

30.09.2021

Mr. Muhammad Anwar Awan, Advocate, for the appellant present. Mr. Asif Masood Ali Shah, Deputy District Attorney for the respondents present and requested for adjournment on the ground that the brief of the instant appeal has not been handed over to him, therefore, he is not in a position to address arguments. Learned counsel for the appellant has got no objection on the adjournment. Adjourned. To come up for arguments before the D.B on 24.11.2021 at Camp Court D.I.Khan. The appellant is directed to submit Member copy of the instant appeal on or before the date fixed.

(ATIQ-UR-REHMAN WAZIR)
MEMBER (EXECUTIVE)
CAMP COURT D.I.KHAN

(SALAH-UD-DIN)
MEMBER (JUDICIAL)
CAMP COURT D.I.KHAN

28th Sept 2022

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

Due to paucity of time, arguments could not be heard. To come up for arguments on 25.10.2022 before D.B at camp court D.I.Khan.



(Salah Ud Din)
Member(J)



(Kalim Arshad Khan)
Chairman
Camp Court D.I.Khan

25.10.2022

Junior to counsel for appellant present.

Kabir Ullah Khattak, learned Additional Advocate General for respondents present.

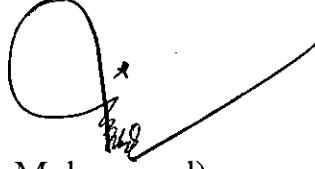
Bench is incomplete, therefore, case is adjourned. To come up for arguments on 22.11.2022 before D.B at Camp Court, D.I Khan.



(Rozina Rehman)
Member (J)
Camp Court, D.I.Khan

27th June, 2022

Because of less number of cases fixed for the week commencing from 27.06.2022, the office was directed to fix some old cases. The office is fix this case but as no notices could be issued to the parties and their counsel, therefore, notices be issued to the parties and their counsel for arguments on 30.06.2022 before D.B at camp court D.I.Khan.



(Mian Muhammad)
Member(E)

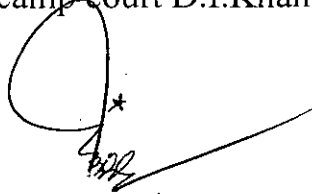


(Kalim Arshad Khan)
Chairman
Camp Court D.I.Khan

30th June 2022

Counsel for the appellant present. Mr. Farhaj Sikandar,
District Attorney for respondents present.

Learned counsel for the appellant seeks adjournment.
Adjourned. To come up for arguments on 27.08.2022 before
D.B at camp court D.I.Khan.



(Mian Muhammad)
Member(E)



(Kalim Arshad Khan)
Chairman
Camp Court D.I.Khan


27/08/2022

Due to summer vacation case
up for 28/08/2022

Reader

26.01.2022

Tour is Cancelled, therefore, case is adjourned
to 25.05.2022 for the same as before.



Reader.


25.05.2022

Learned counsel for the appellant present. Mr. Farhaj Sikandar, District Attorney for respondents No. 1 & 2 present. Mr. Saddam Hussain Zakoori, Advocate present in some other case, stated that he is Standing Counsel of MTI, therefore, opportunity may be granted to him for filing of Wakalat Nama on behalf of MTI.

Learned counsel for the appellant stated at the bar that the nomenclature of respondent No. 3 is now changed as Hospital Director, but in the column of respondent it has been mentioned as Medical Superintendent MMTI, which may be changed as "Hospital Director" in the instant appeal. In this respect learned counsel for the appellant also submitted an application, which is placed on.

The requests of learned counsel for the appellant has not been objected to by the other side, therefore, the same is allowed and office is directed to make necessary correction in the memo of appeal as well as relevant record accordingly. Notice also be issued to respondent No. 3 and to come up for further proceedings on 27.07.2022 before the D.B at Camp Court D.I.Khan.


(Rozina Rehman)
Member (J)
Camp Court D.I.Khan


(Salah-ud-Din)
Member (J)
Camp Court D.I.Khan

16.12.2021

Appellant in person present.

Noor Zaman Khan Khattak learned District Attorney for respondents present.

Former made a request for adjournment as his counsel is busy before the august Supreme Court of Pakistan. Request is accorded. To come up for arguments on 26.01.2022 before the D.B at Camp Court, D.I.Khan.




(Rozina Rehman)
Member (J)




Chairman
Camp Court, D.I.Khan

30.09.2021

Mr. Muhammad Anwar Awan, Advocate, for the appellant present. Mr. Asif Masood Ali Shah, Deputy District Attorney for the respondents present and requested for adjournment on the ground that the brief of the instant appeal has not been handed over to him, therefore, he is not in a position to address arguments. Learned counsel for the appellant has got no objection on the adjournment. Adjourned. To come up for arguments before the D.B on 24.11.2021 at Camp Court D.I.Khan. The appellant is directed to submit Member copy of the instant appeal on or before the date fixed.

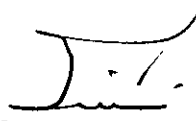

(ATIQ-UR-REHMAN WAZIR)
MEMBER (EXECUTIVE)
CAMP COURT D.I.KHAN



(SALAH-UD-DIN)
MEMBER (JUDICIAL)
CAMP COURT D.I.KHAN

24.11.2021

Appellant alongwith his counsel present. Mr. Muhammad Rasheed, Deputy District Attorney for the respondents present.

Learned counsel for the appellant sought adjournment for preparation of arguments. Adjourned. To come up for arguments before the D.B on 16.12.2021 at Camp Court D.I.Khan.


(Salah-ud-Din)
Member (J)
Camp Court D.I.Khan



Chairman
Camp Court D.I.Khan

22.02.2021

Appellant in person present.

Noor Zaman Khattak learned District Attorney present.

Reply on behalf of respondents No. 1 to 3 has been already submitted. Written reply/comments on behalf of respondent No.5 is still awaited. Fresh notice be issued to respondent No.5 for submission of reply/comments. Another last opportunity is granted. To come up for reply/comments on 24.03.2021 before S.B at Camp Court, D.I Khan.

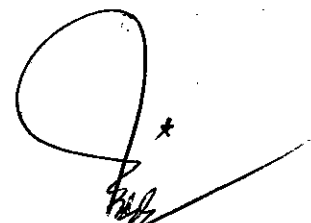

(Atiq ur Rehman Wazir)
Member (E)
Camp Court, D.I Khan

24.03.2021

Appellant in person present. Mr. Muhammad Rashid, DDA for respondents present.

Written reply/comments on behalf of respondents No. 1 to 3 have already been submitted. Neither representative of respondent No.5 is present nor his written reply submitted despite last opportunity, hence, proceeded against ex-parte.

Adjourned to 25.05.2021 for arguments before D.B at camp court D.I.Khan.


(Mian Muhammad)
Member(E)
Camp Court D.I.Khan


Due to covid, 19 therefore to come up for the same on 30/9/21



28.10.2020

Appellant is present in person. Mr. Usman Ghani, District Attorney alongwith Mr. Hazrat Shah, Section Officer, for the respondents No. 1 to 3 and Mr. Saddat, Computer Operator, on behalf of respondents No. 5, are also present.

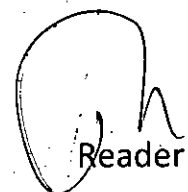
Notice to respondent No. 4 has already been issued but neither the official concerned is present in person nor anyone else representing him is in attendance, therefore, he is proceeded against ex-parte. Written reply on behalf of respondents No. 1 to 3 has already been submitted. Representative of respondent No. 5 is seeking time for submission of written reply/comments. The appeal is pending for submission of written reply/comments since 25.02.2019 but has not been submitted so far, therefore, costs of Rs. 2000/- is imposed on the referred to respondent to be paid to the appellant. Last chance is given to respondent No. 5 for submission of written reply/comments on 22.12.2020 before S.B at Camp Court D.I.Khan.



(MUHAMMAD JAMAL KHAN)
MEMBER
CAMP COURT D.I.KHAN

22.12.2020

Due to Pandemic of Covid-19, the case is adjourned to 22.02.2021 for the same.



Reader

26/3/2020

Due to COVID-19 the case is adjourned. To come up for the same 22/4/2020 at Camp Court, D.I Khan


Reader

22/4/2020

Due to COVID-19 the case is adjourned. To come up for the same 28/9/2020 at Camp Court, D.I Khan


Reader

23.09.2020

Junior counsel for appellant present.

Mr. Usman Ghani learned District Attorney for respondents present.

Written reply on behalf of respondents No.4 & 5 is still awaited. Notice be issued to respondents for attendance and to submit written reply/comments for 28.10.2020 before S.B at Camp Court D.I Khan.




(Rozina Rehman)
Member (J)
Camp Court, D.I Khan

Service Appeal No. 275/2018

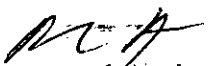
25.02.2020

Counsel for the appellant and Mr. Usman Ghani, District Attorney for the respondents present. Written reply on behalf of respondents No. 1 to 3 has already been submitted. Neither written reply on behalf of respondents No. 4 & 5 submitted nor their representatives are present, therefore, notices be issued to respondents No. 4 & 5 with the direction to direct the representatives to attend the court and submit written reply on the next date positively. To come up for written reply/comments on behalf of respondents No. 4 & 5 on 26.03.2020 before S.B at Camp Court D.I.Khan.


(Muhammad Amin Khan Kundi)
Member
Camp Court D.I.Khan.


26.11.2019

Appellant in person and Mr. Ziaullah, Deputy District Attorney alongwith Mr. Jamshaid, Chief Clinical Technician Pharmacy for the respondents present. Written reply on behalf of respondents not submitted. Representative of the department seeks further time to file written reply. Case to come up for written reply/comments on 28.01.2020 before S.B at Camp Court D.I.Khan.


(Muhammad Amin Khan Kundi)
Member
Camp Court D.I.Khan

28.01.2020

Appellant in person and Mr. Usman Ghani, District Attorney alongwith Mr. Abdul Manan, Stenographer on behalf of respondents No. 1 to 3 present. Representative of respondents No. 1 to 3 submitted written reply on behalf of respondents No. 1 to 3 which is placed on record. Neither written reply on behalf of respondents No. 4 & 5 submitted nor their representatives are present therefore, notices be issued to them with the direction to direct the representatives to attend the court and submit written reply on the next date positively. Case to come up for written reply/comments on behalf of respondents No. 4 & 5 on 25.02.2020 before S.B at Camp Court D.I.Khan.


(M. Amin Khan Kundi)
Member
Camp Court D.I.Khan

26/06/2019

Counsel for the appellant and Mr. Farhaj. Sikandar, District Attorney alongwith Mr. Jamshaid, CCT Pharmacy for the respondents present. Written reply on behalf of respondents not submitted. Representative of the department requested for further adjournment. Adjourned to 24.09.2019 for written reply/comments before S.B at Camp Court D.I.Khan.


(Muhammad Amin Khan Kundi)
Member
Camp Court D.I.Khan

24/09/2019

Appellant in person present. Written reply not submitted. Jamshed CT Pharmacy representative of respondent department present and requested for time to furnish written reply/comments. Granted. To come up for written reply/comments on 23.10.2019 before S.B at Camp Court D.I.Khan.

Member
Camp Court, D.I.Khan


23/10/2019

Since tour to D.I.Khan has been cancelled .To come for the same on 26/11/2019.


Reader

25.02.2019

Counsel for the appellant present. Mr. Farhaj Sikandar, District Attorney alongwith Mr. Muhammad Jamshid, Chief Clinical Technician (Pharmacy) for the respondents present. Written reply on behalf of respondents not submitted. Representative of the department requested for adjournment. Adjourned. To come up for written reply/comments on 27.03.2019 before S.B at Camp Court D.I.Khan.

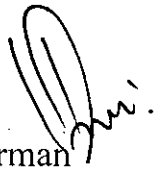

(Muhammad Amin Khan Kundi)
Member
Camp Court D.I.Khan

27.03.2019

Appellant in person and Mr. Farhaj Sikandar, District Attorney alongwith Muhammad Jamshed, Chief Clinical Technician (Pharmacy) for the respondents present.

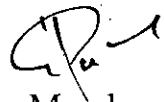
The representative of respondents once again requests for time to submit the requisite reply.

Adjourned to 23.04.2019 before S.B at camp court, D.I.Khan on which date the requisite reply shall positively be submitted.


Chairman
Camp Court, D.I.Khan

23.04.2019

Appellant in person and Mr. Farhaj Sikandar learned District Attorney alongwith Muhammad Jamshaid CT Pharmacy present. Written reply not submitted. Representative of the respondent department seeks time to furnish written reply/comments. Granted. To come up for written reply/comments 26.06.2019 before S.B at Camp Court, D.I.Khan.


Member
Camp Court, D.I.Khan.

25-10-18

Trans is hereby cancelled, therefore the case is adjourned for the same on 29-11-2018 at camp court D.I. Khan.

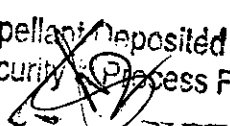


29.11.2018

Counsel for the appellant Muhammad Hussain present: Preliminary arguments heard. It was contended by learned counsel for the appellant that the appellant was served as Mali in Education Department till 30.04.2016 and on 30.04.2016 he was retired from service with effect from 05.12.2012 with the direction to the appellant that the salary received by him from 05.12.2012 to 30.04.2016 amounting to Rs. 390280/- was to be returned by the appellant to the government exchequer vide impugned order dated 19.09.2016. It was further contended that the appellant filed Writ Petition against the impugned order dated 19.09.2016 but the same was treated as appeal and sent to the Khyber Pakhtunkhwa Service Tribunal Peshawar for decision in accordance with law vide order dated 30.10.2017. It was further contended that the appellant had rectified his date of birth therefore, the impugned order regarding recovery of amount of Rs. 390280/- and retirement with effect from 05.12.2012 is illegal and liable to be set-aside.

The contention raised by the learned counsel for the appellant needs consideration. The appeal is admitted for regular hearing subject to all legal objections. The appellant is directed to deposit security and process fee within 10 days thereafter, notice be issued to the respondents for written reply/comments for 25.02.2019 before S.B at Camp Court D.I.Khan.

Appellant Deposited
Security & Process Fee




(Muhammad Amin Khan Kundi)
Member
Camp Court D.I.Khan

25.05.2018 Due to retirement of the Worth Chairman, the Tribunal become non-functional. To come up for the same 22.06.2018. Notice be issued to the parties accordingly.



Member

22.06.2018 Neither appellant nor his counsel present. To come up for preliminary hearing on 30.08.2018 before S.B at camp court, D.I.Khan.



Chairman
Camp Court, D.I.Khan

30.8-18

Appellant present in person. Case is hereby cancelled, therefore the case is adjourned for the same on 13.9.18 at camp court D.I.Khan

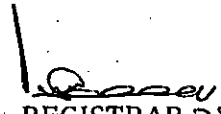




13.09.2018 Appellant with counsel present and requested for adjournment. Adjourned. To come up for preliminary hearing on 25.10.2018 before S.B at Camp Court D.I.Khan.


(Muhammad Amin Khan Kundi)
Member
Camp Court D.I.Khan

Form-A
FORM OF ORDERSHEET

Court of _____
Case No. 275/2018

S.No.	Date of order proceedings	Order or other proceedings with signature of judge
1	2	3
1	28/02/2018	<p>The present appellant initially went in Writ Petition before the Hon'ble Peshawar High Court D.I.Khan Bench and the Hon'ble High Court vide its order dated 30.10.2017 while treating the Writ Petition into an appeal and has sent the same to this Tribunal for decision in accordance with law. The same 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 28/2/18</p>
2	1-03-2018	<p>This case is entrusted to Touring S. Bench at D.I.Khan for preliminary hearing to be put up there on <u>15-3-2018</u></p> <p style="text-align: right;"> CHAIRMAN</p>
	15.03.2018	<p>Counsel for the appellant present and seeks adjournment. Adjourned. To come up for preliminary hearing on 26.04.2018 before S.B</p> <p style="text-align: right;"> (AHMAD HASSAN) MEMBER Camp Court D.I.Khan</p>

BEFORE THE HON'BLE PESHAWAR HIGH COURT,
D.I.KHAN BENCH

Writ Petition No. _____/2016

Muhammad Hussain **VERSUS** Govt. of Khyber Pakhtunkhwa

WRIT PETITION

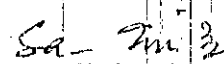
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S. No.	Particulars of documents	Annexure	Page
01.	Writ petition alongwith CM Petition with affidavits	---	1-5
02.	Copy of CNIC of petitioner	A	7
03.	Copy of appointment order	B	8
04.	Copies of civil suit, age certificate of the petitioner and order dated 04/07/2014	C	9-19
05.	Copy of impugned termination order	D	20
06.	Copies of notices and postal receipts	E	21-26
07.	Court Fees Rs. 500/-	---	27-29
08.	Vakalatnama	---	30

Dated: 31/10/2016

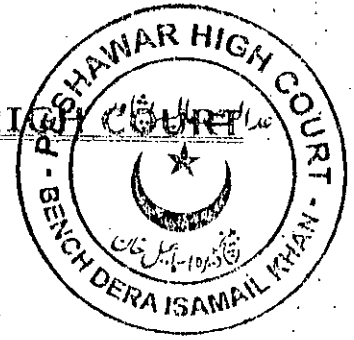
Humble Petitioner


Muhammad Hussain
Through Counsel

 31/10/16
Samin Ullah Khan Marwat
Advocate High Court

BEFORE THE HONOURABLE PESHAWAR HIGH COURT

DERA ISMAIL KHAN BENCH



Writ Petition No. 821 - D/I/2016

Muhammad Hussain son of Ghulam Rasool caste Waruki,
r/o Village Nawab, Tehsil & District Dera Ismail Khan.

..... (PETITIONER)

VERSUS

1. Govt. of Khyber Pakhtunkhwa through Secretary Health Department, Khyber Pakhtunkhwa, Peshawar.
2. Director General, Health Department, Khyber Pakhtunkhwa, Peshawar.
3. Medical Superintendent, Mufti Mehmood Memorial Teaching Hospital, Dera Ismail Khan.
4. District Accounts Officer, Dera Ismail Khan.
5. In-charge Service Book, Mufti Mehmood Memorial Teaching Hospital, Dera Ismail Khan.

..... (RESPONDENTS)

WRIT PETITION UNDER ARTICLE 199 OF THE
CONSTITUTION OF ISLAMIC REPUBLIC OF
PAKISTAN 1973

PRAYER:

ON ACCEPTANCE/ISSUANCE OF THE INSTANT WRIT
PETITION AND BY DIRECTING THE RESPONDENTS TO
REINSTATE THE PETITIONER WITH ALL BACK
BENEFITS WHO WAS ILLEGALLY TERMINATED BY THE
RESPONDENTS WITHOUT ANY RHYMES AND REASONS
AND ALSO THE RESPONDENTS MY PLEASE BE DIRECTED
TO WITHDRAW/CANCEL THE IMPUGNED TERMINATION
OFFICE ORDER No. 5524-28/09/16 DATED 19/09/2016
OF THE PETITIONER.

TESTED

EXAMINOR

Peshawar High Court
D.I. Khan Bench

8/11/17

Respectfully Sheweth;

Petitioner humbly submits and requests as under:-

1. That the addresses of parties as given above are correct and sufficient.
2. That the petitioner is law abiding citizen of Pakistan and is enjoying well reputation in the society. Copy of the CNIC of petitioner is jointly annexed as Annexure-A.
3. That the petitioner was appointed as MALI against the vacant post in Mufti Mehmood Memorial Teaching Hospital Dera Ismail Khan. Copy of appointment letter is enclosed as Annexure-B.
4. That the petitioner had received the pay/salary till the month March 2013 from the department/respondents but the respondents stopped the salaries of the petitioner without any cogent reason and legal justification.
5. That the correct and actual date of birth of the petitioner is 1962 while the NADRA department wrongly entered the same as 1952, in this respect the petitioner filed a declaratory suit in the court of learned Senior Civil Judge Dera Ismail Khan which was further entrusted to the court of learned CJ-II Dera Ismail Khan and on 04/07/2016, the learned CJ-II D.I.Khan was pleased to decree the suit in favour of the petitioner. Copies of civil suit, age certificate of the petitioner and order dated 04/07/2014 are jointly enclosed as Annexure-C.
6. That the petitioner had performed his duties to the entire satisfaction of his superiors but on 19/09/2016, the respondents terminated the petitioner on the grounds that the age of petitioner is over 60 years. Copy of impugned termination order is enclosed as Annexure-D.
7. That the petitioner was again terminated from service by the respondents without giving any prior notice of one month as per rules.
8. That the petitioner had submitted several requests to the competent authorities for the cancellation of unlawful termination order.

3531

ATTESTED

EXAMINOR

Rawalpindi High Court

- 9. That the petitioner requested the respondents to consider the age of the petitioner according to court order i.e. 1962 but all in vain.
- 10. That thereafter petitioner has been left with no efficacious remedy except to invoke the Constitutional jurisdiction of this Honourable Court, inter alia the following grounds.

GROUND:-

- a) That the impugned termination office order No. 5524-28/9/16/PF dated 19/09/2016 is based on mala-fide, discrimination, without lawful authority and without jurisdiction.
- b) That the petitioner is terminated from his services on the grounds that his age is over 60 year despite the fact that the petitioner's correct actual date of birth is 1962.
- c) That the impugned termination order is unconstitutional as the Constitution of Islamic Republic of Pakistan, 1973, guarantees the payment of salary to employees against the services rendered by them but, the petitioner has been refused of his Constitutional Right which amounts improper exercise of jurisdiction by the respondents.
- d) That the respondents have no jurisdiction whatsoever to terminate the petitioner, particularly when he had regularly performed his official duties and there is nothing either against petitioner or against his competency.
- e) That the acts and deeds of respondents by terminating the petitioner are whimsical. Petitioner is being discriminated due malafidely by the respondents without any reasonable cause and justifications which is against the principles of policy and rules of procedure, hence, the petitioner has genuine grievance to file the present writ petition before this Honourable Court.
- f) That earlier to the present termination order the services of the petitioner were reinstated by the respondents by keeping

3531
 19/09/2016
 [Signature]

RECEIVED
 ADMINOR
 Honourable Court
 Islamabad
 8/11/17

[Handwritten mark]

in view all their reservations but despite the fact the respondents illegally issued the present termination order which is liable to be withdrawn/cancelled.


g) That notices are being duly served under the dictates of procedural law of honourable Peshawar High Court. Copies of the notices along with postal receipts are enclosed as Annexure-E.

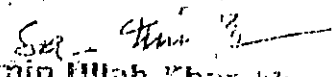
h) That counsel for the petitioner may please be allowed to raise additional grounds at the time of arguments.

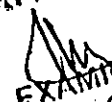
It is, therefore, most humbly prayed that on acceptance/issuance of the instant writ petition and by directing the respondents to reinstate the petitioner with all back benefits who was illegally terminated by the respondents without any rhymes and reasons and also the respondents my please be directed to withdraw/cancel the impugned termination order of the petitioner.

Dated: 31/10/2016

Humble Petitioner


Muhammad Hussain
Through Counsel

 31/10/16
Samin Ullah Khan Marwat
Advocate High Court

ATTESTED

EXAMINOR
Peshawar High Court
D.I. Khan Bench
8/11/17

(6)

BEFORE THE HONOURABLE PESHAWAR HIGH COURT
D.I.KHAN BENCH

C.M Petition No. _____/2016

Muhammad Hussain VERSUS Govt. of Khyber Pakhtunkhwa

APPLICATION FOR THE SUSPENSION OF IMPUGNED
TERMINATION ORDER OF THE PETITIONER AND BY
DIRECTING THE RESPONDENTS TO REINSTATE THE SERVICE
OF THE PETITIONER AT HIS POST TILL THE FINAL
DECISION OF THIS WRIT PETITION.

Respectfully Sheweth:- The petitioner at humbly submits as under,

1. That contents of the instant application may please be considered as part and parcel of main Writ Petition.
2. That the Petitioner has prima facie case & balance of convenience also tilts in favour of Petitioner.
3. That the respondents without any lawful authority and justification terminated the services of the petitioner.
4. That if the interim relief is not granted, numerous complications will generate as well as the Petitioners will suffer irreparable loss and writ petition of the petitioner will become in-fructuous.

It is therefore, humbly requested that C.M. of the petitioners may very graciously be accepted in the large interest of justice.

Yours Humble Petitioner

Muhammad Hussain

Through Counsel

Sr. Mu 3 31/10/16
Samin Ullah Khan Marwat
Advocate High Court

Dated: 31/10/2016

AFFIDAVIT:

I, Muhammad Hussain, the petitioner, do hereby solemnly affirm and declare on Oath that contents of the accompanying C.M petition are true and correct to the best of my knowledge and belief; and nothing has been deliberately concealed from this Hon'ble Court.

Date: 31/10/2016

[Signature]
Deponent



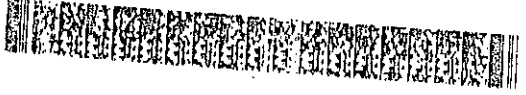
U885YS 12 01-5122711-5

معلومات: 14953047860

معلومات: 14953047860

26/09/2024

26/09/2014



A - 7



حکومت پاکستان

قومی شناختی کارڈ

12101-5122711-5

محمد حسین

پتہ: لاہور

تاریخ: 01/01/1962

امتیاز آجور
تاریخ پیدائش: 01/01/1962



مشاورہ سوسائٹی

A No "B" (8) (8)

OFFICE OF THE
MEDICAL SUPERINTENDENT
MUFTI MEHMOOD MEMORIAL
HOSPITAL DERA ISMAIL KHAN.

No. 36 / 1 DATED
DIKHAN THE 01 / 11 / 2035.

TO

Ms. Mahammad Hussain S/o
Ghulam Rasool R/o Nahr

SUBJECT: - OFFER OF APPOINTMENT Dikhan
Memo:

The Govt hereby offers you a post of MAL against the existing vacancy at MUFTI MEHMOOD MEMORIAL HOSPITAL DIKHAN on Fixed Charges Basis @ Rs. 3100/-PM.

1. Your appointment in Health Department is purely on Fixed Basis and your services are liable to be terminated at any time without giving notice or assigning irrespective of the facts that you may belong to a post other than one to which you are recruited.
2. You have to join duty at your own expenses in case you wish to resign at any time one-month notice will be essential or in lieu thereof on month pay shall be forfeited.
3. You will be governed by such rules and orders relating to leave, TA Medical charges as may be issued by the Govt from time to time for the category of Govt servant to which you may belong.
4. If you accept the offer on the above noted conditions you should report to medical Superintendent, MMM Hospital, DIKhan for further duty within seven days of the receipt of this letter, failing which your services will be terminated.
5. You will produce Medical Fitness Certificate from Medical Superintendent, Mufti Mehmood Memorial Hospital, DIKhan.

[Signature]
MEDICAL SUPERINTENDENT
MUFTI MEHMOOD MEMORIAL
HOSPITAL DERA ISMAIL KHAN.

No. _____ /

Copy forwarded to the:-

1. District Accounts Officer, DIKhan
2. Head Clerk of this office
3. Accounts Officer of this office
4. Account Clerk of this office.

For information & action

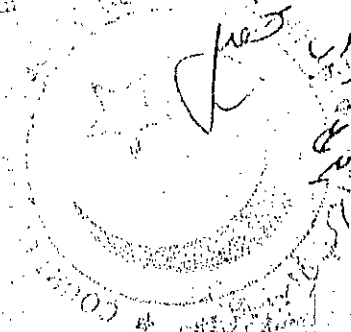
[Signature]
MEDICAL SUPERINTENDENT
MUFTI MEHMOOD MEMORIAL
HOSPITAL DERA ISMAIL KHAN.

Annex

(9)

دو صاحب زمین صاحب ملک کے لئے
آج صاحب زمین کے لئے

MAN... KHAN
Civil Judge
Magistrate
Court



وہاں سے جو زمین...
... 06

وہاں سے جو زمین...
... 06

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... 06

وہاں سے جو زمین...
... 06

124
...
2013
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2013
Civil Judge/Judicial Magistrate
Them Ismail Khan

وہاں سے جو زمین...
... 06

QUESTED
Examiner

۱۔ منشی زین العابدین اور منشی محمد شفیع کے درمیان
 اختلاف کے بارے میں اور ان کے درمیان اختلاف کے بارے میں
 اور منشی محمد شفیع کے درمیان اختلاف کے بارے میں
 اور صرف 2000ء کا تعلق ہے اور ان کے درمیان
 اختلاف کے بارے میں اور ان کے درمیان
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۲۔ منشی زین العابدین اور منشی محمد شفیع کے درمیان
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2005
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۳۔ منشی زین العابدین اور منشی محمد شفیع کے درمیان
 اختلاف کے بارے میں اور ان کے درمیان
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 اختلاف کے بارے میں اور ان کے درمیان

2005

①
ایک دفعہ میں نے دیکھا، دیکھا

4-4
میں نے تم کو کبھی نہیں دیکھا ہے
وہ تو میری طرف سے تھا، میری طرف سے
میں نے اسے دیکھا تھا، میں نے اسے دیکھا تھا
دراصل میں نے تم کو نہیں دیکھا ہے
جہاں سے وہ آ رہا ہے، جہاں سے وہ آ رہا ہے

5-5
میں نے اسے دیکھا ہے، میں نے اسے دیکھا ہے
میں نے اسے دیکھا ہے، میں نے اسے دیکھا ہے
میں نے اسے دیکھا ہے، میں نے اسے دیکھا ہے
میں نے اسے دیکھا ہے، میں نے اسے دیکھا ہے

6-6
میں نے اسے دیکھا ہے، میں نے اسے دیکھا ہے
میں نے اسے دیکھا ہے، میں نے اسے دیکھا ہے
میں نے اسے دیکھا ہے، میں نے اسے دیکھا ہے
میں نے اسے دیکھا ہے، میں نے اسے دیکھا ہے
میں نے اسے دیکھا ہے، میں نے اسے دیکھا ہے

2
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209
Civil Judge (Judicial Magistrate)
District Court
District
20/9/20

بسم الله الرحمن الرحيم
الحمد لله رب العالمين
والصلاة والسلام على
سيدنا محمد وآله الطيبين الطاهرين

الذين هم خصالنا
والصلاة والسلام على
سيدنا محمد وآله الطيبين الطاهرين
الذين هم خصالنا

بسم الله الرحمن الرحيم
الحمد لله رب العالمين
والصلاة والسلام على
سيدنا محمد وآله الطيبين الطاهرين

بسم الله الرحمن الرحيم
الحمد لله رب العالمين
والصلاة والسلام على
سيدنا محمد وآله الطيبين الطاهرين

12/13

بسم الله الرحمن الرحيم
الحمد لله رب العالمين
والصلاة والسلام على
سيدنا محمد وآله الطيبين الطاهرين

بسم الله الرحمن الرحيم
الحمد لله رب العالمين
والصلاة والسلام على
سيدنا محمد وآله الطيبين الطاهرين

IN THE COURT OF KHALID MANSOOR, CIVIL JUDGE-II,
DERA ISMAIL KHAN

Suit No.06/1. of 2013.

Original Date of Institution. .12.06.2013.

Present Date of Institution....12.07.2013.

Date of decision.....04.07.2014.

- 1) Muhammad Hussain S/O Ghulam Rasool
Caste Warki R/O Nawab Tehsil & District
Dera Ismail Khan.

(Plaintiff)

Versus

- 1) District Account Officer D.I.Khan.
- 2) Assistant Director NADRA D.I.Khan.
- 3) Provincial Registration Authority NADRA
Shami Road Peshawar Cant.
- 4) General Registrar National Database &
Registration NADRA Sharah Jamuriat
Islamabad.

(Defendants)

SUIT FOR DELARATION AND PERMANENT
INJUNCTION

J U D G M E N T

The plaintiff has asserted in the plaint that he was appointed as 'Mali' on 1.1.2005 at Mufti Mehmood Teaching

REGISTERED
16

Hospital, Dera Ismail Khan and he has performing his duty as such since then. He has further asserted that his correct date of birth is 1962 which is so recorded in his service record but his date of birth has inadvertently been entered in his Computerized National Identity Card (CNIC) as 1952 which is wrong and liable to be corrected. It is also his case that office of the defendant No.1 has stopped his salary on the above mentioned ground since April 2013 and the said office is bound to release and further continue payment of plaintiff's salary as per law. He has also contended that the defendants were repeatedly asked to enter plaintiff's correct date of birth in his CNIC but they ultimately refused, hence, this suit.

2. In response to summons, the defendants No. 2 to 4 appeared through their representative and contested the suit by filing written statement wherein they raised to so many legal as well as factual objections. Thereafter, the following issues were framed.

ISSUES

- 1) Whether the plaintiff has got a cause of action? OPP
- 2) Whether the plaintiff's correct year of birth is 1962, but the same has been entered in the record of the defendant as 1952? OPP
- 3) Whether the plaintiff is estopped by his conduct from filing the suit in hand? OPD
- 4) Whether the suit is time barred? OPP
- 5) Whether the suit is bad in its present form? OPD
- 6) Whether the suit is liable to be dismissed due to non-joinder of necessary parties? OPD
- 7) Whether this court lacks jurisdiction? OPD
- 8) Whether the plaintiff is entitled to the relief as prayed for in the plaint? OPP

Relief.

3. The parties produced pro and contra evidence. The plaintiff examined two witnesses in support of his claim. The

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SERIALIZED
INDEXED
FILED
14/11/13

concerned clerk of Muti Mehmood Memorial Teaching Hospital, Ghafoor Khan while appearing as PW-1 produced the plaintiffs service record. The attested photocopies of the relevant documents from the said record are available on the case file Ex.PW-1/1 to Ex.PW-1/4. The plaintiff himself appeared as PW-2 and thereafter closed his evidence. The defendants examined Rana Muhammad Aslam, Assistant Superintendent NADARA, D.I.Khan office, as DW-1 and thereafter closed their evidence. Evidence of the shall be discussed and my issue wise findings as per need.

4. Arguments of the learned counsels for the parties heard and record perused. My issue-wise findings are under-

ISSUE No. 02.

5. The burden to prove this issue was upon plaintiff whose claim is that his correct date of birth, as entered in his service record, is 1962 but the same has been entered in the record of defendants as 1952 which is not only the result of inadvertent mistake but the same is also against the law and facts, hence, liable to be corrected. The concerned clerk of the relevant hospital while appearing as PW-1 produced the plaintiffs original service record. He also submitted attested photocopies of the relevant documents which are available on the case file as Ex.PW-1/1 to Ex.PW-1/4 respectively. The plaintiff was 43 years old in the year 2005 as per Opinion of the relevant radiologist (Ex.PW-1/1), the plaintiffs Medical Certificate (Ex.PW-1/2), his Age Certificate (Ex.PW-1/3), therefore, his year of birth comes out to be 1962 which was so recorded in his service record as is clear from the relevant extracts of the plaintiffs Service Book (Ex.PW-1/4). Thus the plaintiffs year of birth, as per his service record, is 1962. The plaintiff has been performing his duty since 2005 and no body has challenged the said entries in his service record till to date. The plaintiff being an

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8

illiterate person has no academic record wherefrom his date of birth other than the one mentioned in his service record may be deduced/presumed while the Ex.PW-1/1, Ex.PW-1/2 & Ex.PW-1/3 have been issued by competent Doctors/Specialist in the field and their opinion carries weight unless and until rebutted. The said documents could not be rebutted by the defendants either during the course of cross examination of plaintiff's witnesses or by producing cogent evidence on behalf of the defendants. Thus, the plaintiff has succeeded in proving this issue. Hence, the issue No.2 is decided in favour of the plaintiff.

ISSUE No. 03, 04, 05 & 06

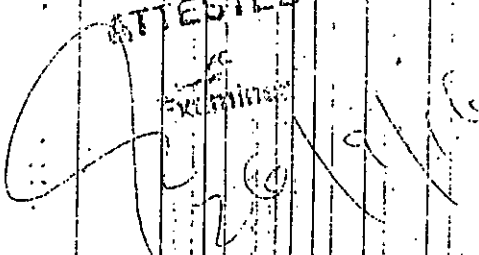
6. The burden to prove all these issues was upon the defendants but they have failed to produce any evidence in this regard. Hence, the issues No. 03, 04, 05 & 06 are decided against the defendants.

ISSUE NO.07

7. All the defendants are performing their duty within the territorial jurisdiction ^{of} this court and cause of action has also accrued to the plaintiff within the territorial jurisdiction of this court, therefore, this court has got the jurisdiction to entertain the suit in hand. Hence, the issue No.07 is also decided against the defendants.

ISSUE No. 01

08. In light of my above issue-wise findings, the plaintiff has got cause of action. Hence, the issue No. 01 is decided in favour of the plaintiff.

ATTESTED
BY
EXAMINER


Relief.

09. Consequent upon my above issue-wise findings, the suit in hand is hereby decreed as prayed for in the plaint. Parties are left to bear their own cost. File be consigned to the record room after its necessary completion and compilation.

ANNOUNCED
04.07.2014.

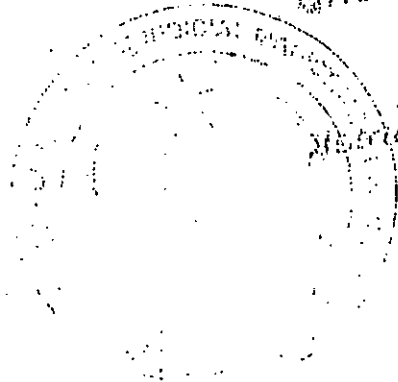
Khalid Mansoor
Civil Judge-II, D.I.Khan.
KHALID MANSOOR
Civil Judge II, D.I.Khan.

CERTIFICATE:

Certified that this judgment of mine consists of five (05) pages and each page has been duly signed by me after necessary correction therein.

APPROVED TO BE THE STAMP

Khalid Mansoor
Civil Judge-II, D.I.Khan.
KHALID MANSOOR
Civil Judge II, D.I.Khan.



[Handwritten signature]

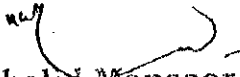
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Or.....26
04.07.2014

Parties present as before. Arguments of the learned counsel for the parties have already been heard. Record perused.

Vide my detailed judgment of today. The suit in hand is hereby decreed as prayed for in the plaint. Parties are left to bear their own costs.

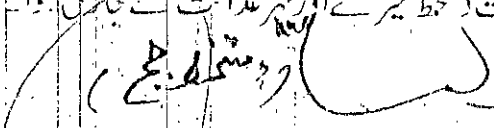
ANNOUNCED
04.07.2014


Khalid Mansoor
Civil Judge-II, D.I. Khan.

خرچہ ناکش

پے	روپیہ	مدعا علیہ	پے	روپیہ	نوعی
		۱۔ اسٹامپ و گالت نامہ			دستی دہائی
		۲۔ اسٹامپ و جبہ ثبوت و سواں			گالت نامہ
		۳۔ مٹانہ و کپنل بائٹ روپیہ			جبہ ثبوت
		۴۔ خوردگ گواہان			بائٹ روپیہ
		۵۔ فیس اسٹیشن	۱۰۰	۵۰	گواہان
		۶۔ اجراء پن نامہ			ناکش
		۷۔ متفرق			پن نامہ
NIL	NIL	بیان	۱۰۰	۵۰	بیزان

۰۴ ماہ جولائی سن ۲۰۱۴ء بمطابق ۰۴ جولائی ۲۰۱۴ء



(محکمہ عدالت)

ATTESTED

0966-747067
0966-747151-53
0966-747154



Office of the
Medical Superintendent
Mehmood Memorial Teaching Hospital
Dera Ismail Khan

Ann. D.

20

OFFICE ORDER:

1. Whereas Mr. Muhammad Hussain S/O Ghulam Rasool, Mali (BPS-02) Mufti Mehmood Memorial Teaching Hospital DIKhan was proceeded under Khyber Pakhtunkhwa Govt: Servant (RND) Rules 2011 for the Charges mentioned in the Charge Sheet/Statement of allegation as served upon the accused vide No. 3118/5/16 dated 05-05-2016.

2. Whereas the charge sheet was proved on record by the enquiry officer and during the course of enquiry he himself admitted guilty and resultantly withdrawn his Civil Suit No. 98/1 of 2015 pending in the honorable court of civil Judge-VIII DIKhan his own will.

3. Whereas his date of Birth 1952 as recorded on his first entry into Public service at Gomal University DIKhan in his service Book as well as in his National Identity Card of 1974 was incorrect. Whereas his earlier Civil Suit No. 18/1 of 2007 against NADRA for change of date of Birth as 1962 being not proved and was dismissed by the Honorable Court of Senior Civil Judge DIKhan against which the accused never preferred appeal in the higher Court. Moreover while applying for change of address on 05-05-1984, he not insisted for change of his Date of Birth 1952 to 1962. Similarly he not got change Date of Birth on the eve of computerized NIC in 1999-2000.

4. Whereas the accused Concealed all facts from the honorable Court as well as from Department regarding his former Service in Gomal University DIKhan and already determined his Date of Birth in his former service record and Court decision dated 11-06-2009 and this made "misconduct" and criminal offense prejudice to good Service and Discipline under Govt: servant (RND) Rules 1987 and succeeded "Degree" against NADRA from honorable court of Civil Judge-II DIKhan dated 04-07-2014.

And whereas after proving the charges perusing material on record and recommendation of enquiry officer. He ceased to be a government service since 2012, because of superannuation, recovery of Rs. 390280/- (05-12-2012 to 30-04-2016) may be ensured from him.

Medical Sup Superintendent
Mufti Mehmood Memorial Teaching Hospital
Dera Ismail Khan

524-20/9/16 IPF

DIKhan the dated 19/9/2016

forwarded to the:

1. Director General Health Services Khyber Pakhtunkhwa Peshawar.
2. District Accounts Officer DIKhan.
3. DMS Admn Mufti Mehmood Memorial Teaching Hospital DIKhan.
4. Incharge Service Book Mufti Mehmood Memorial Teaching Hospital DIKhan.
- ✓ 5. Muhammad Hussain Mali Mufti Mehmood Memorial Teaching Hospital DIKhan.

Medical Superintendent
Mufti Mehmood Memorial Teaching Hospital
Dera Ismail Khan

Ann. E,
(21)

NOTICE

To

1. Govt. of Khyber Pakhtunkhwa through Secretary Health Department, Khyber Pakhtunkhwa, Peshawar.
2. Director General, Health Department, Khyber Pakhtunkhwa, Peshawar.
3. Medical Superintendent, Mufti Mehmood Memorial Teaching Hospital, Dera Ismail Khan.
4. District Accounts Officer, Dera Ismail Khan.
5. In-charge Service Book, Mufti Mehmood Memorial Teaching Hospital, Dera Ismail Khan.

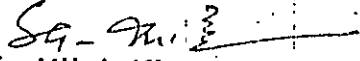
Subject:

**NOTICE UNDER CHAPTER 4-J, VOLUME-V OF
HIGH COURT RULES & ORDERS**

Please take the notice that the undersigned is going to file the above titled Writ Petition titled "**Muhammad Hussain Vs. Govt. of KPK etc**".

You are also impleaded as respondent in above titled writ petition.

Dated: 31/10/2016


Samin Ullah Khan Marwat
Advocate High Court

(2)

NOTICE

10

1. Govt. of Khyber Pakhtunkhwa through Secretary Health Department, Khyber Pakhtunkhwa, Peshawar.
2. Director General, Health Department, Khyber Pakhtunkhwa, Peshawar.
3. Medical Superintendent, Mufti Mehmood Memorial Teaching Hospital, Dera Ismail Khan.
4. District Accounts Officer, Dera Ismail Khan.
5. In-charge Service Book, Mufti Mehmood Memorial Teaching Hospital, Dera Ismail Khan.

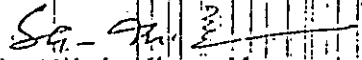
Subject:

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You are also impleaded as respondent in above titled writ petition.

Dated: 31/10/2016


Samir Ullah Khan Marwat
Advocate High Court

NOTICE

3

1. Govt. of Khyber Pakhtunkhwa through Secretary Health Department, Khyber Pakhtunkhwa, Peshawar.
2. Director General, Health Department, Khyber Pakhtunkhwa, Peshawar.
3. Medical Superintendent, Mufti Mehmood Memorial Teaching Hospital, Dera Ismail Khan.
4. District Accounts Officer, Dera Ismail Khan.
5. In-charge Service Book, Mufti Mehmood Memorial Teaching Hospital, Dera Ismail Khan.

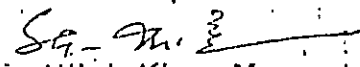
subject:

NOTICE UNDER CHAPTER 4-J, VOLUME V OF
HIGH COURT RULES & ORDERS

Please take the notice that the undersigned is going to file the above titled Writ Petition titled "Muhammad Hussain Vs. Govt. of KPK etc".

You are also impleaded as respondent in above titled writ petition.

Dated: 31/10/2016


Samir Ullah Khan Marwat
Advocate High Court

(10)

NOTICE

To

1. Govt. of Khyber Pakhtunkhwa through Secretary, Health Department, Khyber Pakhtunkhwa, Peshawar.
2. Director General, Health Department, Khyber Pakhtunkhwa, Peshawar.
3. Medical Superintendent, Mufti Mehmood Memorial Teaching Hospital, Dera Ismail Khan.
4. District Accounts Officer, Dera Ismail Khan.
5. In-charge Service Book, Mufti Mehmood Memorial Teaching Hospital, Dera Ismail Khan.

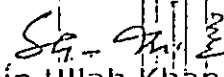
Subject:

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HIGH COURT RULES & ORDERS

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You are also impleaded as respondent in above titled writ petition.

Dated: 31/10/2016


Samín Ullah Khan Marwat
Advocate High Court

(S)

NOTICE

1. Govt. of Khyber Pakhtunkhwa through Secretary, Health Department, Khyber Pakhtunkhwa, Peshawar.
2. Director General, Health Department, Khyber Pakhtunkhwa, Peshawar.
3. Medical Superintendent, Mufti Mehmood Memorial Teaching Hospital, Dera Ismail Khan.
4. District Accounts Officer, Dera Ismail Khan.
5. In-charge Service Book, Mufti Mehmood Memorial Teaching Hospital, Dera Ismail Khan.

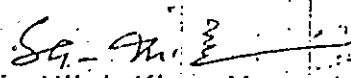
Subject:

NOTICE UNDER CHAPTER 4-J, VOLUME V OF
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You are also impleaded as respondent in above titled writ petition.

Dated: 31/10/2016


Samir Ullah Khan Marwat
Advocate High Court

(26)

Insurance Notices see reverse. Stamps affixed except in case of insured letters of not more than the initial weight prescribed in the Post Office Guide or on which no acknowledgement is due.

Rs. Ps. *4/2*

Date Stamp *31 OCT 16*

Write here "letter", "postcard", "packet" or "parcel" with the word "insured" before it when necessary (in words) *31/10*

Weight Kilo *31 OCT 16*
Grams

Insurance fee Rs. Ps. (in words)

Name and address of sender

895 For Insurance Notices see reverse. Stamps affixed except in case of insured letters of not more than the initial weight prescribed in the Post Office Guide or on which no acknowledgement is due.

Rs. Ps. *4/2*

Date Stamp *31 OCT 16*

Write here "letter", "postcard", "packet" or "parcel" with the word "insured" before it when necessary (in words) *31/10*

Weight Kilo *31 OCT 16*
Grams

Insurance fee Rs. Ps. (in words)

Name and address of sender

806 For Insurance Notices see reverse. Stamps affixed except in case of uninsured letters of not more than the initial weight prescribed in the Post Office Guide or on which no acknowledgement is due.

Rs. Ps. *4/2*

Date Stamp *31 OCT 16*

Write here "letter", "postcard", "packet" or "parcel" with the word "insured" before it when necessary (in words) *31/10*

Weight Kilo *31 OCT 16*
Grams

Insurance fee Rs. Ps. (in words)

Name and address of sender

No. 807 For Insurance Notices see reverse. Stamps affixed except in case of uninsured letters of not more than the initial weight prescribed in the Post Office Guide or on which no acknowledgement is due.

Received a registered* addressed to *31/10* Date Stamp *31 OCT 16*

Initials of Receiving Officer *31/10*

Insured for Rs. (in figures) (in words) *31/10*

Weight Kilo *31 OCT 16*
Grams

Insurance fee Rs. Ps. (in words)

Name and address of sender

No. 808 For Insurance Notices see reverse. Stamps affixed except in case of uninsured letters of not more than the initial weight prescribed in the Post Office Guide or on which no acknowledgement is due.

Received a registered* addressed to *31/10* Date Stamp *31 OCT 16*

Initials of Receiving Officer *31/10*

Insured for Rs. (in figures) (in words) *31/10*

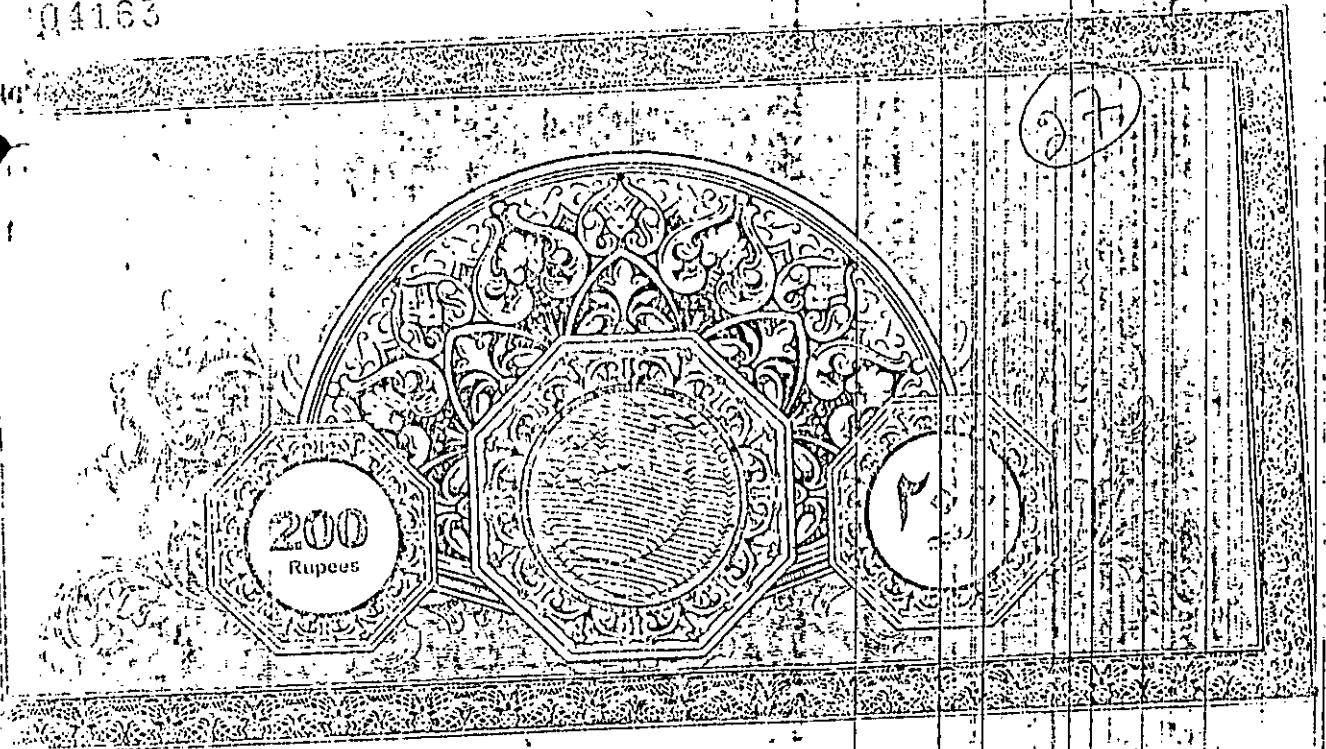
Weight Kilo *31 OCT 16*
Grams

Insurance fee Rs. Ps. (in words)

Name and address of sender

insured.

04163



PAKISTAN COURT FEE
BEFORE THE HONOURABLE PESHAWAR HIGH COURT
D.I.KHAN BENCH

Writ Petition No. _____/2016

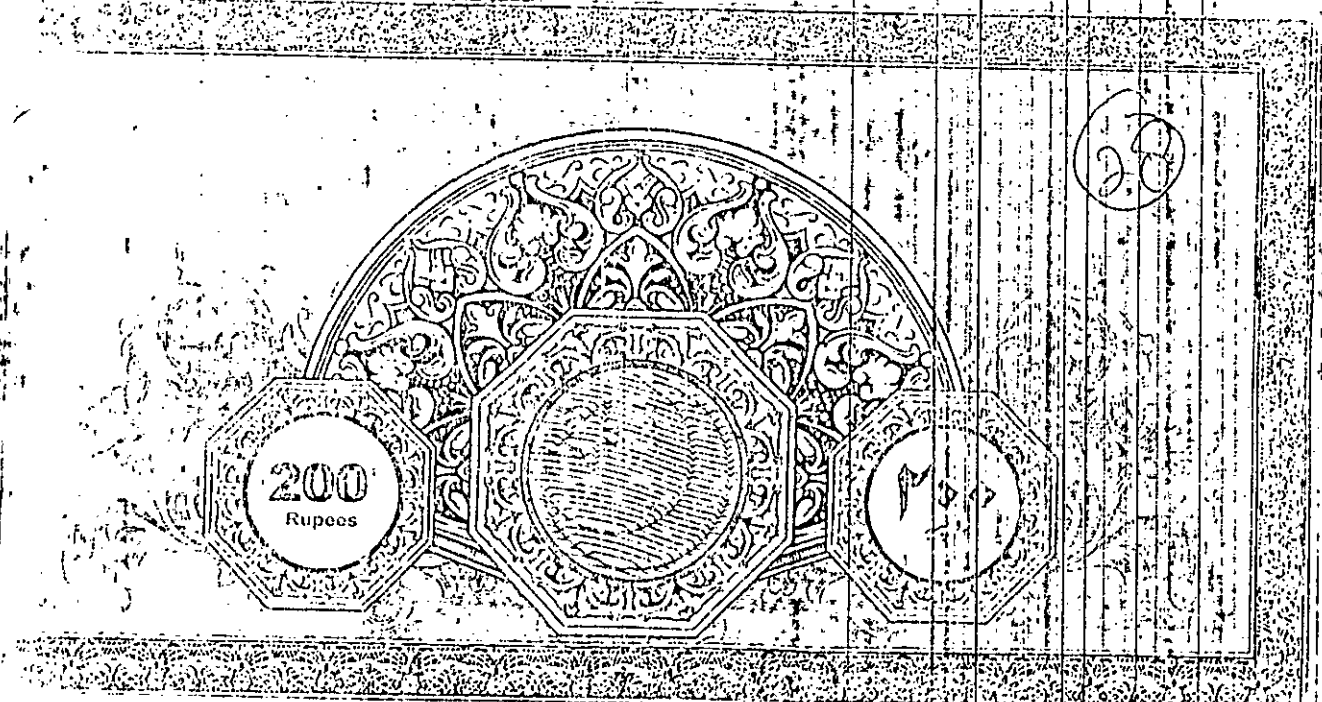
Muhammad Hussain Vs. Govt. of KPK and others

WRIT PETITION

STAMP COURT FEE

Rs. 500/-

Petitioner's Counsel



PAKISTAN COURT FEE
BEFORE THE HONOURABLE PESHAWAR HIGH COURT
D.I.KHAN BENCH

Writ Petition No. _____/2016

Muhammad Hussain Vs. Govt. of KPK and others

WRIT PETITION

STAMP COURT FEE

Rs. 500/-

Petitioner's Counsel

BEFORE THE HONOURABLE SERVICE TRIBUNAL
KHYBER PAKHTUNKHWA PESHAWAR

Service No. 275.

of 2018

Mr. Muhammad Hussain

Applicant

VERSUS

Govt. of Khyber Pakhtunkhwa & others

Respondents

AFFIDAVIT

I Mr. Abdul Manan Sr. Scale Stenographer (BPS-16) representative of Respondent No.01, 02 and 03 do hereby solemnly affirm and declare on oath.

1. That accompanying has been drafted by our counsel, following our instructions.
2. That all parawise contents of the comments are true and correct to the best of my knowledge, belief and information.
3. That nothing has been deliberated concealed from this August Tribunal nor anything contained therein is based on exaggeration or distortion of facts.

Dated:28/01/2019

Deponent

Abdul Manan

BEFORE THE HONORABLE SERVICE TRIBUNAL
KHYBER PAKHTUNKHWA PESHAWAR

Service Appeal No. *275* of 2018

Muhammad Hussain.....Appellant

Versus

Govt of KPK & others.....Respondents

SERVICE APPEAL

1, 2 and 3

COMMENTS ON BEHALF OF RESPONDENT NO. 1/HOSPITAL
DIRECTOR *and others*

PRELIMINARY OBJECTIONS

1. The Subject Service Appeal is not maintainable in the eyes of law because the same is time barred and no departmental appeal has been filed the Appellant.
2. The Petitioner has got no locus standi nor has got any cause of action against the Respondent No *1, 2 and 3*.
3. The instant Service Appeal is not maintainable especially in the prevalent legal position and after promulgation of Medical Teaching Institution (Reforms) Act 2015.

4. The subject Service Appeal is bereft of merits hence, needs summary dismissal.
5. The subject Service Appeal is outside the legal purview of Section 4 of the KPK Service Tribunal Act, 1974, therefore, liable for dismissal.
6. The prayers of the subject Service Appeal are not legally tenable, thus service appeal needs outright rejection.

REPLY ON FACTS

1. Para No.1 of the service appeal is formal, hence, needs no reply.
2. Para No.2 of the service appeal is personal to the Appellant, therefore, needs no reply.
3. Para No.3 of the service appeal is correct. However, for clarification it is humbly stated that Appellant concealed the factum of his earlier rendered service with the Comal University, D.I.Khan, therefore, the impugned punitive action has been taken against the Appellant.
4. Para No.4 of the service appeal is incorrect, hence need. As the Appellant reached the age of superannuation, therefore, question does not arise to pay him salary beyond the age of 60 years.
5. Para No.5 of the service appeal pertains to judicial record, therefore, can well be ascertained from the Court concerned.

However, it is humbly stated that in the declaratory suit filed by the Appellant, the answering Respondent No.3/Hospital Director, is not party therefore, the same is not binding. Even otherwise, it is settled principle of law that date of birth of the Civil Servant once entered in the service record cannot be rectified after joining the service within two years and that too, the rectification would be ordered by the Hon'ble Tribunal and not by the Civil Court.

6. Para No.6 of the service appeal is incorrect. It is humbly stated that through impugned Order Dated 19.09.2016, the services of the Appellant has been ceased because of attaining the age of superannuation and recovery has also been ordered against the Appellant for illegal withdrawal of the salary.
7. Para No.7 of the service appeal is incorrect, hence, denied.
8. Para No.8 of the service appeal is incorrect, hence, denied
9. Para No.9 of the service appeal is incorrect, hence, denied
10. Para No.10 of the service appeal is incorrect, hence, denied.

REPLY ON GROUNDS

- a) Ground No.(A) of the Service Appeal is mis-conceived and incorrect, hence denied. The Appellant has no legal footing to stand upon, therefore, his Service Appeal needs outright rejection. The impugned Order Dated 29.09.2016 is in

accordance with law and has been passed by observing all the codal formalities.

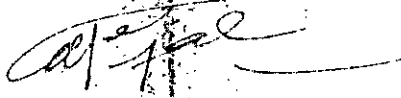
- b) Ground No.(B) of the Service Appeal is mis-conceived, hence denied. The Appellant has reached the age of superannuation by attaining the age of 60 years, therefore, the impugned action has been taken against him and his service appeal needs outright rejection.
- c) Ground No.(C) of the Service Appeal is incorrect, hence denied.
- d) Ground No.(D) of the Service Appeal is incorrect, hence needs no reply.
- e) Ground No.(E) of the Service Appeal is incorrect, hence needs no reply.
- f) Ground No.(F) of the Service Appeal is incorrect, hence needs no reply.
- g) Ground No.(G) of the Service Appeal is incorrect, hence needs no reply.
- h) Ground No.(H) of the service appeal is formal, hence needs no reply.

It is therefore, most respectfully prayed that in view of the factual and legal position explained above, the subject Service Appeal being devoid of legal

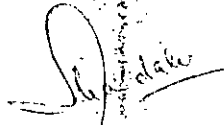
merits, may graciously be dismissed with costs.

Dated:- 30.12.2019

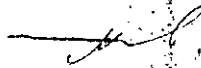
Your Humble



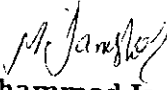
Secretary Health / Respondent No. 1
Govt: of Khyber Pakhtunkhwa Peshawar



Director General Health Service KPK
Peshawar / Respondent No. 2
Govt: of Khyber Pakhtunkhwa Peshawar



Hospital Director / Respondent No. 3
Medical Teaching Institution D.I.Khan
Through Attorney.



Mohammad Jamshed
Through Counsel

وکالت نامہ

قیمت ایک روپیہ		کورٹ فیس
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ابدالت کتاب - ۱۲۱۱
 مونس پر سبوتاں بشاور گیس دہلی
 منجانب کتاب

دعویٰ یا جرم کتاب
 تفصیل دعویٰ یا جرم کتاب

باعث تحریر آنکہ

مقدمہ مندرجہ بالا عنوان میں اپنی طرف واسطے بیرونی وجوہ دہی زمانے پیشی یا تعویذ مقدمہ تمام

محرر اس سوال ASE

کو حسب ذیل شرائط پر وکیل مقرر کیا ہے کہ میں پیشی پر خود یا بنا بذریعہ رو برو عدالت حاضر ہونا روزوں کا اور ہر وقت پکارے جانے مقدمہ وکیل صاحب
 موصوف کو اطلاع دے کر حاضر عدالت کروں گا اگر پیشی پر مقرر حاضر نہ ہو اور مقدمہ بیرونی غیر حاضری کی وجہ سے کسی طور میرے خلاف ہو گیا تو صاحب
 موصوف اس کے کسی طرح ذمہ دار نہ ہوں گے نیز وکیل صاحب موصوف صدر مقام پکھری کے علاوہ یا پکھری کے اوقات سے پہلے یا بیچے یا بروز تعطیل
 بیرونی کرنے کے ذمہ دار نہ ہوں گے اور مقدمہ صدر پکھری کے علاوہ اور جگہ سماعت ہونے یا بروز تعطیل یا پکھری کے اوقات کے آگے یا بیچے پیش ہونے
 پر مقرر کوئی نقصان پہنچے تو اس کے ذمہ دار یا ایسے واسطے کسی معاوضہ کے ادا کرنے یا منت نہ دہاں کرنے کے بھی صاحب موصوف ذمہ دار نہ ہوں گے مجھ
 کو کل ساختہ پر داخستہ صاحب موصوف مثل کردہ ذات خود منظور قبول ہو گا اور صاحب موصوف کو عرض دعویٰ یا جواب دعویٰ یا درخواست اجراء اتانے ڈگری
 نظر ثانی اہل گمرانی و ہر قسم درخواست ہر قسم کے بیان دینے اور پر مانی یا رضی نامہ و فیصلہ برخط کرنے اقبال دعویٰ کا بھی اختیار ہو گا اور بصورت مقرر ہونے
 تاریخ پیشی مقدمہ مقرر بیرون از پکھری صدر بیرونی مقدمہ مقرر نظر ثانی اہل گمرانی و ہر قسم مقدمہ یا منسوقی ڈگری یک طرفہ یا درخواست حکم اتانے یا ترقی
 یا گرفتاری نکل از فیصلہ اجراء ڈگری بھی صاحب موصوف کو بشرط ادا جنگی ٹیوڈ علائم بیرونی کا اختیار ہو گا اور تمام ساختہ پر داخستہ صاحب موصوف مثل کردہ
 از خود منظور و قبول ہو گا اور بصورت ضرورت صاحب موصوف کو یہ بھی اختیار ہو کہ مقدمہ مقررہ یا اس کے کسی جزوی کاروائی یا بصورت درخواست نظر ثانی
 اہل گمرانی یا دیگر معاملہ و قدمہ مذکورہ کسی دوسرے وکیل یا ہر شکر کو اپنے بجائے یا اپنے ہمراہ مقرر کریں اور ایسے مشیر قانون کو بھی ہر امر میں وہی اور دینے
 اختیارات حاصل ہوں گے جیسے صاحب موصوف کو حاصل ہیں اور دوران مقدمہ میں جو کچھ ہر جانہ اتناہ پڑے گا وہ صاحب موصوف کا حق ہو گا مگر
 صاحب موصوف کو پوری فیس تاریخ پیشی سے پہلے ادا نہ کروں گا تو صاحب موصوف کو پورا اختیار ہو گا کہ مقدمہ کی پوری نہ کریں اور ایسی صورت
 میں میرا کوئی مطالبہ کسی قسم کا صاحب موصوف کے برخلاف نہیں ہو گا

لہذا وکالت نامہ لکھ دیا ہے تاکہ سند ہے
 مورخہ 22 مارچ 2018
 مضمون وکالت نامہ سن لیا ہے اور اچھی طرح سمجھ لیا ہے اور منظور ہے

امین
 امین

صدر

"B"

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

FB

No.

Appeal No. *275* of 20 *18*

M. Ullah Appellant/Petitioner

Versus

Director Genl Health Respondent

Respondent No. *7*

Notice to: —

*Copy of 10 pgs is being sent to
Peshawar*

WHEREAS an appeal/petition under the provision of the North-West Frontier 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 *22/6/2018* 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 *11/6* Day of *June* 20 *18*

at Camp Court D. I. Khan

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.

573

Appeal No. 275 of 20 18

Muhammad Hussain Appellant/Petitioner
Versus

Through Secy. Health Respondent
Respondent No. 3

Notice to: -

Medical Superintendent Muzi-
Meerood Memorial Teaching Hospital D.I.K

WHEREAS an appeal/petition under the provision of the North-West Frontier 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 22/6/2018 at 8.00 A.M. If you wish to urge anything against the appellany/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 11/7/18
Day of June 20 18

at Camp Court D.I.K
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 Gazeded Holidays.
2. Always quote Case No. While making any correspondence.

"B"

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

No.

TB

Appeal No. 275 of 20 18

Muhammad Hussain Appellant/Petitioner
Versus

Through Secy. Health KDK Respondent
Respondent No. 3

Notice to: — Medical Superintendent Mufti Ahmad
Memorial Teaching Hospital
D.I. Khan

WHEREAS an appeal/petition under the provision of the North-West Frontier 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 25-2-2019 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 11/12

Day of Dece 20 18.

at Camp Court D.I. Khan

[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.**

No.

113

Appeal No. 275 of 20 18

Muhammad Hussain Appellant/Petitioner

Versus

Through Secy. Health U.P.A. Pesh. Respondent

Respondent No. 4

Notice to: —

Distt. Account Officer D.I. Khan

WHEREAS an appeal/petition under the provision of the North-West Frontier 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 25th Dec 2018 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 11th

Day of Dec 20 18

at camp court D.I. Khan

[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.**

No.

TB

Appeal No. 275 of 20 18

Muhammad Hussain Appellant/Petitioner
Versus

Through Secy. Health Dept. Pesh. Respondent
Respondent No. 5

Notice to: —

Incharge Service Book, Mufti Mohammad
Memoral Teaching Hospital D.I Khan

WHEREAS an appeal/petition under the provision of the North-West Frontier 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 28-2-2018 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 11th

Day of Dec 20 18

at camp court D.I. Khan

[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.

No.

Appeal No..... of 20

275

5B

Appellant/Petitioner

M. Hussain Nersus

Respondent

through Secy. Health Dept
Respondent No.....

Notice to:

- Genl. of LPTK through Secy. Health
Peshawar.

WHEREAS an appeal/petition under the provision of the North-West Frontier 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.....25-2-2019.....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.....11th.....

Day of.....Decr.....20 18

at Camp Court D.I. Khan

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.

13

Appeal No.....25-275..... of 208.

.....M. Hassan..... Appellant/Petitioner

Versus

.....Director General Health Deptt. Govt. of KP..... Respondent
Respondent No.....2.....

Notice to: Director General Health Deptt. Govt. of KP Peshawar

WHEREAS an appeal/petition under the provision of the North-West Frontier 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 *25-2-2019..... 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.....11th.....

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

at camp coast D. I Khan

[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.**

No.

TIB

Appeal No.....275..... of 20 18

.....Muhammad Hussain..... Appellant/Petitioner
Versus

.....Imam Ghani..... Respondent
Respondent No.....4.....

Notice to: —

Distt. Account officer, Dera Ismail Khan

WHEREAS an appeal/petition under the provision of the North-West Frontier 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....25-2-2020.....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.....11/11.....

Day of.....Feb.....2020

at Comp Court D.I. Khan

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.

TB

Appeal No.....275..... of 2018

.....Muhammad Hashim..... Appellant/Petitioner
Versus

.....Through Chief Secy. P.P.C...... Respondent
Respondent No.....5.....

Notice to: — In-charge Service Book Mufti
Mahmood Memorial Teaching
Hospital, Dera Ismail Khan

WHEREAS an appeal/petition under the provision of the North-West Frontier 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 25.2.20 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.....Feb.....2020

at Camp Court D.I. Khan

[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.**

TB

No.

Appeal No. 275 of 20 18

Muhammad Hussain Appellant/Petitioner

Versus

Through Secy. Health Pesh:
Respondent

Respondent No. 5

Notice to: —

In-charge Service Bank, Mufti
Mehmood Memorial Teaching
Hospital Dera Ismail Khan

WHEREAS an appeal/petition under the provision of the North-West Frontier 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 28/3/2020 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 4th

Day of March 20 20

at Camp Court D. I. Khan

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.

TB

No.

275

Appeal No. of 20¹⁸

Muhammad Hussain

Appellant/Petitioner

Through Say: Health Dept Pesh.
Versus: Health Dept Pesh.
Respondent

Respondent No. Khan

Distt. Accounts office, Dera Ismail

Notice to: —

WHEREAS an appeal/petition under the provision of the North-West Frontier 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 26/3/2018 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. 4th

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

March 20

Day of.....20

at Camp Court D.I. Khan

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.

912

Appeal No. 275 of 2018

Muhammad Hussain Appellant/Petitioner

Versus

Through Secy. Health Dept. Pesh. Respondent

Respondent No. 3

Notice to: —

Medical Superintendent, Muzti
Mehmood Memorial Teaching Hospital
D. I. Khan

WHEREAS an appeal/petition under the provision of the North-West Frontier 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 22-12-2018 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 5/12.....

Day of Oct.....20 20

at Camp Court D. I. Khan

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.

53

No.

Appeal No. 275 of 20 18

Muhammad Hussain Appellant/Petitioner

Versus

Through Secy Health Dept Pesh. Respondent

Respondent No. 4

Notice to: Distt. Account Officer D. I. Khan

WHEREAS an appeal/petition under the provision of the North-West Frontier 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 28/12/2018 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.....

SM

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

Day of Oct20 20

at Camp Court D. I. Khan

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. 275 of 20 14

Muhammad Hussain Appellant/Petitioner

Versus

Through Secy. Health Peshawar Respondent

Respondent No. 5

Notice to: - In-Charge Service Book, Muzti Mehmood
Mamerial Teaching Hospital D.I. Khan

WHEREAS an appeal/petition under the provision of the North-West Frontier 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 28 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 5th

Day of Wed 20 20

at Camp Court D.I. Khan

Registrar,
Khyber Pakhtunkhwa Service Tribun
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.

T.B

No.

Appeal No. 275 of 20¹⁸

Muhammad Hussain Appellant/Petitioner

Versus

Through Secy. Health Dept. Pesh. Respondent

Respondent No.

In-charge Service Block, Muzh nichanada
Memorial Teaching Hospital D.I. Khan

Notice to:

WHEREAS an appeal/petition under the provision of the Khyber Pakhtunkhwa Province Service Tribunal Act, 1974, has been presented/registered for consideration, in the above case by the petitioner in this Court and notice has been ordered to issue. You are hereby informed that the said appeal/petition is fixed for hearing before the Tribunal on 24-3-2021 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 24

Day of March 20²¹

at Camp Court D.I. Khan

[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.

513

No.

Appeal No. 275 of 18 2018

Muhammad Hussain Appellant/Petitioner

Versus
through Secy. Health Dept. Respondent

Respondent No. 2

Notice to:

Director General Health Dept. Govt of
KPK Peshawar

WHEREAS an appeal/petition under the provision of the North-West Frontier 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 28-12-18 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.....

51A

Given under my hand and the seal of this Court, at Peshawar this.....
Day of Oct 2018

at Camp Court D. I. Khan

[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.