26.09.2022

Nemo for the petitioner. Mr. Mr. Kabirullah Khattak, Additional Advocate General for the respondents present.

Counsel was
Informed but the application of the did not receive the notice To receive the asked that as he asked that the had been this case had been this

Previous date was changed on the strength of Reader's Note, therefore, notice be issued to the petitioner as well as his counsel to appear and apprise the Tribunal about the current status. Adjourned. To come up for further proceedings before the S.B on 03.11.2022.

(Mian Muhammad) Member (E)

- 1. None for the petitioner present. Mr. Muhammad Adeel Butt, Additional Advocate General for respondents present.
- 2. Learned Additional Advocate General submitted that representative of the respondents are not present, therefore, appropriate order might be passed. Salaries of the respondents are attached and they are directed to appear in person alongwith proper implementation report, failing which further coercive measures would be taken against them. The Accountant General Khyber Pakhtunkhwa is directed to attach salaries of the respondent No. 1 to 3 till further orders of this Tribunal. To come up for implementation report on 29.06.2022 before S.B.

(Kalim Arshad Khan) Chairman

2502.60.62 24.02.2022 None present on behalf of petitioner. Mr. Kabir Ullah Khattak, Additional Advocate General alongwith Mr. Muhammad Asif Yousafzai, Legal Advisor for respondents present and stated that the main case has already been decided on 17.01.2022 and on the present appeal appellant has already been granted stay from MTI, Tribunal Peshawar. Therefore, this COC has become infructuous. He provided a copy of the order dated 30.05.2022 through which the appellant has been given the relief by suspending order dated 24.05.2022 in the light of order of MTI Appellate Tribunal.

Salaries of Respondent No. 1 to 3 are hereby released.

Notices be issued to petitioner as well as his counsel for the date fixed. To come up for further proceedings on 10.08.2022 before S.B.

10.8.2022 Due to Readed The Case is Adjourned (Faresha Paul)
to 26-9-2022 Member (E)

Cander.

# FORM OF ORDER SHEET

Court of
----------

C.O.C No. 364/2021

S.No.	Date of order proceedings	Order or other proceedings with signature of judge
1	2	3
1	03/12/2021	The C.O.C application of Mr. Rehmat Ullah submitted today by
		Mr. Nazir Ahmad Advocate Advocate, may be entered in the relevant
		Register and put up to the Court for proper order please.  REGISTRAR
2-		This C.O.C application be put up before S. Bench on
		CHAIRMAN
- ,		
	14.01.2022	Learned counsel for the petitioner present.
		Notices be issued to the respondents for 202,03.2022
		before the S.B.
		(Calab IIId Dia)
		(Salah-Ud-Din) Member (J)
	2-3-2022	Due to retirement of the
		Houselle Chairman the case is
		1. I to come up for the come
		hor the same as before on 30-5
		Reader





# Office of the Hospital Director

7096

/KTH/HRD

Dated 30/05/2022

Hospital Director MTI, KTH, Peshawar.

In compliance of the order Sheet dated 24-05-2022, in Appeal No. 57/2022 of Honorable OFFICE ORDER Khyber Pakhtunkhwa Medical Teaching Institutions Appellate Tribunal Peshawar, the relieving order in respect of Dr. Rehmat Ullah Jan S/O Ghazi Mar Jan, Senior Medical Officer, BPS-18 (Civil Servant) MTI, KTH vide office order No. 4115/KTH/HRD dated 04-05-2021 is hereby suspended from 24-05-2022 till further order.

Medical Director MTI, KTH, Peshawar.

No.

/KTH/HRD

Copy to:

- 1. Secretary to Govt: of Khyber Pakhtunkhwa. Health Department, Peshawar.
- 2. Director General Health Services, Khyber Pakhtunkhwa, Peshawar.
- 3. Director Finance, MTI, KTH, Peshawar.
- 4. Manager Legal, MTI, KTH, Peshawar.
- 5. Manager Accommodation, MTI, KTH, Peshawar.
- 6. Secretary to BOG, MTI, KTH, Peshawar.
- 7. HR-MIS Section, MTI, KTH, Peshawar to update in HIMS.

8. Doctor Concerned.

Medical Director MTI. KTIA Peshawar. Hospital Director MTI, KTH, Peshawar.

# IN THE KHYBER PAKHTUNKHWA SERVICE TRIBUNAL,

## **PESHAWAR**

COC/Implementation-364-/2021 Service Appeal No\_6621/2021



Mr. Rehmat Ullah jan Senior Medical Officer Khyber Teaching Hospital Peshawar......Appellant

### **Versus**

Contempt/implementation of order dated 9.7.2021 OF THIS Honourable tribunal

# Prayer:-

On acceptance of this Application the Respondent No-2 and 3 may be directed to implement the order by giving official responsibilities to the appellant and release his salaries for the month so spend in litigations.

Respectfully Sheweth: - The need for the instant Application before the Tribunal arises due to the following facts:

## Facts:

- 1. That the Appellant filed a service Appeal No 6621/2021 which is admitted for regular hearing on 9.07.2021
- 2. That this Honourable Tribunal on the Application of the Appellant suspended the impugned order No- 415/KTH/HRD dated 4.5.2021 (Copy of order of the Tribunal is attached).
- 3. That the copy of the said order is sent by the tribunal and is also handed over by the Appellant to the Respondents No. 2 and 3 but



- till to date it is not implemented. The Appellant is not given any responsibility in the Hospital nor is he paid any salary.
  - 4. This conducts on the part of the Respondents No-2 and 3 highly unwarranted and requires the interference of this Honourable Tribunal.
  - 5. That this Tribunal is requested to order the Respondents concerned to implement the order in letter and spirit.

**Appellant** 

Through

High court. Peshawar.

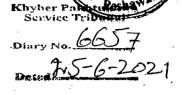
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# IN THE KHYBER PAKHTUNKHWA SERVICE TRIBU



Service Appeal No 6621 /2021



Mr Rehmat Ullah jan Senior Medical Officer Khyber Teaching Hospital Peshawar......Appellant

### **Versus**

- 1. Government of Khyberpakhtunkhwa through Director General Health Services Khyber Pakhtunkhwa. Peshawar.
  - 2. Chairman Board of Governor Khyber teaching Hospital Peshawar.
- . 3. Hospital Director (MTI) KTH Peshawar.....Respondents

Service Appeal under Section 4 of the K.P Service Tribunal Act, 1973, against the impugned office order No 4115/KTH/HRD dated 4.5.2021 whereby the Appellant is relieved from the service of KTH by Respondent No 3 being not competant Authority without lawful Authority and is repatriated and placed on the disposal of the Respondent No 1 in a ridiculous, illegal and uncermonial manners in complete disregard of law and rules in force.

Prayer:-

Registration acceptance of this Appeal the impugned office order No4115/KTH/HRD dated 4.5.2021 of the Respondent No-3 may
kindly be set aside, may be declared without lawful Authority
and with no effect upon the rights of the Appellant and the
Appellant repatriation order may be canceelled or withdrawn..

Respectfully Sheweth: - The need for the instant Appeal before the Tribunal arises due to the following facts:

Melan Nomay

09.07.2021

appellant present. Counsel for the

**Preliminary** 

arguments heard.

Points raised need consideration. The appeal is admitted to regular hearing subject to all just and legal objections. The appellant is directed to deposit security and process fee within 10 days. Thereafter, notices be issued to the respondents for submission of written reply/comments in office within 10 days after receipt of notices, positively. If the written reply/comments are not submitted within the stipulated time, or extension of time is not sought through written application with sufficient cause, the office shall submit the file with a report of non-compliance. File to come up for arguments on 28.07.2021 before the D.B.

The appeal is also accompanied with an application for suspension of the impugned order till the final decision of the appeal. Notice of the same be also given to the respondents for the date already fixed. The operation of the impugned order to the extent of appellant shall remain suspended till date of hearing mentioned above.

ce Tribunal

Date of Presentation of Application

Number of Words

Urgen<sup>4</sup>

Copying Fee.

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

	PESHAWAR.
No.	COC NO 264/21
•	PESHAWAR.  COC NO 264/21  Appeal No. 6621 of 2021
	Rehmut 11/1/Wh Appellant/Petitioner
	TWOSU DG1 17cust 11 PSh Respondent
	Respondent No.
Al-4: 4	Chairman Board of Governor Teaching Hospital Perhamon.
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	Icaemne Hostital PEShawar.
WHE	REAS an appeal/petition under the provision of the Khyber Pakhtunkhwa
the above ca	ervice Tribunal Act, 1974, has been presented/registered for consideration, in ase by the petitioner in this Court and notice has been ordered to issue. You are
hereby info	ormed that the said appeal/petition is fixed for hearing before the Tribunal
appellant/p	at 8.00 A.M. If you wish to urge anything against the etitioner you are at liberty to do so on the date fixed, or any other day to which
the case ma	ay be postponed either in person or by authorised representative or by any
this Court	uly supported by your power of Attorney. You are, therefore, required to file in at least seven days before the date of hearing 4 copies of written statement
alongwith a	any other documents upon which you rely. Please also take notice that in
appeal/petit	your appearance on the date fixed and in the manner aforementioned, the tion will be heard and decided in your absence.
given to you	e of any alteration in the date fixed for hearing of this appeal/petition will be u by registered post. You should inform the Registrar of any change in your
address. If y	ou fail to furnish such address your address contained in this notice which the
notice poste	en in the appeal/petition will be deemed to be your correct address, and further ed to this address by registered post will be deemed sufficient for the purpose of
this appeal/j	petition.
Сору	of appeal is attached. Copy of appeal has already been sent to you vide this
office Notice	e Nodated
Given	under my hand and the seal of this Court, at Peshawar this
Day of	1 20 22
	Registrar,
	Khyber Pakhtunkhwa Service Tribunal,

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.

Peshawar.

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

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	PESHAWAR.
No.	COC NO 264/21
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•••	Rehmut 11/44 Appellant/Petitioner
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	Respondent No
Notice to: —	heirman Board of Governor
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WHEREA	AS an appeal/petition under the provision of the Khyber Pakhtunkhwa
	ce Tribunal Act, 1974, has been presented/registered for consideration, in
hereby informe	by the petitioner in this Court and notice has been ordered to issue. You are ed that the said appeal/petition is fixed for hearing before the Tribuna
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appellant/petiti	at 8.00 A.M. If you wish to urge anything against the ioner you are at liberty to do so on the date fixed, or any other day to which
the case may b	e-postponed either in person or by authorised representative or by any
Advocate, duly s	supported by your power of Attorney. You are, therefore, required to file in
this Court at le	east 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	rappearance on the date fixed and in the manner aforementioned, the will be heard and decided in your absence.
appear/perrion	will be neard 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 f	ail 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 posteg to this appeal/petit	this address by registered post will be deemed sufficient for the purpose of
Copy of a	ppeal is attached. Copy of appeal has already been sent to you vide this
office Notice No	der my hand and the seal of this Court, at Peshawar this.
Given und	der my hand and the seal of this Court, at Peshawar this.
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Registrar,

Khyber Pakhtunkhwa Service Tribunal,

Peshawar.

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.

KHYBER PAKHTUNKI IWA	SER VICE TRIBUNAL,	PESHAWAR.
JUDICIAL CON 1PL	EX (OLD), KHYBER	ROAD,

	p	PESHAWAR.		
No.	Coc	364/2/	SB	
	ppeal No	6621	of 20 24	
<u> </u>	chmat	ullah	Appellant/Petitioner	
		Versus		
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	<u> </u>	Respondent No	) <i>[</i>	•••••
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Day of	••••••	20	)2	

Registrar, Khyber Pakhtunkhwa Service Tribunal, Peshawar.

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.	Coc 364/21 SNB
	Appeal No
	Rehmat 11/16/2 Appellant/Petitioner
	Versus
	(Mouse) Gy Heaffy Respondent  Respondent No.
	Respondent No
Notice to	Gout of KPI ( Imagh Director General Health Services Pegh
	General Health Services Peth
XX.	With EAC are among locatition and on the amorphism of the Whyber Deletantham

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 Nodateddated
	Given under my hand and the seal of this Court, at Peshawar this
Day o	f

Registrar,

Khyber Pakhtunkhwa Service Tribunal, Peshawar.

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.

KHYBER PAKHTUNKHWA	SERVICE	TRIBUNAL,	PESHAWAR.
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App	eal No	66.240	120 ZI
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Mag	ver h DG 1fee	elth Pesh	Respondent
		Respondent No	. 3
Notice to: _ HOS	Pital Direc	for MT Peshawa	1) KTH
WHEREAS an a Province Service Trib the above case by the phereby informed that *onappellant/petitioner yethe case may be postp. Advocate, duly support this Court at least sevalong with any other	appeal/petition under punal Act, 1974, has be petitioner in this Court the said appeal/petit 2	the provision of the en presented/register than the notice has been ion is fixed for hear M. If you wish to urgo on the date fixed, on or by authorised restorncy. You are, then ate of hearing 4 copies you rely. Please ated and in the mann	e Khyber Pakhtunkhwa red for consideration, in ordered to issue. You are ing before the Tribunal ge anything against the er any other day to which epresentative or by any refore, required to file in es of written statement also take notice that in ter aforementioned, the
given to you by regist address. If you fail to fi address given in the ap	ered post. You should urnish such address yo peal/petition will be d	inform the Registra our address contained eemed to be your corr	s appeal/petition will be r of any change in your l in this notice which the ect address, and further ficient for the purpose of
Copy of appeal	is attached. Copy of a	ppeal has already be	en sent to you vide this
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Given under my	hand and the seal of	this Court, at Peshav	war this2
Day of		20 2.2	

Registrar,

Khyber Pakhtunkhwa Service Tribunal, Peshawar.

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 COMPLE	X (OLD)	, KHYBER I	ROAD,

JUE	DICIAL COMPLEX (OLD), KHYBER ROAD,
No.	COC NO 264/21 SA
A	ppeal No
K.p	Appellant/Petitioner
.l. hors	M. D.G. Hell M. Respondent
	Respondent No
Notice to: — Ho	spital Director (MTI) KTH Peskawas
Province Service Tr	restitubles and appeal/petition under the provision of the Khyber Pakhtunkhwa ibunal Act, 1974, has been presented/registered for consideration, in e petitioner in this Court and notice has been ordered to issue. You are
hereby informed th	at the said appeal/petition is fixed for hearing before the Tribunal at 18.00 A.M. If you wish to urge anything against the you are at liberty to do so on the date fixed, or any other day to which
the case may be pos	stponed either in person or by authorised representative or by any
this Court at least s	orted by your power of Attorney. You are, therefore, required to file in even days before the date of hearing 4 copies of written statement
default of your app	r documents upon which you rely. Please also take notice that in earance on the date fixed and in the manner aforementioned, the be heard and decided in your absence.
given to you by regi address. If you fail to address given in the	alteration in the date fixed for hearing of this appeal/petition will be stered post. You should inform the Registrar of any change in your furnish such address your address contained in this notice which the appeal/petition will be deemed to be your correct address, and further address by registered post will be deemed sufficient for the purpose of
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Copy of appea	I is attached. Copy of appeal has already been sent to you vide this
office Notice No	dated
	y hand and the seal of this Court, at Peshawar this
Day of	20 22

Registrar, Khyber Pakhtunkhwa Service Tribunal, Peshawar.

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.



# KHYBER PAKHTUNKWA SERVICE TRIBUNAL, PESHAWAR

No: 1657/ST Dated: 10/06/2022

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

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

To,

1 The Accountant General, Government of Khyber Pakhtunkhwa, Peshawar.

Subject:

SALARY ATTACHMENT IN COC/IMPLEMENTATION NO. 364/2021 IN CASE TITLE Mrs. REHMATULLAH JAN VS DG HEALTH SERVICES KHYBER PAKHTUNKHWA, PESHAWAR.

I am directed to forward herewith a certified copy of Order dated 30.05.2022 passed by this Tribunal on the above subject for strict compliance.

Encl: As Above.

(WASEEMAKHTAR)

REGISTRAR KHYBER PAKHTUNKHWA SERVICE TRIBUNAL PESHAWAR



# KHYBER PAKHTUNKWA SERVICE TRIBUNAL, PESHAWAR

No: 2662-64/ST Dated: 17/66/2022

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

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

To,

- 1 Government of Khyber Pakhtunkhwa Through Director General Health Services Khyber Pakhtunkhwa, Peshawar.
- 2 Chairman Board of Governor Khyber teaching Hospital Peshawar.
- 3 Hospital Director (MTI) KTH Peshawar.

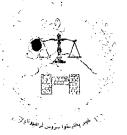
Subject: PERSONAL APPEARANCE IN COC/IMPLEMENTATION
PETITION NO.364/2021 IN CASE TITLE Mr. REHMAT ULLAH
JAN VS DG, HEALTH SERVICES KHYBER PAKHTUNKHWA,
PESHAWAR.

I am directed to forward herewith a certified copy of Order dated 30.05.2022 passed by this Tribunal on the above subject for strict compliance.

Encl: As Above.

(WASEEM AKHTAR)

REGISTRAR KHYBER PAKHTUNKHWA SERVICE TRIBUNAL PESHAWAR



# KHYBER PAKHTUNKWA SERVICE TRIBUNAL, PESHAWAR

No. 2346 /ST Dated 3/8/2022

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

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

To:

The Accountant General, Khyber Pakhtunkhwa, Peshawar.

SUBJECT:- ORDER REGARDING RELEASE OF SALARIES IN EXECUTION PETITION NO. 364/2021, TITLED REHMAT ULLAH -VS- GOVERNMENT OF KHYBER PAKHTUNKHWA THROUGH DIRCECTOR GENERAL HEALTH SERVICES, PESHAWAR AND OTHERS.

I am directed to forward herewith a certified copy of order dated 29.06.2022, passed by this Tribunal in the above mentioned execution petition for strict compliance.

Encl. As above.

(WASEEM AKHTAR)
REGISTRAR
KHYBER PAKHTUNKHWA
SERVICE TRIBUNAL,
PESHAWAR.

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

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	D6	Health	Versus	eshaw	Mppeaaayr L√ Respor		. •
٠.			Respe	ondent No	Cou	nsel	
Notice to: -	- Mazir	Ahm	ad.	advoc	ate	High	Con
the above the above the above the reby information appellant/the case n Advocate, this Court alongwith default of appeal/pct	EREAS an appear Service Tribunal case by the petitio formed that the service Tribunal petitioner you are all petitioner you are all petitioner you are at least seven dany other documents of the service of any alteration will be hear to service of any alterationer are serviced as a servic	Act, 1974, has oner in this Cosaid appeal/p	been precurt and netition is A.M. If y do so on the record or by of Attorno e date of which your alie of the fixed an in your alie of the fixed for the record of the reco	sented/reg otice has be fixed for he ou wish to he date fixe y authorise y. You are, the hearing 4 control of the rely. Plead d in the measures of	istered for cen ordered caring before urge anythe d, or any of d represent therefore, re copies of wise also tak anner afor	considerate to issue. Your the Tri hing again her day to tative or bequired to ritten state e notice thementioned to the contioned the continuous the contin	ion, in ou are should st the which y any file in ement nat in d, the
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Registrar, Khyber Pakhtunkhwa Service Tribunal. Peshawar.

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

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

No.	,	COL	36	4 -		2021	
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the above case hereby information	by the petition bed that the sa	ct, 1974, has ner in this Co aid appeal/p at 8.00 at liberty to either in pe your power ys before the ents upon v on the date	been precurt and netition is  A.M. If you do so on to the contraction or by the contraction of the contracti	sented/reg notice has b fixed for l you wish to he date fix- y authoris by You are, hearing 4 to rely. Plea d in the n	cistered force order order order or urge any ed, or unived representations of the copies of the copi	r considerated to issue. Yefore the Trything again other day to entative or to written states to the notice to	ion, in You are ibunal ist the which by any file in ement
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Khyber Pakhtunkhwa Service Tribunal. Peshawar.

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