


21.09.2022

Junior to counsel for appellant present.

Kabir Ullah Khattak, learned Additional Advocate General alongwith Khushi Muhammad S.O for respondents present.

Reply on behalf of respondents is still awaited. Representative of respondents requested for time to submit reply/comments; granted. To come up for reply/comments on 17.11.2022 before S.B at Camp Court, Abbottabad.

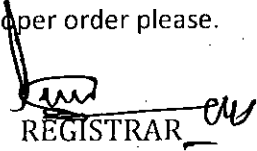



(Rozina Rehman)
Member (J)
Camp Court, A/Abad

Form- A

FORM OF ORDER SHEET

Court of _____

Case No.- 883/2022

S.No.	Date of order proceedings	Order or other proceedings with signature of judge
1	2	3
1-	07/06/2022	<p>The appeal of Mr. Mohsin Anees presented today by Mr. Muhammad Arshad Khan Tanoli Advocate may be entered in the Institution Register and put up to the Worthy Chairman for proper order please.</p> <p> REGISTRAR</p>
2-	14-7-22	<p>This case is entrusted to touring Single Bench at A.Abad for preliminary hearing to be put there on <u>20-7-22</u>. Notices be issued to appellant and his counsel for the date fixed.</p> <p> CHAIRMAN</p>
	20.07.2022	<p>Learned counsel for the appellant present. Preliminary arguments heard.</p> <p>Points raised need consideration, henc the appeal in hand is admitted to regular hearing subject to all legal and valid objections. The appellant is directed to deposit security and process fee within 10 days, where-after notices be issued to the respondents for submission of written reply/comments on 21.09.2022 before the S.B at Camp Court Abbottabad.</p> <p> (Salah-Ud-Din) Member (J) Camp Court Abbottabad</p>

MS 200
Appellant Deposited
Security & Process Fee
26/7

**KHYBER PAKHTUNKHWA SERVICE TRIBUNAL, PESHAWAR
CHECK LIST**

CASE TITLE:

V/S

S#	CONTENTS	YES	NO
1	This Appeal has been presented by: <i>Arshad Khan Talwar Adv</i>	✓	
2	Whether Counsel/Appellant/Respondent/Deponents have signed the requisite documents?	✓	
3	Whether appeal is within time?	✓	
4	Whether the enactment under which the appeal is filed mentioned?	✓	
5	Whether the enactment under which the appeal is filed is correct?	✓	
6	Whether affidavit is appended?	✓	
7	Whether affidavit is duly attested by competent Oath Commissioner?	✓	
8	Whether appeal/annexures are properly paged?	✓	
9	Whether certificate regarding filing any earlier appeal on the subject, furnished?	x	✓
10	Whether annexures are legible?	✓	
11	Whether annexures are attested?	✓	
12	Whether copies of annexures are readable/clear?	✓	
13	Whether copy of appeal is delivered to AG/DAG?	✓	
14	Whether Power of Attorney of the Counsel engaged is attested and signed by petitioner/appellant/respondents?	✓	
15	Whether numbers of referred cases given are correct?	✓	
16	Whether appeal contains cutting/overwriting?	x	✓
17	Whether list of books has been provided at the end of the appeal?	✓	
18	Whether case relate to this court?	✓	
19	Whether requisite number of spare copies attached?	✓	
20	Whether complete spare copy is filed in separate file cover?	✓	
21	Whether addresses of parties given are complete?	✓	
22	Whether index filed?	✓	
23	Whether index is correct?	✓	
24	Whether Security and Process Fee deposited? On		
25	Whether in view of Khyber Pakhtunkhwa Service Tribunal Rules 1974 Rule 11, notice along with copy of appeal and annexures has been sent to respondents? On		
26	Whether copies of comments/reply/rejoinder submitted? On		
27	Whether copies of comments/reply/rejoinder provided to opposite party? On		

It is certified that formalities/documentation as required in the above table have been fulfilled.

Name: *M. Arshad Khan Talwar Adv*

Signature: *[Handwritten Signature]*

Dated: *07/06/2022*

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

Service Appeal No. 883 /2022

Mohsin Anees son of warder central person Haripur.

...APPELLANT

VERSUS

Govt. of KP through Secretary Home and Tribunal Affairs to Peshawar & others.

...RESPONDENTS

SERVICE APPEAL

INDEX

S.#	Description	Page No.	Annexure
1.	Service appeal along with affidavit	1 to 10	
2.	Copy of appointment order of appellant	11	"A"
3.	Copy of Medical Documents of the father of the appellant	12-24	"B"
4.	Copy of show cause notice dated 17.05.2021	25	"C"
5.	Copy of impugned removal from service order dated 29/03/202	26	"D"
6.	Copy of departmental appeal	27-28	"E"
7.	Copy of impugned rejection letter dated 18.05.2022	29	"F"
8.	Wakalatnama	30	

...APPELLANT

Dated: 6/6 /2022

Through

(Muhammad Arshad Khan Tanoli)
Advocate Supreme Court of Pakistan

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

Service Appeal No. _____/2022

Mohsin Anees son of warder central person Haripur.

...APPELLANT

VERSUS

1. Govt. of KP through Secretary Home and Tribunal Affairs to Peshawar.
2. Inspector General of Prison Peshawar.
3. Assistant Director Inspectorate General of Prison KP Peshawar.
4. Superintendent Circle Head Quarter Prison Haripur.
5. Superintendent Sub Jail Dasu District Kohistan.

...RESPONDENTS

**SERVICE APPEAL UNDER SECTION 4 OF
KPK SERVICE TRIBUNAL ACT, 1974 FOR
DECLARATION TO THE EFFECT THAT THE
PETITIONER WAS SHOWN ABSENT BY
RESPONDENT NO.5 W.E.F 06.01.2021 TO
04.04.2021 (29 DAYS) VIDE SHOW CAUSE
NOTICE DATED 17-05-2021. THEREAFTER,
THE APPELLANT REMOVED FROM
SERVICE VIDE IMPUGNED REMOVAL
FROM SERVICE ORDER NO. 1758-62 DATED
29.03.2022 AND REJECTION ORDER DATED**

18.05.2022. THE REMOVAL FROM SERVICE ORDER OF THE APPELLANT IS ILLEGAL, WITHOUT FOLLOWING THE PRESCRIBED FORMALITIES WHICH IS SINE QUA NON FOR REMOVAL. HENCE, THE IMPUGNED ORDERS ARE LIABLE TO BE SET-ASIDE.

PRAYER:- ON ACCEPTANCE OF THE INSTANT SERVICE APPEAL, THE IMPUGNED REMOVAL FORM SERVICE ORDER DATED 29.03.2021 AND REJECTION ORDER DATED 18.05.2022 MAY GRACIOUSLY BE ORDERED TO BE SET ASIDE AND RESPONDENTS MAY FURTHER BE DIRECTED TO RE-INSTANT THE APPELLANT WITH ALL SERVICE BACK BENEFITS W.E.F FEB, 2022 ONWARDS. ANY OTHER RELIEF WHICH THIS HONOURABLE TRIBUNAL DEEM APPROPRIATE MAY ALSO BE GRANTED TO THE APPELLANT.

Respectfully Sheweth:-

That the facts forming the backgrounds of the instant service appeal are arrayed as under;-

1. That the appellant was appointed as warden in the prison department on 03.10.2019. Copy of appointment order of appellant is attached as Annexure "A".
2. That the appellant served in the Prison Department at Haripur and thereafter, the appellant was posted at Sub Jail, Dassu Kohistan. The appellant applied for leave due to acute heart cardiac ailment of his father. The appellant applied for leave and he was verbally told by competent authorities that the leave with effect from 06.03.2021 to 04.04.2021 has been sanctioned. Hence, the petitioner being only son of his parents, got treated his father as the father of the appellant is suffering from acute heart problems. Medical Documents of the father of the appellant is attached as Annexure "B".
3. That the appellant was issued show cause notice dated 13.05.2021. Wherein, the appellant was shown absent from

06.03.2021 to 04.04.2021. Copy of show cause notice dated 17.05.2021 is attached as Annexure "C".

4. That the appellant properly replied to the show cause notice but the reply of the show cause notice submitted by the appellant was not considered at appropriate level & and in a cursory manner, the appellant has been removed from service vide impugned order Endorse No. 1758-62 dated 29.03.2022. Copy of impugned removal from service order dated 29/03/202 is attached as Annexure "D".
5. That feeling aggrieved, the appellant file departmental appeal on 20.04.2022 against the impugned removal from service order dated 29.03.2022. Copy of departmental appeal is attached as Annexure "E".
6. That respondent No.3 without consulting the record, illegally shown the appellant absent & finally rejected departmental appeal of the

appellant vide order Endorsement No.15924-27 dated 18.05.2022. Impugned rejection letter dated 18.05.2022 is attached as Annexure "F".

7. Hence, the instant service appeal is filed inter-alia on the following grounds.

GROUND:-

- a) That impugned removal from service order dated 29/03/2022 and rejection letter dated 18.05.2022 against the appellant is illegal, discriminatory against the law & is a result of not following the prescribed requisite. Codal formalities which are sine qua non for removal from service. Therefore, the impugned orders are liable to be set-aside.
- b) That as per E & D rules 2011, the appellant has not been provided

statement of allegation as well as opportunity of personal hearing to the appellant to defend his case. The impugned order dated 29/03/2022 and 18/05/2022 have been issued in arbitrary manners. The principle of Audi Altrum Partum is applicable in the case of the appellant. Besides, no opportunity of personal hearing has been provided, no one can be condemned unheard.

c) That as per prescribed procedure proper inquiry under the rules is to be conducted so as to reach at the correct conclusion of the matter. Removal from service order & its rejection order are full of mistakes & based on surmises, conjectures, hypothesis & wins & wishes of the competent authorities.

d) That as mentioned above, the appellant is the only son of his parents

& the father of the appellant is suffering from fatal cardiac problems. Therefore, sometime the appellant was in need of leave to get his ailing father treated from the heart specialist/Surgon. Hence, the circumstances are sometimes are beyond the control of the appellant as a human being.

- e) That, court shall not fold up its hand while granting relief to the aggrieved appellant. It is further submitted that when law prescribe a thing which is to be done in a particular manner that must be done in that manner & not otherwise. Therefore, the modalities of major penalty have not been followed complied with by the respondents.

f) That the appellant belongs to a poor class of society & is a low paid employee and the awarded

punishment is pungent & severe imposed by the respondents for the mistakes which were not committed by the appellant.

g) That respondents' department has led the appellant to the place which is utterly unknown to the principal of jurisprudence, natural Justice, good governance & fair play.

h) That the matter relates to the terms & conditions of service. Therefore, the Honourable tribunal has Jurisdiction to entertain the present appeal of the appellant under article 212 of the Constitution.

i) That the appeal of the appellant is filed within a period of limitation.

It is therefore, humbly prayed that on acceptance of the instant service appeal the impugned removal form service order dated 29.03.2021 and rejection order dated 18.05.2022 may graciously be ordered to be set aside and respondents may further be directed to re-instant the appellant with all service back benefits w.e.f Feb, 2022 onwards. Any other relief which this Honourable tribunal deem appropriate may also be granted to the appellant.



...APPELLANT

Dated: 6/6 /2022

Through



(Muhammad Arshad Khan Tanoli)
Advocate Supreme Court of Pakistan

VERIFICATION:-

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



...APPELLANT

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

Service Appeal No. _____/2022

Mohsin Anees son of warder central person Haripur.

...APPELLANT

VERSUS

Govt. of KP through Secretary Home and Tribunal Affairs to Peshawar & others.

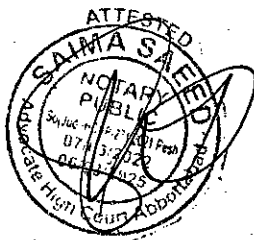
...RESPONDENTS

SERVICE APPEAL

AFFIDAVIT

I Mohsin Anees son of warder central person Haripur, do hereby solemnly affirm and declare that the contents of foregoing appeal are true and correct to the best of my knowledge and belief and nothing has been concealed therein from this Honourable Court.


DEPONENT



06/06/22

Annex- A

P-11

OFFER OF APPOINTMENT

Upon recommendation of the Departmental Selection Committee, Mr. Malik Mohsin Anees S/o Muhammad Anees is hereby appointed against the post of Warder (BPS-05) in the Khyber Pakhtunkhwa Prisons Department in Basic Pay Scale Rs. (10260-500-25290) plus other usual admissible allowances on the following terms and conditions:-

- 1- His appointment will take effect from the date of joining duty at his place of posting.
- 2- His appointment is purely temporary and his services are liable to be terminated at any time on 15 days' notice without assigning any reasons.
- 3- No TA/DA will be admissible to him for joining first appointment.
- 4- In case he wishes to resign at any time he will give one month notice OR in lieu thereof one month's pay will be forfeited from him subject to the discretion of the competent authority in public interest and will leave the service after acceptance of his resignation.
- 5- His appointment is subject to Medical fitness for Government Service.
- 6- He will be eligible for continuance on the post if his work and conduct remained satisfactory during the period of his this temporary appointment provided the vacancy against which he has been appointed continues.
- 7- He will be on probation for a period of one year extendable upto another year. During probation period his services will be terminated if his work and conduct is not found satisfactory OR the vacancy ceases to exist.
- 8- He will be liable to serve anywhere in the Prisons Department of Khyber Pakhtunkhwa.
- 9- For all other purposes such as Pay, T.A and Medical Attendance etc, he will be governed by such Rules as may be issued by the Government for the category of Government Servants of the Prisons Department to which he will belong.
- 10- He will be governed by the Khyber Pakhtunkhwa Government Servants (Conduct) Rules 1987, the Khyber Pakhtunkhwa Civil Servants (Appeal) Rules 1986, the Khyber Pakhtunkhwa Civil Servants Act, 1973, the Civil Servants (Appointment, Promotion and Transfer) Rules 1989, the Khyber Pakhtunkhwa (E&D) Rules, 2011 the Khyber Pakhtunkhwa Prison Department Service Rules and all other rules / regulations framed or to be framed by the Government from time to time.
- 11- His service will be liable to termination/ reversion at any stage if his Academic Certificates / Degrees (if any), CNIC, Domicile etc; are found fake, his services will be considered as terminated automatically and FIR will be lodged against him.
- 12- His salary will be released after making proper verification of his antecedents/ character roll, Domicile, and Academic Qualification Certificates / Degrees etc; from the quarter concerned by the jail of his first posting. Moreover, if any verification charges are involved on this account, the same will be paid by the appointee.
- 13- If he accepts the appointment on the above cited terms and conditions, he should report to the Superintendent Central Prison Haripur within 30 (Thirty) days of the receipt of this offer of appointment at his own expense. In case he fails to join duty within the same period, the offer of appointment will be treated as cancelled /withdrawn.

Sd/-
SUPERINTENDENT

HEADQUARTERS PRISON PESHAWAR

Endorsement No: 527-530

Copy of the above is forwarded to:-

- 1- Superintendent Circle Headquarters Prison Haripur.
- 2- **The Superintendent Central Prison Haripur for information. On arrival of the above named official an undertaking should be taken on judicial stamp paper from him to the effect that he has accepted all terms and conditions contained in the offer of his appointment and submitted to this office for record. The condition No. 12 may be fulfilled before releasing his salary within shortest possible time.**
- 3- The District Account Officer Haripur for information & further necessary action.
- 4- Mr. Malik Mohsin Anees S/o Muhammad Anees R/o Khola Kehal Abbottabad for information and necessary action.

Attested

Musawer

Musawer
SUPERINTENDENT
HEADQUARTERS PRISON PESHAWAR
E-mail: hqprisonpeshawar@gmail.com

<Musawer>

Annex- B



AYUB TEACHING HOSPITAL, ABBOTTABAD Accident & Emergency Service Department

Patient Book No. 4263

Address

Age Sex No. 25 P-12

Father Husband: HAJI SAMDUR

Patient ID:

Patient Name: 22-MAR-21 11:48:32

Invoice #: KD4210557576

Patient Age:

Receipt #: KD4210215452

Patient Sex:

Patient Date & Time:

Patient Mode:

OPD:

Address:

IDP Status:

Amount:

Co. Fever: 3-4 days
Cough

B.P. 120/60
Temp 98.2

R.NO: 8

Isolation ward

CLC

Fever 73 days
Dry cough

DM / HTN

SpO₂ ⇒ 83%

- Adv₂
- CBC
- S. LDH
- S. Ferritin
- CRP
- A-dimers
- S. electrolyte

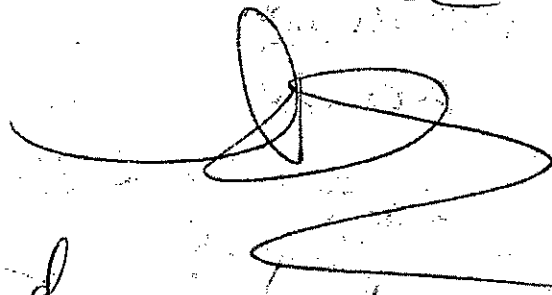
Admitted

Dr. Arif Hamid

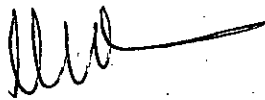
Office
Diary

K-13

- Taj Deedon ^{by} _{by x 03}
- Taj Momen ^{by} _{by}
- Taj Azim ^{by} _{by}
- Taj Akbar ^{by} _{by x 03}
- Taj ~~of~~ Nisari ^{by} _{by}
- Nandover



Attested



Dist. Bar...

Wahid, M.D.

A. T. H, Abbottabad.

CARDIOLOGY UNIT P. 14

Patient's Name - Mohammad Anees

Age/Sex - 38 years / Male

Address - Khola Kehal

D/O/A - 26/07/06

D/O/D - 28/07/06

Add. No. - 195/195

Diagnosis - CAD

Unstable Angina

Attested

[Signature]

Date

Investigations -

Sugar (R) = 7.0 mmol/L

Urea = 5.5 mmol/L

Creatinine = 86 μ mol/L

GOT = 26 U/L

CPK = 81 U/L

CK-MB = 16.1 U/L

Rx at Hospital -

Tab. Cloprin

~~Tab. Lipotrim~~

~~Tab. Elantan~~

گھر کیلئے علاج

Tab. Loprin 75 mg

P-15

ایک گولی روزانہ صبح (ناشے کے بعد) جاری

✓ Tab. Concor 2.5 mg

ایک گولی روزانہ (ناشے کے بعد) جاری

Tab. Revive 75 mg

ایک گولی روزانہ (ناشے کے بعد) جاری

✓ Tab. Dipotrim 20 mg

ایک گولی روزانہ رات کو (جاری)

✓ Cap. Elantan long 50 mg

ایک گولی روزانہ صبح (ناشے کے بعد) جاری

Tab. Angised 0.5 mg

تکلیف کی صورت میں 2 گولی سے 1 گولی

رہیں


Attested

Office No. _____
Dist. _____

AD

Handwritten notes and signatures at the bottom of the page.

P-16

Dept. of Cardiology Ayub Teaching Hospital

 ABBOTTABAD

ECHOCARDIOGRAPHY REPORT

Name M. Ahmad Anwar
 Age 42y

Sex _____
 Date 11/08/08

M. Mode & 2-D Measurements	Observed (cm.)	ADULT Normal Ref:	Normal Range According to Weight (lbs) Pediatrics				
			0-25	26-50	51-75	76-100	101-200
1. Left Ventricular Diameter (end Diastole)	3.6	5.7	3.2	3.8	4.5	4.7	4.9
2. Left Ventricular Diameter (end Systole)	2.5	4.0					
3. Right Ventricular Diameter	2.7	2.6	1.5	1.5	2.0	2.0	2.2
4. Interventricular septal thickness (d)	2.3	1.1	0.6	0.7	0.8	0.8	0.8
5. Left Ventricular posterior wall thickness (d)	1.3	1.1	0.6	0.7	0.8	0.8	0.8
6. Aortic root dimension	3.5	3.7	1.7	2.2	2.3	2.3	3.0
7. Left Atrial Dimension	3.5	4.0	2.3	2.7	2.8	2.8	2.8
8. LV fractional Shortening (34-44%)			9. LV Ejection Fraction <u>68 %</u> 50%				
1. Mitral Valve Area (Cm ²)	2. VSD Size (Cm):		3. ASD Size (Cm):				
4. A V Annulus	5. PV Annulus		6. PDA:				

DOPPLER	GRADIENT (mm Hg)		REGURGITATION	HAEMODYNAMICS (mm Hg)
	Peak	Mean		
Mitral Valve				LV Sys. Pressure:
Tricuspid Valve				Rv Sys. Pressure
Aortic Valve				Pulmonary Artery Pressure
Pulmonary Valve				Mitral Valve Area:
V.S.D				

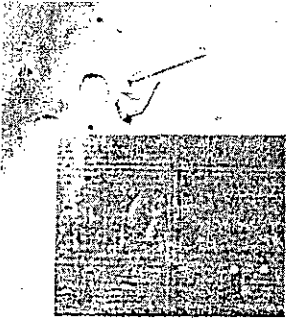
COMMENT ON M-MODE & -2D:

Chamber size normal & good LV systolic function. no regional wall abnormality. Septal thickness highly increased. No Pericardial effusion. no LA/LV dilatation.

DOPPLER STUDY:

Abdullah

[Signature]



INTERVENTIONAL
CARDIOLOGY

DR ABID ALI KHAN MBBS (Pesh) MRCP [UK]

John F Kennedy Fellowship in Cardiology [UK]
Preceptorship in Rotational Atherectomy [FRANCE]

Assistant Professor of Cardiovascular Medicine
Consultant Interventional Cardiologist
Department of Cardiovascular Medicine
Ayub Medical College and Hospital
Abbottabad - Pakistan

P-17

MUHAMMAD AHMED

I held evening clinic
Abdusattar HCM

B.P. 160/100-9.

Remains well.

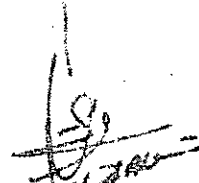
10 Feb. 2012
100/100-9

10 Feb. 2012
100/100-9

10 Feb. 2012
100/100-9 / LIPIDET.

Allesed

Wen


21/5/12

Formerly, Consultant Interventional Cardiologist, Western Infirmary, University of Glasgow UK.
Membership of the Royal Colleges of Physicians of London, Edinburgh and Glasgow.
Outpatient clinic: Tuesday, Private clinic: Monday to Friday Winter: 1600 to 1900. Summer: 1700 to 2000
Aniography, Angioplasty and Pacemakers by prior consultation and subject to waiting lists.
Phone Clinic: 0092-383059

DR ABID ALI KHAN MBBS (Pesh) MRCP [UK]

John F Kennedy Fellowship in Cardiology [UK]
Preceptorship in Rotational Atherectomy [FRANCE]

Assistant Professor of Cardiovascular Medicine
Consultant Interventional Cardiologist
Department of Cardiovascular Medicine
Ayub Medical College and Hospital
Abbottabad - Pakistan

INTERVENTIONAL
CARDIOLOGY

P-18

MURMURATED ANGES

2 Mild Corony disease
Nonobstructive HCM

Sequestration of 1st septal artery

BP. 130/80/50 ECG → no new acute change

1) Feb. LOPRIN 75g
- 10/10

2) Feb. CONCOR 5mg
- 10/10

3) Feb. CALIPTRAL 10g
- 10/10

4) Feb. INHIBIDOL 30g
- 10/10

5) Feb. CALIPTRAL 10g
- 10/10

Registrar
Department of Cardiology
Ayub Medical Hospital,
Abbottabad

Attached

[Signature]

Abid complete out for
one week.

[Signature]

14/10/08
DR. ABID ALI KHAN
MBBS (Pesh) MRCP (UK)
Assistant Professor Cardiology
Ayub Teaching Hospital Abbottabad

Formerly, Consultant Interventional Cardiologist, Western Infirmary, University of Glasgow, UK
Membership of the Royal Colleges of Physicians of London, Edinburgh and Glasgow
Outpatient clinic: Tuesday, Private clinic: Monday to Friday Winter: 1600 to 1900. Summer: 1700 to 2000
Aniography, Angioplasty and Pacemakers by prior consultation and subject to waiting lists
Phone Clinic: 0992-383059

PENAZIR BH. J. TO SHIHEED TEACHING HOSPITAL ABBOTTABAD

EMERGENCY DEPARTMENT

OPD No. _____

Serial No. _____

Name: Qasab

Date: 8/10

Temp: _____

BP: _____

ECG: Yes No

IV Line: Yes No

ASD: Yes No

Any Procedure: _____

Examination: Yes No

Advise: _____

1037

O/p fever (2 days)

o/c z

Congestive Heart

A A Reviewer

Bb - Azonax

205) (1-17)

Bb - Pur (14)

Red to Red
Bed joint
for 2 days

Time of Examination: _____

Refer To: _____

Name of Doctor: _____

Reason for Referral: _____

Signature: _____

[Signature]

Specialist Pathology Laboratory
Tel: 0992-415535
0992-381042

Name:	MOHSIN	Age:	33
OPD:	OPD	Specimen:	Urine
Ref No:	53	Date:	21 October 2021

TESTS	RESULT	REFERENCE
ALT (SGPT)	26 U/L	Male 15-40 Female 10-34

HUMANITARIAN SERVICES

Allesla
Uic



Dr. M. Akif Rauf

MBBS (KMC) Chest Medicine
PMO / Registrar Chest Unit
King Abdullah Teaching Hospital
Ex. Registrar Pulmonology Department
Ayub Medical Teaching Institute Abbottabad
Contact #: 0334-8967172



Clinical Record

Name: M. Akif Rauf Age: 35 Sex: M Date: 17/08/21

Rx

9/8 Fever
C. body
Chest

9/8 Temp 101.0 F
Throat

9/8 BP 90/60
Chest

Attended

Ullah

Adx
Levofloxacin
+
Pain for COM-18

Adx
Dexamethasone
+
Levofloxacin

- Q1 Tab Moxifloxacin
- Q2 Tab Paracetamol
- Q3 Tab Dexamethasone
- Q4 Tab Moxifloxacin

Adx complete bed rest
for 03 days

DR. M. AKIF RAUF
Principal Medical Officer (PMO)
BPS-19
Chest Medicine Unit
King Abdullah Teaching Hospital, Abbottabad

(Signature)

P-23

(2)



COVID ISOLATION WARD
BBS/DHQ TEACHING HOSPITAL ABBOTTABAD

Discharge Slip

Name: M. Anes Age/Sex: 50yrs/M Adm No: 62/32
Date of Admission: 25/3/21 Date of Discharge: 31/3/21
Diagnosis: Covid Pneumonia, HEM, DM

Treatment at Hospital:

- Tab Rivonaban 15mg Inj tango 4.5g-
Tab busbar - 2 Tab co-epiday 50/125
Tab cal-1000 Mecolator sachet
Inj ampicazole Cap Endrop - D
Syp tres oim forte Tab moxest 400mg
Inj lasin 20mg Tab Prednisolone 5mg
Cap Nexum 40mg

Treatment for Home:

Tab Rivonaban 15mg 1 گولی روزانہ
Tab busbar - 2 1 گولی روزانہ
Tab Cal-1000 1 گولی روزانہ
Syp tres oim forte 1 گولی روزانہ (2+2+2)
Tab co-epiday 50/125 1 گولی روزانہ
Mecolator sachet 1 گولی روزانہ
Tab Moxest 400mg 1 گولی روزانہ (2+2)
Tab Prednisolone 5mg 1 گولی روزانہ (2+2) 1 گولی روزانہ (3+3)
Cap Nexum 40mg 1 گولی روزانہ
Tab lasin 20mg 1 گولی روزانہ
Tab gethyl 2mg 1 گولی روزانہ
Tab lipigel 10mg 1 گولی روزانہ

ڈاکٹر مائیکل جیمز ہیرس
ڈسٹرکٹ میڈیکل افسیسر
ایم۔ بی۔ ایس۔ پی۔ جی۔ سی۔ ایچ۔ اے۔

Doctor on Duty
COVID Isolation Ward
M

Attested
[Signature]

(3)
2



COVID ISOLATION WARD
BBS/DHQ TEACHING HOSPITAL ABBOTTABAD

Discharge Slip

Name: M. Anes Age/Sex: 50yrs/M Adm No: 62/32
Date of Admission: 25/3/21 Date of Discharge: 31/3/21
Diagnosis: Covid Pneumonia, HEM, DM

Treatment at Hospital:

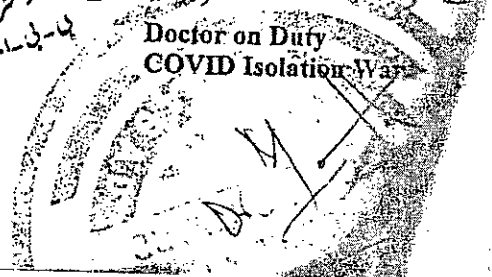
- Tab Rivonaban 15mg Syz tango 4.5g
Tab burbar - 2 Tab co-eryday 50/125
Tab Cal-1000 Mecolator sachet
Syz amepazole Cap Endrop - D
Syz tres oxin forte Tab mojest 400mg
Syz lasin 20mg Tab Prednisolone 5mg
Cap Nexum 40mg

Treatment for Home:

Tab Rivonaban 15mg 1 گولی روزانہ
Tab burbar - 2 1 گولی روزانہ
Tab Cal-1000 1 گولی روزانہ
Syz tres oxin forte 1 گولی (2+2+2)
Tab co-eryday 50/125 1 گولی ایک بار
Mecolator sachet 2 گولیاں (2+2)
Tab Mojest 400mg 1 گولی روزانہ 7 گولیاں تک
Tab Prednisolone 5mg 1 گولی (2+2) اور 1 گولی (3+3)
Cap Nexum 40mg 1 گولی تا 14 روز تک
Tab lasin 20mg 1 گولی روزانہ
Tab getryl 2mg 1 گولی ایک بار حالہ
Tab lipigel 10mg

ڈاکٹر راجیل جہانگیر چودھری
ڈسٹرکٹ میڈیکل سپیشلسٹ
ایم۔ بی۔ ایس۔ پی۔ ایچ۔ جہانگیر اسپتال
ایبٹ آباد

ڈاکٹر ماری
Doctor on Duty
COVID Isolation Ward



Attested
[Signature]



Annex-C

SUPERINTENDENT
CIRCLE (EASTERN) HQs PRISON HARIPUR

Ph/Fax: 0995-920066

No. _____

Dated _____ / _____ / 2021.

P-25

SHOW CAUSE NOTICE UNDER RULE-5 (i) (a) READ WITH RULE-7 OF THE KHYBER PAKHTUNKHWA GOVERNMENT SERVANTS (EFFICIENCY & DISCIPLINE) RULES, 2011.

I, Muhammad Hamid, Superintendent Circle Headquarters Prison Haripur, as competent authority, am of the opinion that Warder (BPS-07) Malik Muhsin S/o M. Anees attached to Sub Jail Dassu Kohistan as follows:-

“As per written report of the Superintendent Sub Jail Dassu Kohistan vide No. 287 dated. 06-04-2021 you remained absent from duty as well as from line w.e.f 06-03-2021 to 04-04-2021 (29 days) without permission of competent authority”

Your this practice is a grave misconduct on your part & entails you for strict disciplinary action under the E & D Rules-2011.

I, M. Hamid, Superintendent Circle Headquarters Prison Haripur as competent authority, am satisfied by the report submitted by Superintendent sub Jail Dassu Kohistan & there is no need of holding any further inquiry.

Now therefore, you above named accused Warder are hereby called upon to show cause within seven (07) days as to why to any Major/Minor Punishment may not be awarded to you for your above stated act of misconduct.

S. J.

SUPERINTENDENT
CIRCLE H/Qs PRISON HARIPUR

Endst: No. 3304-05 / Dated: 17/05/2021.

1. The Superintendent Sub Jail Dassu Kohistan w/r to the No. 287 dated. 06-04-2021 for information.
2. Warder concerned for information and reply within 07 seven days after receipt of this show cause notice.

Attested

[Signature]

[Signature]
SUPERINTENDENT
CIRCLE H/Qs PRISON HARIPUR

Annex-D



OFFICE OF THE SUPERINTENDENT
CIRCLE (EASTERN) HQs PRISON HARIPUR

No. 1757-1-Date 29/03/2022

Phone/Fax: 0995-920066

P-26

OFFICE ORDER:

WHEREAS, Accused Mohsin Anees S/o Muhammad Anees Warder (BPS-07) attached to Central Prison Haripur was proceeded against, under Rules-3 of Khyber Pakhtunkhwa Government Servants (Efficiency & Discipline) Rules, 2011 amended in 2021 for the charges of his misconduct as mentioned in the Show cause Notice served upon him.

WHEREAS, he furnished his reply, which was found unsatisfactory.

AND WHEREAS, the undersigned being the competent authority granted him the opportunity of personal hearing on 22-03-2022 as provided for under rules ibid. Moreover, he didn't appear before undersigned and not complied the orders of this office.

NOW THEREFORE, in exercise of powers conferred under Rule-14(5) of Khyber Pakhtunkhwa Government Servants (Efficiency & Discipline) Rule 2011 amended in 2021, having considered the charges, evidence on record & Reports submitted by Superintendent Central Prison Haripur, except this instant case, an another report submitted by Superintendent Central Prison Haripur regarding his absent from duty w.e.f 11-02-2022 to 14-02-2022 (04 days) and 18-02-2022 to till date i.e 29-03-2022 (39 days), non-serious in performance of assigned duties, his previous track record wherein he remained absent from duty w.e.f 06-03-2021 to 04-04-2021 (29 days) & w.e.f 26-04-2021 to 16-06-2021 (50 days), undersigned being the competent authority awarded Major Punishment of "Removal From Service" to Mohsin Anees S/o Muhammad Anees Warder (BPS-07) attached to Central Prison Haripur with immediate effect.

Further, his absence period w.e.f 09-12-2021 to 28-12-2021 & 01-01-2021 to 31-01-2022 (51 days) & w.e.f 11-02-2022 to 14-02-2022 (04 days) and 18-02-2022 to till date i.e 29-03-2022 (39 days) will be treated as Extra Ordinary Leave Without Pay.

Note: his total absence is 173 days.

29/3/2022
SUPERINTENDENT
CIRCLE H.Q. PRISON HARIPUR

Endst: No: 1758-62 / 1

Copy of the above is forwarded to:

- 1) The Inspector General of Prisons Khyber Pakhtunkhwa Peshawar for information please.
- 2) The Superintendent Central Prison Haripur for information, w/r to the No.873 dated: 04-02-2022 please.
- 4) The DAO Haripur for information and necessary action please.
- 5) The Private Secretary to Special Assistant to Chief Minister for Prisons Khyber Pakhtunkhwa Peshawar for information please.
- 6) Mohsin Anees S/o Muhammad Anees Warder (BPS-07) attached to Central Prison Haripur c/o Superintendent Central Prison Haripur at home address for information please.

29/3/2022

Attested

[Signature]

Annex - E

محترم جناب الیکٹرک منیجر آف پورکس جنرل خانہ جات خیر پختہ خواہ کپتار

P-27

درخواست / اپیل بنیاد راجہ منیلہ جناب سپرنٹنڈنٹ صاحب
 سروس صید کو اٹرنل سروس اور حکم نمبر 62-1758-1757
 صدر 29-3-2022 جس کے تحت سائل کو سروس سے
 خیر پختہ خواہ کی بنیاد پر Remove کیا گیا ہے جو کہ سائل کا موقف
 کو درست طور پر تسلیم نہیں کیا گیا ہے جو سروس زیادتی نالائق
 ہے سائل کے خدشے کی آگے مارواں نامناسب ہے سائل کو سروس پر
 بحال یا جائز انقضائے تعلق کے طور پر کے جاوے گا اور سروس انجام
 دینے کا موقع فراہم کیا جاوے گا سائل کے خدشے Remove from Service
 کا آرڈر صدر 29.3.22 کو منسوخ فرمایا جائے گا اور سائل کے احوالات مارو فرمائے جائیں

جناب عالی .. اپیل ذیل شرح ہے

Dr. 8009
21-4-22
Received
21/4/22

- 1۔ یہ کہ سائل کی عمر ۴۷ سال سروس تو چھٹی ہے اور سائل نے اس
 عرصہ میں کبھی بھی اپنے آف ان بلاؤں کو شکایت کا موقع فراہم نہیں کیا تھا
- 2۔ یہ کہ سائل کو صحت دانسو میں لہور وارڈ ڈیوٹی سرانجام دے رہا تھا اس
 دوران سائل نے والد صاحب کو فزائی بیماری میں مبتلا ہو گئے تھے DHA
 ہسپتال میں داخل کیا گیا اور گھوٹ میں دیگر کوئی مرد والا صاحب کی دیکھو حال علاج
 صحیحہ تھے جو وہ تھا اور سائل نے جناب سپرنٹنڈنٹ صاحب دانسو کو صحت دانسو
 چھٹی گئے 3/4 درخواستیں دیں لیکن سائل کو حضرت نہ دیا گیا جس پر سائل
 اپنے والد صاحب کے علاج صحیحہ کیلئے DHA میں 20/25 دن دم کروا کر آئیں
 گوئے جا کر والد کی خدمت کو درپیکو بحال کرنا ہے
- 3۔ یہ کہ میں سے والد صاحب کی صحت بانی کے کچھ واپس دانسو پختہ خواہ کی گورنر
 سپرنٹنڈنٹ صاحب کو اپنے والد صاحب کی بیماری کے علاج کے قاعدت
 و مشورہ دیکھائے اور اپنی ساری جیوریج بیماری کی کہ سائل نے جان پر ہیکر
 ڈیوٹی سے خیر پختہ خواہ نہ کی ہے اور پھر تقریباً 20/25 دن میں سروس سرانجام دی
 یہ کہ اس سے قبل سائل جب ایبٹ آباد ڈسٹرکٹ جیل میں ڈیوٹی سرانجام دے
 رہتا تو سائل نے MIA سے اطمینان میں پھر دینے کے لئے اجازت بھی مانگی اور درخواست
 بھی مدد و مرعات اقبال ڈسٹرکٹ جیل ایبٹ آباد دی جس پر بھی مدد و مرعات

Attested
[Signature]

جیسا کہ وہ سپریم کورٹ درخواست فریڈ کو ریٹرنس جیو ڈیکر سپریم کورٹ کے اجازت سے لے گا
 اس طرح سنٹیل نے اپنے MA کے سپریم کورٹ کے اور بعد سنٹیل نے ڈیوٹی پر
 حاضر رک کر دی۔ اور بعد سنٹیل کو لکھا ایسٹ کورڈ سے کوسٹن لہر انفرمیا گیا
 اور ملائی بیماری اور اس کے بعد 25/25 دن ڈیوٹی پر نام دینے کے بعد
 سنٹیل کو ہیڈ کوارٹر سنٹیل چیل پر عادی تبدیل کر دیا گیا

28-P
 حضور عالیہ سنٹیل نے جو سپریم کورٹ کے درخواست وی اجازت چاہیں جو سپریم کورٹ قانونی حق تھا
 اور سپریم کورٹ کے دوران واسے دقوں میں علیہ حاضر کی گئی تھی۔ اس کے بعد کوسٹن واسو
 میں تحقیقات کے دوران ملازم کی بیماری کے اور علاج کے معاملہ دیکو بھائی کے لیے دی گئی
 واج درخواستوں کو جو سپریم کورٹ میں کورڈ لگایا اس طرح کو بھی سپریم کورٹ
 کی طرف سے ظاہر کیا گیا اور بعد سنٹیل کو سپریم کورٹ لہر انفرمیا کے بنیاد پر ملازم لکھا
 ایک انکوڈنگ لکھا سنٹیل کے حوالے سے بعض نوٹس سے فارغ کیا گیا جو
 ایک غریب آدمی کے ساتھ اسے نا انصافی ظلم فرماتا ہے۔ کہہ سکتی تھی
 حکم کے خلاف کا موقف لکھا حق تو یہ ہے کہ وہ رخصت استغاثہ کے بارے میں
 اتفاقہ کیے آفسر سے شروع کرے کہ وہ جو طرہ سے سنٹیل اس دوران فرمائی
 کا اسے بھی سپریم کورٹ ظاہر کر کے مئی 17 دن کی سپریم کورٹ کا باقاعدگی سے
 جو سپریم کورٹ لکھا ہے وہ Major punishment of Removal of Service ہے

اللہ اعلم
 M

حضور عالیہ جناب ایک با اختیار افسار میں کسی بھی محفل ملازم کو اس کے حقوق
 سے محروم نہیں کیا جاسکتا۔ اور بعد سنٹیل نے بااثر جیو ڈیکر لکھا کہ ملازم کے خلاف معاملہ
 افسان میں سپریم کورٹ کے لیے درخواست لکھی جو قابل معافی فعل تھا
 جو واقعہ نہ تو اسے کورڈ لکھا تھا جسے اپنے مکتوب بندوں سے درگزر کرنا ہے کہ
 جناب کے پاس اختیار ہے سنٹیل اس غلطی کو تالی پر عذرت چاہتا ہے
 لکھا استدعا ہے مذکورہ بلا صورت حال کاروباری میں سنٹیل کا یہ فعل قابل تلافی ہے
 اور سنٹیل سپریم کورٹ کے لیے درخواست لکھی ہے کہ سنٹیل کو عفو فرمایا جائے تاکہ عفو کی
 کا عفو جناب سپریم کورٹ کے لیے درخواست لکھی ہے کہ سنٹیل کو عفو فرمایا جائے تاکہ عفو کی
 یہ جانے سنٹیل کو سپریم کورٹ کے لیے درخواست لکھی ہے کہ سنٹیل کو عفو فرمایا جائے تاکہ عفو کی
 کا واقعہ فرمایا جائے اور سنٹیل کو عفو فرمایا جائے تاکہ عفو کی
 فرمایا نہ کرنے کے مقصد سے ان کو عفو فرمایا جائے تاکہ عفو کی
 ہوگا۔ ایسے میں عفو ہے

20-4-2028
 سنٹیل حسن العلیی وار عہدہ ایس ڈی وارڈ مین سنٹیل پر سلام ہو
 0311-5862363



ORDER:

**OFFICE OF THE
INSPECTOR GENERAL OF PRISONS
KHYBER PAKHTUNKHWA PESHAWAR**

Annex-F

91-9210334, 9210406 91-9213445

No. Estb/Ward-/Orders/ 15923 /-

Dated 18 - 05 - 2022 /-

P-29

WHEREAS, Ex-Warder **Mohsin Anees S/O Muhammad Anees** while posted at Central Prison Haripur was awarded the major penalty of "**Removal from Service**" and "his absence period w.e.f 09-12-2021 to 28-12-2021, from 01-01-2021 to 31-01-2022, from 11-02-2022 to 14-02-2022, from 18-02-2022 to 29-03-2022 treated as extra ordinary leave without pay" by the Superintendent Headquarters Prison Haripur vide his office order No. 1757 dated 29-03-2022 due to his long willful absence quoted above.

AND WHEREAS, the said Ex-Warder preferred his departmental appeal for setting-aside the penalty awarded to him, which was examined in light of the available record of the case and it was observed that the charges leveled against the appellant were proved.

AND WHEREAS, he was afforded an opportunity of personal hearing on 13-05-2022. During the course of hearing, he explained his position but failed to prove and justify his innocence.

NOW THEREFORE, keeping in view the facts on record, the provision of rules in vogue and in exercise of powers conferred under Rule-17 of Khyber Pakhtunkhwa Government Servants (Efficiency & Discipline) Rules 2011 read with Rule-05 of Khyber Pakhtunkhwa Service Appeal Rules 1986, the decision of the Superintendent Headquarter Prison Haripur is upheld and appeal of the appellant is hereby rejected being without any substance.

**INSPECTOR GENERAL OF PRISONS,
KHYBER PAKHTUNKHWA, PESHAWAR.**

Endst; No. 15924-27 /-

Copy of the above is forwarded to:

1. The Superintendent Headquarters Prison Haripur for information and necessary action with reference to his letter No. 2261/WE dated 28-04-2022.
2. Superintendent Central Prison Haripur for information and necessary action. He is directed to inform the appellant accordingly and make necessary entry in his Service Book under proper attestation.
3. The District Accounts officer concerned for information and necessary action.
4. Appellant concerned C/O Superintendent Central Prison Haripur for information.

Attested

[Signature]

[Signature]
18/05/2022
**ASSISTANT DIRECTOR
INSPECTORATE GENERAL OF PRISONS
KHYBER PAKHTUNKHWA PESHAWAR**

کورٹ فیس

وکالت نامہ

Service Tribunal KPE Peshawar

بعدالت

Mohsin Anees

Govt of KPK etc

عنوان:

Appellant

مخانب:

Service Appeal

باعث تحریر آنکہ

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

Atul M. Arshad Khan ASC of Pakistan Ate

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

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

ساختہ پر داختم مجھ کو منظور و قبول ہوگا۔ دوران مقدمہ جو خرچہ و ہرجانہ 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 جزو بقایا ہو تو وکیل صاحب موصوف مقدمہ کی پیروی کے پابند نہ ہوں گے۔ نیز درخواست بمراد

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

لہذا وکالت نامہ تحریر کیا تاکہ سند رہے۔

المرقوم: 6/6/22

بمقام: Abbottabad

Accepted

Mr. Arshad Khan Panat

"A"

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

No. 883 22 S B

APPEAL No. Mohsin Anees of 20

Appellant/Petitioner

Versus

Through Secy: Home & TA Pesh:


RESPONDENT(S)

RESP: NOT Govt of KPK through
Secretary Home & Tribal
affairs To Peshawar

Take notice that your appeal has been fixed for Preliminary hearing, replication, affidavit/counter affidavit/record/arguments/order before this Tribunal on 21/9/22 at Peshawar

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

at camp court
A/Abad.


Registrar,
Khyber Pakhtunkhwa Service Tribunal,
Peshawar.

7/9/22 مسائل

"A"

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

No.

APPEAL No. OF 20

883

TB A/Abad
22 S.B

Mohsin Anees

Appellant/Petitioner

Versus

Through Secy: Home & TA RESPONDENT(S)

Notice to Appellant/Petitioner

Inspector General of
Police KPK Peshawar

[Handwritten signature and date 21/9/22]

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

21-9-22 9:00 AM

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

at Camp Court
A/Abad.

[Handwritten signature]
Registrar,
Khyber Pakhtunkhwa Service Tribunal,
Peshawar.

"A"

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

No.

TB A/Abad.

APPEAL No. 883 of 20

22 S.B

Mohsin Azees

Appellant/Petitioner

Versus

Through Secy. Home

RESPONDENT(S)

Notice to Appellant/Petitioner

Resp No 3

Assistant Director
Inspector General of
Police Prison KP Peshawar.

Take notice that your appeal has been fixed for Preliminary hearing, replication, affidavit/counter affidavit/record/arguments/order before this Tribunal

on 21-9-22 at 9:00 AM

21-9-22 at 9:00 AM

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

at camp Govt
A/Abad.

Registrar,
Khyber Pakhtunkhwa Service Tribunal,
Peshawar.

(Signature)

12-9-2022