

BEFORE THE HON'BLE SERVICE TRIBUNAL KHYBER
PAKHTUNKHWA PESHAWAR

Civil Misc. Application # _____ /2022

In continuation of Tribunal Appeal #7413/2021

Dr. Mohammad Shoaib Khan S/o Sher Nawaz Khan R/o Village Pak
Ismail Khel Surrani, Tehsil & District Bannu ~~~~~ (Appellant)


VERSUS

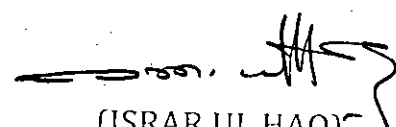
The Secretary Health Khyber Pakhtunkhwa Peshawar & others
~~~~~ (Respondents)

I N D E X

| S# | Description of Documents                                                                  | Annexure | Pages |
|----|-------------------------------------------------------------------------------------------|----------|-------|
| 1  | CM and Affidavit                                                                          |          | 1-3   |
| 2  | Copy of notification #MTI(BXU)/BOG/<br>notification/promotion/201-2021 dated<br>19/7/2021 | AA-X     |       |
| 3  | Copy of notification #MTI(BXU)/BOG/<br>notification/promotion/159-2021 dated<br>22/6/2021 | BB-X     |       |
|    |                                                                                           |          |       |

Dated: 06/12/2022

  
Appellant through counsel:

  
(ISRAR UL HAQ)  
Advocate High Court Bannu

BEFORE THE HON'BLE SERVICE TRIBUNAL KHYBER  
PAKHTUNKHWA PESHAWAR

Civil Misc. Application # \_\_\_\_\_ /2022

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Dr. Mohammad Shoaib Khan S/o Sher Nawaz Khan R/o Village Pak  
Ismail Khel Surrani, Tehsil & District Bannu ~~~~~ (Appellant)

VERSUS

- (1) The Govt. of Khyber Pakhtunkhwa through Chief Secretary Khyber Pakhtunkhwa Peshawar.
  - (2) The Secretary Health Department Khyber Pakhtunkhwa Peshawar.
  - (3) The Secretary Finance Department Khyber Pakhtunkhwa Peshawar.
  - (4) The Chairman Board of Governor (BOG) Medical Teaching Institution Khalifa Gul Nawaz (KGN) Teaching Hospital, Bannu.
  - (5) Dean Bannu Medical College, Bannu.
- ~~~~~ (Respondents)

SUBJECT: CIVIL MISCELLANEOUS APPLICATION WITH HUMBLY  
REQUEST FOR NECESSARY AMENDMENTS IN PRAYER OF  
TRIBUNAL APPEAL #7413 OF 2021, INDISPENSABLE FOR  
JUST DECISION OF THE CASE.

Respectfully Sheweth: -

- 1- That, the appellant has instituted the above titled Tribunal Appeal before this Tribunal which is still pending adjudication.
- 2- That, after filing of instant appeal, the respondents #4&5 constituted a Departmental Promotion Committee (DPC) for promoting the deserving doctors but the appellant was not considered for promotion despite of the fact that the appellant is senior most as compare his other colleague

doctors who were promoted for the reason best known to the respondents.

- 3- That, the respondents since institution of appeal, have issued various notifications which are contrary to facts and in violation of seniority lists, therefore, it is very kindly requested that on acceptance of instant application, this Hon'ble Tribunal may graciously be pleased to amend prayer of main Appeal to be read as follows:


**PRAYER:**

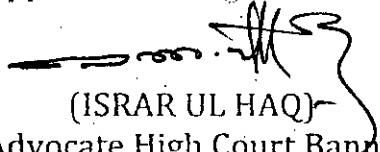
- (1) ON ACCEPTANCE OF INSTANT APPEAL, THIS HON'BLE TRIBUNAL MAY VERY GRACIOUSLY BE PLEASED TO DIRECT THE RESPONDENTS TO PROMOTE THE APPELLANT TO THE POST OF "ASSOCIATE PROFESSOR SURGERY (BPS-19)" BEING ELIGIBLE, EXPERIENCED DOCTOR AND FULFILL THE REQUIRED CRITERIA BY DECLARING NOTIFICATIONS:
- (I) MTI (BXU)BOG/ NOTIFICATION-15/(PROMOTION)/ 188-2019 DATED 14/3/2019
- (II) NOTIFICATION #MTI(BXU)/BOG/NOTIFICATION/ PROMOTION/201-2021 DATED 19/7/2021
- (III) NOTIFICATION #MTI(BXU)/BOG/ NOTIFICATION/ PROMOTION/159-2021 DATED 22/6/2021, AS ILLEGAL, AGAINST THE FACTS, INEFFECTIVE UPON THE RIGHTS OF APPELLANT AND BASED ON MALAFIDE INTENTION.
- (2) THIS HON'BLE TRIBUNAL MAY FURTHER BE PLEASED TO DIRECT THE RESPONDENTS TO COUNT SENIORITY OF APPELLANT FROM DECEMBER, 2018 IN CONTEST WITH

OTHER CANDIDATES FOR VACANT POSITION OF ASSOCIATE  
PROFESSOR SURGERY BANNU MEDICAL COLLEGE (BMC)  
BANNU ALONGWITH BACK BENEFIT ACCORDING TO LAW.  
ANY OTHER RELIEF, THIS HON'BLE TRIBUNAL DEEMS  
APPROPRIATE IN CIRCUMSTANCES OF THE CASE, MAY  
KINDLY BE ALSO GRANTED.

It is, therefore, very kindly requested that the instant Misc. Application may kindly be allowed as prayed for just to meet the ends of justice and obliged.

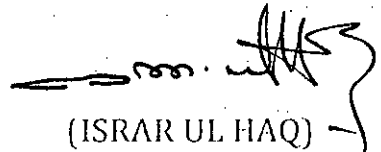
Dated: 06/12/2022

  
Appellant through counsel:

  
(ISRAR UL HAQ)  
Advocate High Court Bannu

CERTIFICATE:


This is to certify that no such petition has been filed earlier before any other forum and that the assertions of this petition are true and correct.

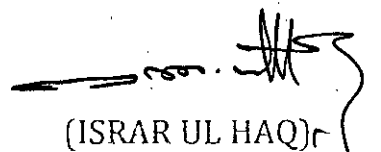
  
(ISRAR UL HAQ)  
Advocate High Court Bannu

AFFIDAVIT

I, do hereby solemnly affirm and declare that contents of instant application are true and correct to the best of my knowledge and belief as conveyed to be by my client and that nothing has been kept concealed from this Honourable Court.

Dated: 06/12/2022

  
Appellant through counsel:

  
(ISRAR UL HAQ)  
Advocate High Court Bannu

**OFFICE OF THE CHAIRPERSON**  
**BOARD OF GOVERNORS**  
**MEDICAL TEACHING INSTITUTION BANNU**  
**Khyber Pakhtunkhwa, Pakistan**

Annex AA-X

Dated: 19/07/2021

**NOTIFICATION**

**NO.MTI(BXU)BOG/Notification/Promotion/201-2021** Consequent upon the recommendation of Promotion Committee constituted by Board of Governors, in its meeting, held on 19.07.2021, the Board of Governors is pleased to accord approval for promotion of the following faculty members of Bannu Medical College Bannu on current charge basis for a period of six months w.e.f 01.08.2021.

| S.N # | Name of Doctor          | Promoted from                                  | Promoted to                                                                                                                                           |
|-------|-------------------------|------------------------------------------------|-------------------------------------------------------------------------------------------------------------------------------------------------------|
| 1     | Dr Muhammad Iqbal       | Associate Professor of ENT (B-19)              | Professor of ENT (B-20)                                                                                                                               |
| 2     | Dr Naseeb Ur Rehman     | Assistant Professor of General Medicine (B-18) | Associate Professor of General Medicine (B-19)                                                                                                        |
| 3     | Dr. Raza Muhammad       | Assistant Professor of General Medicine (B-18) | Associate Professor of General Medicine (B-19)                                                                                                        |
| 4     | Dr. Zubaida Khanum      | Assistant Professor of Gynae/Obs (B-18)        | Associate Professor of Gynae/ Obs (B-19)                                                                                                              |
| 5     | Dr. Muhammad Daraz Khan | Assistant Professor of Paeds Surgery (B-18)    | Associate Professor of Paeds Surgery (B-19)                                                                                                           |
| 6     | Dr. Samiullah Khan.     | Assistant Professor Cardioiology (B-18)        | Associate Professor Cardioiology (B-19)                                                                                                               |
| 7     | Dr. Radhia Khan         | Assistant Professor Biochemistry (B-18)        | She will look after the post of Associate Professor Biochemistry without financial benefits and her substantial post will remain Assistant Professor. |

*Handwritten:*  
 Sd/XX  
 Aasiya Khan  
 Chairperson  
 Board of Governors  
 Medical Teaching Institution Bannu

Sd/XX  
 (Aasiya Khan)  
 Chairperson  
 Board of Governors  
 Medical Teaching Institution Bannu

**Endst No. & Date as above**

- Copy forwarded for information & necessary action to:
1. Secretary to Govt. of Khyber Pakhtunkhwa, Health Department, Peshawar.
  2. The Chairman, Policy Board, MTIs Khyber Pakhtunkhwa, Peshawar.
  3. All Members, Board of Governors, MTI Bannu.
  4. All members of the Scrutiny Committee.
  5. Dean, Bannu Medical College Bannu.
  6. Hospital Director/ Medical Director/ Director Finance, MTI Bannu.
  7. Additional Hospital Director(s), KGNTH/DFQTH/ W&CTH MTI Bannu.
  8. PS to Minister Health, Govt. of Khyber Pakhtunkhwa, Peshawar.
  9. Doctors Concerned.

*Handwritten Signature*  
 (Aasiya Khan)  
 Chairperson  
 Board of Governors  
 Medical Teaching Institution Bannu

**OFFICE OF THE CHAIRPERSON**  
**BOARD OF GOVERNORS**  
**MEDICAL TEACHING INSTITUTION BANNU**  
**Khyber Pakhtunkhwa, Pakistan**

Annex BB-X

Dated: 22/06/2021

**NOTIFICATION**

NO.MTI(BXU)BOG/Notification/Promotion/159-2021. Consequent upon the recommendation of Promotion Committee, in its meeting held on 21.06.2021, the Board of Governors is pleased to accord approval for promotion of the following Senior Registrars of MTI Bannu with immediate effect.

| S# | Name of Doctor          | Promoted from                                 | Promoted to                                      |
|----|-------------------------|-----------------------------------------------|--------------------------------------------------|
| 1  | Dr. Saeed Maqsood       | Senior Registrar<br>(Cardiology, BS-18)       | Assistant Professor<br>(Cardiology, BS-18)       |
| 2  | Dr. Muhammad Rafiq Khan | Senior Registrar<br>(Paeds Medicine, BS-18)   | Assistant Professor<br>(Paeds Medicine, BS-18)   |
| 3  | Dr. Akhtar Ghani        | Senior Registrar<br>(General Surgery, BS-18)  | Assistant Professor<br>(General Surgery, BS-18)  |
| 4  | Dr. Rafiqullah          | Senior Registrar<br>(General Surgery, BS-18)  | Assistant Professor<br>(General Surgery, BS-18)  |
| 5  | Dr. Jalil Khan          | Senior Registrar<br>(Paeds Medicine, BS-18)   | Assistant Professor<br>(Paeds Medicine, BS-18)   |
| 6  | Dr. Asad Ullah Jan      | Senior Registrar<br>(Orthopedics, BS-18)      | Assistant Professor<br>(Orthopedics, BS-18)      |
| 7  | Dr. Zia Ullah           | Senior Registrar<br>(Orthopedics, BS-18)      | Assistant Professor<br>(Orthopedics, BS-18)      |
| 8  | Dr. Eushra Nabi         | Senior Registrar<br>(Gynae & Obs, BS-18)      | Assistant Professor<br>(Gynae & Obs, BS-18)      |
| 9  | Dr. Amir Ullah          | Senior Registrar<br>(Nephrology, BS-18)       | Assistant Professor<br>(Nephrology, BS-18)       |
| 10 | Dr. Memoona Azam        | Senior Registrar<br>(Gynae & Obs, BS-18)      | Assistant Professor<br>(Gynae & Obs, BS-18)      |
| 11 | Dr. Samiullah           | Senior Registrar<br>(General Medicine, BS-18) | Assistant Professor<br>(General Medicine, BS-18) |

They will be on probation for a period of one year

*Ali*  
*Adul*

Sd/XX  
(Aasiya Khan)  
Chairperson  
Board of Governors  
Medical Teaching Institution Bannu

Encl No. & Date as above

Copy forwarded for information & necessary action to:

1. Secretary to Govt. of Khyber Pakhtunkhwa, Health Department, Peshawar.
2. The Chairman Policy Board, MTIs Khyber Pakhtunkhwa, Peshawar.
3. All Members, Board of Governors, MTI Bannu.
4. All Members of the above Promotion Committee.
5. Dean, Bannu Medical College Bannu
6. Hospital Director/ Medical Director/ Director Finance, MTI Bannu.
7. Additional Hospital Director(s), KGNTH/DHQTH/W&CTH MTI Bannu.
8. PS to Minister Health, Govt. of Khyber Pakhtunkhwa, Peshawar.
9. Doctors Concerned.

*M. Saeed*  
Secretary  
Board of Governors  
Medical Teaching Institution Bannu



6 Dr. Muhammad Shoaib SB  
**OFFICE OF THE DEAN/CHIEF EXECUTIVE  
BANNU MEDICAL COLLEGE, BANNU**

Phone: 0928-9270356

Fax: 0928-9270358

**Circular:**

Subject: **PROMOTION PROCESS OF THE FACULTY (CIVIL SERVANTS) BMC,  
MTI, BANNU**

Reference to the Health Department Govt: of Khyber Pakhtunkhwa Notification No. SOH-I/HD/1-45/2017/MTI dated 22/08/2017 and letter No. SOH-I/HD/7-53/2021 dated 31/05/2021, the undersigned has intend to initiate promotion process of the Faculty (Civil Servants) of BMC, MTI, Bannu with immediate effect.

1. The Administrative Officer will collect application and required documents.
2. These documents will be handed over to Scrutiny Committee.
  - Prof: Dr. Muhammad Shoaib Khan, Head Deptt: of Biochemistry, BMC, Bannu
  - Dr. Shabir Hussain, Associate Dean, BMC, Bannu
3. Scrutiny will be conducted in presence of candidates and will be followed PM&DC criteria.
4. Dean, BMC, Bannu will prepare recommendations, based on Scrutiny Committee report and will send to BoGs, MTI, Bannu to may approve and notify.

The process is initiated with immediate effect.

Attested  
T-9  
Advt-9

Dean/Chief Executive  
Bannu Medical College  
Bannu

End: No. 520 /Estb/BMC/021  
Copy forwarded to:

Dated: 16 /06/2021

- Chairperson, BoG, MTI, Bannu
- Prof: Dr. Muhammad Shoaib Khan, Head Department of Biochemistry, BMC, Bannu.
- Associate Dean BMC, Bannu.
- All Faculty members civil servant.

Dean/Chief Executive  
Bannu Medical College  
Bannu



7

OFFICE OF THE ADMINISTRATIVE OFFICER  
BANNU MEDICAL COLLEGE, BANNU

Phone: 0928-9270356, Fax: 0928-9270358

No. S82/Estb/HoD/BMC/021

Dated: 25/06/2021

To:

1. Dr. Anwar Shah, Associate Professor Neurosurgery, BMC, Bannu
2. Dr. Alam Zeb, Associate Professor Orthopedics, BMC, Bannu
3. Dr. Abdul Ghafoor, Associate Professor Surgery, BMC, Bannu
4. Dr. Dost Muhammad, Associate Professor Anatomy, BMC, Bannu
5. Dr. Muhammad Sajjad, Associate Professor Pathology, BMC, Bannu
6. Dr. Muhammad Akram, Associate Professor Community Med., BMC, Bannu
7. Dr. Nargis Noman, Associate Professor Community Med., BMC, Bannu
8. Dr. Hidayat Ullah Mehsood, Associate Professor Eye, BMC, Bannu
9. Dr. Muhammad Shouib, Assistant Professor Surgery, BMC, Bannu
10. Dr. Naimat Ullah, Assistant Professor Dermatology, BMC, Bannu

Subject:

PROMOTION PROCESS OF THE FACULTY (CIVIL SERVANTS) BMC,  
MTI, BANNU

Reference to the office of the Dean/Chief Executive Circular Ends No. 570/Fab/BMC/021 dated 10/06/2021 on the subject cited above.

I am directed to request you to submit your documents on or before Tuesday dated 29/06/2021 by 10:00 AM at the office of the undersigned positively.

Further requested to make sure your presence before the scrutiny committee on the same day and date at 11:00 AM at the office of the Associate Dean.

*Ali*  
*Adit-7*

*Ali*  
Administrative Officer  
Bannu Medical College  
Bannu

Copy to & Date

Copy forwarded to:

1. PA to Dean/Chief Executive, BMC, Bannu
2. Associate Dean BMC, Bannu

Administrative Officer  
Bannu Medical College  
Bannu



