

22.07.2022

Appellant alongwith his counsel present. Dr. Abdul Hameed, Litigation Officer alongwith Mr. Kabirullah Khattak, Additional Advocate General for official respondents No. 1 to 3 present. Private respondents No. 4 & 5 in person present.

Representative of official respondents submitted para-wise comments alongwith cost of Rs. 3000/-. Copy of para-wise comments as well as cost of Rs. 3000/- handed over to the appellant and receipt of cost was also obtained from the appellant, which is placed on file. Private respondents No. 4 & 5 also submitted in writing that they rely on the para-wise comments submitted by official respondents No. 1 to 3. Adjourned. To come up for rejoinder, if any, as well as arguments on 23.09.2022 before the D.B at Camp Court Abbottabad.



(Salah-Ud-Din)
Member (J)

Camp Court Abbottabad

23rd Sept 2022

Learned counsel for the appellant present. Mr. Kabirullah Khattak, Addl: AG for respondents present.

Mr. Abdul Saboor, advocate submitted wakalatnama on behalf of private respondents No. 4 and 5. Learned counsel for the appellant seeks time to file rejoinder. Learned counsel is directed to file rejoinder within fifteen days. To come up for arguments on 14.11.2022 before D.B at camp court Abbottabad.



(Fareeha Paul)
Member (Executive)




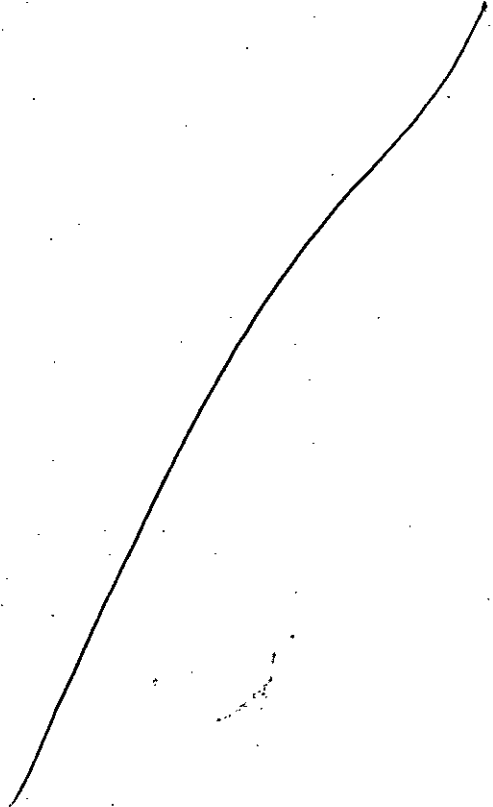
(Kalim Arshad Khan)
Chairman
Camp Court Abbottabad

16.06.2022

Appellant in person present. Mr. Muhammad Adeel Butt, Additional Advocate General alongwith Hafiz Shakeel Ahmad ADEO (Litigation) for official respondent No.1 to 3 present. None present on behalf of private respondents No.4 & 5.

Reply on behalf of respondents was not submitted. Representative of official respondents requested for time to submit reply/comments. Granted on payment of cost of Rs.3000/-. Despite directions notice was not issued to private respondents No.4 & 5. Therefore, fresh notice be issued to private respondents for submission of comments in office within 15 days of the receipt of notice. If the reply/comments are not submitted, right of respondents for submission of comments shall be deemed as struck off. To come up for reply/comments on 22.07.2022 before S.B at Camp Court, Abbottabad.

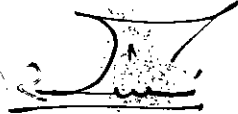

(Fareeha Paul)
Member (E)
Camp Court A/Abad.



19.04.2022

Learned counsel for the appellant present. Dr. Nasir Rabbani, Medical Officer alongwith Mr. Kabirullah Khattak, Additional Advocate General for official respondents No. 1 to 3 present and requested for further time to submit written reply/comments. Respondents are directed to submit their written reply/comments on the next date positively, failing which their right for submission of reply/comments shall be deemed as struck off.

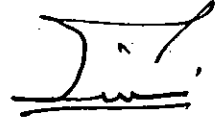
None present on behalf of private respondents No. 4 & 5. Previous date was changed on Reader Note, therefore, notice be issued to private respondents No. 4 & 5 through registered post for submission of written reply/comments on the next date positively, failing which their right for submission of reply/comments shall be deemed as struck off. Adjourned. To come up for submission of written reply/comments on 16.06.2022 before the S.B at Camp Court Abbottabad.


(Salah-Ud-Din)
Member (J)
Camp Court Abbottabad

19.01.2022

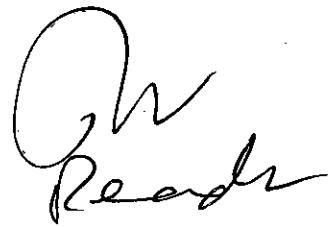
Appellant in person present. Dr. Abdul Hameed, Deputy DHO alongwith Mr. Kabirullah Khattak, Additional Advocate General for official respondents No. 1 to 3 present. Private respondents No. 4 & 5 in person present.

Learned Additional Advocate General as well as private respondents requested for further time for submission of written reply/comments. Adjourned. To come up for written reply/comments on 15.02.2022 before the S.B at Camp Court Abbottabad.



(Salah-ud-Din)
Member (J)
Camp Court A/Abad

Due to retirement of the Honble chairman the case is adjourned. To come up for the same on 19-4-2022.



01.12.2021

Syed Babar Ali Shah, Advocate, for the appellant present. :

Preliminary arguments heard.

Learned counsel for the appellant has argued that the appellant is serving as Naib Qasid and is the senior most Class-IV employee, therefore, he was entitled to have been promoted to the post of Junior Clerk, however the respondents have wrongly and illegally promoted private respondents No. 4 & 5 to the post of Junior Clerk BPS-11, who were junior to the appellant; that the notification bearing No. SO(III) CE & AD dated 01.08.2008 and dated 04.02.2009 has been issued for the purpose of promotion but the said notification has not been followed by the respondents in letter and spirit; that it is fundamental right of the appellant to be treated in accordance with law but such right of the appellant has been infringed by the respondents malafidely; that the impugned office order bearing No. 2361-65 dated 23.04.2021 has been passed in violation of relevant law, rules as well as policy on the subject, therefore, the same is liable to be set-aside; that the departmental appeal of the appellant was not responded within the statutory period, therefore he appellant has now preferred the instant service appeal for redressal of his grievance.

Points raised need consideration, therefore, the appeal is admitted to regular hearing subject to all legal 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 19.01.2022 before the S.B at Camp Court Abbottabad.

The appeal is also accompanied by an application for suspension of operation of the impugned order till the disposal of the instant service appeal. Notice of the same also be issued to the respondents for the date fixed.



(SaTah-Ud-Din)
Member (J)

Camp Court Abbottabad

Appelant Deposited
Security Process Fee

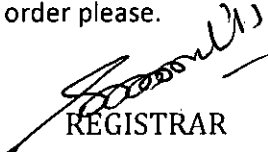
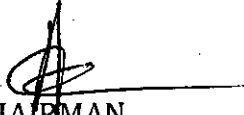
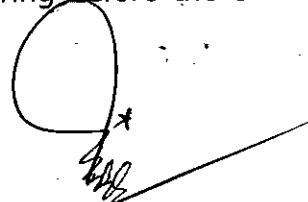
8/12/21

Form- A

FORM OF ORDER SHEET

Court of _____

Case No.- 7293 /2021

S.No.	Date of order proceedings	Order or other proceedings with signature of judge
1	2	3
1-	20/08/2021	<p>The appeal of Mr. Bilal Khan resubmitted by registered post today by Mr. Syed Babar Ali Shah Advocate may be entered in the Institution Register and put up to the Worthy Chairman for proper order please.</p> <p style="text-align: right;"> REGISTRAR</p> <p>This case is entrusted to S. Bench at Peshawar. Notice be issued to appellant/counsel for preliminary hearing to be put up there on <u>11/10/21</u>.</p> <p style="text-align: right;"> CHAIRMAN</p>
2-	11.10.2021	<p>None for the appellant present.</p> <p>Due to General Strike of the Peshawar Bar Association. Adjourned. To come up for preliminary hearing before the S.B on 02.12.2021.</p> <p style="text-align: right;"> (MIAN MUHAMMAD) MEMBER (E)</p>

The joint appeal of Mr. Muhammad Sadiq and Bilal Khan received today i.e. on 06.08.2021 is in complete on the following score which is returned to the counsel for the appellants for completion and resubmission within 15 days.

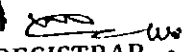
- 1- Memorandum of appeal may be got signed by the appellants.
- 2- Sub-rule- 2 of rule-3 of the appeal rules 1986 requires that every affected civil servant shall prefer the appeal separately. Therefore, the appeal of the above named appellants may be filed separately/individually.
- 3- Annexures of the appeal may be attested.
- 4- Appeal has not been flagged/marked with annexures marks.
- 5- Check list is not attached with the appeal.
- 6- Addresses of respondents no. 4&5 are incomplete which may be completed according to the Khyber Pakhtunkhwa Service Tribunal rules 1974.
- 7- Page nos. 14, 15 and 20 of the appeal are illegible which may be replaced by legible/better one.
- 8- Three copies/sets of the appeal along with annexures i.e. complete in all respect for Tribunal and one for each respondent in each appeal may also be submitted.

No. 1537 /S.T

Dt. 06/08 /2021

Syed Babar Ali Shah Adv.
High Court Mansehra.

*Recd. Sub-
abp
12/8/2021*


REGISTRAR
SERVICE TRIBUNAL
KHYBER PAKHTUNKHWA
PESHAWAR.

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

Case Title: _____ vs _____

S.#	Contents	Yes	No
1.	This appeal has been presented by: _____		
2.	Whether Counsel / Appellant / Respondent / Deponent 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?		
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 A.G/D.A.G?		
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 cuttings/overwriting?		
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: _____

Signature: _____

Dated: _____

BEFORE THE KHYBER PAKHTUNKHWA
SERVICE TRIBUNAL, PESHAWAR

Service Appeal No. 7293 of 2021

Bilal Khan APPELLANT

VERSUS

District Health Officer, Mansehra etc.
..... RESPONDENTS

SERVICE APPEAL

INDEX

S#	Particulars of documents	Annexure	Pages
1	Memo of Service appeal alongwith affidavit.	1-10
2	Application for suspension.	11-12
3	Correct addresses of the parties.	13
4	Copies of the appointment orders.	"A"	14
5	Copy of appointment orders of respondents No.3 and 4.	"B"	15-18
6	Copy of the impugned office order dated 23.04.2021.	"C"	19
7	Copies of the appeal.	"D"	20-21
8	Wakalat Nama.	22

Dated 09.08.2021

Bilal Khan
Appellant

Through


SYED BABAR ALI SHAH,
Advocate High Court,
Mansehra.

①

BEFORE THE KHYBER PAKHTUNKHWA
SERVICE TRIBUNAL, PESHAWAR

Service Appeal No. _____ of 2021

Bilal Khan son of Khushal Khan, Naib
Qasid, District Health Officer, Mansehra
.....APPELLANT

VERSUS

1. District Health Officer, Mansehra.
2. Director General Health Services, Khyber
Pakhtunkhwa, Peshawar.
3. Secretary Health, Khyber Pakhtunkhwa,
Civil Secretariat, Peshawar.
4. Muhammad Naeem son of Muhammad
Miskeen c/o D.P.C.R, Polio Control Room,
Mansehra.
5. Arif Hussain Shah son of Syed Siddique
Hussain Shah resident of District Health
Office, MansehraRESPONDENTS.

SERVICE APPEAL UNDER SECTION
4 OF SERVICE TRIBUNAL ACT, 1974
AGAINST THE IMPUGNED OFFICE
ORDER BEARING NO.2361-65 DATED
23.04.2021 WHEREBY THE
RESPONDENT NO.1 ILLEGALLY,
UNLAWFULLY AND AGAINST THE
RULES, REGULATIONS AND UNDER
UNDUE PRESSURE, POLITICAL

INVOLVEMENT AND BASED ON
MALAFIDE AND PERSONAL
GRUDGES AGAINST THE APPELLANT,
PROMOTED THE RESPONDENTS
NO.4 AND 5 TO THE POST OF
JUNIOR CLERK (BPS-11) WHILE
BYPASSING THE APPELLANT.

PRAYER: -

On acceptance of the instant appeal, the impugned office order bearing No.2361-65 dated 23.04.2021 be set aside being illegal, against the rules and regulations, against the law and justice as well as against the set principles of promotion and appellant be promoted to the post of Junior Clerk (BPS-11) or any other order or relief as this Honourable Tribunal deems fit and proper may also be issued/passed.

Respectfully Sheweth!

1. That, the appellant was initially inducted in the Health department as Chowkidar in the year 1994 and

since then the appellant is working in the respondents' department.

(Copies of the appointment order is annexed as annexure "A").

2. That, the appellant is working in the respondents' department from the last 25/26 years with great zeal and zest and never remained negligent in performance of his duties.
3. That, keeping in view the above situation, the appellant was senior than the respondents No.4 and 5 for the purpose of the promotion and this fact also reflects from the appointment order of the appellant as well as respondents.

(Copy of appointment orders are annexed as annexure "B").

4. That, as per seniority list, the official respondents were duty bound to promote the appellant against the impugned post but the official respondents while bypassing the seniority list, promoted the respondents No.4 and 5 against the impugned posts of Junior Clerk vide impugned office order bearing No.2361-65 dated 23.04.2021.

(4)

(Copy of the impugned office order dated 23.04.2021 is annexed as annexure "C").

5. That, the appellant being aggrieved from the impugned order dated 23.04.2021 preferred his appeal to the respondent No.2 but the same have not been decided till today after the lapse of more than 90 days.

(Copies of the appeals are annexed as annexure "D").

6. That, the appellant being aggrieved from the impugned order dated 23.04.2021 and by the conduct of respondent No.2 who malafidely not decided the appeal, seeks the gracious indulgence of this Honourable Court by way of instant Service Appeal, inter alia, on the following grounds: -

GROUND

- a. That, the impugned officer order dated 23.04.2021 is wrong, illegal,

(5)

against the law and facts, arbitrary, fanciful, perverse, against the relevant law, rules and regulations hence being not maintainable in the eyes of law, is liable to be set aside.

- b. That, it is an admitted position that the appellant is working in the official respondents' department from the last 25/26 years with great zeal and zest and never remained negligent in performance of his duties.
- c. That, there is not even a single complaint against the appellant nor there is any red entry regarding the service career of the appellant rather the appellant has unblemished and excellent service career.
- d. That, the respondents also maintained seniority list regarding the promotion of the departments' employees and as per the seniority list, the appellant being senior most were entitled for the promotion against the impugned posts but the respondents have bypassed the seniority list in a sheer malafide

6

manner while promoting the respondents No.4 and 5.

- e. That, the respondents No.4 and 5 are juniors than the appellant hence they have no right whatsoever for the purpose of promotion whereas the appellant being senior most have vested right to be promoted against the impugned post of Junior Clerk and such right of the appellant cannot be taken away by the respondents in a sheer malafide manner.
- f. That, the respondents themselves provided criteria for the promotion but they badly failed to act upon the same in its true letter and spirit hence the respondents have violated their own rules and regulations while promoting the respondents No.4 and 5 against the impugned posts.
- g. That, notification bearing No. SO(III)/CE&AD dated 01.08.2008 dated 04.02.2009 has also been issued for the ibid purpose but the true letter and spirit of the said notification has also not been

adopted by the respondents hence the very acts of the respondents are clear in negation of the relevant law, rules and policy on the subject.

- h. That, it is well settled by now that the political figures have nothing to do with the appointment, adjustment or promotion process but in the matter in hand, the respondents while making themselves pawn in the hands of the political figures have passed the impugned order hence the impugned order being the result of political interference and personal liking and disliking have no legal sanctity in the eyes of law and thus liable to be set at naught.
- i. That, it is an inalienable right of the appellant to be treated in accordance with law, rules and regulations but such right of the appellant has been infringed by the respondents in a sheer malafide manner.
- j. That, the powers or jurisdiction are vested in an authority to exercise it rightly, fairly, justly and honestly.

and in accordance with the mandate of law, rules and regulations but the respondents have transgressed upon their powers while dealing with the matter in hand.

- k. That, the acts of the respondents are against the natural justice, fair play, equity and good conscious rather smacks malafide on the part of the official respondents. The very acts of the respondents are against the constitutionally guaranteed rights of the appellant under Constitution of Islamic Republic of Pakistan, 1973.
- l. That, the respondents illegally and against the procedure have not maintained seniority list and thus acted against the settled principles that there should be a seniority list in every department to be maintained by the Head of the department for the purpose of promotion and other related issues of the employees.

.....PRAYER.....

It is, therefore, most humbly prayed that on acceptance of the instant appeal, the impugned office order bearing No.2361-65 dated 23.04.2021 be set aside being illegal, against the rules and regulations, against the law and justice as well as against the set principles of promotion and appellant be promoted to the post of Junior Clerk (BPS-11) or any other order or relief as this Honourable Tribunal deems fit and proper may also be issued/passed.

Dated 09.08.2021

Bilal Khan
Appellant.

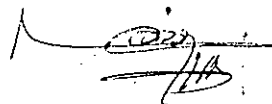
Through


SYED BABAR ALI SHAH,
Advocate High Court,
Mansehra.

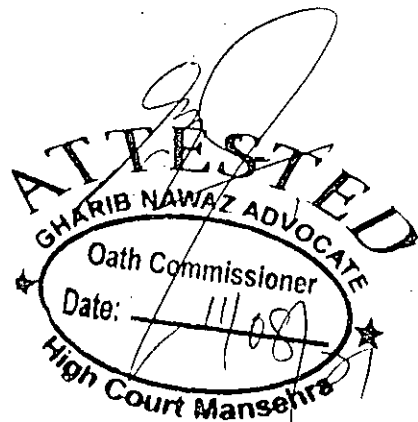
AFFIDAVIT.

I, Bilal Khan son of Khushal Khan, Naib Qasid, District Health Officer, Mansehra, appellant, do hereby solemnly affirm and declare on oath that the contents of the foregoing service appeal are true and correct and nothing has been concealed from this Honourable Court.

Dated 09.08.2021



Bilal Khan
(DEPONENT)



(11)

BEFORE THE KHYBER PAKHTUNKHWA
SERVICE TRIBUNAL, PESHAWAR

Service Appeal No. _____ of 2021

Bilal Khan.....APPELLANT

VERSUS

District Health Officer, Mansehra etc.
.....RESPONDENTS

SERVICE APPEAL

APPLICATION FOR SUSPENSION OF
THE OPERATION OF IMPUGNED
OFFICE ORDER BEARING NO.2361-
65 DATED 23.04.2021 TILL THE
DISPOSAL OF THE TITLED SERVICE
APPEAL.

Respectfully Sheweth!

1. That, this application may please be considered as part and parcel of the titled service appeal.
2. That, the appellant has a prima facie case and there is every hope of its success.
3. That, the balance of convenience also tilts in favour of the appellant.

4. That, if the operation of the impugned office order dated 23.04.2021 has not been suspended then the appellant would suffer an irreparable loss and purpose of the titled service appeal would become infructuous.

It is, therefore, most humbly requested that on acceptance of the instant application, the operation of the impugned office order may please be suspended till the disposal of the titled Service appeal.

Dated 09.08.2021

Bilal Khan
...Appellant

Through

SYED BABAR ALISHAH,
Advocate High Court,
Mansehra.

AFFIDAVIT.

I, Bilal Khan son of Khushal Khan, Naib Qasid, District Health Officer, Mansehra, appellant, do hereby solemnly affirm and declare on oath that the contents of the foregoing application are true and correct and nothing has been concealed from this Honourable Court.

Dated 09.08.2021

Bilal Khan
(DEPONENT)



Annex A

2021/1995

(13)

(13)

BEFORE THE KHYBER PAKHTUNKHWA SERVICE TRIBUNAL, PESHAWAR

Service Appeal No. _____ of 2021

Bilal Khan APPELLANT

VERSUS

District Health Officer, Mansehra etc. RESPONDENTS

SERVICE APPEAL

CORRECT ADDRESSES OF THE PARTIES

APPELLANT

Bilal Khan son of Khushal Khan, Naib Qasid, District Health Officer, Mansehra

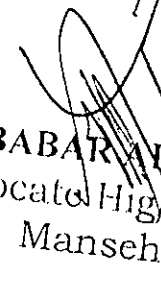
RESPONDENTS

1. District Health Officer, Mansehra.
2. Director General Health Services, Khyber Pakhtunkhwa, Peshawar.
3. Secretary Health, Khyber Pakhtunkhwa, Civil Secretariat, Peshawar.
4. Muhammad Naeem son of Muhammad Miskeen resident of
5. Arif Hussain Shah son of Syed Siddique Hussain Shah resident of.

Dated 09.08.2021

Bilal Khan
Appellant

Through


SYED BABAR ALI SHAH,
Advocate High Court,
Mansehra

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(19)

Anx A

1570

Dated Mansehra the,

23 / 4 / 1995.

The District Health Officer,
Mansehra.

Mr. Bilal Ahmed S/O Khoshal Khan
Village and P.O. Mansehra Tehsil & District
Mansehra. Moh: Channi.

Accepted

Subject:- OFFER OF APPOINTMENT.

Re:- As recommendation of Health Minister NWFP, Peshawar
Minister for Commerce and Anti Corruption NWFP, Peshawar and Minister
for Labour and Main Power NWFP, Peshawar.

I am please to offer you a post of Maib Qaid temporary
basis in the National pay scale of Rs. BPS-1 at Rs. 1245-25-1770 /M
plus ~~in the~~ usual allowances against the existing vacancy of Maib Qaid
against the post of MOVO Cghi.

Your appointment is purely temporary and can be terminated
at 14 days notice without any reason being assigned at any time irrespective of
the fact that you are holding a post of other than the originally recruited
the payment of 14 days salary in the of the notice.

In case of you wish to resign at any time prior notice will
be necessary & you have continue to services the Govt. till your resignation
is accepted or communicated to you. Your service will be subject to your being
Medically fit for the Govt. service on the satisfactory report of verification
roll. You will have to produce a Medical Certificate from the Medical Supdt.
HQ Hospital Mansehra.

You will remain on probation for a period of one year and
your further continuance will depend on your satisfactory work and conduct.
You will be governed by the rule and order relating to leave/travelling allow.
Medical attendance/pay so may be issued by the Govt. from time to time on the
said condition. please report for duty to the Incharge D.H.O. Mansehra at your
expense within ten days from the issue of this appointment order.

Jummal
DISTRICT HEALTH OFFICER
MANSEHRA.

NO. _____ / Dated Mansehra the,

1 / 1995

Copy forwarded to the:-

1. The Account Section DHO, Office Mansehra.
2. The District Accounts Officer, Mansehra.
3. The Health Minister NWFP, Peshawar.
4. The Minister for Commerce and Anti Corruption NWFP, Peshawar.
5. The Minister for Labour and Main Power NWFP, Peshawar
for information and necessary action please.

SR
DISTRICT HEALTH OFFICER,
MANSEHRA.

Anx B

No. 109 /Appoi

Dated: 03/01/2009

Mr. Muhammad Naeem S/O Muhammad Miskeen
Muhallah Upper Channi Tehsil & District Manshehra

Subject: - OFFER OF APPOINTMENT.

Consequent upon the approval of the Departmental Selection Committee, the Competent Authority has been pleased to offer you a post of Beshiti in BPS 01 @ Rs. 2970-90-5670 plus usual allowances as admissible under the rules in the interest of public service subject to the following terms and conditions.

TERMS & CONDITIONS

- 1)- You shall be governed under Govt. of NWFP, Civil Servants (Amendment) Act, 2005; read with Govt. of establishment and Administration Department (Regulation Wing) Notification No. SO (Regulation-VI)(E&AD) 1-13-2005 dated 10.8.2005.
- 2)- Your appointment is purely on temporary basis and liable to termination at any stage without assigning any reason/notice.
- 3)- You shall be governed by such rules and regulations enforce and as may be prescribed by the Government from time to time for the category of the Government Servants to which they belong.
- 4)- You shall get initial of the scale including usual allowance as admissible under the rule; you are entitled to annual increment according to the rules except pension and commutation.
- 5)- Your services are liable to termination on one-month prior notice from either side in case of resignation without prior notice. Your one-month pay/allowance, if any shall be forfeited to Government.
- 6)- You shall not contribute any amount towards G.P Fund however you will contribute C.P. Fund.
- 7)- You should produce Age & Health Certificate from the Medical Superintendent DHQ Hospital Manshehra.
- 8)- No traveling allowance /Daily allowance (T./DA) etc is allowed.
- 9)- You are domiciled of District Manshehra.
- 10)- If the above appointment order is acceptable to you on the above terms and conditions, you are directed to report for duty at CD: Mangloor within 10 days from the receipt of this letter, otherwise this order will be stand cancelled.

Executive District Officer,
Health Manshehra.

No. 110-15 /

Copy forwarded for information to the: -

- 01)- P.S. to Minister for Health NWFP, Peshawar.
- 02)- P.S. to Minister for Food NWFP.
- 03)- District Nazim Manshehra.
- 04)- District Coordination Officer Manshehra.
- 05)- Incharge CD: Mangloor
- 06)- Account Section undersigned office.

Executive District Officer,
Health Manshehra.



OFFICE OF THE DISTRICT HEALTH OFFICER
MANSEHRA.

TEL: 0997-920169, Fax: 0997-920166, E mail: edohmra@yahoo.com.

No. S350/AD/LL/2019 Dated 9/8/2019

OFFICE ORDER.

With reference to the interviews dated 29/06/2019 for the appointment of Class-IV, in accordance with Khyber Pakhtunkhwa Civil Servants (Appointment Promotion and Transfer) Rules 1989, the competent authority is pleased to appoint following candidates in basic pay/post mentioned against each plus usual allowances as admissible under the rules in the interest of public Services subject to the following terms and conditions.

S.No	Name	Nomenclature of post	BPS	Address	Place of Posting	Remarks
1	Mr. Azam Shahzad S/O Pir Mat Khan	Ward Orderly	BPS-04 @ 9900-440-23100	Baila Mutrian	CD Chakriali	Against vacant post
2	Mr. Suitan Sham S/O Ali Waris	Ward Orderly	BPS-04 @ 9900-440-23100	Darband	BH Shungli	Against vacant post
3	Mr. Riaz S/O Gulzar	Ward Orderly	BPS-04 @ 9900-440-23100	Battal	RD Battal	Against vacant post
4	Mr. Zeshan Habib S/O Habib ur Rehman	Ward Orderly	BPS-04 @ 9900-440-23100	Dadar	DE Kothi	Against vacant post
5	Mr. Adcel Ali S/O Liaqat Ali	Ward Orderly	BPS-04 @ 9900-440-23100	Mongor Manshra	Typ-D Hospital	Against vacant post
6	Mr. Bilal S/O Matalib	Ward Orderly	BPS-04 @ 9900-440-23100	Oghi	Typ-D Baskot	Against vacant post
7	Mr. Muhammad Azam S/O Muhammad Yousaf	Ward Orderly	BPS-04 @ 9900-440-23100	Chinar Road Manshra	RD Chakki	Against vacant post
8	Mr. Syed Salahuddin S/O Gulab Shah	Ward Orderly	BPS-04 @ 9900-440-23100	Bagrian Oghi	RD Oghi	Against vacant post
9	Mr. Aryan S/O Muhammad Arim	Ward Orderly	BPS-04 @ 9900-440-23100	Manoor	CD Manoor	Against vacant post
10	Mr. Yasir Ali S/O Sher Ali	Ward Attendant	BPS-04 @ 9900-440-23100	Battal	RD Chatter Phala	Against vacant post
11	Mr. Kamran S/O Shaukat	B/Sweeper	BPS-03 @ 9610-390-21310	Baila Mutrian	BH Attershesha	Against vacant post
12	Mr. Basharat S/O Muhammad Rafique	B/Sweeper	BPS-03 @ 9610-390-21310	Manpor	CD Manoor	Against vacant post
13	Mr. Azhar Wali S/O Wali Muhammad	B/Sweeper	BPS-03 @ 9610-390-21310	Parhina	CD Thakar Maira	Against vacant post
14	Mr. Khizar Hayat S/O M Rafique	B/Sweeper	BPS-03 @ 9610-390-21310	Chakia Road	RD Battal	Against vacant post

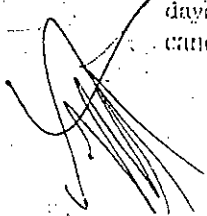
Handwritten marks and scribbles on the left side of the page, including checkmarks and initials.

Mr. Sultan	S/O	Naib Qasid	BPS-03 @9610-390-21310	Kohistan Abad	DHO Office	Against vacant post
Mr. Sultan	S/O	Naib Qasid	BPS-03 @9610-390-21310	Baila Mutrian	DHO Office	Against vacant post
Mr. Zulfiqar	S/O	Chowkidar	BPS-03 @9610-390-21310	Jahori	BHU Kotli	Against vacant post
Mr. Sajid	S/O	Chowkidar	BPS-03 @9610-390-21310	Lassan Nawab	BHU Kandar	Against vacant post
Mr. Waheed	S/O	Chowkidar	BPS-03 @9610-390-21310	Chandoo	BHU Chandoor	Against vacant post
Mr. Sohail	S/O	Chowkidar	BPS-03 @9610-390-21310	Shergarh	BHU Nambal	Against vacant post
Mr. Abdul Ghani	S/O	Chowkidar	BPS-03 @9610-390-21310	Dhodial Manschr	Type D Baffa	Against vacant post
Mr. Muhammad Bilal S/O Saeed		Chowkidar	BPS-03 @9610-390-21310	Channei Manschr	DHO Office	Against vacant post
Mr. Amir S/O Sami		Chowkidar	BPS-03 @9610-390-21310	Baffa Manschr	BHU Jabba	Against vacant post
Mr. Wajid	S/O	Sabir	BPS-03 @9610-390-21310	Chowkidar	BHU Naran	Against vacant post
Mr. Awaris	S/O	Parvez	X-Ray Attendant			
Mr. Waqar Ahmad S/O Aziz		Dental Attendant	BPS-04 @ 9900-440-23100	Lassan Nawab	RHC Lassan Nawab	Against vacant post
Mr. Hussain Hussain		Dental Attendant	BPS-04 @ 9900-440-23100	Darband	RHC Darband	Against vacant post
Mr. Shah Hussain		Dental Attendant	BPS-04 @ 9900-440-23100	Kaghan	RHC Kawai	Against vacant post
Mr. Younis Zeb	S/O	Mal	BPS-03 @9610-390-21310	Shergarh	Type D Hospital Oghi	Against vacant post

- 1) You are domiciled of District Manshra.
- 2) You are medically fit and subject to provision of Medical fitness certificate from the Medical Superintendent King Abdullah Teaching Hospital Manshra.
- 3) Your appointment will be on probation for 1 year from the date of arrival, during which you can be terminated without assigning reason due to non-performance, indiscipline and misconduct.
- 4) You will be governed such rules and orders issued by Government from time to time.
- 5) You can transfer anywhere in the District.
- 6) According to prevailing rules GPF will be contributed from your salary.
- 7) If you wish to resign from service you will have to give one month notice in advance or forfeit one month pay in the lieu of, and will have to continue service till acceptance of resignation.

Handwritten signature or initials at the bottom of the page.

3) If the above offer of appointment is acceptable to you on the above terms and condition, you are directed to report for duty at Health Facility mentioned against each within 30 days of the issuance of this letter failing which the appointment order will stand canceled



(Dr. Shahzad Ali Khan)
District Health Officer
Mansehra

No. 5351 / Appointment / 2019 dated Mansehra the 9/12 / 2019.
Copy to the:-

1. District Account Officer Mansehra.
2. Incharge Health facilities mentioned above.
3. Account Section office of the undersigned.
4. Service Book Section office of the undersigned.
5. Candidates concerned.

(Dr. Shahzad Ali Khan)
District Health Officer
Mansehra

OFFICE OF THE DISTRICT HEALTH OFFICER

MANSEHRA

Anx C

OFFICE ORDER

On the recommendation of Departmental Selection Committee in his meeting on 22/04/2021 minutes of meeting received vide No.2352 dated 23/04/2021. The following Class-IV staffs working under the control of undersigned are hereby promoted as Junior Clerk BPS-11.

S#	Name	Father Name	Promoted from	Promoted to	Remarks
01	Mr. Muhammad Naeem	Muhammad Miskeen	Behalati	Junior Clerk BPS-11	
02	Mr. Arif Hussain Shah	Syed. Siddique Shah	Dental Attendant	Junior Clerk BPS-11	Against vacant post.

DISTRICT HEALTH OFFICER
MANSEHRA.

No. 236/65/1 Dated Mansehra the, (Promotion)

23/4/2021

Copy to the:-

- 1) Director General Health Services Khyber Pakhtunkhwa Peshawar.
- 2) District Account Officer Mansehra.
- 3) Account Section office of the Undersigned.
- 4) Service Book Section office of the undersigned
- 5) Officials concerned.

For information and necessary action please

DISTRICT HEALTH OFFICER
MANSEHRA.

The director general,
Health Services,
KPK Peshawar.

Subject: APPEAL/ REPRESENTATION
AGAINST THE ORDER NO 2361-
65 DATED 23.04.2021 PASSED BY
DISTRICT HEALTH OFFICER
MANSEHRA

Respectfully Sheweth,

- 1) That, the appellat is working as Chokidar Since 1994 in the Health Department Manshra.
- 2) That, the district health Office Manshra through Order No.2361/65 promoted two other persons namely Muhammad Naeem and Arif Hussain illegally and against the rules and policy in BPS-11
(Order is annexed herewith)
- 3) The appellat is entitled for promotion according to rules and law.
- 4) That, Muhammad Naeem and Arif Hussain are junior of the appellat but they were promoted against the rules by promoting the appellat.
- 5) That according the rules and notification SEO-III CE&AD 01.08.2008 dated

04.02.2009 the appellant is entitled for promotion.

6) That, the officer order of promotion is the result of political interference and personal liking and disliking.

It is therefore, humbly prayed that by reversing the titled order appellant be promoted in BPS-11 as Junior Clerk.

Dated: 05th May, 2021

BILAL AHMED
S/O Khushal Khan
Najib Qasid DHO
Manshra

No.1230 For Insurance Notices see reverse. Stamps affixed except in case of uninsured the initial weight prescribed in the Post Office Guide or on which no acknowledgement is due. Rs. 60

Received a registered addressed to _____ Date-Stamp _____

Initials of Receiving Officer _____ *Write here "letter", "postcard", "packet" or "parcel" with the word "insured" before if when necessary.

Insured for Rs. 1000 (in words) _____

Insurance fee Rs. _____ Weight 100 (in words) _____ Kilo. _____ Grams _____

Name and address of sender _____

05/05/21

DBAM No. 233BC No. 10-1338Name of Advocate سید بابر علی شاہS.No 12790

Fee Rs. 100/-



2020-21
General Secretary
District Bar Association
Peshawar

وکالت نامہ

In the Court of Service Tribunal Peshawar KPK. عدالت

District Health Officer Etc. نام: Bilal Khan عنوان:Service Appeal نوعیت مقدمہ: Appellant منجانب:

باعث تحریر آنکہ

Peshawar
دریں مقدمہ عنوان بالا میں اپنی طرف سے برائے پیروی و جواب دہی بمقامSyed Babar Ali Shah Advocate High Court

کو بدیں شرائط وکیل مقرر کیا ہے کہ میں ہر پیشی پر خود یا بذریعہ مختار خاص رو برو عدالت حاضر ہوتا رہوں گا اور بوقت پکارے جانے وکیل موصوف کو اطلاع دیکر حاضر کروں گا۔ اگر کسی پیشی پر منظر حاضر نہ ہوا اور غیر حاضری کی وجہ سے کسی طور پر مقدمہ میرے خلاف ہو گیا تو وکیل موصوف اس کے کسی طرح ذمہ دار نہ ہوں گے۔ نیز وکیل موصوف صدر مقام کچہری کے علاوہ کسی اور جگہ کچہری کے مقررہ اوقات سے پہلے یا بروز تعطیل پیروی کرنے کے مجاز نہ ہوں گے۔ اگر مقدمہ کچہری کے علاوہ کسی اور جگہ سماعت ہوا یا کچہری کے اوقات کے آگے پیچھے سماعت ہونے پر منظر کو کوئی نقصان پہنچے تو وکیل موصوف ذمہ دار نہ ہوں گے اور وکیل موصوف کو عرضی دعویٰ اور درخواست اجراء ڈگری و نظر ثانی اپیل نگرانی دائر کرنے نیز ہر قسم کی درخواست بیان حلفی و تصدیق کرنے اور اسپر دستخط کرنے کا بھی اختیار ہوگا۔ اور کسی حکم یا ڈگری کے اجراء کرانے اور قسم کاروبیہ وصول کرنے اور رسید دینے اور داخل کرنے کا ہر قسم کا بیان دینے اور سپر دہاشی و راضی نامہ و دستبرداری و اقبال دعویٰ کا اختیار بھی ہوگا بصورت اپیل و برآمدگی مقدمہ یا منسوخی ڈگری یکطرفہ درخواست حکم امتناعی یا فیصلہ قبل از ڈگری اجراء ڈگری بھی وکیل موصوف کر بشرط ادائیگی علیحدہ محنتانہ ادا کرنے کا مجاز ہوگا اور بصورت ضرورت بدوراں مقدمہ یا اپیل و نگرانی کسی دوسرے وکیل یا ایئر سٹر کو بجائے خود یا اپنے ہمراہ مقرر کریں اور مشیر قانونی کو بھی اس امر میں وہی اختیارات حاصل ہوں گے جیسے وکیل موصوف کو اور اگر پوری فیس تاریخ پیشی سے پہلے ادا نہ کروں گا تو وکیل موصوف کو پورا اختیار ہوگا کہ مقدمہ کی پیروی نہ کریں اور ایسی حالت میں میرا مطالبہ وکیل موصوف کے برخلاف نہیں ہوگا مجھے کل ساختہ پر داخستہ وکیل موصوف مثل ذات خود منظور و قبول ہوگا۔ لہذا وکالت نامہ لکھ دیا ہے اور دستخط/انگوٹھا ثبت کر دیا ہے تاکہ سند رہے۔ مضمون وکالت نامہ سن لیا ہے اور اچھی طرح سمجھ لیا ہے۔

مورخہ 12 اکتوبر 2021ء

ACCEPTED

"A"

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

No.

APPEAL No. 7293 of 20 21

Bikal Khan

Appellant/Petitioner

Versus

D.H.O, Manselwa

RESPONDENT(S)

Notice to Appellant/Petitioner

Counsel
Syed Babar Ali Syed
Advocate High Court
Manselwa

Take notice that your appeal has been fixed for Preliminary hearing, replication, affidavit/counter affidavit/record/arguments/order before this Tribunal on 11/10/2021 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 Peshawar

[Signature]
Registrar,
Khyber Pakhtunkhwa Service Tribunal,
Peshawar.

"B"

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

No.

IB

Appeal No. 7293 of 20 21

Bilal Khan Appellant/Petitioner
Versus

DHO, Manselva Respondent

Respondent No. I

Notice to: — Distt. Health Officer, Manselva.

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.....at 8:00 A.M. If you wish to urge anything against the appellent/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. 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 10th Dec 21

Day of.....20

at Camp Court A Road



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,
PESHAWAR.

No.

183

Appeal No. 7293 of 20 21

Bilal Khan Appellant/Petitioner

Versus

DHO Manshera Respondent

Respondent No. 4

Notice to:

Mahammad Naeem G/O M. Mir Khan
G/O D.P.C.R. Public Control Room
Manshera.

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 19-1-2022 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.


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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 10/11

Day of Dec: 2021

at Camp Court A. Plead.


 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,
PESHAWAR.

1B

No.

Appeal No. 7293 of 20 21
Bilal Khan Appellant/Petitioner

Versus
DHO Manselva. Respondent

Respondent No. 5
Arif Hussain Shah, S/o Syed Siddique Hussain
 Notice to: - R/o Distt. Health Manselva.

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.....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. 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.....
 Day of Decr.....2021

at Camp Court A. Alad

[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,
PESHAWAR.

713

No.

Appeal No. 7293 of 2021

Bilal Khan Appellant/Petitioner

Versus

DHO, Manshera Respondent

3

Respondent No.

Notice to: -

Secy: Health Dept: of 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 17-1-2022 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.

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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 10th

Day of Dec: 2021

at Camp Court A Head

Registrar,
Khyber Pakhtunkhwa Service Tribunal,
Peshawar.

Recd
Tak
04/1/22

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

"B"

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

No.

TB

Appeal No. 72.93 of 20 21

Bilal Khan Appellant/Petitioner

Versus

D.H.O. Atankhwa Respondent

Respondent No. 2

Notice to: - Director General Health Services Govt of
 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 17.12.21 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.

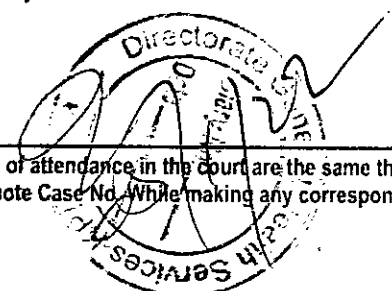
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Copy of appeal is attached. ~~Copy of appeal has already been sent to you vide this office Notice No.....dated.....~~

Given under my hand and the seal of this Court, at Peshawar this 10/12

Day of Dec 20 21

at Camp Court A. Alaud



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.