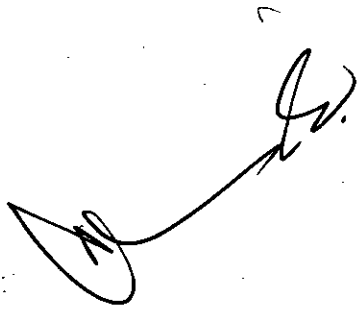


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Roshawan

20th July 2022 1. None for the petitioner present. Mr. Noor Zaman Khattak, District Attorney alongwith Dr. Yasir Bangash, Litigation Officer for respondents present.

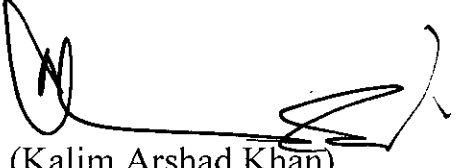
2. On 18.07.2022 Dr. Yasir Bangash, Litigation Officer put appearance and sought some time to implement the judgment of the Tribunal passed in this matter. The matter was accordingly adjourned to 22.07.2022 on his request but today an office order was produced by the said Dr. Yasir Bangash showing compliance of the judgment of the Tribunal in appeal No. 916/2018 titled "Safia Bibi-vs-Government of Khyber Pakhtunkhwa and others" reinstating the petitioner in service subject to the decision of the CPLA filed before the august Supreme Court of Pakistan. The judgment passed in favour of the Petitioner has been perused, which shows that the petitioner was reinstated in service alongwith back benefits including the arrears of the salaries whereas the order produced does not contain anything regarding the grant of back benefits including the arrears of salary. As the petitioner has not come to the Tribunal, therefore, the respondents are directed to grant back benefits including the arrears of salary as per directions of the Tribunal contained in the judgment within two months. The petitioner may again come to the Tribunal and make an application in case the back



benefits including the arrears of salary are not released/granted within two months. Copy of this order sheet alongwith order of reinstatement be sent to the petitioner through registered post. Similarly, copy of this order sheet be also sent to the District Health Officer, Battagram for grant of back benefits and arrears of salary to the petitioner within two months. This application is disposed of in the above terms. Consign.

3. *Pronounced in open court in Camp Court Abbottabad and given under my hand and seal of the Tribunal on this 20th day of July, 2022.*




(Kalim Arshad Khan)
Chairman
Camp Court Abbottabad

18th July 2022 None for the petitioner present. Mr. Noor Zaman Khattak, District Attorney alongwith Dr. Yasir Bangash, Litigation Officer for respondents present.

Representative of the respondents seeks time to submit implementation report. Respondents are directed to submit proper implementation report positively on 22.07.2022 before S.B at camp court Abbottabad.



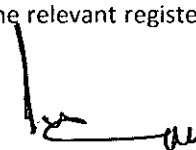


(Kalim Arshad Khan)
Chairman
Camp Court Abbottabad



Form- A
FORM OF ORDER SHEET

Court of _____

Execution Petition No. 279/2022

S.No.	Date of order proceedings	Order or other proceedings with signature of judge
1	2	3
1	12.05.2022	<p>The execution petition of Mst. Safia Bibi submitted today by Mr. Hamayun Khan Advocate may be entered in the relevant register and put up to the Court for proper order please.</p> <p> REGISTRAR</p>
2-	25-5-22	<p>This execution petition be put up before to touring Single Bench at A.Abad on <u>13-6-22</u>. Original file be requisitioned. Notices to the parties be also issued for the date fixed.</p> <p> CHAIRMAN</p>
	13.06.2022	<p>Petitioner alongwith with counsel present. Mr. Riaz Khan Paindakhel, Assistant Advocate General alongwith Dr. Yasir, Litigation Officer and Mr. Safiullah Focal Person for the respondents present.</p> <p>Implementation report was not submitted. Representative of the respondent department is directed either to produce conditional implementation report or stay order from the august Supreme Court of Pakistan. To come up for implementation report on 18.07.2022 before S.B at camp Court A/Abad.</p> <p> (Fareeha Paul) Member (E) Camp Court A/Abad</p>

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

E.P No. 279 /2022
IN

Appeal No. 916/2018

Mst. Safia Bibi wife of Muhammad Anwar, (EX LHV/PHCT) BHU Teloos,
resident of Jabba Feroz Tehsil & District Battagram.

...PETITIONER

VERSUS

Govt. of Khyber Pakhtunkhwa through Secretary Health Peshawar & others.

...RESPONDENTS

APPLICATION FOR IMPLEMENTATION

INDEX

S. #	Description	Page #	Annexures
1.	Application	1 to 3	
2.	Copy of appeal	4 - 11	"A"
3.	Copy of judgment	12 - 16	"B"
4.	Copy of application	17	"C"

...PETITIONER

Through

Dated: 10/5 /2022


(HAMAYUN KHAN)
&


(FAZLULLAH KHAN)
Advocates High Court, Abbottabad

0312-0861681

1

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



E.P No. 279 /2022
IN

Appeal No. 916/2018

Mst. Safia Bibi wife of Muhammad Anwar, (EX LHV/PHCT) BHU Teloos,
resident of Jabba Feroz Tehsil & District Battagram.

...PETITIONER

VERSUS

1. Govt. of Khyber Pakhtunkhwa through Secretary Health Peshawar.
2. Director General Health Services Khyber Pakhtunkhwa, Peshawar.
3. District Health Officer Battagram.

...RESPONDENTS

**APPLICATION FOR IMPLEMENTATION OF
JUDGMENT DATED 16/11/2021 PASSED BY THIS
HONOURABLE TRIBUNAL IN APPEAL NO.
916/2018 TITLED "MST. SAFIA BIBI V/S GOVT. OF
KHYBER PAKHTUNKHWA & OTHERS.**

Respectfully Sheweth:

1. That petitioner filed service appeal No. 916/2018 against the impugned order dated 10/04/2018 passed by respondent No. 3. Copy of appeal is attached as Annexure "A".
2. That on 17/11/2021 after hearing of arguments this Honourable tribunal accepted appeal with all back benefits of the petitioner and set aside impugned order dated 10/04/2018. Copy of judgment is attached as annexure "B".
3. That thereafter on 15/04/2022 petitioner appeared before respondent No.3 for implementation of judgment dated 17/11/2021 and submit application. Copy of application is annexed as Annexure "C".
4. That after laps of 05 months respondents not implemented judgment of this Honourable tribunal and similarly they have not filed any appeal before August Supreme Court of Pakistan against the judgment dated 17/11/2021 of Honourable Tribunal.

5. That respondent No. 3 instead of complying with the direction of this Honourable Tribunal, straightaway refused to comply with the direction of this Honourable Tribunal.

6. That other point would be raised at the time of arguments kind permission of this Honourable Tribunal.

It is therefore, humbly prayed that on acceptance of instant application respondents be kindly be directed forth with comply with the direction of this Honourable Tribunal contained in judgment dated 17/11/2021 in it true letter and spirit


...PETITIONER

Through

Dated: 5/10/2022


(HAMAYUN KHAN)
&


(FAZLULLAH KHAN)
Advocates High Court, Abbottabad

ANNEXURE "A" 4

BEFORE THE HONOURABLE KHYBER PAKHTUNKHWA
SERVICE TRIBUNAL PESHAWAR



Director Health Services
Peshawar

Case No. 1182

Appeal No. 916 /2018

Dated: 19/07/2018

Mst. Safia Bibi wife of Muhammad Anwar, (EX LHV/ PHCT) BHU Teloos,
resident of Jabba Feroz Tehsil and District, Battagram.

...APPELLANT


VERSUS

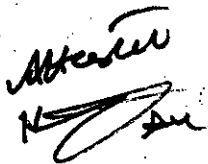
1. Govt. of Khyber Pakhtunkhwa through Secretary Health Peshawar.
2. Director General Health Services Khyber Pakhtunkhwa, Peshawar.
3. District Health officer Battagram.

...RESPONDENTS

APPEAL UNDER ARTICLE 212 OF THE
CONSTITUTION OF ISLAMIC REPUBLIC OF
PAKISTAN 1973 READ WITH SECTION 4 OF
KHYBER PAKHTUNKHWA SERVICE TRIBUNAL
1974, AGAINST THE IMPUGNED ORDER DATED
10/04/2018 PASSED BY THE RESPONDENT NO. 3
WHEREBY RESPONDENT NO. 3 IMPOSED MAJOR
PENALTY OF REMOVAL FROM SERVICE WHICH
IS ILLEGAL, UNLAWFUL, AGAINST THE LAW,

ATTESTED


Registrar
Khyber Pakhtunkhwa Service Tribunal
Peshawar



Filed on day

19/7/18

FACTS AND NATURAL JUSTICE AND LIABLE TO BE SET ASIDE.

PRAYER: ON ACCEPTANCE OF INSTANT APPEAL IMPUGNED ORDER DATED 10/04/2018 PASSED BY RESPONDENT NO. 3 MAY KINDLY BE DECLARED VOID ABI-INITIO, UNLAWFUL AND APPELLANT BE REINSTATED IN SERVICE ALONGWITH ALL BACK BENEFITS.

Respectfully Sheweth;-

Appellant beg to solicit through instant appeal on the following legal and factual back grounds:-

1. That initially appellant was appointed as PHCT/LHV in BPS-12 on 20/07/2016.
2. That thereafter appellant submitted arrival report and joined duty and was posted at BHU Telooos Allai.

Attested
H. S. Singh

ATTESTED
[Signature]
EXAMINER
Service Tribunal

3. That appellant performed her duty with full devotion and liability, upto the satisfaction of her high-ups and local inhabitants.
4. That on 21/03/2018 at 12:00 O'clock appellant applied for half duty leave due to illness of son after obtaining permission from in charge appellant went to home.
5. That on the same day respondent No.3 visited BHU Tailoos Allai and marked the appellant absent from duty.
6. That, on 22/03/2018 respondent No.3 issued transfer order of appellant from BHU Tailoos Allai to DHO office Battagram (i.e office of respondent No.3).
7. That, it is worth to mention that albeit the appellant is a civil servant under the administrative control of respondents, but at no way is their private servant. As the respondent No. 3 had harrassed her for his unlawful/ immoral pleasure, which was

Appellant
14/3/18
Adm

TESTED
[Signature]
MANAGER
KASHMIRI
KASHMIRI
KASHMIRI

refused bluntly by the appellant, resultantly respondent No. 3 had make a final attempt on 22/03/2018 to obtain his immoral pleasures and objects and he had transferred the appellant from BHU Tailoos Allai to DHO office of respondent No. 3. This act clearly reveals the intentions of respondent No. 3, because there are no duties to be assigned to appellant in DHO Office as she is a LHV/PHCT.

8. That, on 26/03/2018 respondent No.3 issued show cause notice to appellant, the above said transfer order and show cause notice was received to the appellant on 02/04/2018. Copies of order & show cause notice are attached as Annexure "A".

9. That, the appellant has submitted the reply of show cause notice in the office of respondent No.3 on 04/04/2018. Copy of reply of show cause notice dated 04/04/2018 is annexed as Annexure "B".

10. That, the appellant also submitted an application regarding the harassment before the provincial

Attest
H. [Signature]

ATTESTED
[Signature]
EXAMINER
National Service Tribunal
[Signature]

ombudsman. Copy of application is annexed as Annexure "C".

11. That, finally the respondent No.3 on 10/04/2018 issued the impugned order, whereby the appellant was removed from service. Copy of order dated 10/04/2018 is annexed as Annexure "D".

12. That, the appellant filed departmental appeal against order dated 10/04/2018, before respondent No.2 but till date respondent No.2 not passed any order on the same. Annexure "E".

13. That, being aggrieved from the order dated 10/04/2018 of respondent No.3 appellant is before this August Tribunal with the appeal in hand inter-alia on the following amongst other grounds:-

Attested
H. S. Chauhan

GROUND:-

- a. That, the impugned order is illegal, against the law & facts, hence is liable to be set aside.

ATTESTED
[Signature]
Member (Adjudicator)
Service Tribunal

- b. That job description of appellant is only and only treatment and look after of the females Childs and new born babies, and such duties can be performed in CD, RHC, BHU, DHQ etc and could not be performed in the office room of the DHO/respondent No.3.
- c. That, impugned order is based on personal grudges and interests which is not sustainable.
- d. That, impugned order is against the rules, no regular inquiry was conducted nor the opportunity of defence and hearing was given to the appellant.
- e. That, all the proceeding conducted by respondent No.3 is clear violation of E&D rules and issued impugned order for obtaining his immoral goals, in this respect appellant filed complaint before learned

Attested
12/11/2011

TESTED
J
EXAMINER
Khyber Pakhtunkhwa
Service Tribunal
Peshawar

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ombudsman for protection of her honor and
dignity.

- f. That, the act of respondent is against
guaranteed constitutional rights of the
appellant, which are also against the norms
and dictates of Islam.
- g. That, office of DHO/respondent No.3 is an
administrative and establishment /
management office and the appellant has no
concern with the administration work under
the control of respondent No.3.
- h. That, impugned order is issued in a hasty
manner, which did not fulfill the codal
requirement, hence having no legal value, is
liable to be struck down.
- i. That other points would be argued at the
time of argument with the kind permission
of this Honourable Court.

Attested
[Signature]

ATTESTED
[Signature]
CLERK
NATIONAL SERVICE TRIBUNAL
[Signature]

It is, therefore humbly prayed that on acceptance of instant appeal impugned order dated 10/04/2018 passed by respondent no. 3 may kindly be declare null and void, abi-initio, unlawful and appellant be reinstated in service alongwith all back benefits.

Sajida
...APPELLANT

Dated: 7-7 /2018

Through

(Signature)
(HAMAYUN KHAN)
Advocate High Court, Abbottabad

VERIFICATION:-

Verified on oath that the contents of forgoing appeal are true and correct to the best of my knowledge and belief and nothing has been concealed therein from this Honourable Court.

Sajida
...APPELLANT

Certified to be ture copy

(Signature)
Khyber Pakhtunkhwa
Service Tribunal,
Peshawar

(Handwritten initials)

Date of Presentation of Application	<u>07/04/22</u>
Number of Words	<u>3200</u>
Copying Fee	<u>34/-</u>
Urgent	<u>47/-</u>
Total	<u>81/-</u>
Name of Copier	<u> </u>
Date of Completion of Copy	<u>07/04/22</u>
Date of Delivery of Copy	<u>07/04/22</u>

ANNEXURE - B - 12

BEFORE THE KHYBER PAKHTUNKHWA SERVICE TRIBUNAL,
(CAMP COURT, ABBOTTABAD)

Appeal No. 916/2018



Date of Institution ... 19.07.2018

Date of Decision ... 17.11.2021

Mst. Safia Bibi wife of Muhammad Anwar (Ex-LHV/PHCT) BHU Teloos, Resident
Of Jabba Feroz Tehsil and District, Battagram. ... (Appellant)

VERSUS

Government of Khyber Pakhtunkhwa through Secretary, Health Peshawar and
two others. ... (Respondents)

Present.

Mr. Hamayun Khan,
Advocate. ... For appellant.

Mr. Muhammad Rasheed,
Deputy District Attorney ... For respondents.


MR. AHMAD SULTAN TAREEN ... CHAIRMAN
MRS. ROZINA REHMAN, ... MEMBER(J)

JUDGEMENT

AHMAD SULTAN TAREEN, CHAIRMAN:- Through the above titled appeal
described in the heading, the jurisdiction of this Tribunal has been invoked by
the appellant with the prayer as copied below:-

"On acceptance of instant appeal impugned order dated
10.04.2018 passed by respondent No. 3 may kindly be declared
void ab-initio, unlawful and appellant be reinstated in service
alongwith all back benefits."

ATTESTED


Khyber Pakhtunkhwa
Service Tribunal
Peshawar

2. The factual account as given in the Memo of Appeal and deducible from copies of the supporting documents annexed therewith is precisely that the appellant was initially appointed as PHCT/LHV in BPS-12 on 20.07.2016 and was posted at BHU Teloos Allai. The appellant performed her duty with full devotion and liability upto the satisfaction of her high-ups and local inhabitants. On 21.03.2018 at 12.00 O'clock she applied for half duty leave due to illness of her son and after obtaining permission from incharge, appellant went to home. On the same day respondent No. 3 visited BHU Tailoos Allai and marked the appellant absent from duty. On 22.03.2018, respondent No. 3 issued transfer order of appellant from BHU Tailoos Allai to DHO office Battagram (i.e. office of respondent No. 3). On 26.03.2018 respondent No. 3 issued show cause notice to the appellant. The above said transfer order and show cause notice was received to the appellant on 02.04.2018. The appellant submitted reply to show cause notice on 04.04.2018. Finally the respondent No. 3 issued the impugned order dated 10.04.2018, whereby the appellant was removed from service. Feeling aggrieved, the appellant filed departmental appeal before respondent No. 4 but till date no order has been passed on the same, hence the present appeal on 19.07.2018.

3. The appeal was admitted for regular hearing on 05.07.2021. The respondents have submitted written reply/comments 30.08.2021, refuting the claim of the appellant with several factual and legal objections and asserted for dismissal of appeal.

4. We have heard the arguments and perused the record.

5. Learned counsel for the appellant argued that the job description of appellant was only treatment and look-after of the female, children and new born babies and such duties can be performed only in CD, RHC, BHU and DHQs

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[Handwritten signature]

[Handwritten signature]

etc. and could not be performed in the office of DHO (respondent No. 3). He further argued that no regular enquiry was conducted nor she has been afforded opportunity of hearing and cross-examination, which were mandatory under the law. All the proceedings conducted by respondent No. 3 is clear violation of Khyber Pakhtunkhwa Government Servants (E&D) Rules, 2011. That the impugned order dated 10.04.2018 is illegal, against the law & facts and requested that the appeal may be accepted as prayed for.

6. While rebutting the arguments of learned counsel for the appellant, learned Deputy District Attorney argued that during surprise visit of DHO Battagram the appellant was found absence on the relevant day and her performance was found unsatisfactory as per her job descriptions. He further argued that the transfer of the appellant was made to DHO office for the purpose of departmental proceedings against her. He requested that the appeal may be dismissed with costs.

7. The appellant is aggrieved from the order dated 10.04.2018 of her removal from service which as annexed with the appeal is available on file. The said order by its context reveals that the appellant was attached to the office of DHO Battagram i.e. respondent No. 3, was proceeded against under Government Servants (E&D) Rules, 2011 for the charges including absence from official duty on 21.03.2018 at 11.00 AM, not obeying transfer order dated 22.03.2018, alteration, wrong entry/tempering in attendance register, no entry in birth and family planning register since 08.02.2018 and of her usual sitting at Al-Syed Hospital Banna during official duty hours. The reference of the show cause notice dated 26.03.2018 proposing the major penalty has also been given in the impugned order. The copy of the show cause notice as annexed with the appeal is also available on record. The charges as enumerated herein before

with reference to the impugned order are there in the show cause notice besides another charge that she was previously terminated on her chronic absenteeism. The concluding parts of the show cause notice reveals that the competent authority on the said charge sheet directly issued show cause notice to the appellant directing her to explain her position and submit reply within seven days under Government Servants (E&D) Rules, 2011. There is no reason in show cause notice that why formal enquiry was dispensed with. Copy of the reply to the show cause notice purportedly given by the appellant is also annexed with the appeal. She explained with sufficient causes her absence referred in the show cause notice. She refused any cutting in the attendance register and termed the same as baseless allegation. She also gave plausible explanation of her previous termination reflected in the show cause notice and in proof of the allegation being wrong, she was reinstated by the Director General Health Services. Apart from the reply to the show cause notice, a copy of an application sent to the Provincial Ombudsman for legal action against Muhammad Khan Afridi DHO Battagram has also been annexed. She therein levelled certain allegations about harassment at the workplace and misuse of authority by the District Health Officer in relation to her for certain ulterior motives. According to copy of the departmental appeal against the impugned order, allegation of her harassment has also been reiterated therein and reference of the application made to the Provincial Ombudsman has also been given by its annexation with the departmental appeal. She categorically mentioned in the departmental appeal that she was subjected to disciplinary action and removal from service on account of undue exercise of authority by District Health Officer, Battagram.

8. In view of the overall defence revealed by the appellant against the show cause notice and by her other applications/appeal, there was a need of full

ATTESTED

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 [Stamp: District Health Officer, Battagram]

fledge enquiry and if it was not got conducted by the DHO because of direct allegation against him, the appellate authority was supposed to reinstate the appellant and remand the case for full-fledged enquiry by an impartial enquiry committee to be constituted by the appellate authority i.e. respondent No. 2. However, he also omitted to order any such enquiry and no reason has been advanced in reply of the respondents that why such enquiry was not got conducted. Mere denial of the facts and grounds of appeal by respondents is not sufficient in particular circumstances of the case. Rather it is deemed as evasive reply, when the respondents could not hold the impartial enquiry into the charges against the appellant and for rebuttal of her counter allegations. In the given circumstances, the disciplinary proceedings and consequent imposition of major penalty upon her by the impugned order is held as malicious and revengeful not conforming to the rules on the subject to disciplinary proceedings.

9. For what has gone above, the appeal is accepted as prayed for. The impugned order is set aside. The appellant is reinstated into service with all back benefits including the arrears of salary. Parties are left to bear their own costs. File be consigned to the record room.

ANNOUNCED
17.11.2021

Affeta
H

[Signature]
(ROZINA REHMAN)
MEMBER(J)
(Camp Court, A/Abad)

[Signature]
(AHMAD SULTAN TAREEN)
CHAIRMAN
(Camp Court, A/Abad)

Certified to be true copy

[Signature]
Service Tribunal,
Faisalabad

Date of Presentation of Application 07-04-22
Number of Words 2400
Copying Fee 26/-
Urgent 4/-
Total 30/-
Name of Copylist _____
Date of Completion of Copy 07-04-22
Date of Delivery of Copy 07-04-22

عنوان: درخواست برآمد بجالی سروس کی بجلی کو
میلہ نمبر 11/21 | 16 سروس ٹریبونل

صبا عالی

یہ کہ سائل کو قبا - ولد نے مورخہ 04/10/18 کو
کوٹری سے Removed کیا۔

یہ کہ مذکورہ حکم کے خلاف سائل نے اپیل
نمبر 916/18 فیڈ ٹکسٹو آف سروس اپیل
میں دائر کیا۔ تین دن ہے۔

یہ کہ مورخہ 11/21 | 16 کو عدالت P.K. 19
سروس ٹریبونل نے سائل کی اپیل بحال کیے ساتھ
مراعات و ٹکسٹو آف کے منظور کیا تین دن ہے۔

Attest
[Signature]

اس کے بعد سائل کو کوٹری میں بجالی
و لائناتی کا حکم دیا گیا ہے منجانبوں کے
صاحب کار کو زمائی جاوے۔

المستقرم 20/4/22

صحاہ مصطفیٰ بی بی ذبیہ عمر الذر (LHV) ضلع بگرام

وکالت نامہ

کورٹ فیس

BEFORE THE K.P.K. SERVICE TRIBUNAL PESHAWAR بعدالت

MST SAFIA BIBI بنام LDVT OF K.P.K. عنوان:

Petitioner منجانب:

Implementation Petition نوعیت مقدمہ:

باعث تحریر آنکہ

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

Hamid Khan & Fozdullah Khan

کو وکیل مقرر کر کے اقرار کرتا ہوں کہ صاحب موصوف کو مقدمہ کی کل کاروائی کا کامل اختیار ہوگا نیز وکیل

صاحب موصوف کو کرنے راضی نامہ و تقرر ثالث و فیصلہ برحلف دینے اقبال دعویٰ اور بصورت دیگر ڈگری

کرانے اجراء وصولی چیک روپیہ و عرضی دعویٰ کی تصدیق اور اس پر دستخط کرنے کا اختیار ہوگا اور بصورت

ضرورت مقدمہ مذکور کی کل یا کسی جزوی کاروائی کے لئے کسی اور وکیل یا مختار صاحب قانونی کو اپنے ہمراہ اپنی

بجائے تقرر کا اختیار بھی ہوگا اور صاحب مقرر شدہ کو بھی وہی اور ویسے ہی اختیارات ہوں گے اور اس کا

ساختہ پرداختہ مجھ کو منظور و قبول ہوگا۔ دوران مقدمہ جو خرچہ و ہر جانہ التوائے مقدمہ کے سبب ہوگا اس کے

مستحق وکیل صاحب ہوں گے۔ نیز بقایا رقم وصول کرنے کا بھی اختیار ہوگا۔ اگر کوئی پیشی مقام دورہ پر ہو یا

حد سے باہر ہو تو وکیل صاحب موصوف پابند ہوں گے کہ پیروی مقدمہ مذکورہ کریں اور اگر مختار مقرر کردہ میں

کوئی جز و بقایا ہو تو وکیل صاحب موصوف مقدمہ کی پیروی کے پابند نہ ہوں گے۔ نیز درخواست بمراد

استجارت نالاش بصیغہ مفلسی کے دائرہ کرنے اور اس کی پیروی کا بھی صاحب موصوف کو اختیار ہوگا۔

لہذا وکالت نامہ تحریر کیا تاکہ سند رہے۔

المرقوم: 10/5/22

بمقام: And

Acceptance

OFFICE OF THE DISTRICT HEALTH OFFICER

Battagram (Khyber Pakhtunkhwa)

Phone & Fax: # (0997) 310507

No. 2207-10

Date 5/06/2022

To:

The Director General
Health Services Khyber Pakhtunkhwa
Peshawar.

Subject:

**GUIDANCE IN JUDGMENT OF HONOURABLE SERVICE TRIBUNAL
IN RESPECT OF MST. SAFIA BIBI DATED 17-11-2021**

Madam:

Copy of Judgment, Reinstatement Application and Execution Petition, attached which are self-explanatory.

The above mentioned case has been declared fit for filing of CPLA by the Scrutiny committee of the Law Department and consequently CPLA has been filed in the Supreme Court of Pakistan Dated on 31-05-2022.

On 13-6-2022 during the hearing of Execution Petition, the Honourable Service Tribunal has directed the undersigned to either conditionally implement the Decision of the Honourable Service Tribunal Dated 17-11-2021 or produce a stay order from the Honourable Supreme Court of Pakistan (within 30 days i.e before next hearing on 18-7-2022).

The undersigned hereby humbly requests your good office for guidance in the above mentioned Execution Petition.

District Health Officer
Battagram

Copy to:

1. S.O Lit II Health Secretariat.
2. A.O.R Office Peshawar.
3. Lit Officer D.H.O Office Battagram.

District Health Officer
Battagram

O/C



**DIRECTORATE GENERAL HEALTH SERVICES
KHYBER PAKHTUNKHWA PESHAWAR**

*All communications should be addressed to the Director General Health Services
Peshawar and not to any official by name.
Office # 091-9210269 Fax # 091-9210230*

District Health Officer
Battagram
Disty No. 247
Date 27/06/22

No. 1865-67 (Lit) Dated: 28/6 /2022

MOST IMPORTANT COURT MATTER MOST IMMEDIATE

Secretary to Govt. of
Khyber Pakhtunkhwa Health Department,
Peshawar

Attention: Legal Officer / Deputy Secretary (Lit) Health Department

Subject: SERVICE APPEAL NO. 916/2018 - Ms. SAFIA BIBI w/o
MUHAMMAD ANWAR (EX-LIIV/PHC TECHNICIAN) IIII TELLOS
BATTAGRAM VERSUS GOVERNMENT OF KHYBER
PAKHTUNKHWA AND OTHERS

Please refer to the subject case & enclosed herewith please find copy of a self-explanatory letter No. 2207-10 dated 05/06/2022 alongwith Judgment dated 17/11/2021 received from District Health Officer Battagram for guidance.

Encl: (As Above)

Director (Litigation)
Directorate General Health Services,
Khyber Pakhtunkhwa, Peshawar.

C.C.to:

1. DHO Battagram w/r/t his above quoted letter.
2. Addl: Director General (HR) DGHS office Peshawar

Lit. Officer?

For info of further n/a of any n/a:

17/7/2022

1/11/22



OFFICE OF THE DISTRICT HEALTH OFFICER BATTAGRAM

PHONE & FAX: # 0997-310507

OFFICE ORDER:

As per directions of the competent authority and chairman DSC i.e Deputy Commissioner District Battagram vide letter No.3676-79 dated 29.06.2022. The following staffs are directed to perform duties in Health Facility mentioned against each names.

S.NO	NAME	DESIGNATION	HEALTH FACILITY NAME
1	Mr. Sajid rehman	M.T	BHU Pashto
2	Mr. Inam Ul Haq	M.T	BHU Pashto
3	Mst. Beena Zaman	LHV	BHU Pashto
4	Mr. Rashid Ahmad	M.T	BHU Kanai
5	Mst. Nadia Jabeen	LHV	BHU Kanai
6	Mr. Shahid Mehmood	CT Surgical	Type-D Hospital Banna Allai
7	Mr. Fida Muhammad	M.T	BHU Biari
8	Mr. Naimat Khan	M.T	BHU Rashang
9	Mr. Khayal Muhammad	M.T	BHU Roop Kani
10	Mst. Shabana Shareef	LHV	BHU Roop Kani
11	Mst. Robeena Khan	LHV	BHU Shingli payyen
12	Mr. Muhammad Shukat	Senior Clerk	Type-D Hospital Banna Allai

NOTE:

* One LHV is under transfer to Battagram and after her arrival, she will be placed at BHU Biari Tehsil Allai.

Sd/-----
District Health Officer
Battagram

No. 1050-34 dated 30/6 2022

CC to the:

- 1) Deputy Commissioner, Battagram
- 2) Incharge Health facilities above mentioned
- 3) Officials concerned for compliance
- 4) Office Copy


District Health Officer
Battagram



OFFICE OF THE DISTRICT HEALTH OFFICER

Battagram (Khyber Pakhtunkhwa)

Phone & Fax: # (0997) 310507

OFFICE ORDER

In compliance with the Judgment of Honourable Service Tribunal Camp Court Abbottabad in Service Appeal No.916/2018 (Mst: Safia Bibi Vs Government of Khyber Pakhtunkhwa) Dated 17.11.2021 and as per the directions of the Honourable Service Tribunal at Camp Court Abbottabad in E.P No.279/22 (Mst: Safia Bibi Vs Government of Khyber Pakhtunkhwa) Dated 18.07.2022, Mst: Safia Bibi PHCT (MCH) BPS-12, is hereby re-instated in service, subject to the final decision ~~of~~ CPLA, filed in the Honourable Supreme Court of Pakistan, Dated 3.06.2022, against the judgment of Honourable Service Tribunal Camp Court Abbottabad.

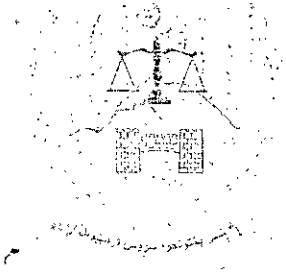
**District Health Officer
Battagram**

No 2267-75 / Lit Date 20/07/2022

Copy forwarded to the:-

- ✓ 1. Registrar, Khyber Pakhtunkhwa Service Tribunal, Peshawar for information
2. Director General Health Services Khyber Pakhtunkhwa Peshawar for information
3. PS to the Secretary Health Department Peshawar for information
4. PA to Deputy Secretary (Litigation) Health Department Peshawar for information
5. Litigation Officer office of the undersigned for information
6. District Accounts Officer Battagram for information
7. Account Section office of the undersigned for information
8. Official for information and compliance
9. Office copy

**District Health Officer
Battagram**



KHYBER PAKHTUNKHWA
SERVICE TRIBUNAL, PESHAWAR

No. 2361-62 /ST Dated 5/8 /2022

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

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


To:

1. Safia Bibi W/O Muhammad Anwar, (Ex- LIIV/PHCT) BHU Teloos, R/O Jabba Feroz, Tehsil and District Battagram.
2. District Health Officer, Battagram.

SUBJECT:- JUDGMENT IN EXECUTION PETITION NO. 279/2022, Mst. SAFIA BIBI VERSUS THE GOVERNMENT OF KHYBER PAKHTUNKHWA THROUGH SECRETARY HEALTH, PESHAWAR AND OTHERS.

I am directed to forward herewith a certified copy of order dated 20.07.2022, passed by this Tribunal in the above mentioned execution petition for compliance.

Encl. As above.


(AAMIR FAROOQ)
ASSISTANT REGISTRAR
KHYBER PAKHTUNKHWA
SERVICE TRIBUNAL,
PESHAWAR.