

27th Sept 2022

Appellant in person present. Mr. Muhammad Adeel Butt,
Addl; AG for respondents present.

Written reply on behalf of the respondents No. 1 to 6 not
submitted despite last chance, therefore, their right for
submission of written reply/comments is struck off. To come up
for arguments on 26.10.2022 before D.B at camp court
D.I.Khan.



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

26th Oct 2022

None for the appellant present. Mr. Kabir Ullah Khattak,
Additional Advocate General for respondents present.

Lawyers are on strike today. To come up for arguments on
23.11.2022 before D.B at Camp Court, D.I Khan. P.P given to the
respondents.



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



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

23.05.2022

Learned counsel for the appellant present. Mr. Junaid, Legal Advisor on behalf of respondent No. 5 and Mr. Muhammad Shoaib, Warden on behalf of respondent No. 6 alongwith Mr. Muhammad Adeel Butt, Additional Advocate General for official respondents present.

Reply/comments on behalf of respondents not submitted even today and adjournment was sought for submission of the same. In view of previous order sheet, last adjournment granted subject to payment of cost of Rs. 5000/-. Cost of Rs. 5000/- paid by representative of respondent No. 5 which is handed over to learned counsel for the appellant and in this respect receipt was also obtained from him, which is placed on file. Respondents are directed to submit written reply/comments on or before the next date positively, failing which their right for submission of written reply/comments shall be deemed as struck off. Adjourned. To come up for submission of written reply/comments on behalf of official respondents on 26.07.2022 before the S.B at Camp Court D.I.Khan.



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

26.7.22

Due to Summer vacation to
come up for the same on 27/9/22



On
Read

حکومت ہند - سرورس ٹریڈنگ بینک ڈیپارٹمنٹ

ڈاکٹر غازی خان پتہ ۱۴۱۱

سرورس اینیل

رہسید بابت وصول ہر ماہ

مبلغ ۵۰۰۰/-

حنا - علیا

امروز رو برو عدالت اسپانڈنٹ سے

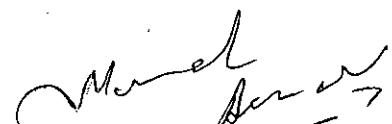
مبلغ ۵۰۰۰/- روپیے ہر ماہ وصول ہونگے

27-5-2022

ڈاکٹر غازی خان

زیر وکیل
رٹونڈا فائرفائن بائیں


AHL

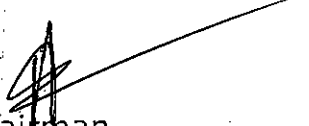

Munel

Muhammad Akbar
Borwal
Counsel for Applicant

22.11.2021

Appellant alongwith his counsel present. Mr. Muhammad Rasheed, Deputy District Attorney for official respondents No. 1 to 6 present.


Written reply/comments of official respondents are still awaited. Learned Deputy District Attorney is required to ensure submission of written reply/comments of official respondents on the next date as a last chance. Adjourned. To come up for submission of written reply/comments on 24.01.2022 before the S.B at Camp Court D.I.Khan.


Chairman
Camp Court D.I.Khan

Postscript

22.11.2021

In case the last chance as given above is not availed, the next adjournment shall be subject to prior payment of cost of Rs. 5000/- to the appellant failing which the case shall be fixed before D.B for arguments without reply deeming the same as waived off by the respondents.


Chairman
Camp Court, D.I.Khan

S.A 592/2018

27.09.2021

Nemo for the appellant. Mr. Usman Ghani, District Attorney for official respondents present.

Written replies on behalf of private respondents No. 8, 11, 15 & 16 have already been submitted while remaining private respondents No. 7, 9, 10, 12, 13, 14 & 17 have already been proceeded ex-parte.

Previous date was changed on Reader Note, therefore, notice be issued to official respondents with the directions to furnish reply/comments within 10 days. In case the official respondents failed to submit reply/comments within stipulated time from today, they shall have to seek extension of time through written application citing sufficient reasons. Otherwise, their right for submission of reply/comments shall stand ceased. To come up for arguments before the D.B on 22.11.2021 at Camp Court D.I.Khan.

Notice for prosecution of the appeal also be issued to appellant as well as his counsel for the date fixed.




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

27.10.2020

Nemo for appellant. Mr. Muhammad Jan, Deputy District Attorney alongwith Mr. Nageebullah, Steno on behalf of official respondents No. 1 to 6, are also present.

Representative of the official respondents is seeking further time to submit written reply/comments. Time is given. File to come up for written reply/comments on behalf of official respondents No. 1 to 6 on 21.12.2020 before S.B at Camp Court, D.I.Khan.


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

21.12.2020

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



Reader

22.02.2021

Junior to counsel for the appellant present.

Noor Zaman Khattak learned District Attorney present.

Reply/comments on behalf of respondents not submitted, therefore, notice be issued to respondents for submission of reply/comments. To come up for reply/comments on 24.05.2021 before S.B at Camp Court, D.I Khan.


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

Due to COVID-19 therefore to come up for the same on 27/9/21


Reader

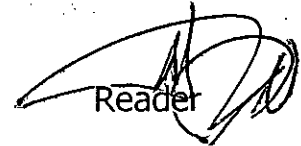
24/3/2020

Due to COVID-19 the case is adjourned. To come up for the same 21/14/2020 at Camp Court, D.I Khan


Reader

25/04/2020

Due to COVID-19 the case is adjourned. To come up for the same 22/09/2020 at Camp Court, D.I Khan



Reader

22.09.2020

Nemo for parties.

Mr. Usman Ghani learned District Attorney present.


Written reply was not submitted on behalf of respondents. Notice be issued to respondents No.1 to 6 for submission of written reply/comments for 27.10.2020 before S.B at Camp Court D.I Khan. Appellant be also put to notice for the next date.


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

Service Appeal No. 592/2018

24.02.2020

Appellant in person present. Mr. Usman Ghani, District Attorney on behalf of official respondents No. 1 to 3 and Mr. Junaid Ahmad on behalf of respondent No. 6 present and submitted Vakalat Nama. Representative of respondent No. 6 requested for further time to furnish written reply/comments. Neither written reply on behalf of official respondents No. 1 to 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. Private respondents No. 8, 11, 15 & 16 have already been submitted written replies while remaining private respondents No. 7, 9, 10, 12, 13, 14 & 17 have already been proceeded ex-parte vide order sheet dated 22.01.2019. To come up for written reply/comments on behalf of respondents No. 1 to 6 on 24.03.2020 before S.B at Camp Court D.I.Khan.


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

25.11.2019

Appellant in person and Mr. Ziaullah, Deputy District Attorney alongwith M/S Hazrat Shah, Superintendent on behalf of respondents No. 1 to 3, Khalid, Pharmacy Technician on behalf of respondent No. 5 and Muhammad Shoaib, Warden on behalf of respondent No. 6 present. Representatives of official respondents No. 1 to 3, 5 & 6 seeks further time to file written reply/comments. Neither written reply on behalf of respondent No. 4 submitted nor his representative present therefore, notice be issued to respondent No. 4 with the direction to direct the representative to attend the court and submit written reply on the next date positively. Case to come up for written reply/comments on behalf of official respondents No. 1 to 6 on 27.01.2020 before S.B at Camp Court D.I.Khan.



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

27.01.2020

None present on behalf of the appellant. Mr. Usman Ghani, District Attorney alongwith M/S Jamshaid, Chief Clinical Technician on behalf of respondent No. 5 and Muhammad Shoaib, Litigation Officer on behalf of respondent No. 6 present and requested for further time for filing of written reply. None present on behalf of the remaining respondents, therefore, notices be issued to them for filing of written reply/comments for 24.02.2020 before S.B at Camp Court D.I.Khan. Notice be also issued to appellant for attendance for the date fixed.




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

Service Appeal No. 592/2018.

26.08.2019

Appellant in person and Mr. Farhaj Sikandar, District Attorney for 1 to 6 present. Written reply on behalf of official respondents No. 1 to 6 not submitted. Learned District Attorney requested for further adjournment for filing of written reply. Private respondents No. 8, 11, 15 & 16 have already submitted written replies but they are absent today, therefore, notices be issued to them for attendance. Remaining private respondents No. 7, 9, 10, 12, 13, 14 & 17 have already been proceeded ex-parte vide order sheet dated 22.01.2019. Case to come up for written reply/comments on behalf of official respondents No. 1 to 6 on 21.10.2019 before S.B at Camp Court D.I.Khan.


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

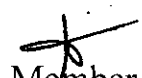
21/10/2019

Since tour to D.I.Khan has been cancelled .To come for the same on 25/11/2019.


Reader

26.03.2019

Clerk to counsel for the appellant and Mr. Farhaj Sikandar, District Attorney alongwith Mr. Naqibullah, Senior Stenographer the respondents present. Written reply not submitted. Requested for adjournment. Adjourned. Case to come up for written reply/comments on 24.06.2019 before the S.B at camp court, D.I.Khan.


Member

Camp Court, D.I.Khan

24.06.2019

Counsel for the appellant and Mr. Farhaj Sikandar learned Deputy District Attorney alongwith Mr. Naqeebullah, Senior Scale Stenographer on behalf of respondent No. 1 present. None present on behalf of private respondents No. 8, 11, 15 & 16 therefore, notice be issued to them for attendance. Neither written reply on behalf of official respondents No. 2 to 6 submitted nor their representative present therefore, notices be issued to them with the direction to direct the representative to attend the court and submit written reply on the next date positively. Adjourned. To come up for written reply/comments on 26.08.2019 before S.B at Camp Court, D.I.Khan.

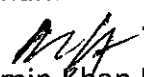

(M. Amin Khan Kundi)

Member

At Camp Court, D.I. Khan

28.11.2018

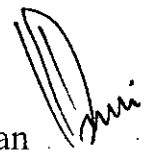
Counsel for the appellant present. Mr. Usman Ghani, District Attorney on behalf of official respondents present. Mr. Asmatullah for private respondents No. 8 & 15, counsel for private respondent No. 11 and Mr. Shahid Ali for private respondent No. 16 present and submitted written reply on behalf of private respondents No. 8, 11, 15 & 16, which is placed on record. None present on behalf of private respondents No. 7, 9, 10, 12 to 14 & 17 therefore, notice be issued to them for attendance and filing of written reply. Representative of official respondents No. 1 to 6 also not in attendance therefore, notice be also issued to official respondents No. 1 to 6 with the direction to direct the representative to attend the court and submit written reply on the next date positively. Adjourned. To come up for written reply on behalf of official respondents No. 1 to 6 and private respondents No. 7, 9, 10, 12 to 14 & 17 on 22.01.2019 before S.B at Camp Court D.I.Khan.


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

22.01.2019

Counsel for ~~appellant~~ and Mr. Farhaj Sikandar, District Attorney for the respondents no. 1 to 3 present.

As ordered on 28.11.2018 the respondents no. 7,9,10,12,13,14 and 17 were sent notices for appearance today. Despite they are absent, hence, proceeded ex-parte. Notices be repeated to respondents no. 1 to 6 for written reply/comments. Adjourned to 26.03.2019 before S.B at camp court, D.I.Khan.



Chairman
Camp Court, D.I.Khan

13.09.2018

Counsel for the appellant Dr. Ghazi Khan present. Preliminary arguments heard. Learned counsel for the appellant contended that the appellant is serving as Assistant Professor Urology in Gomal Medical College, D.I.Khan. It was further contended that as per seniority list the appellant has been shown at serial No. 8 in the seniority list of Assistant Professors working in Gomal Medical College, D.I.Khan. It was further contended that as per seniority list the private respondents are junior to the appellant but despite that private respondents have been promoted to the next higher grade vide impugned order dated 13.11.2017 by the Departmental Promotion Committee but the appellant was ignored from promotion illegally. It was further contended that private respondent No. 13 was also member of the Departmental Promotion Committee and the private respondent No. 13 was also promoted by the Departmental Promotion Committee. It was further contended that the appellant filed departmental appeal on 09.12.2017 which was not decided within the stipulated period hence, the present service appeal. It was further contended that since the appellant was senior to the private respondents but the appellant was illegally deprived from promotion order therefore, the impugned promotion order of private respondents is liable to be set-aside.

The contention raised by learned counsel for the appellant needs consideration. The appeal is admitted for regular hearing subject to deposit of security and process fee within 10 days, thereafter notice be issued to the respondents for written reply/comments for 28.11.2018 before S.B at Camp Court D.I.Khan.

Appellant Deposited
Security & Process Fee


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

Form-A
FORM OF ORDERSHEET

Court of _____

Case No. 592/2018


S.No.	Date of order proceedings	Order or other proceedings with signature of judge
1	2	3
1	27/04/2018	<p>The appeal of Dr. Ghazi Khan resubmitted today by Mr. Muhammad Abdullah Baloch Advocate may be entered in the Institution Register and put up to the Worthy Chairman for proper order please.</p> <p style="text-align: right;"><i>La sen</i> REGISTRAR 27/4/18</p> <p>2-</p> <p>This case is entrusted to Touring S. Bench at D.I.Khan for preliminary hearing to be put up there on <u>13-9-2018</u></p> <p style="text-align: right;"><i>MTA</i> MEMBER</p>

The appeal of Dr. Ghazi Khan Assistant Professor Urology Gomal Medical College D.I.Khan received today by i.e. on 05.04.2018 is incomplete on the following score which is returned to the counsel for the appellant for completion and resubmission within 15 days.

- 1- Address of respondent no. 5 is incomplete which may be completed according to the Khyber Pakhtunkhwa Service Tribunal rules 1974.
- 2- Annexures of the appeal may be flagged.
- 3- Spare copies submitted with the appeal are without annexures which may be submitted with the appeal along with annexures i.e. complete in all respect.

No. 692 /S.T,

Dt. 06/04 /2018


REGISTRAR
SERVICE TRIBUNAL
KHYBER PAKHTUNKHWA
PESHAWAR.

Muhammad Abdullah Baloch
Advocate High Court D.I.Khan

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

In service Appeal No. _____/2018

**Dr. Ghazi Khan
(Appellant)**

VERSUS


**Govt. Of KPK etc
(Respondents)**

INDEX

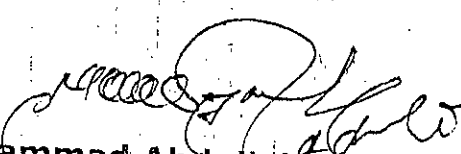
S.No.	Description of documents	Annexure	Pages
1.	Memorandum of Appeal and affidavit	--	
2.	Copy of writ petition and judgment dated 06/07/2017	A	1-11
3.	Copy of notification dated 16 th June, 2017	B	12-17
4.	Copy of notification dated 20 th October, 2017	C	18
5.	Copy of the impugned letter and 13/11/2017	D	19
6.	Copy of Covering letter dated 30/11/2017	E	20-21
7.	Copy of departmental appeal with postal receipts	F, G & H	22
8.	Copy of application dated 07/12/2017	I	23-28
9.	Copy of seniority list of 2011	J	29-
10.	Vakalatnama	--	30-32

04/04/2018

Your humble appellant


Dr. Ghazi Khan

Through counsel


Muhammad Abdullah Baloch
Advocate High Court
Dera Ismail Khan

BEFORE THE KHYBER PAKHTUNKHWA SERVICE TRIBUNAL
PESHAWAR

Service Appeal No. _____/2018

Dr. Ghazi Khan, Assistant Professor Urology (BS-18), presently posted at Gomal Medical College, Dera Ismail Khan.

(Appellant)

VERSUS

1. **Govt. Of Khyber Pakhtunkhwa** through Chief Secretary, Civil Secretariat, Peshawar.
2. **Secretary Health Department**, Govt. Of Khyber Pakhtunkhwa, Peshawar.
3. **Director General Health Department**, Govt. Of Khyber Pakhtunkhwa, Peshawar.
4. **Search and Nomination Council**, through its Chairman, Medical Teaching Institutions, Peshawar.
5. **Board of Governors**, Medical Teaching Institutions, Dera Ismail Khan.
6. **Dean/Principal**, Gomal Medical College, Medical Teaching Institutions, Dera Ismail Khan.
7. **Dr. Jahanzeb Khan**, Forensic Medicine, Associate Professor Gomal Medical College Dera Ismail Khan.
8. **Dr. Sara Arif**, Pathology, Associate Professor, Gomal Medical College Dera Ismail Khan.
9. **Dr. Iftikhar Ahmad**, Community Medicine, Associate Professor, Gomal Medical College Dera Ismail Khan.
10. **Dr. Shah Jahan**, **Bio Chemistry** Associate Professor, Gomal Medical College Dera Ismail Khan.
11. **Dr. Fozia Ambreen**, **Gynaecology** Associate Professor, Gomal Medical College Dera Ismail Khan.
12. **Dr. Arshad Ali**, **Surgery** Associate Professor, Gomal Medical College Dera Ismail Khan.

Handwritten note:
←
Matin list.

13. **Dr. Akhtar Munir, Surgery**, Associate Professor, Gomal Medical College Dera Ismail Khan.
14. **Dr. Taj Muhammad Khan Medicine**, Associate Professor, Gomal Medical College Dera Ismail Khan.
15. **Dr. Sajjad Ahmad (Pathology)**, Associate Professor, Gomal Medical College Dera Ismail Khan.
16. **Dr. Sadaf Rasheed, Anatomy**, Associate Professor, Gomal Medical College Dera Ismail Khan.
17. **Dr. Muhammad Ismail (ENT)**, Associate Professor, Gomal Medical College Dera Ismail Khan.

(not in list)

..... (RESPONDENTS)

APPEAL UNDER SECTION 4 OF THE KPK SERVICES TRIBUNAL ACT, 1974, AGAINST THE IMPUGNED NOTIFICATION NO. SOH(E-1)7-53/17 DATED 13/11/2017 WHEREBY RESPONDENT NO. 07 TO RESPONDENT NO. 17, BEING JUNIOR TO THE APPELLANT WERE PROMOTED FROM THE POST OF ASSISTANT PROFESSOR BS-18 TO THE POST OF ASSOCIATE PROFESSOR BS-19 AND SERVICE APPEAL AGAINST INDECISION OF THE RESPONDENTS ON THE DEPARTMENTAL APPEAL SUBMITTED BY THE APPELLANT.

Note: Addresses given above shall suffice the object of service. All necessary and proper parties have been arrayed in the panel of respondents.

Respectfully Sheweth;

Appellant humbly submits as under:

1. That the appellant was inducted in Health Department by KPK public service Commission as Assistant Professor in Urology and since 15/10/2009, he is the appellant who founded the Urology at DHQ Teaching Hospital Dera Ismail Khan. The appellant has

D-987

also been teaching the students of Gomal Medical College 4th and final years via lectures, OPD, OT and on bed site in Urology Unit.

2. That service of the appellant is governed, primarily by the provision of KPK Civil Servant Act, XVIII of 1973 and KPK Civil Servants (Appointment, Promotion and Transfer) Rules 1989. It is a matter of record that service of the appellant belongs to teaching cadre of Health Department of Khyber Pakhtunkhwa. The Govt. of Khyber Pakhtunkhwa introduced KPK Medical Teaching Reforms Act, IV, 2015 on 19/01/2015 and in pursuance of Act, IV of 2015, the Board of Governors MTI Dera Ismail Khan, framed regulations in 2016. However, after the promulgation of Act-IV of 2015, the teaching staff of the Gomal Medical College were given an option of 90 days either to opt for MTI service or to remain as civil service but the appellant did not opt for MTI service.
3. That after the promulgation of Medical Teaching Institution reforms Act, IV of 2015, a dispute arises regarding the promotions and initial recruitment of different posts. Consequently writ petition No. 2016-P/2017 titled "Dr. Shaukat Ali etc Vs. Govt. of KPK etc" was instituted jointly by the present appellant with others before the honourable Peshawar High Court Peshawar, which was decided vide Judgment and order dated 06/07/2017. The concluding para is reproduced as under for ready reference, "In the light of above response of the respondents, it would not be appropriate to further proceed with the matter, however, the respondents are directed to expeditiously proceed with the promotion of petitioners against the post, if lying vacant in their respective disciplines, provided they are eligible for the same. Similarly, initial recruitment be also expedited because it is the need of the hour". Copy of the writ petition and judgment is annexed as **Annexure-A**.
4. That Govt. of Khyber Pakhtunkhwa vide its notification no. SOH-I/HD/BOG/D.I.Khan dated 16th June, 2017, authorized Health

Asst
CA
Khan

Department KPK to act as Board of Governors (BOG) for MTI Dera Ismail Khan till finalization of new BOG. Copy of the notification is annexed as **Annexure-B**.

5. That Govt. of KPK Health Department vide its notification no. SO-1/HD/7-53/2016 dated 20th October, 2017, constituted the selection and promotion committee for considering the promotion cases of eligible faculty (Civil Servant) of Gomal Medical College Dera Ismail Khan. Copy of the notification dated 20th October, 2017 is enclosed as **Annexure-C**.
6. That Govt. of Khyber Pakhtunkhwa Health Department vide its impugned Notification no. SOH(E-1)7-53/17 dated 13/11/2017 promoted different teaching cadres of Gomal Medical College (MTI) Dera Ismail Khan to next higher scale, wherein private respondent No. 07 to 17 were also promoted from Assistant Professor BS-18 to Associate Professor BS-19 who were junior to the present appellant. Copy of impugned letter dated 13/11/2017 is annexed as **Annexure-D**.
7. That the appellant also moved an application for promotion as Associate Professor Urology BS-19 at Gomal Medical College Dera Ismail Khan which was duly forwarded by Medical Director MTI, DHQ, MMMTH Dera Ismail Khan, which was received by the Chairman BOG on 30/11/2017. Copy of covering letter is annexed as **Annexure-E**.
8. That the present appellant, in order to obtain the list of promotion of employees, moved an application to medical director MTI, DHQ/MMMTH Dera Ismail Kan on 05/12/2017 and after receiving the copy of impugned promotion order, preferred a departmental appeal on 09/12/2017 to Chief Secretary KPK and also moved departmental appeal to the Chairman Board of Governors (MTI) Gomal Medical College Dera Ismail Khan. However, to dismay of the appellant, the representation of the appellant remained undecided. Copy of departmental appeal and postal receipts are annexed as **Annexure-F, G & H**.

*all
Chand*

9. That having no alternate remedy available, the appellant approaches this honourable Tribunal to redress his grievance as prayed for hereinafter on inter alia on the following grounds,

GROUND S

- a. That the impugned promotion Notification no. SOH(E-1)7-53/17 dated 13/11/2017 is patently illegal, coram non iudice, void ab initio, against law and rules, based on favoritism and nepotism, discriminatory and is ineffective upon the promotion rights of the appellant.
- b. That it is matter of record that private respondent no. 07 to 17 are junior to the appellant despite the fact that they have been promoted to Associate Professor BS-19.
- c. That the impugned promotion notification is based on mala-fide, nepotism and favouritism which is clearly evident from the fact that Govt. Of KPK Health Department vide its notification dated 20 October, 2017 (Annexure-C) constituted Selection/Promotion Committee wherein Dr. Akhtar Munir (respondent no. 13) was a member and he himself is being promoted at serial no. 13 of the impugned notification of promotion from Assistant Professor to the post of Associate Professor BS-19 which is illegal and sheer violation of the doctrine that no one should be the judge of his own cause.
- d. That malafidely on the part of respondent is also evident from the fact that the appellant has several time requested the respondents for the provision of seniority list of 2016-17 but till yet respondents has not provided the same to the appellant, in this respect an application moved by the appellant on 07/12/2017 is annexed as **Annexure-I.**

Chaudhary

SP

- e. That respondents, by promoting the juniors of the appellant, committed discrimination towards the appellant and even the respondent no. 13 (Dr. Akhtar Munir) is also junior from the appellant from the seniority list of the year 2011. Copy of the seniority list of 2011 is annexed as **Annexure-J**.
- f. That discriminatory conduct of the respondents towards the appellant needs judicial scrutiny by this worthy tribunal.
- g. That counsel for the appellant may graciously be allowed to add to the grounds, on facts and on law as well, during the course of arguments, if needed be.

In wake of the submissions made above, it is requested that by setting aside the impugned Notification no. SOH(E-1)7-53/17 dated 13/11/2017, declaring same as ultra virus, nullity in law and of no consequence on the rights of the appellant, to kindly direct the respondents to promote appellant to the post of Associate Professor BS-19.


Any other relief deemed appropriate in circumstances of the case may also be allowed in favour of appellant in the large interest of justice.

4/04/2018

Your humble appellant


Dr. Ghazi Khan

Through counsel


Muhammad Abdullah Baloch
Advocate High Court
Dera Ismail Khan

BEFORE THE KHYBER PAKHTUNKHWA SERVICE TRIBUNAL
PESHAWAR

In service Appeal No. _____/2018

Dr. Ghazi Khan
(Appellant)

VERSUS

Govt. Of KPK etc
(Respondents)

CERTIFICATE

Certified that appellant have not filed an appeal regarding the subject controversy, earlier in this august Tribunal.

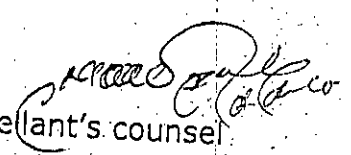
Dated 4/04/2018


Appellant

NOTE

Appeal with annexure along-with required sets thereof are being presented in separate file covers.

4/04/2018


Appellant's counsel

BEFORE THE KHYBER PAKHTUNKHWA SERVICE TRIBUNAL
PESHAWAR

In service Appeal No. _____/2018

Dr. Ghazi Khan
(Appellant)

VERSUS

Govt. of KPK etc
(Respondents)

AFFIDAVIT

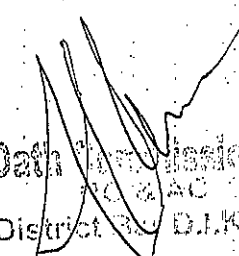
I, **Dr. Ghazi Khan**, appellant herein, do hereby solemnly affirm on oath:-

1. That the accompanying appeal has been drafted by counsel following our instructions;
2. That all para-wise contents of the appeal are true and correct to the best of my knowledge, belief and information;
3. That nothing has been deliberately concealed from this Honourable Court, nor anything contained therein, based on exaggeration or distortion of facts.

4/04/2018

Identified By:-


Muhammad Abdullah Baloch
 Advocate High Court,


 Oath Commissioner
 District S.C. D.I. Khan


DEPONENT

BEFORE THE KHYBER PAKHTUNKHWA SERVICE TRIBUNAL
PESHAWAR

In service Appeal No. _____/2018

Dr. Ghazi Khan
(Appellant)

VERSUS

Govt. of KPK etc
(Respondents)

ADDRESSES OF THE PARTIES

Dr. Ghazi Khan, Assistant Professor Urology (BS-18), presently posted at Gomal Medical College, Dera Ismail Khan.

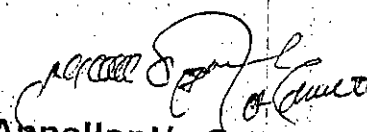
(Appellant)

-
1. **Govt. Of Khyber Pakhtunkhwa** through Chief Secretary, Civil Secretariat, Peshawar.
 2. **Secretary Health Department**, Govt. Of Khyber Pakhtunkhwa, Peshawar.
 3. **Director General Health Department**, Govt. Of Khyber Pakhtunkhwa, Peshawar.
 4. **Search and Nomination Council**, through its Chairman, Medical Teaching Institutions, Peshawar.
 5. **Board of Governors**, Medical Teaching Institutions, Dera Ismail Khan.
 6. **Dean/Principal**, Gomal Medical College, Medical Teaching Institutions, Dera Ismail Khan.
 7. **Dr. Jahanzeb Khan**, Forensic Medicine, Associate Professor Gomal Medical College Dera Ismail Khan.
 8. **Dr. Sara Arif**, Pathology, Associate Professor, Gomal Medical College Dera Ismail Khan.
 9. **Dr. Iftikhar Ahmad**, Community Medicine, Associate Professor, Gomal Medical College Dera Ismail Khan.

10. **Dr. Shah Jahan, Bio Chemistry** Associate Professor, Gomal Medical College Dera Ismail Khan.
11. **Dr. Fozia Ambreen, Gynaecology** Associate Professor, Gomal Medical College Dera Ismail Khan.
12. **Dr. Arshad Ali, Surgery** Associate Professor, Gomal Medical College Dera Ismail Khan.
13. **Dr. Akhtar Munir, Surgery**, Associate Professor, Gomal Medical College Dera Ismail Khan.
14. **Dr. Taj Muhammad Khan Medicine**, Associate Professor, Gomal Medical College Dera Ismail Khan.
15. **Dr. Sajjad Ahmad (Pathology)**, Associate Professor, Gomal Medical College Dera Ismail Khan.
16. **Dr. Sadaf Rasheed, Anatomy**, Associate Professor, Gomal Medical College Dera Ismail Khan.
17. **Dr. Muhammad Ismail (ENT)**, Associate Professor, Gomal Medical College Dera Ismail Khan.

..... **(RESPONDENTS)**

4.04.2018

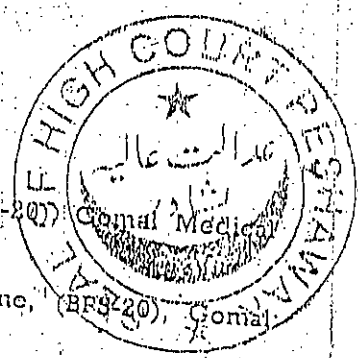

Appellant's Counsel

Annex-A

12

IN THE PESHAWAR HIGH COURT PESHAWAR

Writ Petition No. 2016 -P/ of 2017



1. Dr. Shoukat Ali, Professor Physiology, (BPS-20) Gomal Medical College, D.I.Khan.
2. Dr. Inzarullah Mehsud, Professor Medicine, (BPS-20), Gomal Medical College, D.I.Khan.
3. Dr. Amin Jan, Professor Pathology, (BPS-20), Gomal Medical College, D.I.Khan.
4. Dr. Nasim Saba Mehsud, Associate Professor, Gynaecology, (BS-19), Gomal Medical College, D.I.Khan.
5. Dr. Amir Amanullah, Associate Professor Anatomy (BPS-19), Gomal Medical College, D.I.Khan.
6. Dr. Mohammad Ali Shah, Associate Professor, Orthopedics (BS-19), Gomal Medical College, D.I.Khan.
7. Dr. Javaid Hussain, Associate Professor, Pathology (BPS-19), Gomal Medical College, D.I.Khan.
8. Dr. Sadaf, Assistant Professor Anatomy (BS-18), Gomal Medical College, D.I.Khan.
9. Dr. Sher Zamir, Assistant Professor, Physiology (BS-18), Gomal Medical College, D.I.Khan.
10. Dr. Iftikhar Ahmad, Assistant Professor, Community Medicine (BS-18), Gomal Medical College, D.I.Khan.
11. Dr. Sara Arif, Assistant Professor, Pathology (BPS-18), Gomal Medical College, D.I.Khan.
12. Dr. Arshad Ali, Assistant Professor, Surgery (BS-18), Gomal Medical College, D.I.Khan.
13. Dr. Jehanzeb, Assistant Professor, Forensic Medicine (BS-18), Gomal Medical College, D.I.Khan.
14. Dr. Sajjad Khmad, Assistant Professor, Pathology (BS-18), Gomal Medical College, D.I.Khan.

Handwritten signature/initials

3-5-2017

FILED TODAY
Deputy Registrar
08 MAY 2017

EXAMINER
Peshawar High Court
13 JUL 2017

15. Dr. Taj Mohammad Khan, Assistant Professor, Medicine (BS-18), Gomal Medical College, D.I.Khan.
16. Dr. Farmanullah Barkti, Assistant Professor, Paediatrics (BS-18), Gomal Medical College, D.I.Khan.
17. Dr. Nisar Bhattani, Assistant Professor, Medicine (BS-18), Gomal Medical College, D.I.Khan.
18. Dr. Muhammad Ismail, Assistant Professor, ENT (BS-18), Gomal Medical College, D.I.Khan.
19. Dr. Ghazi Khan, Assistant Professor Urology (BS-18), Gomal Medical College, D.I.Khan.
20. Dr. Samina Qadir, Assistant Professor, Community Medicine (BS-18), Gomal Medical College, D.I.Khan.
21. Dr. Aaftab Ahmad, Assistant Professor Radiology, (BS-18), Gomal Medical College, D.I.Khan.

22. Dr. Amjad Abrar, Senior Registrar, Cardiology (BS-18), Gomal Medical College, D.I.Khan.
23. Dr. Mohammad Kamran Khalid, Senior Registrar, Eye (BS-18), Gomal Medical College, D.I.Khan.
24. Dr. Mohammad, Senior Registrar, Eye, (BS-18), Gomal Medical College, D.I.Khan.
25. Dr. Shakil Shah, Senior Registrar, Orthopedics (BS-18), Gomal Medical College, D.I.Khan.
26. Dr. Salman Kundi, Senior Registrar, Medicine (BS-18), Gomal Medical College, D.I.Khan.
27. Dr. Taj Mohammad, Senior Registrar, Paediatrics (BS-18) Gomal Medical College, D.I.Khan.
28. Dr. Ali Khan, Senior Registrar, ENT (BS-18), Gomal Medical College, D.I.Khan.
29. Dr. Shokat Siyal, Senior Registrar, Nephrology, (BS-18), Gomal Medical College, D.I.Khan.

Petitioners

14

JUDGMENT SHEET
PESHAWAR HIGH COURT, PESHAWAR
JUDICIAL DEPARTMENT

Writ Petition No:2016-P/2017
With interim Relief and with C.M No:1453-P/2017.

JUDGMENT

Date of hearing.....06.07.2017.....

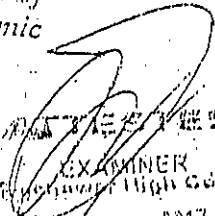
Petitioners: (Dr.Shaukat Ali and others) by Mr.Zia-ur-Rehman Kazi, Advocate.

Respondents No.1 to 4:(Government of Khyber Pakhtunkhwa through Chief Secretary and others) by Mr.Waqar Ahmad Khan, AAC and (respondents No.5 to 7) by Mr.Ghulam Mohy-ud-Din Malik, Advocate alongwith Professor Dr.Akhbar Munir, Dean/Principal and Mr.Rehmat Ali, Secretary BOG, MTI, D.I.Khan.

ABDUL SHAKOOR.I.- Dr.Shaukat Ali and others,

petitioners, seek the constitutional jurisdiction of this Court, praying that:-

1. On acceptance of instant constitutional petition, this Hon'ble Court may be pleased to declare the act of respondent No.7/stopgap Dean/ Principal, Gomal Medical College, Medical Teaching Institution, Dera Ismail Khan, advertising the Faculty Positions of Senior Registrars, Assistant Professors, Associate Professors and Professors through advertisement dated 19.04.2017 as patently illegal, void ab initio, coram non-judice, ineffective upon the fundamental rights of the petitioners as envisaged under Article 4 to 25 of the Constitution of Islamic


EXAMINER
Peshawar High Court
16 JUL 2017

Republic of Pakistan, 1973 on the ground that the act of advertising the Faculty Positions (in some instances already occupied by the petitioners) is in direct conflict of Health Department Government of Khyber Pakhtunkhwa (Teaching Cadre) Recruitment Rules, 2015.

B. To declare the act of filling vacant Faculty Positions and by placing the reserve statutory quota of the petitioners at the disposal of MTI, Dera Ismail Khan by respondents No.1, 2 and 4 especially through Stoppap Dean/Principal is void, ab initio, patently illegal because it amounts to usurpation of reserve statutory quota of the petitioners in the light of Health Department Recruitment Rules, 2015.

C. To permanently restrain the respondents from filling vacant Faculty Positions in Medical Teaching Institutions because these positions are specially meant for promotion of the petitioners and also to struck down the illegal appointment of respondent No.7 as Stoppap Dean/Principal, Gomal Medical College, Dera Ismail Khan through BOG decision taken in 7th Meeting and through circular No.6050-55 dated 25.10.2016.

D. To declare the Notification dated 09.07.2016 in the shape of Regulation of Medical Teaching Institutions, Dera Ismail Khan, 2016, as without lawful authority, non-est, void ab initio, patently illegal, being framed in contrast of mandatory requirements of section 24(2) of the Khyber

EXAMINER
Khyber High Court
13 JUL 2017

Pakhtunkhwa Medical Teaching Institutions Reforms Act, 2015.

E. Any other relief ex debito justitiae may please be granted in favour of the petitioners."

2. In fact, the grievance of the petitioners is that the entire promotion process, adopted by the respondent-Institution is alien to the law which is violative of their legitimate expectation of being not considered for promotion.

3. The worthy Professor Dr. Akhtar Munir, Dean/Principal and Mr. Rehmat Ali, Secretary BOG, MTI, D.I. Khan duly represented by the learned counsel placed on record (Brief) regarding Faculty Positions at MTI Gomal Medical College, D.I. Khan, which reads;

"Gomal Medical College has the following 113 sanctioned faculty posts:-

Name of Post	Sanctioned	Filled	Vacant
Professors	19	07	12
Associate Professors	20	04	16
Assistant Professors	43	19	24
Senior Registrars	31	12	19
Total	113	42	71

4. They further made a statement at the bar that all the petitioners, if they are eligible for

EXAMINER
13 JUL 2017

17

promotion to the higher post, if vacant, shall be first filled through promotion and not through direct recruitment.

5. In the light of above response of the respondents, it would not be appropriate to further proceed with the matter, however, the respondents are directed to expeditiously proceed with the promotion of the petitioners against the posts, if lying vacant in their respective disciplines, provided they are eligible for the same. Similarly, initial recruitment be also expedited because it is the need of the hour.

Accordingly, this writ petition is disposed of, in the above terms alongwith the C.Ms.



Sd/- V. Jayaram Advocate

Announced
06.07.2017.

CHIEF JUSTICE

Sd/- Abdul Subhan

JUDGE

(Azad)

No. 774

Date of Presentation of Application 08/7/17

No of Pages 52

Copying fee.....

Print Fee.....

Total 20-9

Date of Preparation of Copy 13/7/17

Date For Delivery 13/7/17

Date of Delivery of Copy 13/7/17

Received by [Signature]

CERTIFIED TO BE TRUE COPY

For the Registrar, Bangalore
Sub Registrar, Bangalore

13 JUL 2017



Annex - B

GOVERNMENT OF KHYBER PAKHTUNKHWA
HEALTH DEPARTMENT

10

DATED PESH: THE 16TH JUNE 2017

NOTIFICATION

REGD/HD/BOG/DIKHAN

In exercise of the powers conferred by Section 22 of the Khyber Pakhtunkhwa Medical Teaching Institutions Reforms Act, 2015, the Government (Chief Minister, Khyber Pakhtunkhwa) is pleased to authorize the Department of Health, Khyber Pakhtunkhwa to act as Board of Governors (BoG) for MTI in the finalization of new BoG.

SECRETARY HEALTH

- 1. Chief Minister, Khyber Pakhtunkhwa, Peshawar.
- 2. Secretary to Governor, Khyber Pakhtunkhwa, Peshawar.
- 3. Director General Health Service, Khyber Pakhtunkhwa.
- 4. Assistant General, Khyber Pakhtunkhwa Peshawar.
- 5. Director MTI LRM, KTH, HMC Peshawar, ATH Abbottabad.
- 6. Director MTI LRM/MMC, Mardan/KGNTH, Bannu.
- 7. Director MTI LRM, KTH, HMC Peshawar, ATH, Mardan/KGNTH, Bannu.
- 8. Director General Medical College, D.I.Khan.
- 9. District Health Officer, Bannu.
- 10. Chief HSRU Health Department, Peshawar.
- 11. All Section Officers in Health Department.
- 12. Coordinator HSD, Health Department.
- 13. PS to Minister Health, Khyber Pakhtunkhwa.
- 14. PS to Secretary Health Department.
- 15. Special Secretary Health.
- 16. Joint and Deputy Secretary (Dev/Estab) Health Department.
- 17. Deputy Secretary, Health Department.

Handwritten notes and initials in the bottom left corner.

(Signature)
(Haslem Khan)
Section Officer-I



GOVERNMENT OF KHYBER PAKHTUNKHWA
HEALTH DEPARTMENT

Dated Pesh. the 20th Oct, 2017

F. No. 19

NOTIFICATION

In pursuance of this department notification No SOH- /HD/BOG/MT/D.Khan dated 27/7/2017, a promotion committee comprising of the following Professors for considering promotion cases of eligible faculty Civil Servants, of Gomal Medical College, D.I. Khan constituted:

- Col. Dr. Abdu Qader Khan - Chairman
- Dr. Aslam Khan - Secretary
- Dr. Aslam Khan - Member
- Dr. Aslam Khan - Member
- Dr. Aslam Khan - Member
- Dr. Aslam Khan - Member
- Dr. Aslam Khan - Member

IOBS

The committee shall follow the procedure laid down in the IOBS for promotion of eligible faculty. The committee shall also prepare working papers and make its recommendations for promotion of eligible faculty to next higher scale to Health Department within 15 days positively.

SECRETARY HEALTH
Chairman BOG MT/D.K.

Endst No and date even

- Medical Director, Health Department
- Deputy Medical Director, Health Department
- Dr. Aslam Khan, Prof of Physio, Gomal Medical College, D.I. Khan
- Dr. Aslam Khan, Prof of Pathology, Gomal Medical College, D.I. Khan
- Dr. Aslam Khan, Prof of Paeds, Gomal Medical College, D.I. Khan
- PS to Secretary Health Department
- PA to Addl Secretary (Health) Department

Signature
Section Officer-I



GOVERNMENT OF KHYBER PAKHTUNKHWA
HEALTH DEPARTMENT

Dated Peshawar the 13th November, 2017

Annex-D

20

NOTIFICATION

NO. SOH(E-I)7-53/17: On the recommendations of Promotion and Selection Committee and in exercise of powers conferred under Section 22, of Khyber Pakhtunkhwa Medical Teaching Institutions Reforms Act (amended) 2015 read with Regulations No. 10 of Khyber Pakhtunkhwa Medical Teaching Institutions Regulations, 2015 dated 16th May, 2015 and this Department letter No. SOH-I/HD/BOG/DIKhan dated 02/07/2017, the following Teaching Cadre (Civil Servants) of Gomal Medical College (MTI), D.I.Khan are hereby promoted to next higher scale on regular basis with immediate effect:

S.#	NAME OF DOCTOR AND SPECIALTY	FROM	TO
1.	Dr. Javaid Hussain (Pathology)	Associate Professor (BS-19)	Professor of Pathology (BS-20)
2.	Dr. Amir Amanullah (Anatomy)	Associate Professor (BS-19)	Professor of Anatomy (BS-20)
3.	Dr. Kamran Iqbal (ENT)	Associate Professor (BS-19)	Professor of ENT (BS-20)
4.	Dr. Muhammad Ali Shah (Orthopedic)	Associate Professor (BS-19)	Professor of Orthopedic (BS-20)
5.	Dr. Naseem Saba (Gynecology)	Associate Professor (BS-19)	Professor of Gynecology (BS-20)
6.	Dr. Jahanzeb Khan (Forensic Medicine)	Assistant Professor (BS-18)	Associate Professor Forensic Medicine (BS-19)
7.	Dr. Sher Zameer, (Physiology)	Assistant Professor (BS-18)	Associate Professor Physiology (BS-19)
8.	Dr. Sarah Arif (Pathology)	Assistant Professor (BS-18)	Associate Professor Pathology (BS-19)
9.	Dr. Ifitikhar Ahmad (Community Medicine)	Assistant Professor (BS-18)	Associate Professor Community Medicine (BS-19)
10.	Dr. Shahjehan (Biochemistry)	Assistant Professor (BS-18)	Associate Professor Biochemistry (BS-19)
11.	Dr. Fouzia Ambreen (Gynecology)	Assistant Professor (BS-18)	Associate Professor Gynecology (BS-19)
12.	Dr. Arshad Ali (Surgery)	Assistant Professor (BS-18)	Associate Professor Surgery (BS-19)
13.	Dr. Akhtar Munir (Surgery)	Assistant Professor (BS-18)	Associate Professor Surgery (BS-19)
14.	Dr. Taj Muhammad Khan (Medicine)	Assistant Professor (BS-18)	Associate Professor Medicine (BS-19)
15.	Dr. Sajjad Ahmad (Pathology)	Assistant Professor (BS-18)	Associate Professor Pathology (BS-19)
16.	Dr. Sadaf Rasheed (Anatomy)	Assistant Professor (BS-18)	Associate Professor Anatomy (BS-19)

Attested To be true copy.

21

17	Dr. Muhammad Ismail (ENT)	Assistant Professor (BS-18)	Associate Professor ENT (BS-10)
18	Dr. Ali Khan (ENT)	Senior Registrar (BS-18)	Assistant Professor ENT (BS-18)
19	Dr. Salman Khan (Medicine)	Senior Registrar (BS-18)	Assistant Professor Medicine (BS-18)
20	Dr. Shakeel Ahmad (Orthopedic)	Senior Registrar (BS-18)	Assistant Professor Orthopedic (BS-18)
21	Dr. Muhammad Kamran Khalid (Ophthalmology)	Senior Registrar (BS-18)	Assistant Professor Ophthalmology (BS-18)
22	Dr. Amjad Abrar (Cardiology)	Senior Registrar (BS-18)	Assistant Professor Cardiology (BS-18)
23	Dr. Irum Batool (Gynecology)	Senior Registrar (BS-18)	Assistant Professor Gynecology (BS-18)
24	Dr. Hina Ayub (Gynecology)	Senior Registrar (BS-18)	Assistant Professor Gynecology (BS-18)
25	Dr. Muhammad Shaukat (Nephrology)	Senior Registrar (BS-18)	Assistant Professor Nephrology (BS-18)
26	Dr. Dastageer Waheed (Surgery)	Senior Registrar (BS-18)	Assistant Professor Surgery (BS-18)
27	Dr. Qais Falah (Surgery)	Senior Registrar (BS-18)	Assistant Professor Surgery (BS-18)
28	Dr. Taj Muhammad (Peads)	Senior Registrar (BS-18)	Assistant Professor Peads (BS-18)

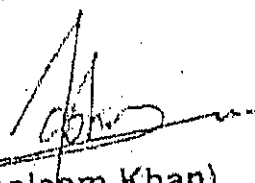
SECRETARY HEALTH
Govt. of Khyber
Pakhtunkhwa

Endst. No & Date Even

Copy to the:-

1. Principal Secretary to Chief Minister, Khyber Pakhtunkhwa.
2. Principal Secretary to Governor, Khyber Pakhtunkhwa.
3. Director General Health Services, Khyber Pakhtunkhwa.
4. Accountant General, Khyber Pakhtunkhwa.
5. PSO to Chief Secretary, Khyber Pakhtunkhwa.
6. Dean, MMM Teaching Hospital (MTI), D.I.Khan.
7. Hospital/Medical Director, MMM Teaching Hospital (MTI), D.I.Khan.
8. Director Finance, MMM Teaching Hospital (MTI), D.I.Khan.
9. All Head of Departments in MMM Teaching Hospital (MTI), D.I.Khan.
10. District Account Officer, D.I.Khan.
11. Officers concerned.
12. PS to Minister Health, Khyber Pakhtunkhwa, Peshawar
13. PS Secretary Health, Khyber Pakhtunkhwa, Peshawar

After End to 2
Enc copy.


(Tasleem Khan)
SECTION OFFICER (E-I)

9
AMX E
22

OFFICE OF THE MEDICAL DIRECTOR
MTI DHQ / MMM TEACHING HOSPITAL DIKHAN

No. 262

dated 30/11/2017

To : The Chairman
BOG MTI DIKHAN

Subject: PROMOTION OF UROLOGIST

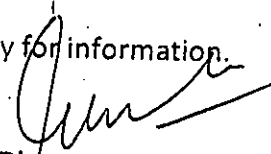
Memo:

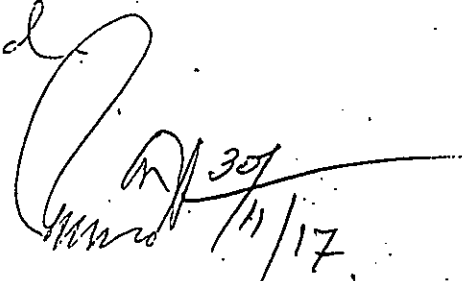
Application in respect of Dr.Ghazi Khan Assistant Professor Urology is enclosed herewith for necessary action at your end in the best public interest please.


Medical Director
MTI DHQ / MMM TH DIKHAN

No. 263

Copy forwarded to Dr.Ghazi Khan Assistant Professor Urology for information.


Medical Director
MTI DHQ / MMM TH DIKHAN

Received

30/11/17

Annex - F
23

The Medical Director
MTI, DHQ/MMMT Hospital
D.I.Khan

Subject: PROVISION OF LIST SEND TO SECRETARY HEALTH REGARDING PROMOTION OF TEACHING STAFF (CIVIL SERVANT) GMC MTI DIKHAN UNDER "RIGHT TO INFORMATION ACT 2015"

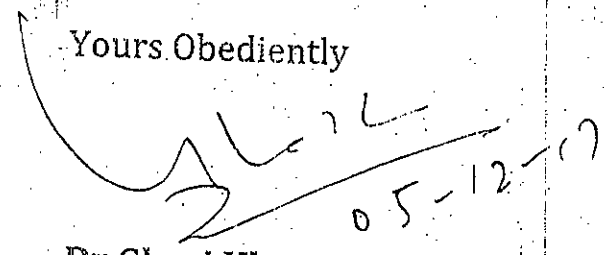
Dear Sir,

You are requested to provide subject information as I need it for my personal use.

Your cooperation will be high appreciate in this regard.

Thanks.

Yours Obediently



Dr. Ghazi Khan
Assistant Professor (Urology)
Gomal Medical College DIKhan

Dated: 05.12.2017

Revised
at
11/12/17

To

The Chief-Secretary
Govt. of Khyber Pakhtunkhwa
Peshawar.

Annex-57
24

Subject: DEPARTMENTAL APPEAL/REPRESENTATION
AGAINST THE IMPUGNED NOTIFICATION NO.
SOH(E-I)7-53/17 DATED 13/11/2017, FOR THE
PROMOTION OF ASSISTANT PROFESSOR
UROLOGY BS-18 TO THE POST OF ASSOCIATE
PROFESSOR UROLOGY BS-19 IN GOMAL MEDICAL
COLLEGE, DERA ISMAIL KHAN.

Dear Sir,

It is submitted with great honour that I have following submissions regarding above cited subject.

1. That the applicant was selected by KPK public service Commission as Assistant Professor in Urology and since 15/10/2009, I have been serving the department, I, with my hectic efforts, started OPD and established Urology Unit at DHQ Teaching Hospital D.I.Khan in spite of various hurdles and limited resources.
2. I have regularly been teaching the students of GMC 4th and final year via lectures, OPD, OT and on bed site in Urology Unit. My Unit (10 beds) are included in total beds strength for P.M.D.C recognition.
3. That DHQ Teaching Hospital Dera Ismail Khan is farthest from provincial metropolitan and other state of the art Urology Center, so it is the need of hour to establish a state of art Urology Department in the best interest of needy patients of the area.
4. That the applicant is the one and the only official serving the Urology Department and policy to the higher scale is a bonafide right of every eligible Govt. Servant so that the applicant as well.

5. That by dint of seniority list of Assistant Professor, working in Gomal Medical College D.I.Khan issued on 29/11/2011, the applicant ranked at serial No. 8 of the list.
6. That the present applicant including some other doctors filed a writ petition #2016-P/2017, wherein challenged the advertisement published for the recruitment of MTI faculty for different positions. The worthy Peshawar High Court vide its judgment dated 06/07/2017 decided their writ petition and directed the respondents to proceed with the promotion of the petitioners against the posts. Copies of writ petition and order dated _____ are annexed.
7. That it came to know into the knowledge of the applicant that Secretary Health Department issued impugned notification whereby promoted certain doctors including the doctors (Assistant Professors BS-18), which were not only junior to the applicant but rather were not petitioner in the above cited writ petition.
8. That vide impugned promotion notification dated 13/11/2017, the present applicant was not promoted being eligible and senior, for the reasons best known to them but the said notification and the promotions of the juniors adversely effects the legal and service rights of the applicant.

It is therefore, requested that by setting aside the impugned promotion notification dated 13/11/2017 (except the incumbents seniors to the present applicant), the applicant may graciously be promoted to the post of Associate Professor BS-19.

Dated: 09/12/2017

Humble Applicant

Dr. Ghazi Khan
Assistant Professor Urology
BS-18, DHQ, GMC
Dera Ismail Khan

To

The Chairman
Board of Governor MTI
Gomal Medical College,
Dera Ismail Khan.

26

Subject: DEPARTMENTAL APPEAL/REPRESENTATION
AGAINST THE IMPUGNED NOTIFICATION NO.
SOH(E-I)7-53/17 DATED 13/11/2017, FOR THE
PROMOTION OF ASSISTANT PROFESSOR
UROLOGY BS-18 TO THE POST OF ASSOCIATE
PROFESSOR UROLOGY BS-19 IN GOMAL MEDICAL
COLLEGE, DERA ISMAIL KHAN.

Dear Sir,

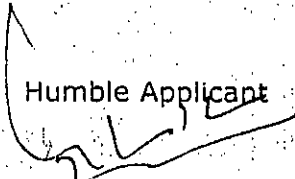
It is submitted with great honour that I have following submissions regarding above cited subject.

1. That the applicant was selected by KPK public service Commission as Assistant Professor in Urology and since 15/10/2009, I have been serving the department, I, with my hectic efforts, started OPD and established Urology Unit at DHQ Teaching Hospital D.I.Khan in spite of various hurdles and limited resources.
2. I have regularly been teaching the students of GMC 4th and final year via lectures, OPD, OT and on bed site in Urology Unit. My Unit (10 beds) are included in total beds strength for P.M.D.C recognition.
3. That DHQ Teaching Hospital Dera Ismail Khan is farthest from provincial metropolitan and other state of the art Urology Center, so it is the need of hour to establish a state of art Urology Department in the best interest of needy patients of the area.
4. That the applicant is the one and the only official serving the Urology Department and policy to the higher scale is a bonafide right of every eligible Govt. Servant so that the applicant as well.

5. That by dint of seniority list of Assistant Professor, working in Gomal Medical College D.I.Khan issued on 29/11/2011, the applicant ranked at serial No. 8 of the list.
6. That the present applicant including some other doctors filed a writ petition #2016-P/2017, wherein challenged the advertisement published for the recruitment of MTI faculty for different positions. The worthy Peshawar High Court vide its judgment dated 06/07/2017 decided their writ petition and directed the respondents to proceed with the promotion of the petitioners against the posts. Copies of writ petition and order dated _____ are annexed.
7. That it came to know into the knowledge of the applicant that Secretary Health Department issued impugned notification whereby promoted certain doctors including the doctors (Assistant Professors BS-18), which were not only junior to the applicant but rather were not petitioner in the above cited writ petition.
8. That vide impugned promotion notification dated 13/11/2017, the present applicant was not promoted being eligible and senior, for the reasons best known to them but the said notification and the promotions of the juniors adversely effects the legal and service rights of the applicant.

It is therefore, requested that by setting aside the impugned promotion notification dated 13/11/2017 (except the incumbents seniors to the present applicant), the applicant may graciously be promoted to the post of Associate Professor BS-19.

Dated: 09/12/2017

Humble Applicant


Dr. Ghazi Khan
Assistant Professor Urology
BS-18, DHQ, GMC
Dera Ismail Khan

No. 210

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 acknowledgment is due. Rs. 60 Ps.

28

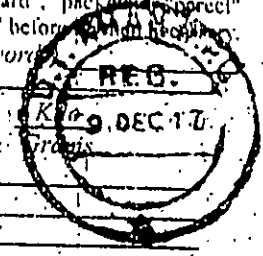
Received a registered letter addressed to _____ Date-Stamp _____

Write here "letter", "postcard", "packet" or "parcel" with the word "insured" before, when necessary.

Initials of Receiving Officer _____ Insured for Rs. (in figures) _____ (in words) _____

Insurance fee Rs. _____ Ps. _____ (in words) _____ Weight _____

Name and address of sender _____



No. 211

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 acknowledgment is due. Rs. 60 Ps.

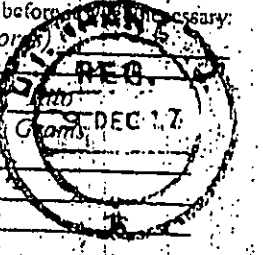
Received a registered letter addressed to _____ Date-Stamp _____

Write here "letter", "postcard", "packet" or "parcel" with the word "insured" before, when necessary.

Initials of Receiving Officer _____ Insured for Rs. (in figures) _____ (in words) _____

Insurance fee Rs. _____ Ps. _____ (in words) _____ Weight _____

Name and address of sender _____



To
The Principal/Dean,
Gomal medical college,
Dera Ismail Khan.

Amx I
29

SUBJECT: PROVISION OF SENIORITY LIST OF ASSISTANT PROFESSORS (2016/2017)
USED FOR RECENT PROMOTIONS (NOV 2017) UNDER "RIGHT TO
INFORMATION ACT 2015"

Respected Sir,

You are requested to kindly provide me with seniority list of assistant professors at Gomal Medical College, used for recent promotions in NOV 2017. Your cooperation in this regard will be highly appreciated.

Dated 7/12/2017

Regards,

[Handwritten signature]
07-12-17

DR. GHAZI KHAN
Assistant Professor,
Urology Department,
MTI DHQth, D.I. Khan

Received by
[Handwritten signature]

OFFICE OF THE PRINCIPAL GOMAL MEDICAL COLLEGE
DERA ISMAIL KHAN

AMM
30



No. GOM/2-5/454/2011 Dated Dera Khan the 23/11/2011
Tel: phone No. 9280338-39-41 Fax# 9280340 Email: gmc.principal@yale.com

- To
1. All Professors
 2. All Associate Professor
 3. All Assistant Professor

Subject: SENIORITY LIST OF TEACHING STAFF

A copy of provisional Seniority List prepared by this office is enclosed herewith for filling of blanks column with proof and after correction return to this office for preparation of final seniority list within 03 days after the receipt of this letter.

[Signature]
Principal
Gomal Medical College
Dera Ismail Khan

Working in Gomal
Date of Assistant

Seniority List of Assistant Professor working in Gomal Medical College DIKhan

S.N	Name of Officer/ Academic qualification	Designation	Date of Birth and Domicile	Date of entry in service/ BPS	BPS	Date of Posting as Assistant Professor	Place of posting/ Department
1	Dr. Sardar Bahadur	Assistant Professor	01/08/1956/FR DIKhan		18	10/3/2003	GMC DIKhan / Eye Department
2	Dr. Abdul Munem	Assistant Professor			18	8/10/2005	GMC DIKhan / Dentistry Department
3	Dr. Javed Hussain	Assistant Professor	27/10/1960/Lakki Marwat		18	9/7/2009	GMC DIKhan / Pathology Department
4	Dr. Ghazala Bashir	Assistant Professor		31/04/2004	18	10/9/2009	GMC DIKhan / Gynae Department
5	Dr. Rehman-ud-Din	Assistant Professor			18	26/09/2008	GMC DIKhan / Gastroenterology Department
6	Dr. Amir Amanullah	Assistant Professor			18	27/08/2009	GMC DIKhan / Anatomy Department
7	Dr. Nowshad Khan	Assistant Professor	29/11/1964/ Bajaur Agency		18	12/10/2009	GMC DIKhan Medicine Department
8	Dr. Ghazi Khan	Assistant Professor			18	15-10-2009	GMC DIKhan / Urology Department
9	Dr. Saadaf Rashid	Assistant Professor	7/8/1977/ DIKhan	31/01/2006	18	24-10-2009	GMC DIKhan / Anatomy Department
10	Dr. Sara Arif	Assistant Professor			18	24-10-2009	GMC DIKhan Pathology Department
11	Dr. Iftikhar Ahmad	Assistant Professor		12/4/2003	18	14-12-2009	GMC DIKhan Command, Medicine Department
12	Dr. Kamran Iqbal	Assistant Professor	18/12/1963		18	14-12-2009	GMC DIKhan ENT Department
13	Dr. Aslam Ali	Assistant Professor	01/09/1969/ Lakki Marwat		18	21-12-2009	GMC DIKhan Surgery Department

18

33

16

R. 8
9

Basic

K H A

g g

g g

A

27

10

10

25

APR 10 7

15

14

17

	Dr. Ahd-ur-Rehman	Assistant Professor	11/01/1964/ DIKhan		18	30-12-2009	GMC DIKhan / Orthopedic Department
15	Dr. Akhtar Munir	Assistant Professor	10/05/1959/ DIKhan NWFP		18	5-1-2010	GMC DIKhan / Surgery Department
16	Dr. Jahanzeb Khan	Assistant Professor	24/04/1964/ DIKhan	27/11/2001	18	22-1-2010	GMC DIKhan / Forensic Medicine Department
17	Dr. Sajjad Ahmad	Assistant Professor			18	13-2-2010	GMC DIKhan / Pathology Department
18	Dr. Farmanullah	Assistant Professor			18	12/10/2010	GMC DIKhan / Paeds Department
19	Dr. Taj Muhammad	Assistant Professor			18	23-10-2010	GMC DIKhan / Medicine Department
20	Dr. Fouzia Anbreen	Assistant Professor			18	1/4/2011	GMC DIKhan / Gynae Department
21	Dr. Aftab Ahmad	Assistant Professor			18	26-8-2011	GMC DIKhan / Radiology Department
22	Dr. Amir Rehman	Assistant Professor			18	25/05/2011	GMC DIKhan / Physiology Department

وکالت نامہ

Advocate High Court
N.C. 17104-0000049-7
S.No. 12837



کورٹ
فیس

Before The Service Tribunal Khuzdar, Baluchistan

Appellant: Mr. Ghazi Khan vs Govt. of KPK etc

Service Appeal

باعث تحریر آنکہ

D. I. Khan

Muhammad Ali Durrani Advocate H.C.

مقدمہ مندرجہ بالا عنوان میں اپنی طرف دلائل پروردی و جواب پیشی یا تقیید مقدمہ تمام

کو حسب ذیل ہر لحاظ پر دیکھ مقرر کیا ہے کہ جس پیشی پر خود یا بڑا بڑا لیدر رو برد عدالت حاضر ہوتا رہوں گا اور ہر وقت پکارے جانے مقدمہ دیکل صاحب
 بموصوف کو اطلاع دے کر حاضر عدالت کروں گا اگر پیشی پر منظر حاضر نہ ہو اور مقدمہ ہمیری غیر حاضری کی وجہ سے کسی طور میرے خلاف ہو گیا تو صاحب
 بموصوف اس کے کسی طرح ذمہ دار نہ ہوں گے نیز دیکل صاحب بموصوف صدر مقام بکھری کے علاوہ یا بکھری کے اوقات سے پہلے یا پیچھے یا بروز تعطیل
 پروردی کرنے کے ذمہ دار نہ ہوں گے اور مقدمہ صدر بکھری کے علاوہ اور جگہ نہایت ہونے یا بروز تعطیل یا بکھری کے اوقات کے آگے یا پیچھے پیش ہونے
 پر منظر کوئی نقصان پہنچے تو اس کے ذمہ دار یا اسکے واسطے کسی معاوضہ کے ادا کرنے یا نسیبت نہ واپس کرنے کے اپنی صاحب بموصوف ذمہ دار نہ ہوں گے جب
 کو کل ساختہ پر داخستہ صاحب بموصوف مثل کردہ ذات خود منظور قبول ہو گا اور صاحب بموصوف کو عرضی ذمہ دار یا جواب دہری یا درخواست اجراء اسمائے ذمہ
 نظر ثانی اپیل عمرانی و ہر قسم درخواست ہر قسم کے بیان دینے اور پر ثانی یا راضی نامہ و فیصلہ برطرف کرنے اقبال ذمہ دار کا بھی اختیار ہو گا اور بصورت مقرر ہونے
 تاریخ پیشی مقدمہ مرکز بیرون از بکھری صدر پروردی مقدمہ مرکز نظر ثانی اپیل و عمرانی و برآمدگی مقدمہ یا سنوئی ذمہ دار کی طرف سے درخواست حکم استثنائی یا ترقی
 یا گرفتاری قبل از فیصلہ اجراء ذمہ دار کی بھی صاحب بموصوف کو بشرط ادا ملکی بطور ضمانت پروردی کا اختیار ہو گا اور تمام ساختہ پر داخستہ صاحب بموصوف مثل کردہ
 از خود منظور و قبول ہو گا اور بصورت ضرورت صاحب بموصوف کو یہ بھی اختیار ہو گا کہ مقدمہ مرکزہ یا اس کے کسی جزو کی کارروائی یا بصورت درخواست نظر ثانی
 اپیل عمرانی یا دیگر معاملہ و مقدمہ مذکورہ کسی دوسرے دیکل یا غیر مرکزہ کو اپنے بجائے یا اپنے ہمراہ مقرر کریں اور ایسے شہرتاؤں کو بھی ہر امر میں دئی اور دینے
 اختیارات حاصل ہوں گے جیسے حاجت بموصوف کو حاصل ہیں اور دوران مقدمہ میں جو کچھ ہر جائید التواء پر نہ گاہ وہ حاجت بموصوف کا حق ہو گا مگر
 صاحب بموصوف کو پروردی نہیں تاریخ پیشی سے پہلے ادا نہ کروں گا تو صاحب بموصوف کو پورا اختیار ہو گا کہ مقدمہ کی پروردی نہ کریں اور ایسی صورت
 میں میرا کوئی مطالبہ کسی قسم کا صاحب بموصوف کے برخلاف نہیں ہوگا

لہذا وکالت نامہ لکھ دیا ہے تاکہ مقدمہ سے
موزع 4th مارچ 2018

مضمون وکالت نامہ سن لیا ہے اور ادر جی طرح سمجھ لیا ہے اور منظور ہے

(Signature)

(Signature)

حسن کا پیر مسٹر اندرون سین زور ایکٹ بال تامل جاز ہوں ذریعہ اسامیل خان

"B"

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

No.

TB

Appeal No. 592 of 2018

Ghazi Khan Appellant/Petitioner

Versus

Through Chief Secy: 14/16 P. St. Respondent

Respondent No. 15

Notice to: —

Sajjad Ahmad, (Pathology), Associate
Professor General Medical College 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 24-3-2020 at 8.00 A.M. If you wish to urge anything against the appellants/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 March 2020

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.

Appeal No. 592 of 20 18

Ghazi Khan Appellant/Petitioner

Versus

Through Chief Secy Pesh. Respondent

Respondent No. 8

Notice to: —

Sana arif, Pathology Associate
Professor, General Medical College 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 21.3.2018 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.....

Given under my hand and the seal of this Court, at Peshawar this 5/3

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.

113

No.

Appeal No..... 592 of 2018

Ghazi Muhammad Appellant/Petitioner

Versus

Through Chief Secy. Pesh. Respondent

Respondent No..... 11

Notice to: — Fazila Ambreen, Gynaecology A.Societ
Professor Gomal Medical College 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.....24.11.2018.....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.....

Day of.....March.....2018

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.

113

Appeal No. 592 of 20 18

Ghazi Miran Appellant/Petitioner
Chief Versus

Through Secy to the P. S. I. Respondent

Respondent No. 16

Notice to: —

Sadaf Rasheed Anatomy, Associate Professor
Gomal College 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 24.3.20 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 5th

Day of March 20 20

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.

13

Appeal No. 592 of 20 18

Ghazi Khan Appellant/Petitioner
Versus

Through Chief Secy. P.A. Respondent
Respondent No. 6

Notice to:

Search and Nomination Council
Through its Chairman Medical Teaching

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 27-10-2018 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 6/11

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.**

No.

TB

Appeal No.....592..... of 2018

Ghazal Khattar.....Appellant/Petitioner

Versus

Through Chief Secy: Pesh.....Respondent

Respondent No.....5.....

Notice to: —

Board of Governors, Medical College
Teaching Institutions, 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.....27-10-20.....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.....6/11.....

Day of.....Oct......2020

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.

713

Appeal No. 592 of 20 18

Ghazi Khan Appellant/Petitioner

Versus

Through Chief Secy. NPLC Pesh. Respondent

Respondent No. 6

Notice to: —

Dean/Principal Gomal Medical
College Medical Teaching Institutions
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 27.07.18 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.....

Given under my hand and the seal of this Court, at Peshawar this 6th 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.**

703

No.

Appeal No. 592 of 20 18

Ghazal Khan Appellant/Petitioner

Versus

Through Chief Secy. Pesh. Respondent
Respondent No. 3

Notice to: Director General Health Dept. 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 *on 27.11.18 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.....

Given under my hand and the seal of this Court, at Peshawar this 11/11/18

Day of Oct 11 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.

TB

No.

Appeal No. 592 of 20 18

Ghazi Khan Appellant/Petitioner

Versus

Through Chief Secy. Pesh. Respondent

Respondent No. 2

Notice to: -

Govt. of K.P. through Chief Secy.
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 27-10-20 at 8.00 A.M. If you wish to urge anything against the appellatant/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 6/11 Day of Oct 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.

No.

Appeal No. 592 of 2018

D. I. Ghazi Khan Appellant/Petitioner

Versus

Through Chief Secy. Pesh. Respondent

Respondent No. 4

Notice to:

Search and Nomination Council
Through Chairman Medical Teaching Institution
KPK Peshawar.

WHEREAS an appeal/petition under the provision of the Khyber Pakhtunkhwa Province Service Tribunal Act, 1974, has been presented/registered for consideration, in the above case by the petitioner in this Court and notice has been ordered to issue. You are hereby informed that the said appeal/petition is fixed for hearing before the Tribunal on 24-5-2021 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 1st

Day of March 2021

at Comp 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. 592 of 20 18

Dr. Ghazi Khan Appellant/Petitioner

Through Chief Secy. Pesh: Respondent

Respondent No. 5
Board of Governors Medical Teaching
Institutions Dera Ismail 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 notified that said appeal/petition is fixed for hearing before the Tribunal on.....at 8.00 A.M. If you wish to urge anything against the appellant/petitioner you are at liberty to do so on the date fixed, or any other day to which the case may be postponed either in person or by authorised representative or by any Advocate, duly supported by your power of Attorney. You are, therefore, required to file in this Court at least seven days before the date of hearing 4 copies of written statement alongwith any other documents upon which you rely. Please also take notice that in default of your appearance on the date fixed and in the manner aforementioned, the appeal/petition will be heard and decided in your absence.

Notice of any alteration in the date fixed for hearing of this appeal/petition will be given to you by registered post. You should inform the Registrar of any change in your address. If you fail to furnish such address your address contained in this notice which the address given in the appeal/petition will be deemed to be your correct address, and further notice posted to this address by registered post will be deemed sufficient for the purpose of this appeal/petition.

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

Given under my hand and the seal of this Court, at Peshawar this.....
March 21 20.....

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.

IB

No.

Appeal No. 592 of 20 18

Dr. Ghazi Khan Appellant/Petitioner

Through Chief Secy. Pesh. Respondent

Respondent No. 6

Notice to:

Dean/Principal Gomal Medical College
Medical Teaching Institutions D.I. Khan

WHEREAS an appeal/petition under the provision of the Khyber Pakhtunkhwa Province Service Tribunal Act, 1974, has been presented/registered for consideration, in the above case by the petitioner in this Court and notice has been ordered to issue. You are hereby informed that the said appeal/petition is fixed for hearing before the Tribunal *on.....at 8.00 A.M. If you wish to urge anything against the appellant/petitioner you are at liberty to do so on the date fixed, or any other day to which the case may be postponed either in person or by authorised representative or by any Advocate, duly supported by your power of Attorney. You are, therefore, required to file in this Court at least seven days before the date of hearing 4 copies of written statement alongwith any other documents upon which you rely. Please also take notice that in default of your appearance on the date fixed and in the manner aforementioned, the appeal/petition will be heard and decided in your absence.

Notice of any alteration in the date fixed for hearing of this appeal/petition will be given to you by registered post. You should inform the Registrar of any change in your address. If you fail to furnish such address your address contained in this notice which the address given in the appeal/petition will be deemed to be your correct address, and further notice posted to this address by registered post will be deemed sufficient for the purpose of this appeal/petition.

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

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

Day of.....20

at Camp Court D.I. Khan

[Handwritten 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. 592 of 20¹⁸

D. Iqbal Khan Appellant/Petitioner

Versus

through chief Secy. P. S.: Respondent

Respondent No. 3

Notice to:

Director General, Health Dept. of KPK
Peshawar.

WHEREAS an appeal/petition under the provision of the Khyber Pakhtunkhwa Province Service Tribunal Act, 1974, has been presented/registered for consideration, in the above case by the petitioner in this Court and notice has been ordered to issue. You are hereby informed that the said appeal/petition is fixed for hearing before the Tribunal *on 24-5-2018 at 9.00 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 1st Day of March 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.

"B"

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

13

No.

Appeal No. 592 of 2021

Dr. Ghazal Khan Appellant/Petitioner

Versus

Through Chief Secy. Pesh: Respondent

Respondent No. 2

Notice to:

Secy. Health Govt. of Kpk Peshawar

WHEREAS an appeal/petition under the provision of the Khyber Pakhtunkhwa Province Service Tribunal Act, 1974, has been presented/registered for consideration, in the above case by the petitioner in this Court and notice has been ordered to issue. You are hereby informed that the said appeal/petition is fixed for hearing before the Tribunal on 24-5-2021 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 15th.....

Day of March.....2021

at Camp Court D.I. Khan

5/3/21

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. 592 of 20 18

Dr. Ghazi Khan Appellant/Petitioner

Versus

Through Chief Secy Pesh. Respondent

Respondent No. 1

Govt of KP through Secy Chief

at Peshawar

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 24-5-2018 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. 1000 dated 21-5-2018

Given under my hand and the seal of this Court, at Peshawar this 1st

Day of March 20 21

at Camp Court D.I. Khan

Registrar,
Khyber Pakhtunkhwa Service Tribunal,
Peshawar.

ISSUED 21-5-2018

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.