

27.06.2022


Learned Member (Executive), is on leave.
Therefore, the case is adjourned to 15.08.2022 for
the same as before.


READER

15.08.2022

Nemo for the petitioner. Mr. Kabirullah Khattak, Additional
Advocate General alongwith Mr. Muhammad Nazir, Advocate junior
to legal Advisor for respondents present.

In pursuance of order sheet dated 30.11.2021, learned
counsel for the MTI produced copy of the Payslip in respect of the
petitioner; for the month of July 2022. Notice be issued to the
petitioner and his counsel to attend the court on the next date.
Adjourned. To come up for further proceedings on 03.10.2022
before S.B.


(Mian Muhammad)
Member (E)

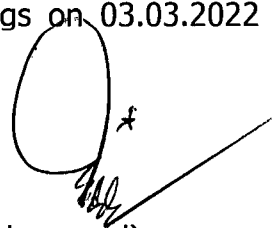
SCANNED
KPST
Peshawar

Applicant's
counsel was informed
telephonically on 15/08/22
date 15/08/22

18.01.2022

None for the petitioner present. Mr. Muhammad Adeel Butt, Addl: AG alongwith Mr. Muhammad Nazir, Advocate Junior to Legal Advisor for respondents No. 1 to 7 present.

Notices be issued to the petitioner and his counsel. Adjourned. To come up for further proceedings on 03.03.2022 before S.B.


(Mian Muhammad)
Member (E)

3-3-2022

Due to retirement of the Honorable Chairman the case is adjourned to come up for the same as before on 25-5-2022


Reader

25th May, 2022

None for the petitioner present. Mr. Kabeer Ullah Khattak, AAG for respondents present.

Previous date was changed through Reader note, therefore, notice for prosecution of COC be issued to the petitioner and his counsel as well as to the respondents. To come up for further proceedings on 27.06.2022 before S.B.


(Kalim Arshad Khan)
Chairman

29.10.2021

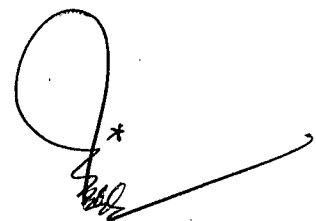
Learned counsel for the petitioner and Mr. Muhammad Adeel Butt, Adll: AG alongwith Mr. Haroon Sarfaraz, Legal Advisor for respondents present. Partially implementation has been made. Seeks time for further implementation. To come up for further implementation on 30.11.2022 before S.B.


Chairman

30.11.2021

Petitioner in person present. Mr. Kabirullah Khattak, Adll: AG alongwith Syed Nouman Ali Bukhari, Advocate junior to counsel for respondents present.



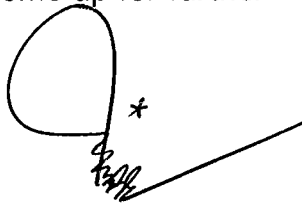
Contention of the learned counsel for the petitioner is that in pursuance of orders of the Tribunal dated 04.08.2021, salary for one month only (October) has been released to the petitioner whereas for rest of the months salary has not been released despite the fact that he is performing duty with the respondents. Learned counsel for respondents (MTI's) requested for copy of COC application as the same is claimed to have not been received, for submitting their reply thereon in the court. Request is allowed. To come up for further proceedings on 18.01.2022 before S.B.


(MIAN MUHAMMAD)
MEMBER (E)

FORM OF ORDER SHEET

Court of _____

C.O.C No. 170 /2021

S.No.	Date of order proceedings	Order or other proceedings with signature of judge
1	2	3
1	08/09/2021	<p>The C.O.C application of Mr. Niaz Muhammad submitted today by Mr. Jalal-ud-Din Advocate, may be entered in the relevant Register and put up to the Court for proper order please</p> <p style="text-align: right;"> REGISTRAR,</p>
2-	01.10.2021	<p>This C.O.C application be put up before S. Bench on - <u>01/10/21</u>.</p> <p style="text-align: right;"> CHAIRMAN</p> <p>Petitioner alongwith his counsel present.</p> <p>Notices be issued to the respondents for submission of reply to the COC application. Adjourned. To come up for further proceedings before the S.B on 29.10.2021.</p> <p style="text-align: right;"> (MIAN MUHAMMAD) MEMBER (E)</p>

BEFORE THE KHYBER PAKHTUNKHWA SERVICE TRIBUNAL,

PESHAWAR

C.O.C No. 171/2021

SCANNED
KPST
Peshawar

IN

Appeal No. 7092 – P of 2021

Niaz Muhammad **PETITIONER**

VERSUS

Nadeem Khawar & others..... **RESPONDENTS**

I N D E X

S.No	Description of Documents	Annex	Pages
1.	Application for contempt of court		1- 3
2.	Affidavit		4
3.	Addresses of parties		5- 6
4.	Copy of letter dt. 27/08/2021	A	(7)
5.	Copy of Order Dated 04/08/2021	B	8-9
6.	Copy of Appeal No. 7092/2021	C	10- 21
7.	Wakalat Nama		22

Through,

Appellant

Shaiber Khan

Jalal Ud Din

Wahid Khan Khalil

Advocate, Peshawar

Date: 8/09/2021

(V)

BEFORE THE KHYBER PAKHTUNKHWA SERVICE TRIBUNAL,

PESHAWAR

C.O.C No. _____/2021.

IN

Appeal No. 7092 – P of 2021

Niaz Muhammad

Cook (Civil Servant),

Khyber Teaching Hospital – MTI, Peshawar.....**PETITIONER**

V E R S U S

1. Nadeem Khawar, Chairman BOG, Khyber Teaching Hospital – MTI, Peshawar
2. Fazal e Raziq, Secretary, BOG, Khyber Teaching Hospital – MTI, Peshawar
3. Moqem, Hospital Director, Khyber Teaching Hospital – MTI, Peshawar
4. Ikram Ullah Jan, Director Finance, Khyber Teaching Hospital – MTI, Peshawar
5. Syed Ahsan Ali Shah, HR – Manager, Khyber Teaching Hospital – MTI, Peshawar
6. Saud Islam, Associate Hospital Director, Khyber Teaching Hospital – MTI, Peshawar
7. Muhammad Siraj, Medical Director, MTI, KTH, Peshawar

..... **CONTEMNORS / RESPONDENTS**

8. Director General Health Services, Khyber Pakhtunkhwa, Peshawar.
9. Additional Director General (Admin), Directorate General Health Services, Khyber Pakhtunkhwa, Peshawar
10. Government of Khyber Pakhtunkhwa, through Chief Secretary Civil Secretariat, Peshawar
11. Account officer, MTI, KTH, Peshawar

..... **RESPONDENTS**

(2)

**PETITION FOR INITIATING CONTEMPT OF COURT
PROCEEDINGS AGAINST RESPONDENTS FOR NOT
OBEYING / COMPLYING / DISHONOURING AND
NOT IMPLEMENTING THE ORDERS / DIRECTIONS
DATED 04.08.2021 PASSED BY THIS HONOURABLE
TRIBUNAL.**

Respectfully Sheweth:

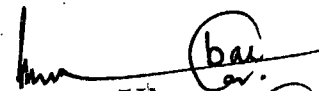
1. The appellant filed Appeal No.7092/2021 against the respondents, in which the honourable tribunal had suspended the operation of impugned order. (Copies of appeal and order alongwith enclosure are annexed as Annexure "A to C").
2. That on 04.08.2021, the Honourable Tribunal issued directions to contemnors / Respondents to release the salaries of the appellants but in vain.
3. That the attested copies of the said order dated 04.08.2021 and notices, had already been conveyed to contemnors / respondents, wherein initially vide letter bearing No. 4316 BoG/MTI-KTH dated 27/08/2021, the salaries were released and thereafter on 30.08.2021 the contemnors / respondents stopped the salaries of the appellant. (Copy of letter dated 27/08/2021 is attached as D)
4. That respondents have disobeyed the orders / direction dated 04.08.2021, passed by this Honourable Tribunal and thus have committed contempt of Court.
5. That the contemnors have acted with open motive to show their disrespect to the authority of this Honourable Tribunal.

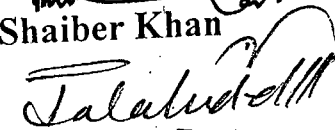
It is, therefore, most humbly prayed that:


- i. The contemnors / respondents be penalized for Contempt of Court.
- ii. The contemnors / respondents may please be directed to comply with the orders dated 04.08.2021 in letter and spirit.
- iii. The appellant may please be compensated for having been dragged into vexatious litigation at the hands of respondents.
- iv. Any other relief, which the appellant is entitled in law, justice and equity, may also be awarded.

Through,

Appellant


Shaiber Khan


Jalal Ud Din


Wahid Khan Khalil
Advocate, Peshawar

Date: 08/09/2021

BEFORE THE KHYBER PAKHTUNKHWA SERVICE TRIBUNAL,
PESHAWAR

C.O.C No: _____/2021

IN

Appeal No. 7092 of 2021

Niaz Muhammad **APPELLANT**

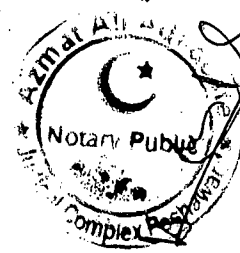
VERSUS

Nadeem Khawar & others..... **RESPONDENTS**

AFFIDAVIT

I, Niaz Muhammad S/O Sher Muhammad, do hereby solemnly affirm and declare on oath that the contents of the **Contempt of Court Petition** are true and correct to the best of my knowledge and belief and nothing has been concealed from this Hon'ble Tribunal.

DEPONENT



Handwritten signature and initials, possibly 'M-6' and '8'.

(5)

BEFORE THE KHYBER PAKHTUNKHWA SERVICE TRIBUNAL,
PESHAWAR

C.O.C No. _____/2021

IN

Appeal No. 7092 – P of 2021

Niaz Muhammad **PETITIONER**

V E R S U S

Nadeem Khawar & others..... **RESPONDENTS**

ADDRESSES OF PARTIES

PETITIONER:

Niaz Muhammad
Cook (Civil Servant),
Khyber Teaching Hospital – MTI, Peshawar

RESPONDENTS

1. Nadeem Khawar, Chairman BOG, Khyber Teaching Hospital – MTI, Peshawar
2. Fazal e Raziq, Secretary, BOG, Khyber Teaching Hospital – MTI, Peshawar
3. Moqem, Hospital Director, Khyber Teaching Hospital – MTI, Peshawar
4. Ikram Ullah Jan, Director Finance, Khyber Teaching Hospital – MTI, Peshawar
5. Syed Ahsan Ali Shah, HR – Manager, Khyber Teaching Hospital – MTI, Peshawar
6. Saud Islam, Associate Hospital Director, Khyber Teaching Hospital – MTI, Peshawar
7. Muhammad Siraj, Medical Director, MTI, KTH, Peshawar
8. Director General Health Services, Khyber Pakhtunkhwa, Peshawar.
9. Additional Director General (Admin), Directorate General Health Services, Khyber Pakhtunkhwa, Peshawar

10. Government of Khyber Pakhtunkhwa, through Chief Secretary Civil Secretariat, Peshawar
11. Account officer, MTI, KTH, Peshawar

Through,

Appellant

Shaiber Khan

Jalal Ud Din

Wahid Khan Khalil

Advocate, Peshawar

Date: 08/09/2021



OFFICE OF THE BOARD OF GOVERNORS
MEDICAL TEACHING INSTITUTION
KHYBER TEACHING HOSPITAL/KMC/KCD, PESHAWAR



No. 4316

BoG/MTI-KTH

Dated: 27-8-21, 2021

The Hospital Director
MTI KTH, Peshawar.

Subject:

K.P SERVICES TRIBUNAL PESHAWAR ORDER SHEETS DATED. IN SERVICES
APPEALS NO.7091, 7092, 7093 &7094.

The Board of Governors' MTI KTH in its 88th meeting at agenda item No.9-a has approved release salaries of the Class-IV employees namely Niaz Muhammad, Khalil-Ur Rehman, Ghulam Ili & Yaqoob Masih in compliance of K.P Services Tribunal Peshawar Orders in Services appeals no.7091, 7092, 7093 &7094. They shall be allowed to start their biometric attendance and perform duties under strict observation of the hospital management till final decision of the Court. Meanwhile, the Board directed that the Legal Officer shall follow these cases in the Court.

[Signature]
Secretary
Board of Governors
MTI KTH, Peshawar

No:

/BoG/MTI-KTH

Dated: ,2021

Copy to the:

1. Worthy Chairman BoG, MTI-KTH, Peshawar.
2. Finance Director MTI KTH
3. Associate Hospital Director MTI KTH.
4. Legal Officer MTI KTH.

Secretary
Board of Governors
MTI KTH, Peshawar

*DF/IT
to release the
salaries of
IT to activate the biometric
attendance*

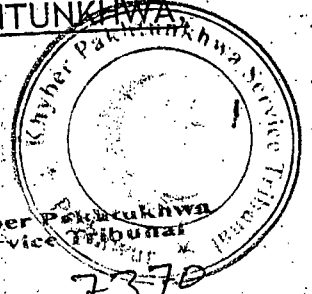
*ADF:
5/21/21
[Signature]*

27/8/2021

*Do not stop the salaries of above
mentioned employees as per
BoG instructions*

5/8/21

BEFORE THE HONOURABLE SERVICE TRIBUNAL KHYBER PAKHTUNKHWA
PESHAWAR



Service Appeal No 7092/2021

Diary No. 7370

Dated 27-7-2021

Niaz Muhammad S/O Sher Muhammad, Cook (Civil Servant)
Khyber Teaching Hospital, MTI, Peshawar.....(Appellant)

VERSUS

1. Director General Health Services, Khyber Pakhtunkhwa, Peshawar
2. Additional Director General (Admin), Directorate General Health Services, Khyber Pakhtunkhwa, Peshawar
3. Government of Khyber Pakhtunkhwa through Chief Secretary Civil Secretariat, Peshawar
4. Hospital Director, MTI, KTH, Peshawar
5. Medical Director, MTI, KTH, Peshawar
6. Director Finance, MTI, KTH, Peshawar
7. Human Resources through its Manager MTI, KTH, Peshawar
8. Account Officer, MTI, KTH, Peshawar
9. Manager Facilities Management, MTI, KTH, Peshawar
10. Board of Governor through its Secretary MTI, Khyber Teaching Hospital, Peshawar.....(Respondents)

Filed to-day
Registrar
27/7/2021

Re-submitted to -day
and filed.

Registrar
28/7/2021

Certified to be true copy

CHIEF CLERK
Khyber Pakhtunkhwa
Service Tribunal
Peshawar

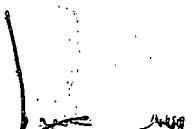

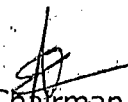
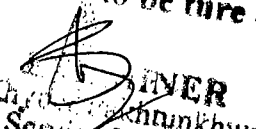
Form-A

FORM OF ORDER SHEET

Court of _____

Case No.- 7092 /2021



S.No.	Date of order proceedings	Order or other proceedings with signature of judge
1	2	3
1-	28/07/2021	<p>The appeal of Mr. Niaz Muhammad resubmitted today by Mr. Jalal-ud-Din Advocate may be entered in the Institution Register and put up to the Worthy Chairman for proper order please.</p> <p style="text-align: right;"> REGISTRAR</p>
2-	04.08.2021	<p>This case is entrusted to S. Bench for preliminary hearing to be put up there on <u>04/08/21</u>.</p> <p style="text-align: right;"> CHAIRMAN</p> <p>Counsel for the appellant present.</p> <p>After hearing arguments at some length, pre-admission notice is necessary to be issued to the respondents. To come up for reply/preliminary hearing on 08.09.2021 before S.B.</p> <p>The operation of the impugned order is suspended till next date.</p> <p><u>7/9/21</u></p> <p><u>10/8/21</u></p> <p><u>10/8/21</u></p> <p><u>8/9/21</u></p> <p><u>8/9/21</u></p> <p style="text-align: right;"> Chairman</p> <p style="text-align: right;">Certified to be true copy</p> <p style="text-align: right;"> KHUZDAR PAKHTUNKHWA SERVICE TRIBUNAL PESHAWAR</p>

BEFORE THE HONOURABLE SERVICE TRIBUNAL KHYBER PUKHTUNKHWA,
PESHAWAR

Service Appeal No 7092 /2021

Khyber Pakhtunkhwa
Service Tribunal

Diary No. 7370

Dated 27-7-2021

Niaz Muhammad S/O Sher Muhammad, Cook (Civil Servant)
Khyber Teaching Hospital, MTI, Peshawar.....(Appellant)

VERSUS

1. Director General Health Services, Khyber Pakhtunkhwa,
Peshawar
2. Additional Director General (Admin), Directorate General
Health Services, Khyber Pakhtunkhwa, Peshawar
3. Government of Khyber Pakhtunkhwa through Chief
Secretary Civil Secretariat, Peshawar
4. Hospital Director, MTI, KTH, Peshawar
5. Medical Director, MTI, KTH, Peshawar
6. Director Finance, MTI, KTH, Peshawar
7. Human Resources through its Manager MTI, KTH, Peshawar
8. Account Officer, MTI, KTH, Peshawar
9. Manager Facilities Management, MTI, KTH, Peshawar
10. Board of Governor through its Secretary MTI, Khyber
Teaching Hospital, Peshawar.....(Respondents)

Filed to-day

Registrar


27/7/2021

Re-submitted to -day
and filed.

Registrar

28/7/2021

ATTESTED


EXAMINER
Khyber Pakhtunkhwa
Service Tribunal
Peshawar

Appeal under Section 4 of Khyber Pakhtunkhwa Service Tribunal Act, 1974 read with other enabling provision of law applicable to the matter against impugned order, dated 31-3-2021, whereby through impugned transfer order the Appellant has been illegally, without any lawful authority, transferred from Khyber Teaching Hospital (MTI) to Director General Health by Respondent No 4/Hospital Director without any rhyme, reasons and obtaining proper approval from competent authority against which the departmental representative / appeal dated 20th April, 2021 received on 22nd April, 2021 has not been responded till-date within expiry of statutory period, hence the instant appeal

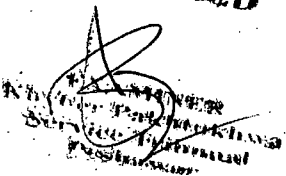
Respectfully Sheweth:-

Brief facts leading to this service appeal are as under:-

- 1) That the Appellant is initially appointed on temporary basis in the Respondent's Officer Khyber Teaching Hospital MTI and was later on regularized on permanent posts and since then the Appellant is working against the permanent posts. (Copy of the initial appointment is attached as Annex 'A').

That the Respondents/Khyber Teaching Hospital MTI Peshawar through Respondent No 1 issued impugned

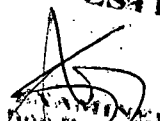
ATTESTED


KHYBER PAKHTUNKHWA
SERVICE TRIBUNAL
PESHAWAR

transfer order dated 31-03-2021 of Appellant and attached the salary of the Appellant without any rhymes, reasons and in violation of law, rules and regulations. (Copy of impugned order is attached as Annex 'B').

- 3) That initially, the Appellant filed appeal under Section 16-A of MTI Reforms Act 2015 (Amended Act 2020), read with Section of Medical Teaching Institution (MTI) before the Khyber Pakhtunkhwa Medical Tribunal Hayatabad, Peshawar against the impugned order of transfer, but the same was withdrawn vide order dated 07-07-2021; but the Chairman Medical Tribunal, to approach the proper forum. (Copy of the order dated 07-07-2021 is attached as Annex 'C').
- 4) That against the impugned transfer order dated 31-3-2021, the Appellant filed departmental appeal/representation on 20-04-2021, which was received by the Respondent on dated 22-04-2021 but the same has not been responded by the Respondent/department after expiry of statutory period under the law. (Copy of the grounds of appeal and receiving order on the merge of departmental appeal is attached as Annex 'D').
- 5) That the Appellant being aggrieved from the impugned order, filed departmental appeal before the competent authority, which departmental appeal has not yet been entertained and the Appellant has been constrained to

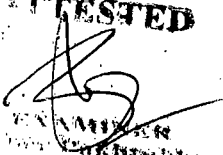
ATTESTED


EXAMINER
Khyber Pakhtunkhwa
Service Tribunal
Peshawar

knock the door of the competent forum for the redressal of his grievances on the following grounds, inter-alia:-

GROUND:-

- A) That the Appellant is law abiding citizen of Pakistan and is employee at Khyber Teaching Hospital-MTI, Peshawar.
- B) That the Respondents/Khyber Teaching Hospital MTI Peshawar has acted beyond its jurisdiction and thus committed gross illegality.
- C) That the impugned order of transfer and attached of salary is illegal and the same is not tenable in the eyes of law and procedure as well as the dictums of the apex Court of Pakistan.
- D) That the allegations leveled by the Respondents are strictly denied by the Appellants and such allegations have not yet been proved in fact finding inquiry by any independent and reliable source. The word "Show Cause" meant to make clear of apparent, which has been held in 2006 SCMR 37 and 2007 CLC 1123 by the august Supreme Court of Pakistan, as by evidence testimony or reasoning to prove some guilt.
- E) That Appellant, with good record of service for more than 15 years, fully aware of his official responsibilities and being a disciplined official have not committed any wrong, therefore, the whole story and allegation are baseless and

TESTED

 W. A. I. Khan
 Director
 Services
 Peshawar

neither proved nor any case was registered. Therefore, no any single iota of evidence is available in this regard.

F) That the imposition of penalty of transfer and attachment of salary of the Appellant is against the law, rules and regulations.

G) That the authority initiated the disciplinary proceeding on receiving an anonymous complaint, without giving any show cause to the Appellant. The complainant has not been examined in support of allegations in the presence of Appellant. In such eventuality, the allegations would be deemed to have not been proved in accordance with law. Such inquiry would be illegal and no punishment could be imposed on the accused on the basis of such inquiry. (Reliance is placed on 2005 PLC (CS) 1015).

H) That the transfer and attachment of salary of the Appellant is a major penalty and it is settled principle of law that such major penalty cannot be imposed without proper and regular inquiry. This view has been constantly maintained by this Honourable Tribunal as well as by the august Supreme Court of Pakistan. Reliance is placed on the following judgments.

- i. 2001 TD (Service) 147
- ii. PLJ 2002 (SC) 525
- iii. NLR 2003 Service 133 (SC)
- iv. 2003 TD (Service) 413

TESTED

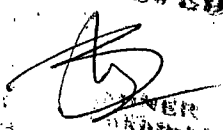
[Signature]
Tribunal
Peshawar

- v. 2003 SCMR 681
- vi. NLR 2004 Service 22 (SC)
- vii. 2004 SCMR 294
- viii. 2004 PLC (CS) 328 and 344 (SC)
- ix. 2005 PLC (CS) 256 and 263

I) That the transfer order was not a speaking order as against the Section 24-A of the General Clause Act, 1897, which stipulates that every order should be speaking one and well-reasoned. It has been held in a case reported as 2002 PLC (CS) 1480, that "Any order passed by the executive authority must be speaking one and shall be well reasoned". Therefore, the transfer order being against the Section 24-A of the General Clauses Act, 1897 is liable to be set aside.

J) That after withdrawal of appeal under MTI rule, the Respondents relieved the Appellant, but the relieving order has not been executed upon the Appellant neither the Appellant has assumed the charge at his new place of posting nor the Appellant has relinquished the charge from the old place because the MTI rules has not been applicable on Appellant.

K) That any other ground, not raised specifically may graciously be allowed to be raised at the time of arguments.

TESTED

 SUPER
 IN CHARGE
 17/05/2008
 P. S. S. S. S. S.

PRAYER:-

It is, therefore, most respectfully prayed that on acceptance of this Appeal, the impugned order of transfer and attachment of salary of Appellant may please be set aside being against the law, rules and regulations and the initial order of posting at KTH be restored to his original post and the salary alongwith all back benefits from the date of impugned order, may please be released in favour of the Appellant.

Any other relief, which this Honourable Tribunal deems proper in the circumstances of the appeal, may also be granted in favour of Appellant.

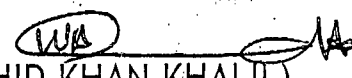
Appellant

Through:


(SHAIBER KHAN)


(JALAL UD DIN)


(RAHMAT ULLAH KUNDI)
&


(WAHID KHAN KHALIL)
Advocates,
High Court Peshawar

Date of Presentation of Application: 27-7-21
Number of copies: 2800
Copies: 20/-
Fees: 3/-
Name: 819/21
Address: 819/21

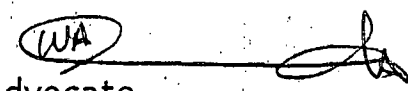
Dated: -27-07-2021

NOTE:-

No such appeal for the same Appellant has earlier been filed by me before this Honourable Tribunal prior to instant one.

Certified to be true copy

EXAMINER
Khyber Pakhtunkhwa
Service Tribunal
Peshawar


Advocate

BEFORE THE HONOURABLE SERVICE TRIBUNAL KHYBER PUKHTUNKHWA,
PESHAWAR

Niaz Muhammad.....(Appellant)

V E R S U S

D.G Health Peshawar and others.....(Respondents)

AFFIDAVIT


I, Niaz Muhammad S/O Sher Muhammad, Cook (Civil Servant) Khyber Teaching Hospital, MTI, Peshawar, do hereby solemnly affirm and declare on oath that all the contents of accompanying Appeal are true and correct to the best of my knowledge and belief and nothing has been concealed or withheld from this Honourable Court.

DEPONENT

CNIC # 17301-37087205

Cell # 0313-9638575

Identified by:-



(WAHID KHAN KHALIL)
Advocate
High Court, Peshawar



28/07/2021

BEFORE THE KHYBER PAKHTUNKHWA SERVICE TRIBUNAL, PESHAWAR

9

Niaz Muhammad.....(Appellant)

VERSUS

D.G Health Peshawar and others.....(Respondents)

Application for interim relief to the effect that the Respondents may kindly be directed to suspend the impugned order dated 31st March, 2021 passed by the Respondent till the final disposal of the instant appeal. Furthermore, the salary of the Appellant may kindly be released forthwith alongwith all back benefit

Respectfully Sheweth: -

- 1) That the captioned appeal has been filed and admitted for full hearing before this Honourable Court, wherein no date of hearing has yet been fixed.
- 2) That the contents of the appeal may kindly be considered as integral part and parcel of this application.
- 3) That due to the grounds set out in the main service appeal, the Petitioner/Appellant has got good prima facie case in his favour and is hopeful of its success.
- 4) That if the impugned transfer order mentioned above is not suspended, then the Petitioner/Appellant would suffer extreme irreparable loss.

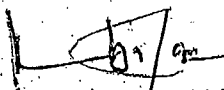


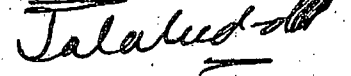
5) That due to the peculiar circumstances of the case in hand, balance of convenience also lies in favour of allowing this application.


It is, therefore, respectfully prayed that on acceptance of this Application, the impugned office order 31st March, 2021 passed by the Respondent may kindly be suspended till the final disposal of the instant appeal. Furthermore, the salary of the Appellant may kindly be released forthwith alongwith all back benefits.


Applicant/Appellant

Through:


(SHAIBER KHAN)


(JALAL UD DIN)


(REHMAT ULLAH KUNDI)
&


(WAHID KHAN KHALIL)
Advocates,
High Court Peshawar

Dated: -27-07-2021



BEFORE THE HONOURABLE SERVICE TRIBUNAL KHYBER PUKHTUNKHWA,
PESHAWAR

Niaz Muhammad.....(Appellant)

V E R S U S

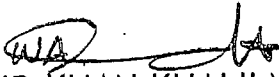
D.G Health Peshawar and others.....(Respondents)

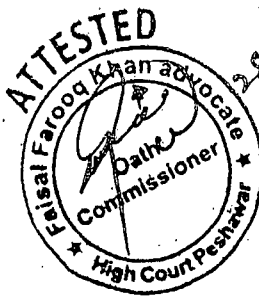
AFFIDAVIT

I, Niaz Muhammad S/O Sher Muhammad, Cook (Civil Servant) Khyber Teaching Hospital, MTI, Peshawar, do hereby solemnly affirm and declare on oath that all the contents of accompanying Application are true and correct to the best of my knowledge and belief and nothing has been concealed or withheld from this Honourable Court.

DEPONENT نیاز محمد
CNIC # 17301-3768720-5
Cell # 0313-9638575

Identified by:-


(WAHID KHAN KHALIL)
Advocate
High Court, Peshawar



BEFORE THE HONOURABLE SERVICE TRIBUNAL KHYBER PUKHTUNKHWA,
PESHAWAR

Niaz Muhammad

V E R S U S

D.G Health Peshawar and others

MEMO OF ADDRESSES

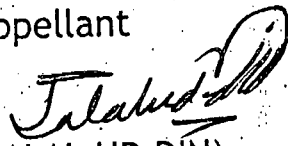
APPELLANT

Niaz Muhammad S/O Sher Muhammad, Cook (Civil Servant)
Khyber Teaching Hospital, MTI, Peshawar

RESPONDENTS

1. Director General Health Services, Khyber Pakhtunkhwa, Peshawar
2. Additional Director General (Admin), Directorate General Health Services, Khyber Pakhtunkhwa, Peshawar
3. Government of Khyber Pakhtunkhwa through Chief Secretary Civil Secretariat, Peshawar
4. Hospital Director, MTI, KTH, Peshawar
5. Medical Director, MTI, KTH, Peshawar
6. Director Finance, MTI, KTH, Peshawar
7. Human Resources through its Manager MTI, KTH, Peshawar
8. Account Officer, MTI, KTH, Peshawar
9. Manager Facilities Management, MTI, KTH, Peshawar
10. Board of Governor through its Secretary MTI, Khyber Teaching Hospital, Peshawar

Through: Appellant



(JALAL UD DIN)

Advocate,

High Court, Peshawar

Dated: -21-07-2021

"A"

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

No.

APPEAL No. C.O.C No. 170 of 20 21

Niaz Muhamad

Appellant/Petitioner

Regd

Versus

Nadeem Khanra Chairman BOC KTH Peshawar.

RESPONDENT(S)

Notice to Appellant/Petitioner

Niaz Muhamad Cook
(civil servant) KTH Hospital
MTI Peshawar.

Take notice that your appeal has been fixed for Preliminary hearing, replication, affidavit/counter affidavit/record/arguments/order before this Tribunal on 3/3/22 at 9:am.

You may, therefore, appear before the Tribunal on the said date and at the said place either personally or through an advocate for presentation of your case, failing which your appeal shall be liable to be dismissed in default.


Registrar,
Khyber Pakhtunkhwa Service Tribunal,
Peshawar.