


26th July, 2022 : Petitioner alongwith his counsel present. Mr. Muhammad Adeel Butt, Addl: AG. alongwith Mr. Safiullah; Focal Person for respondents present.

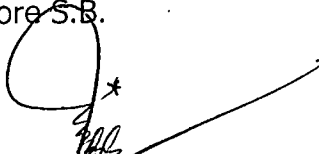
Representative of the respondents produced letter dated 25.07.2022 wherein working paper of the petitioner has been sent to the Secretary Establishment regarding his promotion and assured that he would submit implementation order on the next date. To come up for implementation report on 28.09.2022 before S.B.


(Kalim Arshad Khan)
Chairman

29.09.2022

Learned counsel for the petitioner present. Mr. Kabirullah Khattak, Additional Advocate General alongwith Mr. Safiullah Focal Person for the respondents present.

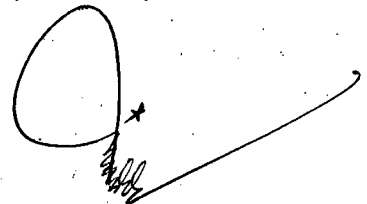
Representative of the department stated at the Bar that last chance may be granted to the department to implement the judgement of Service Tribunal dated 02.04.2021 in letter and spirit. Learned counsel for the petitioner did not object. The request is allowed. The department is under obligation to come up with implementation report on 13.10.2022 before S.B.


(Mian Muhammad)
Member (E)

18.05.2022

Learned counsel for the appellant present. Mr. Muhammad Adeel Butt, Addl. AG for the respondents present.

Learned AAG stated at the Bar that the respondent department is actively processing the case to implement Service Tribunal judgement, and he is in touch with the concerned department. He therefore requested for adjournment so as to enable the department to submit implementation report before the court. Request of learned AAG is acceded to. The case to come up for implementation report on 02.06.2022 before S.B.



(MIAN MUHAMMAD)
MEMBER (E)

2nd June, 2022

Petitioner in person present. Mr. Kabirullah Khattak, Addl. AG alongwith Mr. Muhammad Tufail, SO-II for respondents present.

Implementation report not submitted. Learned AAG states that the implementation report is in process and will be submitted on the next date. Respondents are directed to submit proper implementation report on the next date failing which coercive measure will be taken against them. To come up for implementation report on 26.07.2022 before S.B.



(Kalim Arshad Khan)
Chairman

12.01.2022

Petitioner alongwith his counsel present. Mr. Safiullah, Focal Person and Mr. Tufail, Section Officer alongwith Mr. Muhammad Adeel Butt, Additional Advocate General for the respondents present and sought time for submission of implementation report. Adjourned. To come up for implementation report on 28.02.2022 before S.B.



(Salah-Ud-Din)
- Member (J)

28.02.2022

Due to retirement of the Worthy Chairman, the Tribunal is defunct, therefore, case is adjourned to 17.05.2022 for the same as before.

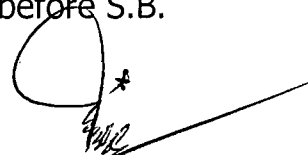


Reader

17.05.2022

Petitioner alongwith counsel present. Mr. Muhammad Adeel Butt, Addl. AG for the respondents present.

Learned AAG seeks time for submission of implementation report. To come up for implementation report on 18.05.2022 before S.B.

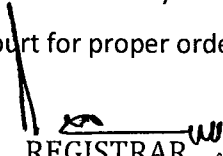

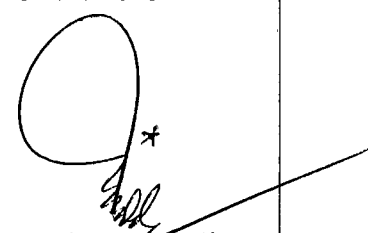


(Mian Muhammad)
Member (E)

Form- A
FORM OF ORDER SHEET

Court of _____

Execution Petition No. _____ 332 /2021

S.No.	Date of order proceedings	Order or other proceedings with signature of judge
1	2	3
1	12.11.2021	<p>The execution petition of Mr. Muhammad Jamil submitted today by Mr. Noor Muhammad Khattak 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-		<p>This execution petition be put up before S. Bench on <u>10/12/21</u>.</p> <p style="text-align: right;"> CHAIRMAN</p>
10.12.2021		<p>Learned counsel for the petitioner present. Notices be issued to the respondents for submission of implementation report on 04.01.2022 before the S.B.</p> <p style="text-align: right;"> (Mian Muhammad) Member (E)</p>



**GOVERNMENT OF KHYBER PAKHTUNKHWA
HEALTH DEPARTMENT**

No. SOH-VI/HD/Promotion/1-01/Muhammad Jamil/Ex-AD-DGHS)
Dated Peshawar the 25th July, 2022

To

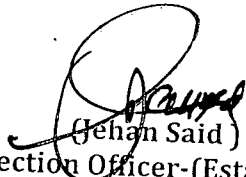
The Secretary to
Govt. of Khyber Pakhtunkhwa,
Establishment Department.

Attention : Section Officer (PSB)

SUBJECT: - **IMPLEMENTATION OF JUDGEMENT DATED 02.04.2021 OF KHYBER
PAKHTUNKHWA SERVICES TRIBUNAL IN SERVICE APPEAL NO.
504/18 TITLED MUHAMMD JAMIL VERSUS GOVERNMENT OF
KHYBER PAKHTUNKHWA HEALTH DEPARTMENT.**

I am directed to refer to the subject noted above and to forward copy of letter No. 2719/Personnel Dated 27/05/2022 alongwith with Note for Honorable Chief Secretary, Khyber Pakhtunkhwa duly signed by the Competent Authority and one set of Working Paper regarding promotion of Muhammd Jamil Ex Assistant Director (BPS-17) DGHS Office, Peshawar.

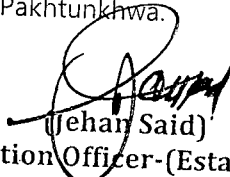
It is further requested that if and when the date is fixed then the remaining (07) sets of the working papers will be provided, which is for the time being delay on the part of DGHS, Khyber Pakhtunkhwa, Peshawar.


(Jehan Said)
Section Officer-(Estab-VI)

Endst: of even no & date.

Copy forwarded to the:-

1. Registrar Honorable Khyber Pakhtunkhwa Service Tribunal Peshawar.
2. Section Officer (Lit-II) Health Department, Khyber Pakhtunkhwa w/r letter quoted above.
3. PS to Secretary Health, Khyber Pakhtunkhwa.
4. PA to Deputy Secretary (Drugs) Health Department, Khyber Pakhtunkhwa.


(Jehan Said)
Section Officer-(Estab-VI)

BEFORE THE KHYBER PAKHTUNKHWA SERVICE TRIBUNAL,
PESHAWAR

EXECUTION PETITION NO. 332 /2021

IN

APPEAL NO: 504/2018

MUHAMMAD JAMIL

V/S

HEALTH DEPTT:

I N D E X

S.N	DOCUMENTS	ANNEXURE	PAGE
0			
1	Memo of implementation	1 - 3
2	Affidavit	4
3	Judgment dt: 02.04.2021	A	5-10
4	Wakalat Nama	11

Dated: 12.11.2021

APPELLANT

Through:

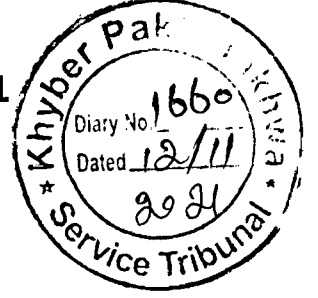
NOOR MOHAMMAD KHATTAK
ADVOCATE

FLATE NO. 04, 2ND FLOOR,
JUMA KHAN PLAZA, NEAR FATA SECRETARIAT,
WARSAK ROAD, PESHAWAR

0345-9383141

BEFORE THE KHYBER PAKHTUNKHWA SERVICE TRIBUNAL
PESHAWAR

Implementation Petition No. 332 /2021
In
Appeal No. 504/2018



Mr. Muhammad Jamil, Assistant Director (BPS-17) (Rtd),
O/O the Director General Health Services, Khyber Pakhtunkhwa.

.....**PETITIONER**

VERSUS

- 1- The Government of Khyber Pakhtunkhwa, through Chief Secretary Khyber Pakhtunkhwa Peshawar.
- 2- The Secretary Health Department Khyber Pakhtunkhwa Peshawar.
- 3- The Secretary Establishment Department, Khyber Pakhtunkhwa Peshawar.
- 4- The Secretary Finance Department, Khyber Pakhtunkhwa Peshawar.
- 5- The Director General Health Services Khyber Pakhtunkhwa Peshawar.

.....**RESPONDE NTS**

IMPLEMENTATION PETITION FOR DIRECTING THE
RESPONDENTS TO OBEY THE ORDER DATED 02-
04-2021 IN LETTER AND SPIRIT

R/SHEWETH:

- 1- That the petitioner filed service appeal bearing No. 504/2018 before this august Service Tribunal against the impugned Order dated 18-12-2016.
- 2- That the appeal of the petitioner was fixed before divisional bench of this Honourable Tribunal on 02-04-2021 and the divisional bench of this Honourable Tribunal very graciously partially allowed the Service appeal of the appellant vide its judgment dated 02-04-2021. The operative part is under "***With these remarks, the Board directed the Health Department to resubmit the case after doing necessary home work. From the above mentioned Item No. 19, it is crystal clear***

the above mentioned Item No. 19, it I crystal clear that it was for Secretary Health to redress all the issues/irregularities in the office of Director Health Services. As per record, his case was never resubmitted till the time of his retirement on 17th July, 2017. Item No.19 of Meeting of P.S.B held on 18-02-2016 was never communicated to the appellant wellreithin time which is evident from the record and nothing was produced by the respondents in order to show that the same was communicated before retirement of the appellant with the result that he filed departmental appeal on 27.12.2017 after getting the mentioned Minutes in shape of Item No.19 of the P.S.B . Appellant was punished for no fault of his own. He had n adverse entry in his A.C.R sending against his name at that period of time. Coming to the question of limitation, undoubtedly, Limitation Act is penal in nature and rights accrued cannot be taken away unless sufficient cause is shown. However, tech technicalities of law should not stand in the way of a person who has been singled out rather persecuted without knowing as to what crime or sin he has committed. We are also fortified in our view by the judgment of the Apex Court reported in P.L.D S.C 825 that in matters of promotion, pay and other emoluments cause of action is recurring, limitation does not foreclose he right. Resultantly we accept this appeal prayed for. Parties are left to bear their own costs. File be consigned to the record room. Copy of the judgment dated 02-04-2021 is attached as annexure.....A.

- 3- That after obtaining copy of the order dated 02-04-2021 the petitioner/appellant applied to the Department for its implementation but the respondent Department turned a deaf ear to the petitioner.
- 4- That since the passage of more than 07 months of time the department has not implemented or obeyed the judgment dated 02-04-2021 passed by this Honourable Tribunal.
- 5- That the petitioner has no any other remedy but to file this implementation petition.

It is therefore, most humbly prayed that the respondents may be directed to implement the judgment dated **02-04-2021** in letter and spirit.

Any other remedy which this august Tribunal deems fit that may also be awarded in favor of the petitioner.

Petitioner


MUHAMMAD JAMIL

Through:


Noor Mohammad Khattak
Advocate, High Court, Peshawar

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BEFORE THE KHYBER PAKHTUNKHWA SERVICE TRIBUNAL
PESHAWAR

EXECUTION PETITION NO. _____/2021

MUHAMMAD JAMIL

VS

HEALTH DEPTT:

AFFIDAVIT

Stated on oath that the contents of the accompanying **execution petition** are correct to best of my knowledge and belief and nothing has been concealed from this Honorable Service Tribunal.



DEPONENT

CERTIFICATE:

Certify that no earlier service appeal has been filed by the appellant in the instant matter before this Honorable Service Tribunal.

CERTIFICATION

ANNEX

A

5



**BEFORE THE KHYBER PAKHTUNKHWA SERVICE TRIBUNAL
PESHAWAR**

APPEAL NO. 504 /2018

Khyber Pakhtunkhwa
Service Tribunal

Diary 529

Date 11-4-2018

Mr. Muhammad Jamil, Assistant Director (BPS-17) (Rtd),
O/O the Director General Health Services Department,
Khyber Pakhtunkhwa, Peshawar**APPELLANT**

VERSUS

- 1- The Government of Khyber Pakhtunkhwa through Chief Secretary, Khyber Pakhtunkhwa, Peshawar.
- 2- The Secretary Health Department, Khyber Pakhtunkhwa, Peshawar.
- 3- The Secretary Establishment Department, Khyber Pakhtunkhwa, Peshawar.
- 4- The Secretary Finance Department, Khyber Pakhtunkhwa, Peshawar.
- 5- The Director General Health Services Department, Khyber Pakhtunkhwa, Peshawar

..... **RESPONDENTS**

APPEAL UNDER SECTION-4 OF THE KHYBER PAKHTUNKHWA SERVICE TRIBUNAL ACT 1974 AGAINST THE IMPUGNED ORDER DATED 18.2.2016 COMMUNICATED TO THE APPELLANT ON 22.12.2017 WHEREBY THE APPELLANT HAS BEEN IGNORED FROM PROMOTION TO THE POST OF DEPUTY DIRECTOR (MINISTERIAL) (BPS-18) AND AGAINST NO ACTION TAKEN ON THE DEPARTMENTAL APPEAL OF APPELLANT WITHIN THE STATUTORY PERIOD OF NINETY DAYS

PRAYER:

That on acceptance of this appeal the impugned order dated 18.2.2016 communicated to the appellant on 22.12.2017 may kindly be set aside and the appellant may kindly be consider for pro-forma promotion to the post of Deputy Director (Ministerial) BPS-18 w.e.f 01.07.2014 with all back/monitory benefits. Any other remedy which this august Tribunal deems fit that may also be awarded in favor of the appellant.

ATTESTED

[Signature]

EXAMINER
Khyber Pakhtunkhwa
Service Tribunal
Peshawar

R/SHEWL H:

ON FACTS:

Brief facts giving rise to the present appeal are as under:-

- 1- That appellant was the employee of the respondent Department and had served the respondent Department for almost forty two years

ATTESTED

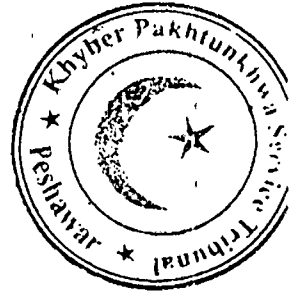
Filed to-day
11/4/18
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BEFORE THE KHYBER PAKHTUNKHWA SERVICE TRIBUNAL PESHAWAR

Service Appeal No. 504/2018

Date of Institution ... 11.04.2018
Date of Decision ... 02.04.2021



Mr. Muhammad Jamil, Assistant Director (BPS-17) (Rtd) Office of the Director General Health Services Department, Khyber Pakhtunkhwa, Peshawar.

... (Appellant)

VERSUS

The Government of Khyber Pakhtunkhwa through Chief Secretary, Khyber Pakhtunkhwa Peshawar and four others.

... (Respondents)

Noor Muhammad Khattak,
Advocate ... For appellant.

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

Rozina Rehman ... Member (J)
Atiq ur Rehman Wazir ... Member (E)

JUDGMENT

ROZINA REHMAN, MEMBER: Facts gleaned out from the memorandum of appeal are that appellant was an employee of respondents' Department who served for almost 42 years. He was promoted alongwith his two colleagues to the post of Assistant Director (Admin) (BPS-17) on seniority cum fitness basis vide order

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~~ATTESTED~~

ATTESTED
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EXAMINER
Khyber Pakhtunkhwa

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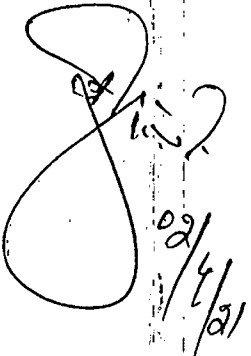
dated 28.06.2002. It was on 03.07.2014 when respondent No.4 approved S.N.E for creation of post of Deputy Director (Ministerial) (BPS-18) in the respondents' Department w.e.f 01.07.2014 and accordingly necessary amendments were made in the service rules by inserting/creating the post of Deputy Director (Ministerial) in the said rules. The appellant being senior most and on the top of seniority list rather sole candidate for promotion to the post of Deputy Director, was recommended for promotion through Working Papers for Provincial Selection Board. The respondents were requested time and again to expedite the case of appellant for promotion to the said post but the matter was delayed and finally he got retired on superannuation basis vide order dated 17.07.2017 without availing the benefit of promotion to the post of Deputy Director. After retirement, the impugned order was communicated, whereby, he was ignored from promotion without assigning any reason. He, therefore, preferred departmental appeal which was not responded to, hence, the instant service appeal.

2. Learned counsel for appellant contended that the impugned order dated 18.02.2016 is against law, facts and norms of natural justice. He submitted that the appellant was not treated in accordance with law and rules on the subject and as such, the respondents violated Article-4 & 25 of the Constitution of Islamic Republic of Pakistan, 1973. He submitted that treatment meted out to the appellant, is discriminatory in nature which act is against the dictum enshrined in Article-38 (e) of the Constitution of Islamic Republic of

ATTESTED


EXAMINER


ATTESTED


02/4/21

8

Pakistan, 1973. He, therefore, submitted that as per rules and regulation, the appellant is entitled for promotion to the post of Deputy Director (BPS-18) with all consequential benefits.

3. Conversely, learned D.D.A submitted that the promotion case of the appellant from Assistant Director (BPS-17) to Deputy Director (BPS-18) was taken up with the Establishment Department for placement before Provincial Selection Board which was returned to the Health Department by Establishment Department assigning reason as a lot of discrepancies were found in his case. He submitted that before the subject promotion case could be taken up with the Establishment Department again, the officer got retired from service, hence, he has no legal footing to claim promotion.

4. Record shows that the appellant was promoted to the post of Assistant Director (BPS-17) on regular basis vide order dated 28.06.2002 alongwith two others namely Saadul Mabood and Ghulam Hussain. The former is dead while the second one got retired from service. Record shows that S.N.E for creation of post of Deputy Director was approved and necessary amendments were made in the service rules. Admittedly, appellant was senior most and on the top of seniority list rather sole candidate for promotion to the post of Deputy Director. All these facts are not disputed. Working Paper for Provincial Selection Board is also available on file which clearly shows that vacancy was available and it was purely promotion post of Deputy Director (BPS-18) which was to be filled in by promotion on the basis of seniority cum fitness from amongst the Assistant Directors

ATTESTED

EXAMINER
Cyber Park
Service Tribunal

ATTESTED

(Administration) with five years service as such. Grading and quantitative form in respect of the present appellant for regular promotion to BPS-18 is also available on file which shows that he was an efficient, honest and hardworking officer. Final seniority list shows that he was the sole candidate on the seniority list of Assistant Directors. He had earned 88.80 Marks out of 100 as per Working Paper but he was not considered for promotion and in this regard, copy of Item No.19 is available on file which is in respect of promotion of the appellant from Assistant Director (BPS-17) to the post of Deputy Director (Ministerial) (BPS-18). The Board observed that:

"There were many issues/irregularities in the office of Director General Health Services which remained unattended since long and the Secretary Health was compelled to take over the record by himself for further necessary action if he is so efficient officer, then why he did not redress all these issues well in time."

With these remarks, the Board directed the Health Department to resubmit the case after doing necessary homework. From the above mentioned Item No.19, it is crystal clear that it was for Secretary Health to redress all the issues/irregularities in the office of Director General Health Services. As per record, his case was never resubmitted till the time of his retirement on 17th July, 2017. Item No.19 of Meeting of P.S.B held on 18.02.2016 was never communicated to the appellant well within time which is evident from

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SECRETARY
Services Administration

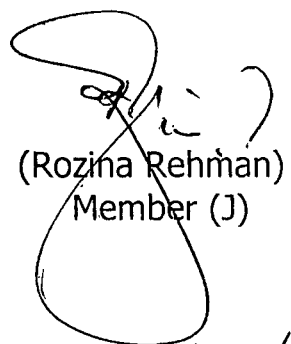
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the record and nothing was produced by the respondents in order to show that the same was communicated before retirement of the appellant with the result that he filed departmental appeal on 27.12.2017 after getting the mentioned Minutes in shape of Item No.19 of the P.S.B. Appellant was punished for no fault of his own. He had no adverse entry in his A.C.R standing against his name at that period of time. Coming to the question of limitation, undoubtedly, Limitation Act is penal in nature and rights accrued cannot be taken away unless sufficient cause is shown. However, technicalities of law should not stand in the way of a person who has been singled out rather persecuted without knowing as to what crime or sin he has committed. We are also fortified in our view by the judgment of the Apex Court reported in P.L.D 1992 S.C 825 that in matters of promotion, pay and other emoluments cause of action is recurring, limitation does not foreclose the right. Resultantly we accept this appeal as prayed for. Parties are left to bear their own costs. File be consigned to the record room.

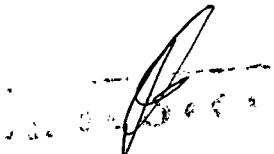
ANNOUNCED.
02.04.2021


(Atiq ur Rehman Wazir)
Member (E)


(Rozina Rehman)
Member (J)

Certified to be true copy
EXAMINER
Khyber Pakhtunkhwa
Service Tribunal,
Peshawar

Date of Presentation of Application 06/04/21
Number of Words 2400
Copying Fee 26.00
Urgent _____
Total 26.00
Name of Copyist _____
Date of Completion of Copy 19/5/21
Date of Delivery of Copy 19/5/21





VAKALATNAMA

BEFORE THE KHYBER PAKHTUNKHWA SERVICE TRIBUNAL
PESHAWAR

APPEAL NO _____ OF 2021

Muhammad Jamil (APPELLANT)
(PLAINTIFF)
(PETITIONER)

VERSUS

Health Deptt. (RESPONDENT)
(DEFENDANT)

I/We Muhammad Jamil

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

Dated. ____/____/2021





CLIENT MUHAMMAD JAMIL

ACCEPTED
NOOR MUHAMMAD KHATTAK


KAMRAN KHAN


SAID KHAN


UMAR FAROOQ MOHMAND
& 
HAIDER ALI
ADVOCATE

OFFICE:

Flat No.4, 2ND Floor,
Juma khan plaza near
FATA secretariat, warsak road
Peshawar City.
Mobile No.0345-9383141

"B"

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

No.

Appeal No. E.P. No. 332 of 20 21

Muhammad Jamil Appellant/Petitioner

Versus

Through chief Secy Pesh: Respondent 2

Respondent No.

Notice to: The Secretary Health Dept. KPK Peshawar.

WHEREAS an appeal/petition under the provision of the Khyber Pakhtunkhwa Province Service Tribunal Act, 1974, has been presented/registered for consideration, in the above case by the petitioner in this Court and notice has been ordered to issue. You are hereby informed that the said appeal/petition is fixed for hearing before the Tribunal *on.....4/1/2022.....at 8.00 A.M. If you wish to urge anything against the appellant/petitioner you are at liberty to do so on the date fixed, or any other day to which the case may be postponed either in person or by authorised representative or by any Advocate, duly supported by your power of Attorney. You are, therefore, required to file in this Court at least seven days before the date of hearing 4 copies of written statement alongwith any other documents upon which you rely. Please also take notice that in default of your appearance on the date fixed and in the manner aforementioned, the appeal/petition will be heard and decided in your absence.

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

Copy of appeal ^{E/P ✓} is attached. Copy of appeal has already been sent to you vide this

office Notice No.....dated.....

Given under my hand and the seal of this Court, at Peshawar this.....15/15.....

Day of.....Dec. 20 21.....

(Implementation Report)

Ref's
20/12/21

Registrar,
Khyber Pakhtunkhwa Service Tribunal,
Peshawar.

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

2.12

E.P. No 335

Muhammad Jamil

through chief Secy Secy.

The Secretary Health Dept. for
Peshawar.

11/1/505

E/P ✓

12/12

Doc 51

(Implementation Report)

~~M. J. G.~~

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“B”

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

S.B

No.

Appeal No. E/P No. 332 of 20 21
Muhammed Jamil Appellant/Petitioner
 Versus
through chief Secy Pesh Respondent
 Respondent No. 5

Notice to: The Director General Health Services
KPK Peshawar.

WHEREAS an appeal/petition under the provision of the Khyber Pakhtunkhwa Province Service Tribunal Act, 1974, has been presented/registered for consideration, in the above case by the petitioner in this Court and notice has been ordered to issue. You are hereby informed that the said appeal/petition is fixed for hearing before the Tribunal *on 4/1/2022 at 8.00 A.M. If you wish to urge anything against the appellant/petitioner you are at liberty to do so on the date fixed, or any other day to which the case may be postponed either in person or by authorised representative or by any Advocate, duly supported by your power of Attorney. You are, therefore, required to file in this Court at least seven days before the date of hearing 4 copies of written statement alongwith any other documents upon which you rely. Please also take notice that in default of your appearance on the date fixed and in the manner aforementioned, the appeal/petition will be heard and decided in your absence.

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

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

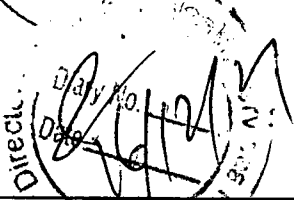
Given under my hand and the seal of this Court, at Peshawar this 15/1/2022

Day of Dec 21

(Implementation Report)

[Signature]
 Registrar

**Khyber Pakhtunkhwa Service Tribunal,
 Peshawar.**



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

“B”

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

No.

Appeal No. **E/P No. 332** of 2021.
Appellant/Petitioner **Muhammed Jamil**
Versus
Respondent **Through chief Secy Pesh.**
Respondent No. **3**
The Secretary Establishment Deptt.
Kp Peshawar.

Notice to: —

WHEREAS an appeal/petition under the provision of the Khyber Pakhtunkhwa Province Service Tribunal Act, 1974, has been presented/registered for consideration, in the above case by the petitioner in this Court and notice has been ordered to issue. You are hereby informed that the said appeal/petition is fixed for hearing before the Tribunal *on.....4/1/2022.....at 8.00 A.M. If you wish to urge anything against the appellant/petitioner you are at liberty to do so on the date fixed, or any other day to which the case may be postponed either in person or by authorised representative or by any Advocate, duly supported by your power of Attorney. You are, therefore, required to file in this Court at least seven days before the date of hearing 4 copies of written statement alongwith any other documents upon which you rely. Please also take notice that in default of your appearance on the date fixed and in the manner aforementioned, the appeal/petition will be heard and decided in your absence.

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

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

Given under my hand and the seal of this Court, at Peshawar this.....15/15.....

Day of.....Dec.....2021.

(Implementation Report)

[Signature]
 Registrar,
 Khyber Pakhtunkhwa Service Tribunal,
 Peshawar.
 Diary No. _____

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

"B"

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

No.

Appeal No. E.P. No 332 of 2021.

Muhammad Jamil Appellant/Petitioner

Versus

Through Chief Secy Pesh. Respondent

Respondent No. 1

Notice to: —

The Govt, of KP Through Chief Secretary
KPK Peshawar.

WHEREAS an appeal/petition under the provision of the Khyber Pakhtunkhwa Province Service Tribunal Act, 1974, has been presented/registered for consideration, in the above case by the petitioner in this Court and notice has been ordered to issue. You are hereby informed that the said appeal/petition is fixed for hearing before the Tribunal *on 4/11/2022 at 8.00 A.M. If you wish to urge anything against the appellant/petitioner you are at liberty to do so on the date fixed, or any other day to which the case may be postponed either in person or by authorised representative or by any Advocate, duly supported by your power of Attorney. You are, therefore, required to file in this Court at least seven days before the date of hearing 4 copies of written statement alongwith any other documents upon which you rely. Please also take notice that in default of your appearance on the date fixed and in the manner aforementioned, the appeal/petition will be heard and decided in your absence.

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

Given under my hand and the seal of this Court, at Peshawar this 15th

Day of Dec 2021 .

(Implementation Report)

M. D. O.
 Registrar,
 Khyber Pakhtunkhwa Service Tribunal,
 Peshawar.

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

"B"

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

No.

Appeal No. E/P No. 332 of 20 21

Muhammed Jamil Appellant/Petitioner

Versus

Through chief Secy Pesh, Respondent

Respondent No. 4

Notice to:

The Secretary Finance Deptt. KPK
Peshawar.

WHEREAS an appeal/petition under the provision of the Khyber Pakhtunkhwa Province Service Tribunal Act, 1974, has been presented/registered for consideration, in the above case by the petitioner in this Court and notice has been ordered to issue. You are hereby informed that the said appeal/petition is fixed for hearing before the Tribunal *on 4/1/2022 at 8.00 A.M. If you wish to urge anything against the appellant/petitioner you are at liberty to do so on the date fixed, or any other day to which the case may be postponed either in person or by authorised representative or by any Advocate, duly supported by your power of Attorney. You are, therefore, required to file in this Court at least seven days before the date of hearing 4 copies of written statement alongwith any other documents upon which you rely. Please also take notice that in default of your appearance on the date fixed and in the manner aforementioned, the appeal/petition will be heard and decided in your absence.

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

Copy of appeal ~~is attached~~ ^{E/P ✓} Copy of appeal has already been sent to you vide this

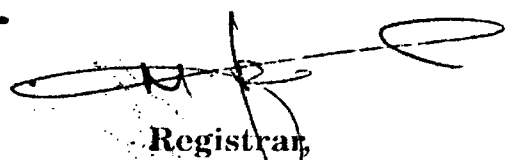
office Notice No.....dated.....

Given under my ~~hand and the seal of this~~ Court, at Peshawar this 15th

Day of.....Dec 21 20 21

(Implementation Report)

Secy. Finance KPK
Dated 17-12-21


Registrar,
Khyber Pakhtunkhwa Service Tribunal,
Peshawar.

Note: 1. The hours of attendance in the court are the same that of the High Court except Sunday and Gazetted Holidays.
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3rd Reminder

Court Matter

Most Immediate

Out Today by Special Messenger



**GOVERNMENT OF KHYBER PAKHTUNKHWA
HEALTH DEPARTMENT**

No. SOH-VI/HD/Promotion/1-01/Muhammad Jamil/Ex-AD-DGHS)
Dated Peshawar the 15th September, 2022

To

The Director General Health Services,
Khyber Pakhtunkhwa, Peshawar.

SUBJECT: - IMPLEMENTATION OF JUDGEMENT DATED 02.04.2021 OF KHYBER PAKHTUNKHWA SERVICES TRIBUNAL IN SERVICE APPEAL NO. 504/18 TITLED MUHAMMD JAMIL VERSUS GOVERNMENT OF KHYBER PAKHTUNKHWA HEALTH DEPARTMENT.

I am directed to refer to the subject noted above and to state that seven (7) sets of revised/updated working papers on the standard format in the subject case is hereby returned for the purpose of the original signature of Director General Health Services, which is compulsory in the instant case

The matter may be accorded TOP PRIORITY

Section Officer-(Estab-VI)

Endst: of even no & date.

Copy forwarded to the:-

1. Registrar Honorable Khyber Pakhtunkhwa Service Tribunal Peshawar.
2. Section Officer (Lit-II) Health Department, Khyber Pakhtunkhwa.
3. PS to Secretary Health, Khyber Pakhtunkhwa.
4. PA to Deputy Secretary (Drugs) Health Department, Khyber Pakhtunkhwa.

Section Officer-(Estab-VI)



**GOVERNMENT OF KHYBER PAKHTUNKHWA
HEALTH DEPARTMENT**

No. SOH-VI/HD/Promotion/1-01/Muhammad Jamil/Ex-AD-DGHS)
Dated Peshawar the 12th September, 2022

To

The Secretary to
Govt. of Khyber Pakhtunkhwa,
Establishment Department.

Attention:- Section Officer (PSB)

SUBJECT: - **IMPLEMENTATION OF JUDGEMENT DATED 02.04.2021 OF KHYBER PAKHTUNKHWA SERVICES TRIBUNAL IN SERVICE APPEAL NO. 504/18 TITLED MUHAMMD JAMIL VERSUS GOVERNMENT OF KHYBER PAKHTUNKHWA HEALTH DEPARTMENT.**

Dear Sir,

I am directed to refer to the subject noted above and to forward herewith a copy of letter No. 10363/Personnel Dated 30/08/2022 alongwith with copy of Service Appeal No. 504/2018 Muhammad Jamil Versus Govt of Khyber Pakhtunkhwa received from Director General Health Services, Khyber Pakhtunkhwa which is self explanatory in respect of Muhammd Jamil Ex Assistant Director (BPS-17) DGHS Office, Peshawar.

It is further requested that if and when the date is fixed then the remaining (07) sets of the working papers will be provided, for which the Director General Health Services, Khyber Pakhtunkhwa has requested to sign each set in original signature and will be submit to your good office for further necessary action.

Section Officer-(Estab-VI)

Endst: of even no & date.

Copy forwarded to the:-

1. Director General Health Services, Khyber Pakhtunkhwa, Peshawar.
2. Registrar Honorable Khyber Pakhtunkhwa Service Tribunal Peshawar.
3. Section Officer (Lit-II) Health Department, Khyber Pakhtunkhwa w/r letter quoted above.
4. PS to Secretary Health, Khyber Pakhtunkhwa.
5. PA to Deputy Secretary (Drugs) Health Department, Khyber Pakhtunkhwa.

Section Officer-(Estab-VI)