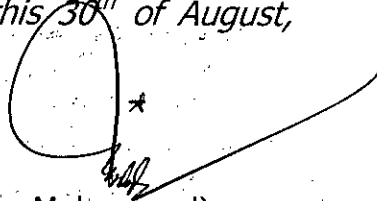


30.08.2022

Mr. Zia Ullah Khan Durrani, Advocate for the appellant present.

02. Learned counsel for the appellant submitted an application for withdrawal of the instant service appeal on the ground that the claim of appellant does not fall in terms & conditions of service of the civil servant and this Tribunal has got no jurisdiction. Furthermore, learned counsel for the appellant requested for withdrawal of the instant service appeal to file the case at appropriate forum. Application is allowed and the instant service appeal stands dismissed as withdrawn. No order as to costs. File be consigned to the record room.

03. *Pronounced in open court at Peshawar and given under my hand and seal of the Tribunal this 30th of August, 2022.*


(Mian Muhammad)
Member (E)

BEFORE THE CHAIRMAN SERVICE TRIBUNAL KP PESHAWAR.

Tasleem Khan vs Secretary Health & others

Application for withdrawal with
request to file the case in a proper
forum.

Respectfully Sheweth

The applicant/appellant humbly submit-as
under.

1. That above title service appeal is pending adjudication before this tribunal which is fixed for today. i.e. 30/8/22.
2. That on 28/7/22 i.e. previous date of hearing the Hon'ble tribunal has found out that the claim of appellant does not fall in the terms & conditions of service of the civil servant & this Hon'ble tribunal has got no jurisdiction for grant of such claim which needs to be filed in other proper forum.
3. That it was further elaborated by the Hon'ble tribunal that such claim can be agitated by filing of writ petition for which Peshawar High Court is the proper forum.

It is therefore requested that an order for withdrawal of the instant appeal to file the same before the proper forum may kindly be passed in the best interest of justice please.

Dated: 30/8/22

Applicant/Appellant
Through M. ~~Farooq~~ ~~Advocate~~
Amin Nawaz, Advocate
P.H.C.M. Ziaullah

The appeal of Mr. Tasleem son of Fazal Reman r/o Gonda Tehsil Shabqadar District Charsadda received today i.e. on 25.11.2021 is incomplete on the following score which is returned to the counsel for the appellant for completion and resubmission within 15 days.

Copies of emergency OPD and payment receipts mentioned in para-7 of the memo of appeal (consist of 19 pages) are not attached with the appeal which may be placed on it.

No. 2346 /S.T,

Dt. 26/11 /2021

REGISTRAR
SERVICE TRIBUNAL
KHYBER PAKHTUNKHWA
PESHAWAR.

Muhammad Ziaullah Khan Durrani
Advocate Peshawar.

- Resubmitted after compliance

MZ
11/12/21

KHYBER PAKHTUNKHWA SERVICES TRIBUNAL, PESHAWAR

CHECK LIST

TASLEEM

Versus

GOVT OF KP

Through Secretary Health &

..... Appellant

..... Respondents

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

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

Name:- M. Ziaullah Khan Advocate

Signature:- M. Zia

Dated:- 25/11/21