30<sup>th</sup> May, 2022

- 1. Counsel for the petitioner present. Mr. Kabirullah Khattak, Additional Advocate General alongwith Mr. Umer Hayat Khattak, District Accounts Officer, North Waziristan Miran Shah for respondents present.
- 2. Representative of the respondents submits that although by administrative order, the salaries of the petitioners were shown to have been released and on the basis of such an order, the appeals were disposed of yet the department has not filed source form of some of the petitioners. Therefore, respondent No.2 shall submit the source form of the petitioners according to their entitlement to respondent No.4 for preparation and release of the outstanding salaries and arrears if any within thirty days of this order.
- 3. Disposed of in the above terms. Consign.

tunkhwa

Peshawar

4. Pronounced in open court in Peshawar and given under my hand and seal of the Tribunal this 30<sup>th</sup> day of May,

*2022*.

(Kalim Arshad Khan) Chairman 02.02.2022

Junior to learned counsel for the petitioner present. Mr. Muhammad Adeel Butt, Add: AG for respondents present. Learned, arguments could not be heard due to learned Member (Executive) Mian Muhammad is on leave. To come up for further proceedings on 22.03.2022 before S.B.

Reader

23.03.2022

None for the petitioner present. Mr. Kab rullah Khattak, Addl: AG for the respondents present.

Notices be issued to the petitioner as well as his counsel. Notices be also issued to the respondents for submission of implementation report. To come up for implementation report on 30.05.2022 before **\$**.B.

(MIAN MUHAMMAD) MEMBER(E) 04.10.2021

Mr. Yasir Saleem, Advocate, for the petitioners present. Mr. Kabirullah Khattak, Additional Advocate General for the respondents present and again sought time for contacting with the District Accounts Officer North Waziristan to appear in person and to submit implementation report before the S.B on 03.11.2021.

(SALAH-UD-DIN) MEMBER (JUDICIAL)

O3.11.2021 None is present on behalf of the petitioner. Mr. Muhammad Adeel Butt, Addl. AG for the respondents present.

Notice be issued to the petitioner. To come up for further proceedings on 13.12.2021 before S.B.

Chairman

13.12.2021 Counsel for the appellant present. Mr. Kabirullah Khattak, Addl: AG for respondents present.

Learned AAG seeks time to contact the respondents for submission of implementation report. Adjourned. To come up for implementation report on 02.02.2022 before S.B

(MIAN MUHAMMĂD) MEMBER (E) 12.07.2021

Junior to counsel for the petitioner and Mr. Muhammad Riaz Khan Paindahel, Asstt. AG for the respondents present.

District Accounts Officer Tribal District North Waziristan District is not in attendance despite proper notice to him. Learned AAG is required to contact the District Accounts Officer, Tribal District North Waziristan to appear in person and submit implementation report on next date positively. Case to come up on 25.08.2021 before S.B.

Chairman

25.08.2021

Nemo for the petitioners. Mr. Muhammad Adeel Butt, Additional Advocate General for the respondents present.

Vide previous order sheet, directions were issued for personal appearance of District Accounts Officer North Waziristan alongwith implementation report, however he absent today. Learned Additional Advocate General shall contact District Accounts Officer North Waziristan to appear in person and submit implementation before the S.B on 04.10.2021. Notice for prosecution of the petition be also issued to the petitioner for the date fixed.

23-9-21

(SALAH-UD-DIN) MEMBER (J) 18.03.2021

Counsel for the petitioner and Addl: AG alongwith Mr. Faiz Muhammad, Assistant for respondent No. 1 and 2 present.

Representative of respondents No. 1 and 2 submitted written reply which is placed on file. Notice be issued to respondent No.4 (District Account Officer Tribal District North Waziristan) to appear in person alongwith the implementation report on the next date of hearing positively.

Adjourned to 26.05.2021 before S.B.

(Mian Muhammad) Member (E)

26.05.2021

Counsel for the petitioner and Mr. Kabirullah Khattak, Addl. AG for the respondents present.

On 18.03.2021 notice was required to be issued to respondent No. 4 (District Accounts Officer Tribal District North Waziristan) for appearance and submission of implementation report. The record shows that no notice has been issued to him. Office is one again required to issue notice to respondent No. 4 for personal appearance and submission of implementation report on next date positively. Adjourned to 12.07.2021 before S.B.

Chairman

FORM OF ORDER SHEET

·	•
Court of	
	,
Execution Petition No. /20	021
60 3	

	EXCEGE	on Petition No. /2021
S.No.	Date of order proceedings	Order or other proceedings with signature of judge or Magistrate
1	. 2	3
1	06.01.2021	The joint Execution Petition submitted by Mr. Farhat
·		Ullah and others through Mr. Yasir Saleem Advocate may be entered
2-		in the relevant Register and put up to the Count for proper order please.  REGISTRAR
_		This Execution Petition be put up before S. Bench
		on29/01/24 CHAIRMAN
9.01.		Mr. Yasir Saleem, Advocate, for petitioner is
	1	present. Notices be issued to the respondents for
		implementation report for 18.03.2021 before S.B.
		(MUHAMMAD JAMAL KHAN) MEMBER (JUDICIAL)
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	·	



### BEFORE THE KHYBER PAKHTUNKHWA SERVICE TRIBUNAL PESHAWAR

Execution No. <u>15</u> /202 <b>0</b>	
Parhalullah Parhalullah Parhalullah	
接触性に対する others	Applicants
VERSUS	-
Director Health Services & others	Respondents
APPLICATION FOR EARLY THE ABOVE TITLED EXECUTION	

### Respectfully Sheweth:

Date: 29.12.2020

- That the above titled case is being filed today in which no 1. date of hearing has been fixed yet
- That all the applicants are striving hard for the redressal of 2. their grievances from last so many years and they are performing their duties to the best of their abilities. Despite of all these they are not getting their salaries which has resulted in great financial loss and mental torture to the applicants.
- That keeping in view the above facts the captioned 3. implementation petition needs to be fixed at earliest.

It is therefore requested that the captioned petition may be fixed at earliest to serve the interest of justice.

Through

sir Saleem

Applicants

frohat allu

Advocate, High Court

Peshawar



# BEFORE THE KHYBER PAKHTUNKHWA SERVICE TRIBUNAL PESHAWAR

Execution No/2020	
Parhatuvah.  VERSUS	Applicants
Director Health Services & others	Respondents

### INDEX

S.No	Description of Documents	Annex	Pages
1.	Execution Petition with affidavit		1-4
2.	Copy of office order dated 01.02.2020	А	5-7
3.	Copies of order dated 26.11.2020 of all the applicants	R	8-19
4.	Copy of letter dated 07.12.2020		20
5.	Copy of letter dated 14.12.2020	D.	21
6.	Wakalatnama		22

Through

Date: 29.12.2020

Applicants.

Yaşir Saleem

Advocate, High Court

Peshawar.

### TRIBUNAL PESHAWAR

## Execution No. 15/2020

- 1. Farhatullah Service Appeal No. 1257.
- 2. Hashim Faraz Service Appeal No. 1264
- 3. Shahid Ullah Service Appeal No. 1252
- 4. Kaleemullah Service Appeal No. 1246
- 5. Zabi Ullah Service Appeal No. 1255
- 6. Zahid Noor Service Appeal No. 1240

.Applicants

### VERSUS

- 1. Director Health Services Tribal Peshawar
- 2. District Health Officer North Waziristan
- 3. Secretary Finance Peshawar.
- 4. District Account Officer Tribal District North Waziristan

.Respondents

APPLICATION FOR THE IMPLEMENTATION OF ORDER AND JUDGMENT DATED 26.11.2020 IN ALL ABOVE CONNECTED SERVICE APPEALS.



APPLICATION FOR THE IMPLEMENTATION OF ORDER AND JUDGMENT DATED 26.11.2020 IN ALL ABOVE CONNECTED SERVICE APPEALS.

### **Respectfully Sheweth:**

- 1. That above titled service appeals were pending adjudication before this Hon'ble Tribunal and was fixed for hearing on 26.11.2020.
- 2. That on the date fixed representative of the respondents appeared and produce copy of office order dated 01.02.2020 vide which directions were issued with regard to the payment of outstanding salaries of the applicants. (Copy of office order dated 01.02.2020 is uttached as annexure A).
- 3. That in the light of new development all the appeals were disposed of accordingly wide order dated 26.11.2020.

  (Copies of order dated 26.11.2020 of all the applicants is attached as annexure B).
- 4. That thereafter the applicants approached the respondents and requested for release of their outstanding salaries. In response to the request the department released only the salaries of Zahid Noor Service Appeal No. 1240 & Zabi Ullah Service Appeal No. 1255 and their outstanding salaries have not yet been issued. However the rest of

appellants / the present applicants are still struggling for release of their salaries and outstanding bills.

- 5. That it is pertinent to mention here that the pay bills of all the applicants are prepared but respondent No. 04 is creating hurdles in way of release of salaries. In this regard the Accountant General KP Peshawar also issued direction to the respondent No. 04 for release of salaries vide letter dated 07.12.2020 however he is not even honoring the order of this Hon'ble Tribunal nor letter dated 07.12.2020. (Copy of letter dated 07.12.2020 is attached as annexure C).
- 6. That respondent No. 02 also sent letter dated 14.12.2020 reminding him the letter of the Accountant General KPK dated 07.12.2020 with request to pass the pending arrear bills of all the applicants but he has refused. (Copy of letter dated 14.12.2020 is attached as annexure D).
- 7. That as per the order of this Hon'ble Tribunal dated 26.11.2020 respondents are bound to release the salaries as well as outstanding bills, however they have not yet implemented the same in the letter and spirit.

It is, therefore, most numbly prayed that on acceptance of this application, the order dated 26.11.2020 may please be implemented and respondent No. 04 may please be directed to pass and release the

monthly salaries as well as the arrears / outstanding pay bills.

Through

Date: 29.12.2020

Yasir Saleem

Advocate, High Court

Peshawar

Applican(s

### **AFFIDAVIT**

It is solemnly affirm and declare that the contents of the **application** are true and correct to the best of my knowledge and belief and nothing has been concealed from this Hon'ble Tribunal.

DEPONENT

## OFFICE OF THE DISTRICT HEALTH OFFICER NORTH WAZIRISTAN TRIBAL DISTRICTS

In pursuance to the directives/approval of Secretary Health Order No SHO-111/3-60/ UCE OFIDER: 2019 Dated: 02/12/2019, order No SOH-III/8-60/2019 dated: 31/12/2019 and DHS Maged Area Order No: 713-18/DHS/ADM/ Dated: 17/01/2019 and this office order 10: 14-33-37 dated: 23/04/2019. The outstanding suturies of the following in lifeting alle heroby recessed against any vacant post i.e Charge Nurse etc till the availability of their original  $eta_{\mathcal{SD}}$  from the date of stoppage on the basis of non-termination.

- 1. Mr. Fada ullah Malaria Supervisor against EPI Wechnician.
- 2. Mr. Nek zat uliah Malaria Supervisor against Pharmacy Teclmichan.
- a . Mst. Sufia LHV . t. Mr. Fawad khan Malaria Supervisor against Health Technician.
- S. Mr. Shahan zeb Malaria Supervisor against Dispenser.
- G. Mr. Sher zada Pharmacy Technician against EPI.
- Mr. Fatkh ulluh Malaria Supervisor against EPI Technician.
- 3. Mr. Salim ullah Lab: Technician against EPI,
- 4. Mr. Riaz noor Malaria Supervisor against LHV.
- 1 0. Mr. Haji Akhar Malaria Supervisor against Pharmacy Technician.
- t I Mr. Said Awer Jan Malaria Supervisor against LHV. 2: Muhammad Yousal Malaria Supervisor Against EPI Tech. HEALTH OFFICER NORTH WAZIRISTAN MIRAN SHAP.

1: No 622-24 /DRO/MWTD

PS to Secretary Health to his Order No: Quoted above. PA to DHS Merged Areas with reference to his Order No: Quoted above

The District Account Officer NWTD with the request to honour the bill without any further delay being Court maiter.

> D. STRICT HEALTH OFFICER NOT II WAZIRISTAN MIRANSHAH.

> > ypstide C/signed

Tribal District Climnshah





## OFFICE OF THE DISTRICT HEALTH OFFICER NORTH WAZIRISTAN TRIBAL DISTRICT.

NO	_/DHO/NWTD,	Dated	/	/2020.	

### FFICE ORDER:

In pursuance to the directives/approval of Secretary Health Order No SHO-III/8-60/2019 Dated: 02/12/2019, order No SOH-III/8-60/2019 dated: 31/12/2019 and DHS Merged Area Order No: 713-18/DHS/ADM/ Dated: 17/01/2019 and this office order NO: 1433-37 dated: 23/04/2019. The outstanding salaries of the following officials are hereby released against any vacant post i.e Charge Nurse etc. till the availability of their original Posts from the date of stoppage on the the basis of non-termination.

- 1. Mr. Zahid Noor Pharmacy Technician.
- 2. Mr. Zahid ullah Dental Technician.
- 3. Mr. Hashim Daraz Pharmacy Technician.
- 4. Mr. Shahid ullah Maleria Supervisor.
- 5. Mr. Kali mullah Maleria Supervisor.
- 6. Mr. Farhat ullah Maleria Supervisor.
- 7. Mr. Shahid ullah S/O Akbar din M/S.
- 8. Mr. Zabih ullah EPI Technician.

DISTRICT HEALTH OFFICER NORTH WAZIRISTAN MIRANSHAH.

Dated: 1 / 2 /2020

Endst: No 62522/DHO/NWTD Copy to the

1. PS to Secretary Health to his Order No: Quoted above.

2. PA to DHS Merged Areas with reference to his Order No: Quoted above

3. The District Account Officer NWTD with the request to honour the bill without any further delay being Court matter.

DISTRICT HEALTH OFFICER NORTH WAZIRISTAN MIRANSHAH.

Attested



## OFFICE OF THE DISTRICT HEALTH OFFICER NORTH WAZIRISTAN TRIBAL DISTRICT.

### **OFFICE ORDER:**

In pursuance to the directives/approval of Secretary Health Order No SHO-III/8-60/2019 Dated: 02/12/2019, order No SOH-III/8-60/2019 dated: 31/12/2019 and DHS Merged Area Order No: 713-18/DHS/ADM/ Dated: 17/01/2019 and this office order NO: 1433-37 dated: 23/04/2019. The outstanding salaries of the following officials are hereby released against any vacant post i.e Charge Nurse etc till the availability of their original posts from the date of stoppage on the basis of non-termination.

- Mr. Azim ullah Malaria supervisor against EPI Technician.
- 2. Mr. Hafiz ullah Malaria supervisor against LHV.
- 3. Mr. Naser ullah Malaria supervisor against Pharmacy Technician.
- 4. Mr. Zain u din Malaria supervisor against Pharmacy Technician.
- 5. Mr. Khair Muhammad Malaria supervisor against EFI Technician.
- 6. Mr. Asif ullah Malaria supervisor against LHV.
- 7. Mr. Arshad ullah Malaria supervisor against EPI. Technician.
- 8. Mr. Safir ullah Dispenser against LHV.
  - 9. Mr. Amir Afghan Malaria supervisor against EPI Technician.

DISTRICT HEARTH OFFICER NORTH WAZIRISTAN MIRANSHAH.

Dated: / / 1/2 /2020

Endst: No 6/9-21 /DHO/NWTD Copy to the

PS to Secretary Health to his Order No: Quoted above.

2. PA to DHS Merged Areas with reference to his Order No: Quoted above

3. The District Account Officer NWTD with the request to honour the bille without any further delay being Court matter.

DISTRICT HEALTH OFFICER NORTH WAZIRISTAN MIRANSHAH.

Alfred

Annex-B

## BEFORE THE KPK SERVICE TRIBUNAL PESHAWAR

APPEAL NO. 1/240 /2018

Winey Ho. 1483

(Appellant)

Kahid Noor. Malaria supervisor AHA Hospital

- 1. The Director Health \$ervice/Tribal District Peshawar.
- 2. The Agency Surgeon, Tribal district North Waziristan.
- The Secretary Finance, KPK, Peshawar.

(Respondents)

APPEAL UNDER SECTION 4 OF THE KPK SERVICE TRIBUNALS ACT, 1974 AGAINST THE ORDER DATED 03.10.2018 WHEREBY THE DEPARTMENTAL APPEAL OF THE APPELLANT FOR ADJUSTMENT AND GRANTING MONTHLY PAY WITH EFFECT FROM SEPTEMBER 2012 TILL DATE HAS BEEN REJECTED FOR NO GOOD GROUNDS.

### PRAYER:

THAT ON THE ACCEPTANCE OF THIS APPEAL, ORDER DATED 03.10.2018 MAY KINDLY BE SET ASIDE AND THE RESPONDENTS MAY BE DIRECTED TO ADJUST THE APPELLANT ON HIS POST AND RELEASE HIS SALARY WITH EFFECT FROM SEPTEMBER, 2012 THE DATE AND ONWARD BEING STILL IN SERVICE. ANY OTHER REMEDY WHICH THIS AUGUST TRIBUNAL DEEMS FIT AND APPROPRIATE THAT MAY ALSO BE AWARDED IN FAVOUR OF APPELLANT.

ATTESTED



Counsel for the appellant present. Addl Ad alongwit

Mr. Muhammad Faiz, Assistant for respondents present.

Learned counsel has produced copy of office ordered dated 01.02.2020 issued by DHO, North Wazirista Miranshah. By virtue of the order the outstanding salaries of the appellant is released against any vacant post. Copy of order is placed on record.

In view of the development, learned counsel for the appellant states that the appeal in hand has met its purpose.

Disposed of having become infructuous. File t consigned to the record room.

ANNOUNCED

26.11.2020/.

(Mian Muhammad) Member (E). Chairman

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BEFORE THE KPK SERVICE TRIBUNAL PESHAWAR

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APPEAL NO. 123 7 /2018

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North is SVERSUS.

(Appenant)

- 1. :The Director Health Service Tribal District Peshawar.
- 2. The Agency Surgeon, Tribal district North Waziristan.
- 3. The Secretary Finance, KPK, Peshawar.

(Respondents)

APPEAL UNDER SECTION 4 OF THE KPK SERVICE TRIBUNALS ACT, 1974 AGAINST THE ORDER DATED 03.10.2018 WHEREBY THE DEPARTMENTAL APPEAL OF THE APPELLANT FOR ADJUSTMENT AND GRANTING MONTHLY PAY WITH EFFECT FROM SEPTEMBER 2012 TILL DATE HAS BEEN REJECTED FOR NO GOOD GROUNDS.

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9/10/18-

ATTES WE

26.11.2020

Counsel for the appellant present. Addl: A alongwith

Mr. Muhammad Faiz, Assistant for respondents present

Learned counsel has produced copy of office order dated 01.02.2020 issued by DHO, North Waziristan Miranshah. By virtue of the order the outstanding salaries of the appellant is released against any vacant post. Copy of order is placed on record.

In view of the development, learned counsel for the appellant states that the appeal in hand has met its purpose.

Disposed of having become infructuous. File be consigned to the record room.

ANNOUNCED

26.11.2020/

(Mian Muhammad)

Member (E)

Chairman

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BEFORE THE KPK SERVICE TRIBUNAL PESHAWAR

APPEAL NO. 1246 12018

Khilister Philippetting

09/10/2

(Appellant)

Malaria superies AHD Hospital
NN Ageny VERSUS

- 1. The Director Health Service Tribal District Peshawar.
- 2. The Agency Surgeon, Tribal district North Waziristan.
- 3. The Secretary Finance, KPK, Peshawar.

(Respondents)

APPEAL UNDER SECTION 4 OF THE KPK SERVICE TRIBUNALS ACT, 1974 AGAINST THE ORDER DATED 03.10.2018 WHEREBY THE DEPARTMENTAL APPEAL OF THE APPELLANT FOR ADJUSTMENT AND GRANTING MONTHLY PAY WITH EFFECT FROM SEPTEMBER 2012 TILL DATE HAS BEEN REJECTED FOR NO GOOD GROUNDS.

### PRAYER:

7/10/12 9/10/12 THAT ON THE ACCEPTANCE OF THIS APPEAL, ORDER DATED 03.10.2018 MAY KENDLY BE SET ASIDE AND THE RESPONDENTS MAY BE DIRECTED TO ADJUST THE APPELLANT ON HIS POST AND RELEASE HIS SALARY WITH EFFECT FROM SEPTEMBER, 2012 TILL DATE AND ONWARD BEING STILL IN SERVICE. ANY OTHER REMEDY WHICH THIS AUGUST TRIBUNAL DEEMS FIT AND APPROPRIATE THAT MAY ALSO BE AWARDED IN FAVOUR OF APPELLANT.

ATTESTED

Knyour Pakhas awa

Counsel for the appellant present. Addl: AG alone with Mr. Muhammad Faiz, Assistant for respondents present.

Learned counsel has produced copy of office order of dated 01.02.2020 issued by DHO, North Waziristan Miranshah. By virtue of the order the outstanding salaries of the appellant of released against any vacant post. Copy of order is placed on record.

In view of the development, learned counsel for the appellant states that the appeal in hand has met its purpose.

Disposed of having become infructuous. File be consigned to the record room.

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26.11.2020/

(Mian Muhammad) Member (E)

Chairman

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BEFORE THE KPK SERVICE TRIBUNAL PESHAWAR

APPEAL NO 1255 /2018

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Melavia engerisson AHO. Hospital
New Agring
VERSUS

(Appellant)

- 1. The Director Health Service Tribal District Peshawar.
- 2. The Agency Surgeon, Tribal district North Waziristan
- 3. The Secretary Finance, KPK, Peshawar.

(Respondents)

APPEAL UNDER SECTION 4 OF THE KPK SERVICE TRIBUNALS ACT, 1974 AGAINST THE ORDER DATED 03.10.2018 WHEREBY THE DEPARTMENTAL APPEAL OF THE APPELLANT FOR ADJUSTMENT AND GRANTING MONTHLY PAY WITH EFFECT FROM SEPTEMBER 2012 TILL DATE HAS BEEN REJECTED FOR NO GOOD GROUNDS.

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ATTESTED

Knybor Pakingnianse Service Tribunal

L. france

Counsel for the appellant present. Addl: A calongwith

Mr. Muhammad Faiz, Assistant for respondents present

Learned counsel has produced copy of office order dated 01.02.2020 issued by DHO, North Waziristan Miranshah. By virtue of the order the outstanding salaries of the appellant is released against any vacant post. Copy of order is placed on record.

In view of the development, learned counsel for the appellant states that the appeal in hand has met its purpose.

Disposed of having become infructuous. File be consigned to the record room.

ANNOUNCED:

26.11.2020/

(Mian Muhaminad) Member (E) Chairman

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BEFORE THE KPK SERVICE TRIBUNAL PESHAWAR

APPEAL NO. 1264 /2018

Service Tribunal

Diary No. 1476

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NW. Byny VERSUS

(Appellant)

- 1. The Director Health Service Tribal District Peshawar.
- 2. The Agency Surgeon, Tribal district North Waziristan.
- 3. The Secretary Finance, KPK, Peshawar.

(Respondents)

APPEAL UNDER SECTION 4 OF THE KPK SERVICE TRIBUNALS ACT, 1974 AGAINST THE ORDER DATED 03.10.2018 WHEREBY THE DEPARTMENTAL APPEAL OF THE APPELLANT FOR ADJUSTMENT AND GRANTING MONTHLY PAY WITH EFFECT FROM SEPTEMBER 2012 TILL DATE HAS BEEN REJECTED FOR NO GOOD GROUNDS.

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ATTESTED

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9/10/12-

Counsel for the appellant present. Addl: AGaltnewill Mr. Muhammad Faiz, Assistant for respondents present.

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Disposed of having become infructuous. File (be consigned to the record room.

ANNOUNCED

26.11.2020

(Mian Muhanlimad) Member (E)

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BEFORE THE KPK SERVICE TRIBUNAL PESHAW

APPEAL NO. 1255 /2018

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Service Editional

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Malaria Superios JANO MODICO" (Appellant)

- 1. The Director Health Service Tribal District Peshawar.
- 2. The Agency Surgeon, Tribal district North Waziristan.
- 3. The Secretary Finance, KPK, Peshawa:..

(Respondents)

APPEAL UNDER SECTION " OF THE KPK SERVICE TRIBUNALS ACT, 1974 AGAINST THE ORDER DATED 03.10.2018 WHEREBY THE DEPARTMENTAL APPEAL OF THE APPELLANT FOR ADJUSTMENT AND GRANTING MONTHLY PAY WITH EFFECT FROM SEPTEMBER 2012 TILL DATE HAS BEEN REJECTED FOR NO GOOD GROUNDS.

### PRAYER:

9/10/19

THAT ON THE ACCEPTANCE OF THIS APPEAL, ORDER DATED 03.10.2018 MAY KINDLY BE SET ASIDE AND THE RESPONDENTS MAY BE DIRECTED TO ADJUST THE APPELLANT ON HIS POST AND RELEASE HIS SALARY. WITH EFFECT FROM SEPTEMBER, 2012 TILL DATE AND ONWARD BEING STILL IN SERVICE. ANY OTHER REMEDY WHICH THIS AUGUST TRIBUNAL DEEMS HIT AND APPROPRIATE THAT MAY ALSO BE AWARDED IN FAVOUR OF APPELLANT.

Khyber Paider aktiwa Service Trib ridly Desidawar

Counsel for the appellant present. Addl: AG aigng win Mr. Muhammad Faiz, Assistant for respondents present

Learned counsel has produced copy of office order dated 01.02.2020 issued by DHO, North Waziristan Miranshah. By virtue of the order the outstanding salaries of the appellant a released against any vacant post. Copy of order is placed on record.

In view of the development, learned counsel for the appellant states that the appeal in hand has met its purpose.

Disposed of having become infructuous. File be consigned to the record room.

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26.11.2020/

(Mian Muhammad) Member (E)

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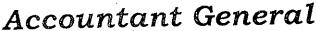
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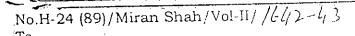
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Peshawar





Khyber Pakhtunkhwa Peshawar Phone: 091 9211250-53



Dated 7 .12.2020

District Account Officer, Miran Shah (North Waziristan).

Subject:

REINSTATMENT OF SALARIES.

The undersigned is directed to enclose a self explanatory complaint received from Mrs. Hanifa Bibi and Muhammad Younas & others on the subject cited above and to state that the issue in hand be checked and resolved immediately as per rules and in light of the Khyber Pakhtunkhwa Service Tribunal orders.

- 2. Moreover, you were asked vide this office letter No. H-24 (89)/Miran Shah/Vol-II/902 (copy enclosed) that cost center PR0049 pertains to Additional Accountant General Pakistan Revenue (Sub-Office) Peshawar used for Erstwhile FATA. Against the old cost center PR-8129 (allotted by the Government of Khyber Pakhtunkhwa Finance Department), through which 38 employees are drawing their salaries up to 30.11.2020, the same may also be elucidated accordingly please.
- 3. In this regard, report of the same may be submitted to this office for perusal of the competent authority.

ACCOUNTS OFFICER (HAD)

Copy of the above is forwarded to Hanifa Bibi LHV Mr.Muhammad Younas and others for information.

ACCOUNTS OFFICER (HAD)

Aidested

OFFICE OF THE DISTRICT HEALTH OFFICER NORTH WAZIRISTAN TRIBAL DISTRICT AT MIRANSHAH

Tel: (0928) 300788 FAX: (0928) 311662

Email:agencysurgeonnwa2018@gmail.com

-c4 / 12/2020.

The District Account Officer. **NWTD Miranshah** 

Subject:

REQUEST FOR PASSING OF PENDING ARREAR BILLS IN THE LIGHT OF

SERVICE TRIBUNAL DECISION.

R/Sir

I am directed to refer to the subject noted above and to state that the court has already been decided our cases and the bills have already been submitted in your office. The court pressing hard that the pending bills may kindly be passed/honored to avoid more litigation for the larger interest of justice, otherwise your offices is wholly soley for Responsible all consequences in this regard.

Beside this the AG Kpk Peshawar has also been issued a cleared order in the instant case on dated 07-12-2020 to your good office please

DISTRICT HEALTH QPFICER NORTH WAZIRISTAN TO MHANSHAH

6094-96 /DHO/NWTD dated the 15/12/2020

1. Honorable Registrar for information with reference to your order dated 26-11-2020

2. Director General Health services Kpk Peshawar

3. Account General Kpk Peshawar for information to your order dated 07-12-2020

DISTRICT HEALTH NORTH WAZIRISTAN TO MIRANSHAH

## POWER OF ATTORNEY

22

In the Court of IEP. Sexuice Tribunal Peshaw	αλ
Rigz Noor and others	For Plaintiff Appellant Petitioner
	Complainant
VERSUS	
Govt of ICP/e and other	Defendant
· ·	Respondent
· · · · · · · · · · · · · · · · · · ·	Accused
Appeal/Revision/Suit/Application/Petition/Case NoofFixed for	
I/We, the undersigned, do hereby nominate and appoint	,
ALL CALL CLAR DICE.	•
YASIR SALEEM, JAWAD UR REHMAN &	
PIRZADA MUHAMMAD TAYAB AMIN Advocates Peshav	
to appear, plead, act and answer in the above Court to which the business is transferred in the above matter and is agreed to petitions. An appeal, statements, accounts, exhibits. Compromises or other whatsoever, in connection with the said matter or any matter arising there fro apply for and receive all documents or copies of documents, depositions etc. for and issue summons and other writs or sub-poena and to apply for and garrest, attachment or other executions, warrants or order and to conduct at that may arise there out; and to apply for and receive payment of any or all st. for the above matter to arbitration, and to employee any other Legal authorizing him to exercise the power and authorizes hereby conferred on wherever he may think fit to do so, any other lawyer may be appointed by m to conduct the case who shall have the same powers.  AND to all acts legally necessary to manage and conduct the sa respects, whether herein specified or not, as may be proper and expedient.  AND I/we hereby agree to ratify and confirm all lawful acts done on under or by virtue of this power or of the usual practice in such matter.  PROVIDED always, that I/we undertake at time of calling of the Court/my authorized agent shall inform the Advocate and make him appearicase may be dismissed in default, if it be proceeded ex-parte the said counse held responsible for the same. All costs awarded in known shall be the right or his nominee, and if awarded against shall be payable by me/us	e Court or any o sign and file her documents om and also to apply get issued and my proceeding ums or submit I Practitioner the Advocate y said counsel id case in all my/our behalf e case by the n Court, if the el shall not be of the counsel
IN WITNESS whereof I/we have hereto signed at	
the day to the year Executant/Executant/s	· tree constant
Executant/Executan(s	<del></del>
secepted subject to the terms regarding rec	
new of cell w	· ·
JAWAD UR REHMAN YASTR SA	LEEM
Advocate High Court : YASIR SA  Advocate High Court : Advocate High Court	LEEM rt. Peshawar
JAWAD UR REHMAN Advocate High Court  M. Pay yab  Re  M. Pay yab	<b>LEEM</b> rt. Peshawar

ADVOCATES, LEGAL ADVISORS, SERVICE & LABOUR LAW CONSULTANT

## Annex=A





# OFFICE OF THE DISTRICT HEALTH OFFICER NORTH WAZIRISTAN TRIBAL DISTRICT.

NO	/DHO/NWTD,	Dated	 	<u> </u>

### FFICE ORDER:

In pursuance to the directives/approval of Secretary Health Order No SHO-III/8-60/2019 Dated: 02/12/2019, order No SOH-III/8-60/2019 dated: 31/12/2019 and DHS Merged Area Order No: 713-18/DHS/ADM/ Dated: 17/01/2019 and this office order NO: 1433-37 dated: 23/04/2019. The outstanding salaries of the following officials are hereby released against any vacant post i.e Charge Nurse etc. till the availability of their original posts from the date of stoppage on the basis of non-termination.

- 1. Mr. Fada ullah Malaria Supervisor against EPI Technician.
- 2. Mr. Nek zat ullah Malaria Supervisor against Pharmacy Technician.
- 3. Mst. Sufia LHV.
- 4. Mr. Fawad khan Malaria Supervisor against Health Technician.
- 5. Mr. Shahan zeb Malaria Supervisor against Dispenser.
- 6. Mr. Sher zada Pharmacy Technician against EPI.
- 7: Mr.Fatkh ullah Malaria Supervisor against EPI Technician.
- 8. Mr. Salim ullah Lab: Technician against EPI.
- 9. Mr. Riaz noor Malaria Supervisor against LHV.
- 10.Mr. Haji Akbar Malaria Supervisor against Pharmacy Technician.
- 11. Mr. Said Awer Jan Malaria Supervisor against LHV.

DISTRICT HEALTH OFFICER NORTH WAZIRISTAN MIRAN SHAH.

indst: No 622-24	_/DHO/NWTD	Dated:_	112	_/2020
Copy to the				

PS to Secretary Health to his Order No: Quoted above.

2. PA to DHS Merged Areas with reference to his Order No: Quoted above

3. The District Account Officer NWTD with the request to honour the bill without any further delay being Court matter.

D STRICT HEARTH OFFICER NOT TH WAZIRISTAN MIRANSHAH.

Aiferia

### KHYBER PAKHTUNKWA SERVICE TRIBUNAL, PESHAWAR

No. 577 /ST

Dated 25/03/2021

То

The District Accounts Officer Tribal, Government of Khyber Pakhtunkhwa, District North Waziristan.

SUBJECT: - ORDER IN EXECUTION PETITION NO. 15/2021, MR. FARHAT ULLAH & OTHERS.

I am directed to forward herewith a certified copy of order dated 18.03.2021 passed by this Tribunal on the above subject for strict compliance.

Encl: As above

REGISTRAR KHYBER PAKHTUNKHWA
SERVICE TRIBUNAL
PESHAWAR.

# BEFORE THE SERVICES TRIBUNAL KHYBER PAKHTUNKHWA, PESHAWAR

### .

Executive Petition No. 15/2020

Farhatullah and others ......Appellants

Versus

Govt. of Khyber Pakhtunkhwa Peshawar and others ....Respondents

S NO.	DETAIL	PAGE NO.	Description
• . 1	্লara wise Comments	1	
2	Adjustment order	2	А
3	Letters of respondent No. 2 (DHO NW) and Accountant General KPK	3-4	В

District Health Officer Miranateh Tribal Disti:

## BEFORE THE SERVICE TRIBUNAL KHYBER PAKHTUN KHWA PESHAWAR.

#### **APPEAL NO. 15/2020**

Farhatullah and others

.....Appellants

Versus

Govt. of Khyber Pakhtunkhwa Peshawar and others ....Respondents

Para wise comments on behalf of respondent No. 1 & 2

#### Respectfully Sheweth:

#### **Preliminary objections**

- 1. That the appellants have got no locus standi to file the instant appeal.
- 2. That the appellants have not come to this Honorable Court with clean hands.
- 3. That the appellants have got no cause of action to file the instant appeal.
- 4. That, the appellant is not an "AGGRIEVED" person within the meaning of Article 199 of the Constitution of Pakistan.

#### **ON FACTS:**

- 1. Correct.
- 2. Correct.
- 3. Correct.
- 4. The para relates to District Accounts Officer (Respondent No. 4), as Respondent No. 1 & 2 has already implemented the court order in letter and spirit. Copy of order is attached at Annex-A.
- 5. Correct to the extent of preparation of the out- standing salaries bills submitted to the Respondent No. 4, District Accounts Officer, District North Waziristan. Even that the Accountant General KP Peshawar has also issued direction to the Respondent No. 4 for release of salaries vide letter attached with the appeal.
- 6. Correct.
- 7. Correct as stated above.

As Respondent No. 1 & 2 have implemented the court orders in letter and spirit, therefore, it is requested to exempt the respondents No. 1 & 2 from further litigation, please.

District Health Officer,



## NORTH WAZIRISTAN TRIBÂL DISTRICT.

/DHO/NWTD,

### OFFICE ORDER:

In pursuance to the directives/approval of Secretary Health Order No SHO-III/8-60/2019 Dated: 02/12/2019, order No SOH-III/8-60/2019 dated: 31/12/2019 and DHS Merged Area Order No. 713-18/DHS/ADM/ Dated: 17/01/2019 and this office order NO: 1433-37 dated: 23/04/2019. The outstanding salaries of the following officials are hereby released against any vacant post i.e Charge Nurse etc. till the availability of their original posts from the date of stoppage on the basis of non-termination.

	, , , ,	
l. Mr. A	Azim ullah Malaria supervisor against EP	Technician. No. 1249
2. Mr. I	Haliz ullah Majaria supervisor agamst Pla	annacy Technician Me 12-42
4 5 8 5	7.3 die Malerie Silbervisof audiust i 🗥	THE COURT OF THE PERSON OF THE
	Zam a um Majaria saperrisar aga Khair Muhammad Malaria supervisor aga Asif ullah Malaria supervisor against LHV	V martin and the second
7. Mr. /	Arshad allah Malaria supervisor against E	PI, Technician
3. Mr. 3 9. Mr. 4	Amir Afghan Malaria supervisor against	N's, 1243 EPI Technician.
	•	DISTRICT UPARTH OFFICER
	•	NORTH WAZIRISTAN MIRANSHAH.
	620 n. IOUONIUTO	Dated: / /(1)2 /2020.

Copy to the

1. FS to Secretary Health to his Order No: Quoted above.

2. PA to DHS Merged Areas with reference to his Order No: Quoted abovq.

3. The District Account Officer NWTD with the request to honour the bill without any further delay being Court matter.

> DISTRICT HEALTH OFFICER HORTH WAZIRISTAN MIRANSHAD.



## OFFICE OF THE DISTRICT HEALTH OFFICER NORTH WAZIRISTAN TRIBAL DISTRICT.

NO :	TOHOWATTE.	Dated	1 (1920)
		A7 27 1 4 21	and the second s

#### FICE ORDER:

In pursuance to the directives/approval of Secretary Health Order No SHO-III/8-60 2019 Dated: 02/12/2019, order No SOH-III/8-60/2019 dated: 31/12/2019 and DHS IMETISED Area Order No: 713-18/DHS/ADM/ Dated: 17/01/2019 and this office order NO: 1/23-37 dated: 23/04/2019. The outstanding salaries of the following officials are hereby whased against any vacant post i.e Charge Murse etc. till the availability of their original Places from the date of stoppage on the the basis of non-termination.

	· ·		$\Delta P_{2}$	8 A 600
١.	Mr. Zahid Noor Pharmacy Technician.	 MATRICAN	1000	10000

2. Mr. Zahid ullah Dental Technician.

3. Mr. Hashim Faraz Pharmacy Technician. \_ 12.64

1. Mr. Shahid ullah Maloria Supervisor. - Ne. 12-52

5. Mr. Farhat ullah Maleria Supervisor.

7. Mr. Shahid ullah S/O Akbar din M/S.

DISTRICE HEARTH OFFICER NORTH WAZIRISKAN MIRANSHAU

st: No 625-12/DHO/NWTD

Dated: / / 2 /2020.

1. (PS to Secretary Health to his Order No: Quoted above.

2. PA to DHS Merged Areas with reference to his Order No: Quoted above

 The District Account Officer NWTD with the request to honour the bill without any further delay being Court matter.

> district hezzeth officer North wazeristan meranena.

### OFFICE OF THE DISTRICT HEALTH OFFICE NORTH WAZIRISTAN TRIBAL DISTILLAND

ΛΙΠΟΛΥΥΤΌ, NO

### HCE ORDER:

In pursuance to the directives/approval of Secretary Health Order No. SHO-11/8-60/ 2019 Dated: 02/12/2019, order No SOH-III/8-60/2019 dated: 31/12/2019 and DHS maged Arca Order No: 713-18/DHS/ADM/ Dated: 17/01/2019 and initiation of the order MO: 1433-37 dated: 23/04/2019. The outstanding submies of the following following are hereby vessed against any vacant post i.e Charge Nurse etc. till the availability of their original Post from the date of stoppage on the basis of non-termination.

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- 2. Mr. Nek zat ullah Malaria Supervisor against Pharmacy Technician.
- Mst. Suffa LHV.
- 4. Mr. Fawad khan Malaria Supervisor against Health Technician.
- Mr. Shahan zeb Malaria Supervisor against Dispenser.
- 6. Mr. Sher zada Pharmacy Technician against EPI.
- Mr.Fatkh ollah Majaria Supervisor against EPI Technician.
- Mr. Salim ullah Lab: Technician against EPL
- Mr. Riaz noor Malaria Supervisor against UHV,
- 1.0 Mr. Haji Akbar Malaria Supervisor against Pharmacy Technician.
- Mr. Said Awer Jan Malaria Supervisor against LHV.
- 12. Muhammad Yousaf Malaria Supervisor Against EPI Tech.
  DISTRICT HEALTH OFFICER

NORTH WAZIRISTAN MURAN SUAH.

UNO 622-24 /DHO/NWTD r to the

PS to Secretary Health to his Order No: Quoted above.

PA to DHS Merged Areas with reference to his Order No: Quoted above

The District Account Officer NWTD with the request to honour the bill without any further delay being Court matter.

> DIFTRICT FRACTIH OFFICER LYN MIKANSBA T NOTE HAVAZIRIS

Tribal Distret Mironshah

## OFFICE OF THE DISTRICT HEALTH OFFICER

NOMIN WAZEESTAR TREET, DISTRICT AT MERANSHAR Tel: (0928) 300788 FAX: (0928) 311662 Email:agencysurgeonnwa2018@gmail.com 6043

The District Account Officer North Waziristan Tribal District

žubject:

FUR PASSING OF PENDING ARREAR DELLS IN THE LIGHT OF SERVICE TRIBUMAL DECISION.

R/Sir

i am directed to refer to the subject noted above and to state that the court has already been decided our cases and the bills have already been submitted in your office. The court pressing hard that the pending bills may kindly be passed/honored to avoid more litigation for the larger interest of justice, otherwise your offices is wholly soley for all consequences in this regard.

Beside this the AG Kpk Peshawar has also been issued a cleared order in the instant case on dated 07-12-2020 to your good office please

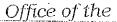
NORTH WAZINISTAN TO MIRANISHAH

1. Honorable Registrar for information with reference to your order dated 26-11-2020

2. Director General Health services Kpk Peshawar

3. Account General Kpk Peshawar for information to your order dated 07-12-2020

DISTRICT HEALTH O MORTH WAZIRIETANTO MANAMISHAH





## Accountant General

Khyber Pakhtunkhwa Peshawar Phone: 091 9211250-53

No.H-24 (89)/Miran Shah/Vol-II//642-43

Dated 7 .12.2020

District Account Officer, Miran Shah (North Waziristan).

Subject:

### REINSTATMENT OF SALARIES.

The undersigned is directed to enclose a self explanatory complaint received from Mrs. Hanifa Bibi and Muhammad Younas & others on the subject cited above and to state that the issue in hand be checked and resolved immediately as per rules and in light of the Khyber Pakhtunkhwa Service Tribunal orders.

- Moreover, you were asked vide this office letter No. H-24 (39)/Miran Shah/Vol-II/902 (copy enclosed) that cost center PR0049 pertains to Additional Accountant General Pakistan Revenue (Sub-Office) Peshawar used for Erstwhile FATA. Against the old cost center PR-8129 (allotted by the Government of Khyber Pakhtunkhwa Finance Department), through which 38 employees are drawing their salaries up to 30.11.2020, the same may also be elucidated accordingly please.
- In this regard, report of the same may be submitted to this office for perusal of the competent authority.

AGGOUNTS ORFICER (HAD)

Copy of the above is forwarded to Hanifa Bibi LHV Mr.Muhammad Younas and others for information.

ACCOUNTS OFFICER (HAD)

continuously approaching the respondents for the implementation of

#### KHYBER PAKHTUNKHWA SERVICE TRIBUNAL PESHAWAR

No. 934 /ST Dated 03 /06 / 2021

То

The District Accounts Officer, Government of Khyber Pakhtunkhwa, Tribal District North Waziristan.

SUBJECT: -

ORDER IN EXECUTION PETITION NO. 15/2020, MR. FARMAN ULLAH & 5 OTHERS.

I am directed to forward herewith a certified copy of order dated 26.05.2021 passed by this Tribunal on the above subject for strict compliance.

Encl: As above

REGISTRAR KHYBER PAKHTUNKHWA
SERVICE TRIBUNAL
PESHAWAR.