAD SHARIF
 Chief Controller of Examinations
 College of Physicians & Surgeons Pakistan

28/10/2016

a Fellow of the College

in the subject of Ophthalmology

In witness thereof, we have subscribed our names
 and caused the seal of the College to be hereunto
 affixed this 3rd day of April 2016



[Signature] President

[Signature] Member
 Executive Committee

[Signature] Registrar
 of the College

Attested
 to be true copy

[Signature]
 Attested
 to be true copy

PAKISTAN MEDICAL & DENTAL COUNCIL

10

G-10/4, Mauve Area, Islamabad.
Website : www.pmdc.org.pk



CERTIFICATE OF FULL MEDICAL REGISTRATION

License to Practice

Registration Number : 5948-N
Name : SHAMS UL HAQ
Father Name : MUHAMMAD SULTAN
Present Address : HOUSE NO. 409, STREET NO. 6, SECTOR N-1
PHASE-IV, HAYATABAD, PESHAWAR.
Permanent Address : TEH: DARYAN VILL & P/O HARYAN KOT
DISTRICT MALAKAND.



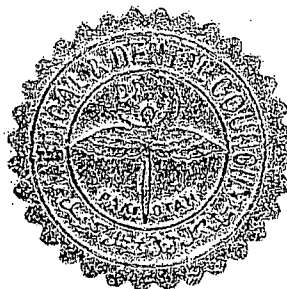
Registration Date : 03/05/1992 **Name Retained Upto** 31/12/2022

Qualification & Date	Institute/University	Year
1 M.B., B.S. (BASIC MEDICAL QUALIFICATION)	[PESHAWAR UNIVERSITY] [KHYBER MEDICAL COLLEGE, PESHAWAR]	1992
2 M.C.P.S. (OPHTHALMOLOGY)	[COLL. OF PHYSICIANS & SURGEONS PAKISTAN]	2009
3 F.C.P.S. (OPHTHALMOLOGY)	[COLL. OF PHYSICIANS & SURGEONS PAKISTAN]	2016

It is hereby certified that the above is a true copy of the entries in the Register of Medical Practitioners (Part: A) in respect of the medical practitioner specified therein. He/she is authorised to practice Basic Medicine, Surgery, Obstetrics & Gynaecology, Ophthalmology and Otorhinolaryngology and will be considered a specialist of the level mentioned and in the field of which any additional postgraduate qualification is registered herein.

IMPORTANT NOTICE:

1. The Registered Medical Practitioner should apply for revalidation of this certificate/retention of his/her name on the medical register three months before the date of retention expires.
2. Every Registered Medical Practitioner should be careful to send to the Registrar immediate notice within 30 days of any change in his/her address and also to answer enquiries that may be sent to him/her by the Registrar in regard thereto in order that his/her correct address may be duly inserted otherwise such practitioner is liable to have his/her name removed from the Register.
3. PM&DC shall maintain your name in the register of medical practitioners only till the date of retention mentioned on this Certificate. Further retention will only be possible on payment of prescribed fee.
4. A copy of this certificate has to be displayed prominently in the place of practice.
5. The issuing Authority reserves the right to recall, correct or cancel this certificate.



Attested to be true copy

[Signature]
REGISTRAR

Attested to be true copy



UNIVERSITY OF PESHAWAR
(Pakistan)

SESSION SUPPLEMENTARY 1990

This is to certify

SAJID-UL-HAQ

MUHAMMAD SULTAN

of the PESHAWAR MEDICAL COLLEGE, PESHAWAR has obtained the Degree of

Bachelor of Medicine & Bachelor of Surgery

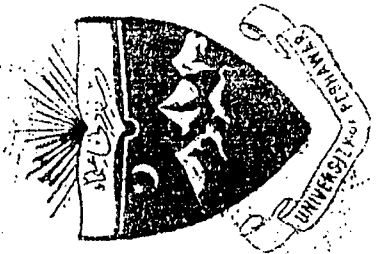
from this University at the Examination held in January 1992, and that he/she is hereby authorised to practice Medicine Obstetrics and Surgery

Serial No. 00277H

Registered No. 54-5807-4985

1613

16-3 1992



Countersigned

Registrar

Director

Attested to be true copy

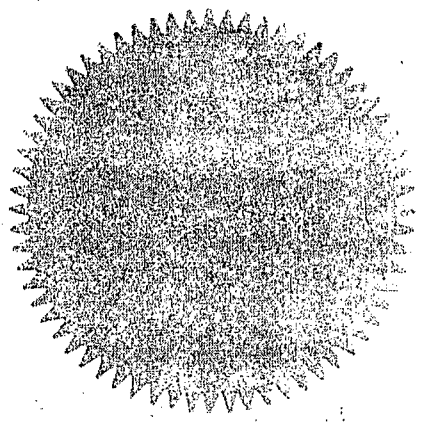
Attested to be true copy

ATTESTED
KHALID RAHID
Secretary of Peshawar
Peshawar

Rice and Co. 1032333

[Handwritten signature]

Attested
to be true copy
[Handwritten signature]



[Handwritten signatures and names: Registrar, Executive Committee, Members, J. J. Powell President]

afforded this 6th day of June 20 09
and caused the seal of the College to be hereunto
In witness thereof, we have subscribed our names

in the subject of Ophthalmology

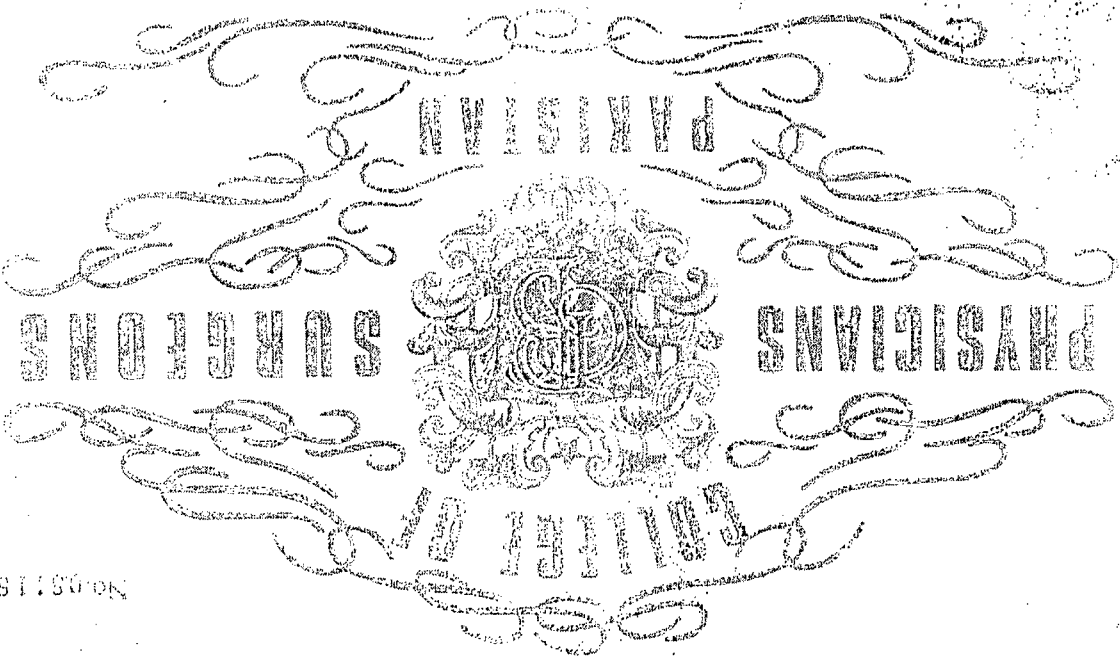
a member of the College

Dr. Shams Ul Haq

and Surgeon, Pakistan admit

President and Council of the College of Physicians

Therein all men by these presents, that we, the



No. 08115

13

The Honourable Chief Secretary

Dated: 05/02/2022

Khyber Pakhtunkhwa, Peshawar.

Subject: Departmental Appeal/Representation against the impugned order dated 02/02/2022

Respected Sir,

I am writing to bring it into your kind notice that I was appointed as District Specialist Eye (BS-18) at District Head Quarter Hospital Dir Lower ("DHQ Dir Lower") Timergara Dir Lower, in 2018. I had been performing my duty with all the satisfaction of my concerned high-ups. On the 2nd of February 2022, I came to know that I have been transferred by the Department to the post of SMO.

As you will be aware, that this transfer is illegal as I cannot be posted as an officer of general cadre because I was originally appointed as an officer of specialist cadre. Therefore, I request you to review/set aside the impugned order dated 02/02/2022 of the worthy Secretary Health Department.

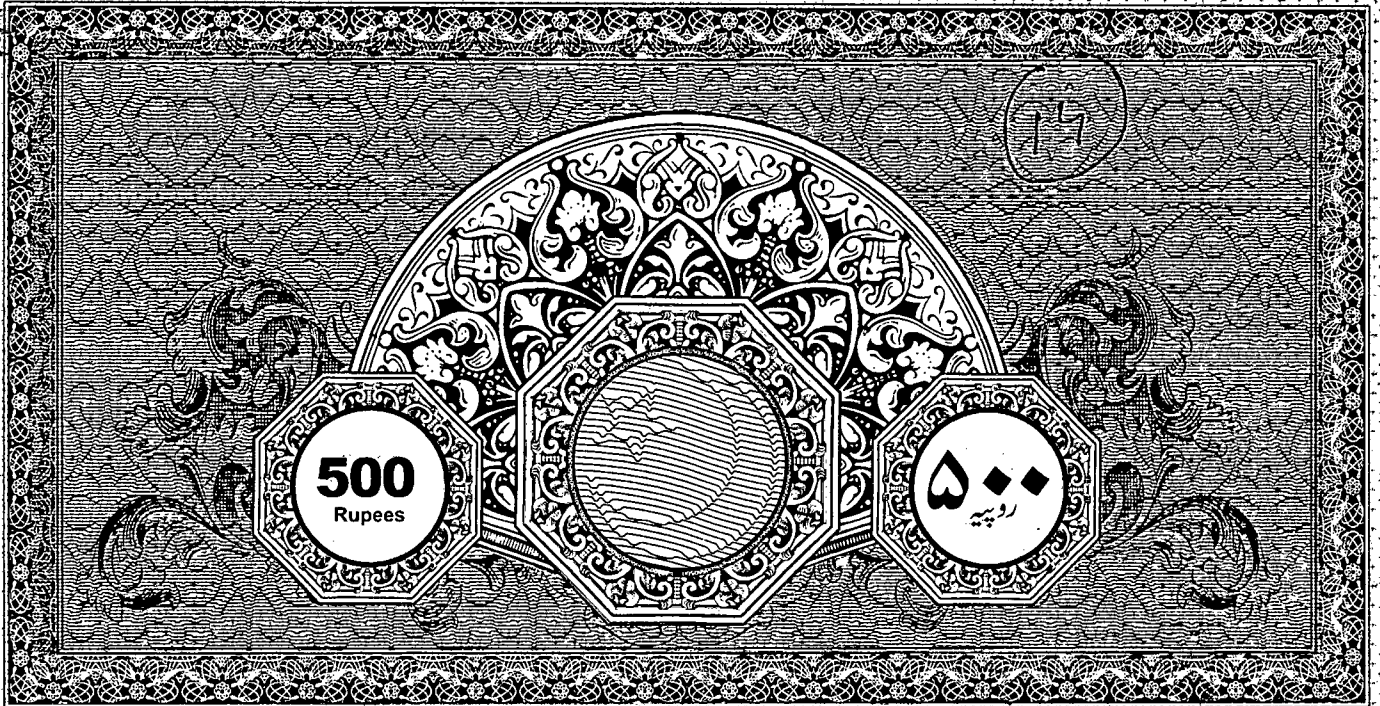
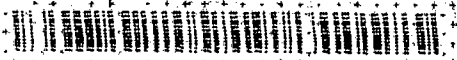
Dr. Shams ul Haq S/o Muhammad Sultan,
District Specialist District Head Quarter
Hospital Dir Lower (DHQ Dir Lower)
Timergara Dir Lower.

**Attested
to be true copy**

THE
MOUNTAIN
VIEW
SCHOOL



191768



PAKISTAN COURT FEE

CANCELLED

CANCELLED

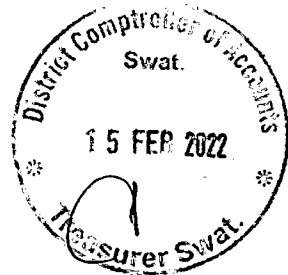
FILED TODAY

09 MAR 2022

Additional Registrar

1659
5/3/022

Shansher A
District Auditor



بعدالت جناب پشاور ہائی کورٹ مینگورہ بیچ دارالقضاء سوات

15

قیمت ایک روپیہ	کوٹ فیس
Petitioner	09/03/2022

۲۰۲۱ منجانب

بنام گورنمنٹ آف صیغہ پختونخواہ وغیرہ

ڈاکٹر شمس الحق

W.P.No-

مقدمہ دعویٰ / 2022

جرم

باعث تحریر آنکہ

مقدمہ مندرجہ بالا میں اپنے طرف سے واسطے پیروی و جواب دہی وکل کاروائی متعلقہ آن مقام دارالقضاء سوات کیلئے بیسٹراسٹریسڈ الیٹریٹ

مقرر کر کے اقرار کیا جاتا ہے کہ صاحب موصوف کو مقدمہ کی کل کاروائی کا کامل اختیار ہوگا۔ نیز وکیل صاحب

کوراضی نامہ و تقررات و فیصلہ پر حلف دینے جواب دی اور اقبال دعویٰ اور درخواست ہر قسم کی تصدیق زر

اس پر دستخط کرنے کا اختیار ہوگا نیز بصورت عدم پیروی یا ڈگری ایک طرف یا اپیل کی برآمدگی اور منسوخ دائر

کرنے اپیل نگرانی و نظر ثانی و پیروی کرنے کا اختیار ہوگا۔ بصورت ضرورت مذکور کے نسل یا جزوی کاروائی کے

واسطے اور وکیل یا معیار قانونی کو اپنی ہمراہ یا اپنی بجائے تقرر کا اختیار ہوگا۔ اور صاحب مقرر شدہ کو بھی جملہ مذکورہ

بالا اختیارات حاصل ہونگے اور اسکا ساختہ برواختہ منظور و قبول ہوگا اور دوران مقدمہ میں جو خرچہ و ہرجانہ

التوائے مقدمہ کے سبب سے ہوگا اسکے مستحق وکیل صاحب ہونگے۔ نیز بقایا و خرچہ کی وصولی کرتے وقت کا بھی

اختیار ہوگا اگر کوئی تاریخ پیشی مقام دورہ ہر ہو یا حد سے باہر ہو تو وکیل صاحب پابند نہ ہونگے کی پیروی مقدمہ

مذکور لہذا وکالت نامہ لکھ دیا کہ سندر ہے

المرقوم

۲۰۲۲

ماہ صابج

۰۹

گواہ شہد

کے لئے منظور ہے

Attested & Accepted by
Barrister Asad Ur Rehman
(Advocate)

0333 4646814

بمقام دارالقضاء سوات

FILED TODAY

09 MAR 2022

Additional Registrar

ڈاکٹر شمس الحق
0333 9275679

15

BEFORE THE PESHAWAR HIGH COURT MINGORA BENCH
DAR UL QAZA SWAT

W.P No. 304 -M/2022

Dr. Shams UL Haq(Petitioner)

VERSUS

Government of KPK & others (Respondents)

LEGAL NOTICE

To,

Medical superintendent District Head Quarter Hospital
Dir Lower at Timergara.

Please take notice I am filling a writ petition against the respondents on behalf of petitioners in the Peshawar High Court Mingora Bench Dar-UI-Qaza swat.



Barrister Asad Ur Rahman

Advocate High Court

FILED TODAY

09 MAR 2022

Additional Registrar

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

C.M No. 706-M OF 2018

In W.P No. 304-M of 2022

Dr. Shamsul Haq **VERSUS** Govt; of KPK et

This petition had been presented by Mr. Sabir Shah Advocate
on behalf of Applicant

This petition is in proper form, and is accompanied by copies of all necessary documents.

Petition be entered in the relevant Register and placed before Hon'ble court
(A) for further order on _____

Inform Applicant & his counsel A

READER

Dated: 28/03/2022

COUNTERSIGNED

Dated: 28/03/2022

[Signature]
ADDITIONAL REGISTRAR,
Peshawar High Court, Mingora
Bench/ Dar-ul-Qaza, swat.

BEFORE THE PESHAWAR HIGH COURT MINGORA
BENCH SWAT

C.M No. 706 -M/ 2022

in

W.P No.304-M/2022

Dr.Shams Ul Haq Petitioner

VERSUS

Govt of KPK through Chief Secretary & others Respondents

INDEX

S.No.	Description of Documents	Annex	Pages
1.	Application		1-2
2.	Affidavit		3
3.	Copies of all the relevant document	A	4- 11
4.	Wakalat Nama		12


Applicant
Through counsel



Sabir Shah
Advocate Supreme Court of Pakistan

Off: S-8,9, Continental Plaza
Makanbagh Mingora Swat.
Email: sabirshahadvocate@gmail.com
Cell No: 0300-5746744

Noted for
AAG

Sign.....
Date.....28-3-2022

FILED TODAY

28 MAR 2022


Additional Registrar

①

BEFORE THE PESHAWAR HIGH COURT MINGORA
BENCH SWAT

C.M No. 706 -M/ 2022

in

W.P No.304-M/2022

Dr. Shams Ul Haq Petitioner

VERSUS

Govt of KPK through Chief Secretary & others Respondents

APPLICATION FOR IMPLEADMENT UNDER 0-1 R-10
OF THE CODE OF CIVIL PROCEDURE, 1908 OF THE
APPLICANT NAMEDLY Dr. IHSAN ULLAH S/O
MUHAMMAD DIN PRESENTLY WORKING AGAINST THE
POST OF DISTRICT EYE SPECIALIST BPS-18 IN THE PANEL
OF RESPONDENTS BEING NECESSARY PARTY.

Respectfully Sheweth,

- 1) That the above titled writ petition is pending for adjudication before this Honorable Court, which is fixed for 29-03-2022.
- 2) That the applicant is working against the post of District Eye Specialist BPS-18 on the strength of notification dated 30.12.2021.
- 3) That the petitioner filed the titled petition on the basis of malafide, suppressed material facts from this Honorable Court and got interim order dated 16.03.2022.

FILED TODAY

28 MAR 2022

Con
Additional Registrar

That as the applicant was transferred/posted against the subject post on 30.12.2021, took over charge of his duties and also got salary of the month of February on the subject post, but the petitioner suppressed these facts of this Honorable Court and got interim relief against the said post which is status quo ante, as mentioned above the

transfer posting notification of the applicant has already been acted upon. **(All the relevant documents are annexed as annexure "A")**

- 5) That, all these facts have been suppressed by petitioner from this Honorable Court and malafidely not arrayed the applicant in the panel of respondents to get relief on his back from this Hon'ble Court.
- 6) That, the applicant is necessary party to the titled writ petition and this august Court has ample powers and jurisdiction to implead the applicant in the titled writ petition in the array of respondents.
- 7) That, if the applicant has not made party to the titled writ petition, he will suffer an irreparable loss in case the petition of the petitioner is succeeded without hearing the applicant.

In view of the above submissions, it is therefore very humbly prayed before this Honorable Court that on acceptance of the instant application, the applicant may kindly be impleaded in the panel of respondents in the titled writ petition.

FILED TODAY

28 MAR 2022

FW
Additional Registrar

Applicant
Through counsel


Sabir Shah

Advocate Supreme Court of Pakistan

BEFORE THE PESHAWAR HIGH COURT MINGORA
BENCH SWAT

C.M No. 706 -M/ 2022

in

W.P No.304-M/2022

Dr.Shams Ul Haq Petitioner

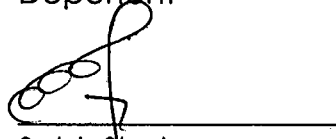
VERSUS

Govt of KPK through Chief Secretary & others Respondents

Affidavit

I, **Sabir Shah Advocate**, as per instruction of my client/applicant, do hereby solemnly affirm and declares on oath that, all the contents of this **application** are true and correct to the best of my knowledge and belief and nothing has been kept concealed therein.

Deponent



Sabir Shah
Advocate Supreme Court of Pakistan

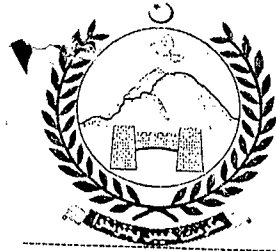
FILED TODAY

28 MAR 2022

Additional Registrar

S.No 1436
Certified that the above was verified on Solemn affirmation before me on this 28 day of 23 2022
by Sabir Shah
S/o Haji Khan Big Swat
who was identified by _____

Who is personally known to me.
Oath Commissioner
Peshawar High Court
Mingora Bench/Dar-ul-Qaza, Swat.



GOVERNMENT OF KHYBER PAKHTUNKHWA
HEALTH DEPARTMENT

Dated Pesh: the 6th Dec; 2013

NOTIFICATION

No.SOH-I/(HD)3-5/2013: The Competent Authority, on the recommendations of Khyber Pakhtunkhwa Public Service Commission is pleased to order the appointment of the following Distt: Specialists Ophthalmology (BS-18) on regular basis with immediate effect. They will be on probation for a period of one year extendable for another one year.

1. Dr. Abdul Ghafoor S/O Qazi Habib-ul-Ghafoor
2. Dr. Shafqat Ullah Khan Marwat S/O Khan Wali Khan
3. Dr. Ihsan Ullah S/O Muhammad Din
4. Dr. Asif Iqbal S/O Shams-ur-Rehman
5. Dr. Shafqat Ali Shah S/O Sayyed Qayyum Shah
6. Dr. Fakhrul Islam S/O Mazroof Salam

2. Consequent upon the above, they are hereby posted as Distt: specialists Ophthalmology (BS-18) in the hospitals noted against their names:-

S.No.	Name of doctor	Present posting	Posted at
1.	Dr. Abdul Ghafoor S/O Qazi Habibul Ghafoor	MO DHQH Battagram	Distt: Specialist Ophthalmology (BS-18) against the vacant post of SMO (BS-18) for the purpose of pay at DHQH Batkhela. He will deliver his services at Ophthalmology Unit.
2.	Dr. Shafqat Ullah Khan Marwat S/O Khan Wali Khan	Acting Senior Registrar. KTH, Peshawar.	Distt: Specialist Ophthalmology (BS-18), City Hospital Lakki Marwat.
3.	Dr. Ihsanullah S/O Muhammad Din	MO, DHQH Timergara Dir Lower	Distt: Specialist BS-18 at DHQH Timergara Dir Lower.
4.	Dr. Asif Iqbal S/O Shams-ur-Rehman	MO, KTH, Peshawar	Distt: Specialist Ophthalmology BS-18 at Bacha Khan Medical Complex, Shah Mansoor, Swat.
5.	Dr. Shafqat Ali Shah S/O Sayyed Qayyum Shah	MO, THQH Takht Bhai, Mardan	Distt: Specialist Ophthalmology (BS-18) at MMC, Mardan.
6.	Dr. Fakhrul Islam S/O Mazroof Salam	MO, Saidu Group of Teaching Hospitals Swat.	Distt: Specialist Ophthalmology (BS-18) at ZK Shahéed THQH, Matta Swat.

3. Their services will be governed under Khyber Pakhtunkhwa Civil Servants Act 1973 as amended vide Civil Servants (Amendment) Act 2005 and rules made there under and other relevant laws and rules.

4. They are directed to assume charge within 30 days after the issuance of this notification failing which their appointment shall be treated as cancelled.

SECRETARY HEALTH

P.T.O

Endst No and date even

1. Director General, Health Services, Khyber Pakhtunkhwa, Peshawar.
2. Chief Executive, KTH, Peshawar.
3. Chief Executive, Saidu Group of Teaching Hospitals Swat.
4. Accountant General Khyber Pakhtunkhwa Peshawar.
5. Medical Supdt; KTH, Peshawar.
6. Medical Supdt; DHQH Hospital concerned.
7. Medical Supdt/Incharge ZK Shaheed THQH, Matta Swat.
8. Medical Supdt; Bacha Khan Medical Complex, Swabi.
9. Medical Supdt; City Hospital, Lakki Marwat.
10. Distt: Accounts Officer concerned.
11. Director Recruitment, Khyber Pakhtunkhwa, Public Service Commission, Peshawar.
12. Director Information Peshawar.
10. Computer Programmer Health Department.
11. P.S to Secretary Health, Khyber Pakhtunkhwa, Peshawar.
12. P.A to Addl. Secretary (Estt) Health Department.
13. Doctors concerned.
14. Personal files of the doctors concerned.

(M. H. Jamil)
(Muhammad Jamil)
Section Officer-I

Copy available on the website www.healthkp.gov.pk

OFFICE OF THE DG HEALTH SERVICES, KHYBER PAKHTUNKHWA PESHAWAR.
No. 1616-37 /E.I, Dated Pesh: the 23/10/2014.

Copy to the :-

01. Chief Executive, KTH, Peshawar.
02. Chief Executive, SGTH, Swat.
03. MS DHQ Hospital Battagram.
04. MS DHQ Hospital Timergara Dir Lower.
05. MS DHQ Hospital Batkhela.
06. MS MMC, Teaching Hospital Mardan.
07. MS Bacha Khan Medical Complex, Shah Mansoor Swabi.
08. DHO, Mardan.
09. DHO, Lakki Marwat.
10. DHO, Swat.
11. MS Civil Hospital Lakki Marwat.
12. AG Khyber Pakhtunkhwa Peshawar.
13. DAOs, Lakki Marwat, Swat, Battagram, Dir Lower, Mardan, Swabi.
14. Doctor concerned.
15. AE-I,
16. AE-II,
17. AE-IV,

DGHS Office Peshawar.

For information and necessary action.

(Signature)
ASSISTANT DIRECTOR (P-I)
DGHS KPK, PESHAWAR.

Estt: Clerk

for 23/10
M.S. 01/02/14
01/12/2014



GOVERNMENT OF KHYBER PAKHTUNKHWA
HEALTH DEPARTMENT

(5)

Date: Pesh: the 26th November, 2018

NOTIFICATION:

No. SOH-II/HD/3-1234/2018: The Competent Authority is pleased to order posting transfers of the following doctors with immediate effect and in the public interest:-

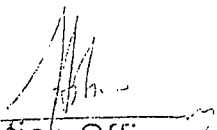
S. No	Name of doctor	From	To
1	Dr. Ihsanullah, District Specialist Eye (BS-18)	DHQ Hospital Timergara Dir Lower	THQ Hospital Samarbagh Dir Lower.
2	Dr. Shamsul Haq, District Specialist Eye (BS-18)	THQ Hospital Samarbagh Dir Lower.	DHQ Hospital Timergara Dir Lower

SECRETARY HEALTH DEPARTMENT

Encls: No & date given

Cc

1. Director General Health Services Khyber Pakhtunkhwa.
2. District Health Officer Timergara.
3. Medical Superintendent DHQ Hospital Timergara Dir Lower.
4. Medical Superintendent / Incharge THQ Hospital Samarbagh Dir Lower.
5. District Accounts Officer Timergara.
6. Doctors concerned
7. Personal file of the doctors concerned.


Section Officer (



Better copy of page no. 5

Government of Khyber Pakhtunkhwa

Health department

Dated Pesh: the 28th November 2018

Notification

No.SOH-I/HD/3-1231/2016: The competent Auhtoirty is pleased to order posting/transfer of the following doctors with immediate effect and in the public interest:-

S. No.	Name of doctor	From	To
1.	Dr. Ihsan Ullah District Specialist Eye (BPS-18)	DHQ Hospital Timergara Dir Lower	THQ Hospital Samarbagh Dir Lower
2.	Dr. Shamsul Haq District Specialist Eye (BPS-18)	THQ Hospital Samarbagh Dir Lower	DHQ Hospital Timergara Dir Lower

Secretary Health Department

Endst: No & date even.

Cc.

1. Director General Health Services Khyber Pakhtunkhwa.
2. District Health Officer Timergara.
3. Medical Superintendent DHQ Hospital Timergara Dir Lower.
4. Medical Superintendent/Incharge THQ Hospital Samarbagh Dir Lower.
5. District Account Officer Timergara.
6. Doctors concerned.
7. Personnel file of the doctors concerned.

Section officer





GOVERNMENT OF KHYBER PAKHTUNKHWA
HEALTH DEPARTMENT

Dated Peshawar, the 30th December, 2021

6

NOTIFICATION

No SOH/HD/3-5/2021:

On the recommendation of the Health Human Resources Committee (HHRC) meeting held on 24th December, 2021; which examined all the online applications submitted via www.healthkp.gov.kp and submitted recommendations thereof, the Competent Authority is pleased to order posting/transfer of the following doctors, in the best public interest, with immediate effect:-

S. #	Name & Designation	From	To
1.	Dr. Sajid Ali, Medical Officer (BS-17)	Qazi Hussain Ahmad Medical Complex, Nowshera	Main Rashid Hussain Shaheed Memorial Hospital Pabbi Nowshera against the post of District Specialist ENT (BS-18) in OPS
2.	Dr. Ihsan Ullah, District Specialist Eye (BS-18)	Senior Medical Officer (BS-18) at DHQ Hospital, Dir Lower	DHQ Hospital Dir Lower, against the post of District Specialist Eye (BS-18)
3.	Dr. Kamran Khan, Medical Officer (BS-17)	DHQ Hospital Alpuri, Shangla	DHQ Hospital Alpuri, Shangla against the post of District Specialist Surgery (BS-18) in OPS

-SD/-
SECRETARY HEALTH

ENDST: EVEN NO AND DATE

Copy forwarded for information/necessary action to the:

1. Accountant General, Khyber Pakhtunkhwa, Peshawar.
2. Director General Health Services, Khyber Pakhtunkhwa.
3. District Health Officer, quarter concerned.
4. Medical Superintendents, quarter concerned.
5. District Accounts Officer, quarter concerned.
6. Section Officer (E-II) Govt. of Khyber Pakhtunkhwa Health Department, Peshawar.
7. Deputy Director (IT), Health Department with request to upload the instant notification on the official website of the Department and also delete previous Data regarding posting / transfer.
8. PS to Minister for Health Department, Khyber Pakhtunkhwa, Peshawar.
9. PS to Secretary Health Department Govt. of Khyber Pakhtunkhwa, Peshawar
10. PS to Special Secretary (E&A) Health Department Govt. of Khyber Pakhtunkhwa, Peshawar.
11. PA to Deputy Secretary (Estab) Health Department Govt. of Khyber Pakhtunkhwa, Peshawar.
12. Doctors concerned.
13. Master file.

SECTION OFFICER (ESTAB-I)

CR
f



GOVERNMENT OF KHYBER PAKHTUNKHWA
HEALTH DEPARTMENT

Dated Peshawar, the 02nd February, 2022

7

NOTIFICATION

SOH-I/HD/3-1231/16: The Competent Authority is pleased to order the following posting /transfers with immediate effect, in the best public interest:-

S.NO	Name of doctor	From	To
1.	Dr. Shams ul Haq District Specialist Eye (BS-18)	DHQ Hospital Timegara Dir Lower	DHQ Hospital Timegara Dir Lower against the vacant post of SMO (BS-18)

-SD-

Secretary to Govt. of Khyber Pakhtunkhwa
Health Department

Endst. of even No. & date:-

Copy forwarded to the:-

1. Accountant General, Khyber Pakhtunkhwa.
2. Director General Health Services, Khyber Pakhtunkhwa.
3. Medical Superintendent, DHQ Hospital, Timegara Dir Lower.
4. District Accounts Officer, Dir Lower.
5. Deputy Director (IT) to upload this Notification on official website.
6. PS to the Secretary Health Govt. of Khyber Pakhtunkhwa, Peshawar.
7. PS to the Special Secretary (E&A), Health Department, Govt. of Khyber Pakhtunkhwa, Peshawar.
8. PS to the Additional Secretary (E&A), Health Department, Govt. of Khyber Pakhtunkhwa, Peshawar.
9. The Doctor concerned.
10. Master file.

Section Officer (Estab-I)

21/2/22

[Handwritten signature]

GOVERNMENT OF KHYBER PAKHTUNKHWA PROVINCE.

8

CERTIFICATE OF TRANSFER OF CHARGE.

Certified that Dr. Ihsan Ullah District Eye Specialist BPS-18, taken over his charge of duty at this office DHQ Hospital Timergara Dir Lower to day on Dated 01/02/2022 (F.N) against the post of District Eye Specialist BPS-18 , with reference to Government of Khyber Pakhtunkhwa Health Department Notification No. SOH/HD/3-5/2021: Dated 30th December, 2021.

5. Particulars of Cash and important/secret/confidential documents handed over/taken over are noted on the reverse.

Station :- DHQ Hospital Timergara.

Signature of relieved

Government Servant _____


Designation _____

Dated 01/02/2022 (F.N).

Signature of Government

Servant receiving Charge

Designation:- District Eye Specialist BPS-18




OFFICE OF THE MEDICAL SUPERINTENDENT DHQ HOSPITAL TIMERGARA DIR LOWER.

No. 649-53 /PF, Dated Timergara the 08/ /02/2022

Copy of the above is forwarded to :-

1. PS to Secretary Health Khyber Pakhtunkhwa Peshawar.
2. Director General Health Services Khyber Pakhtunkhwa Peshawar.
3. District Accounts Officer Lower Dir at Timergara.
4. Charge Nurse Concerned.
5. Accounts Clerk of this office.


Medical Superintendent
DHQ Hospital Timergara.

CTZ
f

9

DDO Code DA- 4 3 2 8

DHQ HOSPITAL TIMERGARA.

Sub-DDO Code 0 0 0

Detail Dept./ Function Code 0 7 3 1 0 1 0 0

FEBRUARY, 2022

		National ID Card Number										Name	Code			Amount				Effective Date			Remarks									
00		4	4	1	2	2	7	-				1) Dr. Hasanullah	1	9	8	5	=	8	8	0	0	0	/	0	1	-	0	2	-	20	22	HPA.
		-									District Eye																					
		-									Specialist																					
		-									BPS-18.																					
		-																														
		-																														
00		7	9	1	8	5	9	-			2) Dr. Shamsul Hq	1	9	8	5	=	0	5	0	0	0	/	1	-	0	2	-	20	20			
		-									SM 0 BPS-18																					
		-																														
		-																														
		-																														

Page Total:

Audited/Checked By

Entered / Verified By

Medical Superintendent
DHQ Hospital Timergara
Or Lower

Note: 1. All adjustments to be entered with + or - sign. All payments/deductions adjustments entered with ___ sign will always be deducted from the salary, whereas with - sign will always be added to the salary. For adjustment of Pay/Allow default sign will be + and for adjustment to the deductions it will be ___.
2. All Loans/Advance information will be fed to the computer from the original source documents (contingent Bill/Loan Applications).

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AMENDMENT FORM (GENERAL DATA)

DDO Code

DA-	4	3	2	8
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DHQ HOSPITAL TIMERGARA.

FORM: PAY F02

Date:

Page

Sub-DDO Code

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Detailed Dept./ Fuction Code

7	3	1	0	1	-	0	0
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National ID • Card Number				Name	Field id	New Conents	Effective Date
00	44	1227	-	1) Dr. Insumullah District Eye Specialist BPS-18.	115	(District Eye Specialist)	01-02-2022
00	79	1859	-	2) Dr. Shamsul Haq SMO BPS-18.	115	(Senior Medical Officer)	01-02-2022
<p>It is stated that the Dr. Insumullah transferred as District Eye Specialist BPS-18 at Am-Jawa Station and Dr. Shamsul Haq transferred as SMO BPS-18 (Notification Attached).</p>							

Page Totals:

Medical Superintendent

DHQ Hospital Timergara
Dir Lower

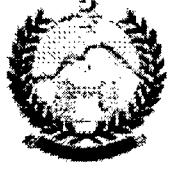
Audited/Checked By

Entered/verified By

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11

Government of Khyber Pakhtunkhwa
District Accounts Office Dir at Timargar
Monthly Salary Statement (February-2022)



Personal Information of Mr DR IHSAN ULLAH d/w/s of MUHAMMAD DIN

Personnel Number: 00441227 CNIC: 2110749656759 NTN:
Date of Birth: 15.06.1978 Entry into Govt. Service: 15.02.2005 Length of Service: 17 Years 00 Months 015 Days

Employment Category: Active Temporary

Designation: EYE SPECIALIST 80814084-GOVERNMENT OF KHYBER PAKH
DDO Code: DA4328-MS District Head Quarter Hospital Dir Lower
Payroll Section: 001 GPF Section: 005 Cash Center:
GPF A/C No: 441227 GPF Interest Free GPF Balance: 763,419.00 (provisional)
Vendor Number: 30137394 - DR IHSANULLAH MO
Pay and Allowances: Pay scale: BPS For - 2017 Pay Scale Type: Civil BPS: 18 Pay Stage: 14

-Wage type		Amount	Wage type		Amount
0001	Basic Pay	78,530.00	1001	House Rent Allowance 45%	8,715.00
1210	Convey Allowance 2005	5,000.00	1925	UAA-OTHER 20%(17-22)	2,000.00
1947	Medical Allow 15% (16-22)	2,679.00	1985	Health Professional Allow	88,000.00
2148	15% Adhoc Relief All-2013	1,525.00	2199	Adhoc Relief Allow @10%	1,039.00
2211	Adhoc Relief All 2016 10%	5,349.00	2224	Adhoc Relief All 2017 10%	7,853.00
2247	Adhoc Relief All 2018 10%	7,853.00	2309	Adhoc Relief All 2021 10%	7,853.00
5920	Adj Health Prof. Allow	21,000.00			0.00

Deductions - General

Wage type		Amount	Wage type		Amount
3018	GPF Subscription	-5,360.00	3501	Benevolent Fund	-1,500.00
3609	Income Tax	-18,126.00	3915	Health (ROP)	-30,330.00
4004	R. Benefits & Death Comp:	-1,350.00			0.00

Deductions - Loans and Advances

Loan	Description	Principal amount	Deduction	Balance

Deductions - Income Tax

Payable: 183,000.15 Recovered till FEB-2022: 110,499.00 Exempted: 0.53- Recoverable: 72,501.68

Gross Pay (Rs.): 237,396.00 Deductions: (Rs.): -56,666.00 Net Pay: (Rs.): 180,730.00

Payee Name: DR IHSAN ULLAH
Account Number: 72010103149978
Bank Details: MEEZAN BANK LIMITED, 427201 MAIN ROAD, TIMERGARA MAIN ROAD, TIMERGARA, LOWER DIR

Leaves: Opening Balance: Aailed: Earned: Balance:

Permanent Address:

City: PESH Domicile: NW - Khyber Pakhtunkhwa Housing Status: No Official
Temp. Address:
City: Email: drihsanullah2002@gmail.com

CPC

BEFORE THE HONORABLE PESHAWAR HIGH COURT MINGORA BENCH SWAT

WAKALAT NAMA

C.M No. 706 -M/2022

In

W.P No.304-M/2022

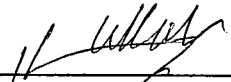
Title:

Dr.Shams Ul Haq V/S Govt of KPK through Chief Secretary & others

BEFORE THE HONORABLE PESHAWAR HIGH COURT MINGORA BENCH SWAT
I, Dr.Ihsan Ullah S/O Muhammad Din R/O Mian Banda, Tehsil Timergara District Dir Lower, do hereby appoint **Sabir Shah Advocate, Supreme Court of Pakistan & Jamal Shah Advocate High Court(s),** in the above mentioned case, to do all or any of the following acts, deeds and things: -

- 1) To appear, act and plead for me/us in the above mentioned case in this Court/Tribunal in which the same may be tried or heard, and any other proceedings arising out of or connected therewith.
- 2) To sign and verify and file, petitions, appeals, affidavits and applications as may be deemed necessary or advisable by them for the conduct, prosecution or defense of the said case at all its stages.
- 3) To receive payment of, and issue receipts for, all moneys that may be or become due and payable to us during the course of the proceedings.
- 4) To do any act necessary or ancillary to the above acts, deed and things.
- 5) To appoint any other counsel to do any/all of the acts, deeds and things.
- 6) I/we, shall appear in the court/tribunal on every date of hearing for assistance and if due to my/our nonappearance, any adverse judgment/order/decree is passed, they will not be held responsible.

IN WITNESS whereof I/we have signed this Wakalat Nama hereunder, the contents of which have been read/explained to me/us and fully understood by me/us this **26 -03-2022**




Signature of Executant(s)
Dr. Ihsan Ullah
CNIC No.21107-496567-5
Cell No.0346-8000291


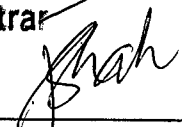
FILED TODAY

28 MAR 2022

ATTESTED & ACCEPTED BY:



SABIR SHAH,
Advocate, Supreme Court of Pakistan
Cell No.03005746744


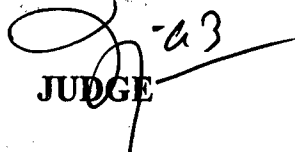

Additional Registrar


JAMAL SHAH
Advocate High Court
Cell No.03429611335

PESHAWAR HIGH COURT, MINGORA BENCH (DAR-UL-QAZA), SWAT**FORM OF ORDER SHEET**

Court of

Case No..... of.....

1	Date of Order or Proceedings 2	Order or other Proceedings with Signature of Judge and that of parties or counsel where necessary. 3
	16-03-2022	<p><u>W.P No. 304-M/2022</u></p> <p>Present: Barrister Asad-ur-Rehman, for petitioner.</p> <p>Mr. Razauddin Khan, A.A.G for respondents.</p> <p style="text-align: center;">*****</p> <p>Learned A.A.G present before the Court in connection with some other cases is directed to submit parawise comments on behalf of respondent No. 2 and 3.</p> <p>As service Tribunal is dysfunctional.</p> <p><u>Interim Relief.</u></p> <p>Notice for 29.03.2022. Till then operation of the impugned order dated 02.02.2022 shall remain suspended.</p> <p style="text-align: right;"> JUDGE</p> <p style="text-align: right;"> JUDGE</p>

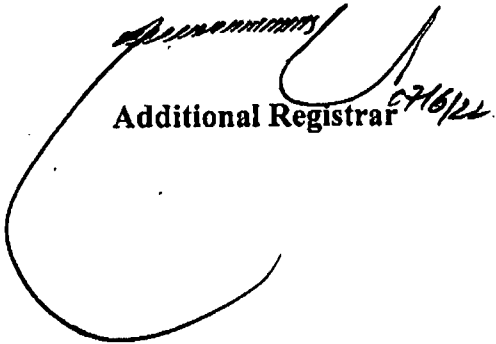
Order
07-06-2022

C.M No. 1074-M/2022 in W.P 304-M/2022

Present: Clerk of counsel

Through the instant C.M the applicant seeks early fixation of the main case.

Since, the reason mentioned in the application for early fixation of the main case seems to be genuine, therefore, the C.M is accepted. Office is directed to fix the main case soon after summer vacation.


Additional Registrar 07/06/22

IN THE PESHAWAR HIGH COURT, MINGORA BENCH,
SWAT

C.M No. 1074-M OF 2022

In WP No. 304-M of 2022

Dr. Shamsul Haq VERSUS Govt of KPK etc

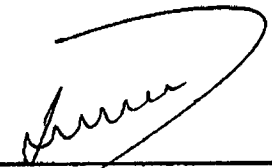
This petition had been presented by Mr. Sabir Shah Advocate
on behalf of Applicant.

This petition is in proper form, and is accompanied by copies of all necessary documents.

Petition be entered in the relevant Register and placed before Hon'ble court

(A-B) for further order on _____

Inform Applicant & his counsel.



READER

Dated: 31-05-2022

COUNTERSIGNED

Dated: 31-05-2022


13117/22
ADDITIONAL REGISTRAR,
Peshawar High Court, Mingora
Bench, swat.

BEFORE THE PESHAWAR HIGH COURT MINGORA
BENCH SWAT

C.M No. 1074-M/2022

In

W.P No.304-M/2022 along with C.M 706-M/2022

Dr.Shams Ul Haq Petitioner

Versus

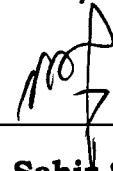
Govt of KPK through Chief Secretary & Others Respondents

INDEX

S#	Description of documents	Annexure	Pages
1.	Early hearing	.....	1
2.	Affidavit	.....	2
3.	Copies of annexed documents	.....	3- 6

Applicant/Petitioner

Through Counsel



Sabir Shah

Advocate Supreme Court of Pakistan
Cell No.03005746744

FILED TODAY

31 MAY 2022

Additional Registrar

1

BEFORE THE PESHAWAR HIGH COURT MINGORA
BENCH SWAT

C.M No. 1074-M/2022

In

W.P No.304-M/2022 along with C.M 706-M/2022

Dr.Shams Ul Haq Petitioner

Versus

Govt of KPK through Chief Secretary & Others Respondents

APPLICATION FOR EARLY HEARING OF THE ABOVE TITLED
WRIT PETITION

Respectfully Sheweth:-

- 1- That the above titled writ petition is pending before this Honorable Court, which was fixed for hearing on 29-03-2022, but was left over due to paucity of time.
- 2- That petitioner on the strength of interim relief dated 16-03-2022 misguided the official respondents and disturbed the posting of applicant, even the transfer order of the applicant has not been impugned by the petitioner in the instant case.
- 3- That the matter is that of transfer and at the time of institution of the titled writ petition, as the K.P services Tribunal was not functional therefore it was entertained by this honorable court but by now the K.P services Tribunal is functional and this honorable court lacks jurisdiction, therefore the fixation of the case before the next available D.B would be appropriate.

**It is therefore very humbly prayed
that the titled writ petition may kindly be
fixed for next available D.B.**

FILED TODAY

31 MAY 2022

Additional Registrar

Applicant/Petitioner.
Through

SABIR SHAH

Advocate Supreme Court of Pakistan
Cell No.03005746744

9

BEFORE THE PESHAWAR HIGH COURT MINGORA
BENCH SWAT

C.M No. 1094-M/2022

In

W.P No.304-M/2022 along with C.M 706-M/2022

Dr.Shams Ul Haq Petitioner

Versus

Govt of KPK through Chief Secretary & Others Respondents

AFFIDAVIT

I, **Sabir Shah Advocate (as per instruction of my client/applicant)** do hereby solemnly affirm and declares on oath that, all the contents of this **application** are true and correct to the best of my knowledge and belief and nothing has been kept concealed or withheld from this august court.

Deponent



SABIR SHAH

Advocate Supreme Court of Pakistan

FILED TODAY

31 MAY 2022

Additional Registrar

S.No 2281
Certified that the above was verified on Solemn affirmation before me on this 31-day of 05-2022
by Sabir Shah
S/o Haji Khan Swat
who was identified by [Signature]

Who is personally known to me.

Oath Commissioner
Peshawar High Court
Mingora Bench/Dar-ul-Qaza, Swat

31/5/22



GOVERNMENT OF KHYBER PAKHTUNKHWA
HEALTH DEPARTMENT

Dated Peshawar, the 30th December, 2021

NOTIFICATION

No. SDH/HD/3-5/2021: On the recommendation of the Health Human Resources Committee (HHRC) meeting held on 24th December, 2021; which examined all the online applications submitted via www.healthkp.gov.kp and submitted recommendations thereof, the Competent Authority is pleased to order posting/transfer of the following doctors, in the best public interest, with immediate effect:-

S. #	Name & Designation	From	To
1.	Dr. Sajid Ali, Medical Officer (BS-17)	Qazi Hussain Ahmad Medical Complex, Nowshera	Main Rashid Hussain Shaheed Memorial Hospital Pabbi Nowshera against the post of District Specialist ENT (BS-18) in OPS
2.	Dr. Insan Ullah, District Specialist Eye (BS-18)	Senior Medical Officer (BS-18) at DHQ Hospital, Dir Lower	DHQ Hospital Dir Lower, against the post of District Specialist Eye (BS-18)
3.	Dr. Kamran Khan, Medical Officer (BS-17)	DHQ Hospital Alpuri, Shangla	DHQ Hospital Alpuri, Shangla against the post of District Specialist Surgery (BS-18) in OPS

-SD/-
SECRETARY HEALTH

ENDST: EVEN NO AND DATE

Copy forwarded for information/necessary action to the:

1. Accountant General, Khyber Pakhtunkhwa, Peshawar.
2. Director General Health Services, Khyber Pakhtunkhwa.
3. District Health Officer, quarter concerned.
4. Medical Superintendents, quarter concerned.
5. District Accounts Officer, quarter concerned.
6. Section Officer (E-II) Govt. of Khyber Pakhtunkhwa Health Department, Peshawar.
7. Deputy Director (IT), Health Department with request to upload the instant notification on the official website of the Department and also delete previous Data regarding posting / transfer.
8. PS to Minister for Health Department, Khyber Pakhtunkhwa, Peshawar.
9. PS to Secretary Health Department Govt. of Khyber Pakhtunkhwa, Peshawar
10. PS to Special Secretary (E&A) Health Department Govt. of Khyber Pakhtunkhwa, Peshawar.
11. PA to Deputy Secretary (Estab) Health Department Govt. of Khyber Pakhtunkhwa, Peshawar.
12. Doctors concerned.
13. Master file.

[Signature]
20/12/21
SECTION OFFICER (ESTAB-I)

[Handwritten initials]

(4)

OFFICE OF THE MEDICAL SUPERINTENDENT
DHQ HOSPITAL TIMERGARA DIR LOWER.
Phone # 0945-9250099.
No. 2005 / Dated 19 /05/2022

TO,

The District Accounts Officer
Lower Dir.

SUBJECT :- CONTINUITY OF MONTHLY SALARY IN RESPECT OF DR. IHSAN ULLAH AS
DISTRICT EYE SPECIALIST BPS-18.

Memo :-

I have the honour to state that Dr. Ihsan Ullah District Eye Specialist BPS-18 has been awarded the post of Ophthalmologist (District Eye Specialist) on 31/12/2021.

As for as Dr. Shamsul Haq is concern he has been awarded suspension order of Dated 02th February, 2022 against his own order and also held in abeyance by Secretary Health Khyber Pakhtunkhwa Peshawar vide Notification No. SOH-I/HD/3-1231/16 Dated 25/04/2022.

Dr. Ihsan Ullah has not been challenged nor he is party to this case. Hence the salary in respect of Dr. Ihsan Ullah may please be drawn against the post of District Eye Specialist.

It is further stated that this office has already been in consultation with the hight ups to avoid the confusion vide this office letter No: 1896 Dated 16/05/2022 (Copy Attached).


Medical Superintendent
DHQ Hospital Timergara.

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GOVERNMENT OF KHYBER PAKHTUNKHWA
HEALTH DEPARTMENT

Dated Peshawar, the 26th April, 2022

NOTIFICATION

SOH-I/HD/3-1231/16: In pursuance of status-quo order of the Hon'ble Peshawar High Court Mingora Bench Swat dated 10/03/2022 in a Writ Petition No. 304-M/2022 this Department's Notification of even number dated 02nd February, 2022 regarding transfer in respect of Shams Ul Haq, District Specialist Eye (BS-18) is hereby treated as held in abeyance till outcome of the Hon'ble court

Secretary to Govt of Khyber Pakhtunkhwa
Health Department

Endst: of even No. & date:-

Copy forwarded to the -

- 1 Registrar, Peshawar High Court Mingora Bench, Swat
- 2 Accountant General Khyber Pakhtunkhwa
- 3 Director General Health Services, Khyber Pakhtunkhwa.
- 4 Medical Superintendent DHQ Hospital, Timergara Dir Lower.
- 5 District Accounts Officer, Dir Lower
- 6 Deputy Director (IT) to upload this Notification on official website.
- 7 PS to the Secretary Health Govt of Khyber Pakhtunkhwa, Peshawar
- 8 PS to the Special Secretary (E&A), Health Department, Govt of Khyber Pakhtunkhwa, Peshawar.
- 9 PS to the Additional Secretary (E&A), Health Department, Govt of Khyber Pakhtunkhwa, Peshawar.
10. The Doctor concerned.
- 11 Master file.

(BREKHNA HABIB)
Section Officer (Estab-1)

26/4/22

CR
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Office of the
District Accounts Officer
Dir Lower

No Payroll -II /DAO/Dir Lower/2021-22/

1345

Dated 20 5
2022

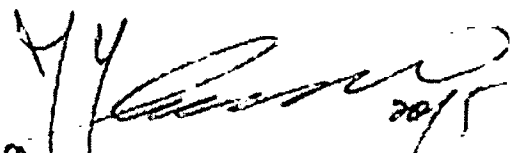
To
Medical Superintendent
DHQ Hospital Timergara
Dir Lower.

Subject: CONTINUITY OF MONTHLY SALARY IN RESPECT OF DR. IHSAN ULLAH AS DISTRICT EYE SPECIALIST BPS-18.

Memo.

Please refer to your letter No. 2005 dated 19.05.2022 on the subject noted above and to state that as per record of this office your office submitted 02 numbers of sources for change of position code of Dr. Ihsan ul Haq Eye Specialist to SMO and Dr. Shamsul Haq SMO to Eye Specialist as per Secretary order in light of high court stay granted to Dr. Shamsul Haq.

As regard change in the designation of the officer concerned this office is unable to make any changes in their designation without any proper order of the competed authority & submission of sources by your office.


DISTRICT ACCOUNTS OFFICER,
DIR LOWER
20/5

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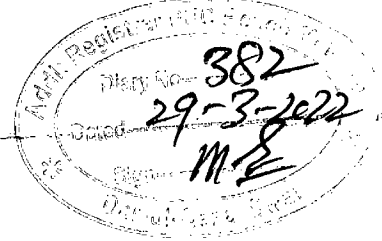
W.P 304-M/22
29/3/22. (L.O)

OFFICE OF THE MEDICAL SUPERINTENDENT
DHQ HOSPITAL TIMERGARA DIR LOWER.
Phone # 0945-9250099.

NO, _____ / Dated 24/03/2022

To,

The Secretary to Government
Of Khyber Pakhtunkhwa Health
Department Peshawar.



SUBJECT :-
Memo :-

POSTING OF DISTRICT EYE SPECIALIST BPS-18.

I have the honour to state that the posting/transfer order of Dr. Ihsan Ullah have been made by your good office as District Eye Specialist BPS-18 vide Notification No. SOH/HD/3-5/2021: Dated 30th December, 2021 & Dr. Shamsul Haq District Eye Specialist BPS-18 have been posted/transfer against the post of SMO BPS-18 vide Notification No. SOH-I/HD/3-1231/16: Dated 02nd February, 2022 (Copies attached).

It is further stated that this Hospital has only one post of District Eye Specialist BPS-18 and Dr. Ihsan Ullah is working against the said post since, 01/02/2022.

In this regard the Honorable Peshawar High court, Mingora Bench Darul Qaza Swat has given to Dr. Shamsul Haq interim relief that the impugned order vide Notification No. SOH-I/HD/3-1231/16: Dated 02nd February, 2022 in respect of Dr. Shamsul Haq as Senior Medical Officer BPS-18 in DHQ Hospital Timergara **suspended till the final decision i.e. 29/03/2022** of the instant writ petition.(Copy Attached), it is for your kind information and further necessary action please.

Medical Superintendent
DHQ Hospital Timergara.

No. 1345-48

Copy to :-

1. The Registrar Peshawar High court Mingora bench Darul Qaza Swat for information please.
 2. The Director General Health Services Khyber Pakhtunkhwa Peshawar for information please.
 3. Dr, Ihsan ullah District Eye Specialist Incharge Eye Unit.
 4. Dr. Shamsul Haq District Eye Specialist (Against SMO).
- For information and necessary action.

Incharge w/p branch.

Medical Superintendent
DHQ Hospital Timergara.

Seen
For Addl. Registrar
Peshawar High Court, Bench,
Mingora/Dar-ul-Qaza S. Swat