

05.08.2020

Appellant Dr. Muhammad Nasir is present. Mr. Shah Nawaz, Clerk (Litigation) for the respondents is also present.

The question for resolution as agitated in the arguments of the appellant, is for release/withdrawal of his salary which has to take place with immediate effect by virtue of relevant order passed by the competent authority with no order in respect of his past salaries with effect from January 2020 which he has not received. Representative of the department is present in the Tribunal submitted office order dated 16.07.2020 by virtue of which salaries of the appellant has been released with effect from 1<sup>st</sup> January 2020. Since this was the issue before this Tribunal for implementation which has been implemented by virtue of office order dated 16.07.2020, therefore, the same is placed on file.

Since the matter has been resolved, the appellant is requesting the tribunal to allow him to withdraw the instant appeal. He is accordingly allowed to withdraw the instant appeal which is dismissed being withdrawn. File be consigned to the record room.

  
(MUHAMMAD JAMAL KHAN)  
MEMBER

ANNOUNCED  
05.08.2020

03.07.2020

Counsel for the appellant and Addl: AG alongwith Hazrat Shah, Supdt for respondents present. Written reply on behalf of respondents not submitted. Requested for further time. Last opportunity granted.

Adjourned to 20.07.2020 for written reply/comments before S.B. Status-quo be maintained till the next date.

  
MEMBER

20.07.2020

Appellant himself is present. Mr. Kabirullah Khattak, Additional AG alongwith representatives of the department Mr. Hazrat Shah, Superintendent on behalf of respondents No. 1 & 2 and Mr. Shah Nawaz, Litigation Assistant on behalf of respondent No. 4 are also present. Learned Additional AG submitted office order dated 16.07.2020 in the instant appeal submitting that the order of the Service Tribunal has been implemented vide which the post of Dr. Nisar appellant BPS-17 has been adjusted at the strength of District Health Officer Orakzai, against the vacant post of Medical Officer for the purpose of drawl of salaries in the public interest with immediate effect and he has been further directed that he will perform duties at DHQ Hospital Landikotal.

Furthermore, the appellant submitted that he assumed the charge of the post nevertheless, he has been told by the office of District Health Officer Orakzai, that the release/withdrawal of salaries is going to be made with immediate effect. He contends that no order has been passed regarding the past salaries with effect from January 2020 which he has not received. Since the officials of the concerned department are present in the court, they are directed to fully settle the matter/ issue in a satisfactory manner while tackling it with higher-ups having plenary powers in the matter in accordance with law and rules applicable and submit report in writing in this regard on 05.08.2020 before S.B.

  
(MUHAMMAD JAMAL KHAN)  
MEMBER



# DIRECTORATE OF HEALTH SERVICES

MERGED.AREA SECRETARIAT WARSAK ROAD PESHAWAR

Ph # 091-9210212 Fax # 091-9212110

To be substitute for the same No. & date

## OFFICE ORDER

In pursuance to Khyber Pakhtunkhwa Service Tribunal Peshawar status quo dated 09-03-2020, Dr. Muhamamd Nisar MO (BS-17), is hereby adjusted / posted at the strength of District Health Officer Orakzai against the vacant post of MO (BS-17) for the purpose of drawal of salaries in the public interest with effect from 01-01-2020.

Whereas, the doctor concerned will perform duties at DHQ Hospital Landikotal.

--sd/--

Director Health Services,  
Merged Areas, Peshawar.

No.16877-85 /DHS/Admin

Dated 16 / 07 / 2020

Copy forwarded to the:-

1. Registrar Khyber Pakhtunkhwa Peshawar.
2. Section Officer (Liti-II) & (E-II) Health Department Khyber Pakhtunkhwa.
3. Deputy Director (Admin) DHS Merged Areas.
4. District Health Officer Orakzai & South Waziristan.
5. Medical Superintendent DHQ Hospital Landikotal.
6. District Accounts Officer Khyber, Orakzai & South Waziristan.
7. Litigation Section DHS Merged Areas.
8. Record Section DHS Merged Areas.
9. Doctor concerned.

  
Director Health Services,  
Merged Areas, Peshawar.

*N/a*  
2

A.No. 830/2020  
Dr. Muhammad Nisar vs Govt

09.03.2020

Appellant in person and Mr. Kabirullah Khattak, Additional AG for the respondents present. Neither written reply on behalf of respondents submitted nor representative of the department is present, therefore, notices be issued to the respondents with the direction the representative to attend the court and submit written reply on the next date positively. Adjourned to 24.03.2020 for written reply/comments but as a last chance. Status-quo be maintained till the next date.

  
(MUHAMMAD AMIN KHAN KUNDI)  
MEMBER

24.03.2020

Due to public holidays on account of Covid-19, the case is adjourned. To come up for the same on 16.06.2020 before S.B.

  
Reader

16.06.2020

Appellant in person and Mr. Kabirullah Khattak, Additional AG for the respondents present. Written reply on behalf of respondents not submitted. Representative of the department seeks further time to furnish written reply. Last opportunity is given to the respondent to furnish written reply/comments. Adjourned to 03.07.2020 for written reply/comments before S.B. Status-quo be maintained till the next date.

  
(MUHAMMAD AMIN KHAN KUNDI)  
MEMBER

14.02.2020

Appellant alongwith his counsel present. Mr. Usman Ghani, Usman Ghani, District Attorney alongwith Mr. Jaffar Shah, Assistant for the respondents present. The appeal was admitted to regular hearing on 07.02.2020. The appellant also submitted application for suspension of impugned order, however, on that date the impugned order was not suspended rather the respondents were issued notice for today. Learned District Attorney was asked to argue the case on the application for suspension of impugned order but he has stated that he has not gone through the record and stated that he will argue the application for suspension on the next date. Request is accepted. Learned District Attorney is strictly directed to argue the application for suspension of impugned order on the next date. Respondents are also directed to furnish the written reply/comments on the next date. Adjourned to 20.02.2020 before S.B.

*MA*

(MUHAMMAD AMIN KHAN KUNDI)  
MEMBER

20.02.2020

Appellant alongwith his counsel present. Mr. Kabirullah Khattak, Additional AG and Mr. Usman Ghani, District Attorney for the respondents present. Arguments on application for suspension of impugned order heard.

Perusal of the record reveals that the wife of the appellant is serving in Landikotal as District Specialist Gynecologist and the appellant has been transferred from District Headquarter Hospital Landikotal and placed his services at the disposal of DHO South Waziristan for further posting, therefore, due to spouse policies status-quo to the extent of appellant is granted till next date. To come up for written reply/comments on 09.03.2020 before S.B.

*MA*

(MUHAMMAD AMIN KHAN KUNDI)  
MEMBER

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M


07.02.2020

Counsel for the appellant Dr. Muhammad Nisar present. Preliminary arguments heard. It was contended by learned counsel for the appellant that the appellant is serving in Health Department as Medical Officer. He was transferred from District Headquarter Hospital Landikotal and placed his services at the disposal of DHO South Waziristan for further posting against the vacant post of Medical Officer (BPS-17) vide order dated 01.11.2019. It was further contended that the appellant filed departmental appeal on 07.11.2019 but the same was not responded hence, the present service appeal. Learned counsel for the appellant further contended that the wife of the appellant is also serving in Health Department as Gynecologist and is serving in Landikotal. It was further contended that on the basis of spouse policy, the transfer order of the appellant is illegal and liable to be set-aside. It was further contended that Dr. Huma Shandana and Dr. Amir Gul who were also transferred vide same order by the competent authority had also filed departmental appeals and their departmental appeals were accepted by the departmental authority and the impugned transfer order dated 01.11.2019 to their extent was cancelled. It was further contended that the appellant is having life threat enmity in South Waziristan and in this respect Deputy Commissioner has also issued a certificate available on the record confirming the same situation therefore, the impugned order is illegal and liable to be set-aside.

The contentions raised by the learned counsel for the appellant need consideration. The appeal is admitted for regular hearing subject to all legal objections. The appellant is directed to deposit security and process fee within 10 days, thereafter, notices be issued to the respondents for written reply/comments for 14.02.2020 before S.B. Learned counsel for the appellant also submitted application for suspension of impugned order. Notice of the same be also issued to the respondents for the date fixed.

  
(MUHAMMAD AMIN KHAN KUNDI)  
MEMBER

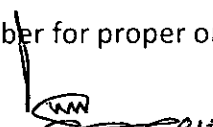

Appellant Deposited  
Security & Process Fee

  
2/2

Form- A  
FORM OF ORDER SHEET

Court of \_\_\_\_\_

Case No. 830 /2020

S.No.	Date of order Proceedings	Order or other proceedings with signature of judge or Magistrate
1	2	3
1	07.02.2020	<p>The appeal of Mr. Muhammad Nisar presented today by Mr. Rizwan Ullah Advocate may be entered in the Institution register and put up to the Worthy Member for proper order.</p> <p style="text-align: right;"> REGISTRAR 7/2/2020</p> <p>This case is entrusted to S. Bench for preliminary hearing to be put up there on <u>7.2.2020</u></p> <p style="text-align: right;"> MEMBER</p>
2		

**BEFORE THE HON'BLE CHAIRMAN, KHYBER PAKHTUNKHWA**  
**SERVICE TRIBUNAL, PESHAWAR**

Service Appeal No. 830 /2020

1. Dr. Muhammad Nisar, Medical officer (B-17) DHQ Hospital Landikotal, District Khyber.

**APPELLANT**

**VERSUS**

1. The Chief Secretary Government of Khyber Pakhtunkhwa, Peshawar and others.

**RESPONDENTS**

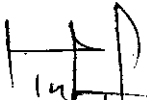
**I N D E X**

S.No	Particulars	Annexure	Pages #
1	Service Appeal	—	1-8
2	Affidavit	—	9
3	Copy of impugned notification dated 01-11-2019	A	10-11
4	Copy of departmental appeal of the appellant	B	12-14
5	Copy of certificate attached with departmental appeal	C	15
6	Copy of transfer order of Dr. Parveen Nisar	D	16
7	Copy of her department appeal	E	17
8	Copy of cancellation of notification	F	18
9	Copy of cancellation order of Dr. Huma Shandana	G	19
10	Copy of cancellation order of Dr. Amir Gul	H	20
11	Application for stay with affidavit	—	21-23
12	Wakalatnama	—	—

  
Appellant

Through

Dated: 06-02-2020

  
Rizwanullah  
M.A. LL.B

Advocate High Court, Peshawar



**BEFORE THE HON'BLE CHAIRMAN, KHYBER PAKHTUNKHWA  
SERVICE TRIBUNAL, PESHAWAR**

Service Appeal No. 830 /2020

Khyber Pakhtunkhwa  
Service Tribunal

Registry No. 1023

Dated 07-02-2020

1. Dr. Muhammad Nisar, Medical officer (B-17) DHQ Hospital Landikotal, District Khyber.

**APPELLANT**

**VERSUS**

1. The Chief Secretary Government of Khyber Pakhtunkhwa, Peshawar.
2. The Secretary to Government of Khyber Pakhtunkhwa, Health Department, Peshawar.
3. The Director General Health and Services, Government of Khyber Pakhtunkhwa, Peshawar.
4. The Director Health Services Merged Area, Peshawar.

**RESPONDENTS**

Filed to-day

Registrar

07/02/2020

**APPEAL UNDER SECTION 4 OF THE  
KHYBER PAKHTUNKHWA SERVICE  
TRIBUNAL ACT, 1974 AGAINST THE  
NOTIFICATION DATED 01-11-2019  
PASSED BY THE COMPETENT  
AUTHORITY WHEREBY THE  
SERVICES OF APPELLANT WERE  
PLACED AT THE DISPOSAL OF DHO  
SOUTH WAZIRISTAN FOR FURTHER  
POSTING AGAINST THE VACANT POST  
OF MEDICAL OFFICER (B-17) IN UTTER  
VIOLATION OF LAW AGAINST WHICH  
A DEPARTMENTAL APPEAL WAS  
FILED ON 07-11-2019 BUT THE SAME**

**WAS NOT RESPONDED WITHINT THE  
STATUTORY PERIOD OF 90 DAYS AS  
PRESCRIBED BY LAW.**

**Prayer in Appeal**

By accepting this appeal, the impugned notification dated 01-11-2019 (to the extent of appellant) may graciously be set aside being passed in manifest disregard of Articles 9, 35 and 38 of the Constitution of Islamic Republic of Pakistan, 1973 as well as law laid down by the Hon'ble Superior courts in various judgments and posting/transfer policy.

Any other relief deemed appropriate in the circumstances of the case, not specifically asked for, may also be granted to the appellant.

**Respectfully Sheweth,**

**Short facts giving rise to the present appeal are as under:-**

1. That the appellant was serving as medical officer (B-17) while his wife (Dr. Parveen Nisar) was holding the post of District Specialist Gynecology (B-18) in the DHQ Hospital Landikotal, District Khyber.
  2. That the appellant was performing his duty with great zeal, zest and devotion and no complaint whatsoever was received against him to his superiors. But strangely, his services were placed at the disposal of DHO, South Waziristan for further posting against the vacant post of Medical Officer (B-17) vide notification dated 01-11-2019.
- (Copy of Notification is appended as Annex-A)
3. That as the Notification in respect of appellant was not only in sheer contradiction of the Articles 9, 35 and 38 of the Constitution of Islamic Republic of Pakistan, 1973 but, it was also paradoxical to the Spouse Policy, therefore the appellant filed a departmental appeal on 07-11-2019 wherein, he besides other grounds, specifically

emphasized upon the existence of serious threat to his life owing to blood enmity with his opponents in the Area. Moreover, a certificate duly issued by the office of Deputy Commissioner, South Waziristan confirming the said position was also annexed thereto in support of his stance. In addition to above, it was supplemented that formerly, his wife (Dr. Parveen Nisar) was also transferred to DHQ Hospital Wana District South Waziristan vide order dated 03-05-2019 and the same was assailed by her through departmental appeal on the grounds hitherto mentioned. However, the Competent Authority on recommendations of Grievance Committee accepted the same and ultimately recalled/cancelled her transfer order on 25-07-2019. Needless to add that the fate of departmental appeal filed by the present appellant on similar grounds remained undetermined and undecided notwithstanding passage of statutory time.

**(Copy of departmental appeal of appellant, certificate issued by DC, transfer order of Dr. Parveen Nisar and her department appeal along with cancellation notification are appended as Annex-B to F respectively).**

4. That the appellant now files this service appeal before this Hon'ble Tribunal inter-alia on the following grounds:

### **GROUND OF APPEAL**

- A. That respondents have not treated appellant in accordance with law, rules and policy on the subject and acted in violation of **Article 4 of the Constitution of Islamic Republic of Pakistan, 1973**. Therefore, the impugned notification regarding appellant is against the spirit of administration of justice.
- B. That both, the appellant and his wife Dr. Parveen Nisar, were performing duties in the DHQ Hospital Landikotal District Khyber.

Nonetheless, services of the former were placed at the disposal of DHO South Waziristan for further posting against the vacant post of Medical Officer (B-17) vide Notification dated 01-11-2019. This Notification (to the extent of appellant) on one hand, was issued in glaring and palpable defiance to Articles 9, 35 and 38 of the Constitution of Islamic Republic of Pakistan, 1973 while, on the other, it absolutely contravened and defied the posting/transfer policy of the Government of Khyber Pakhtunkhwa which precisely aimed at facilitating serving husbands/wives at the same station so as to ward off the couple against psychological/economic straits. It would be advantageous to reproduce herein the relevant provision of said policy for the facility of reference: -

**IX) Regarding the posting of husband/wife, both in Provincial Services, efforts where possible would be made to post such persons at one station subject to public interest.**

It was thus indispensable for the Competent Authority to comply and adhere to ibid policy/guidelines in letter and spirit rather to follow his own whims and wishes. Likewise, Article 35 of the Constitution of Islamic Republic of Pakistan, 1973 explicitly enjoins a duty upon the state to protect the marriage, family, the mother and the child while, Article 38 commands the state to secure the well-being of its people unflinchingly. Akin, the wedlock policy not only explicates but itinerates around the above principles which were extended to protect, secure and guard the family life and advancement of social good. Nevertheless, the Competent Authority over looked and undervalued the supra aspect of the case and transferred the appellant to a far flung area which resulted in irreparable hardship for his entire family in establishing home and life together. Thus, the impugned notification (to the extent of appellant) is liable to be set aside on this count alone.

C. That the impugned notification in respect of appellant is also evident renunciation of Article 9 of the Constitution of Islamic Republic of Pakistan which guarantees the right of security of persons. The word "Life" occurring in the above article has been interpreted by the Hon'ble Superior Courts in numerous reported cases by lying down principle that life does not only mean vegetative or animal life. It would include all such rights, which are necessary for leading proper and comfortable life, worthy of citizens of a free country. It includes all such amenities and facilities which a person born in a free country is entitled to enjoy with dignity, legally and constitutionally. It covers all facets of human existence. It is also worthwhile to reiterate here that in the recent past, the transfer order of his wife (Dr. Parveen Nisar) was recalled by the Competent Authority on the bases of Departmental appeal filed on similar grounds. Thus, this laid duty on the shoulders of the Competent Authority to consider the case of the appellant in its true perspective and also in accordance with law but he did not bother for the same therefore, the impugned notification (to the extent of appellant) is not sustainable in the eyes of law.

D. That the Appellate Authority was under statutory obligation to have decided the departmental appeal filed by the appellant after application of mind with cogent reasons within reasonable time as per law laid down by august Supreme Court of Pakistan reported in 2011-SCMR-page-1. It would be advantageous to reproduce herein the relevant citation for facility of reference: -

**2011-SCMR-page-1**

**Citation-b**

**S. 24-A---Speaking order-Public  
functionaries are bound to decide  
cases of their subordinates after  
application of mind with cogent  
reasons within reasonable time.**

It is also well settled law that the decision of august Supreme Court of Pakistan is binding on each and every organ of the state by virtue

of **Article 189 & 190 of the Constitution of Islamic Republic of Pakistan, 1973**. Reliance can be placed on the judgment of august Supreme Court of Pakistan reported in **1996-SCMR-284 (citation-c)**. The relevant citation is mentioned below.

**1996-SCMR-284**  
**(citation-c)**

**---Arts. 189 & 190---Decision of Supreme Court---Binding, effect of--Extent--Law declared by Supreme Court would bind all Courts, Tribunals and bureaucratic set-up in Pakistan.**

But, the Appellate Authority has blatantly violated the above dictum of Apex Court of country by not disposing of the departmental appeal within the statutory period of law. Moreover, it is not only shocking but also ironic that the departmental appeals of Dr. Huma Shandana and Dr. Amir Gul who were also transferred through the disputed notification dated 01-11-2019 have been accepted and their transfer orders were recalled/cancelled vide Notification dated 27-11-2019 and 03-12-2019 respectively. This is a disparity and anomaly and is also violation of **Article 25 of the Constitution of Islamic Republic of Pakistan, 1973** which has unequivocally laid down that all citizens placed in similar circumstances are entitled to equal treatment and protection of law. The Hon'ble Supreme Court of Pakistan through various judgments has maintained that equal treatment is the fundamental right of every citizen. Reliance can be placed on **2002-SCMR-71 & 2007-SCMR-410(d)**. The relevant citation is as under:-

**2002-SCMR-71**  
**(citation-c)**

**---Art. 25---Equality of citizens---Two groups of persons similarly placed could not be treated differently---Dictates of law, justice and equity required exercise of power by all concerned to advance**

the cause of justice and not to thwart it.

2007-SCMR-410(d)  
(citation-d)

---Art. 25---Equal protection of law--  
-Principles---Concept of equal  
protection of law envisages that a  
person or class of persons should not  
be denied the rights, which are  
enjoyed by other persons in the same  
situation.

Hence, the impugned notification (to the extent of appellant) is not tenable under the law.

(Copy of cancellation order of  
Dr. Huma Shandana and  
Dr. Amir Gul are appended as  
Annex-G & H respectively.)

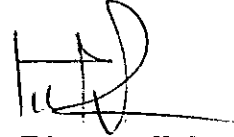
- E.** That the impugned notification (to the extent of appellant) is against law, facts of the case and norms of natural justice. Therefore, the same is not tenable under the law.
- F.** That the Competent Authority has passed the impugned notification (in respect of appellant) in mechanical manner and the same is perfunctory as well as non-speaking and also against the basic principle of administration of justice. Thus, the same is not warranted under the law.
- G.** That the impugned notification (regarding the appellant) is based on conjectures and surmises. Hence, the same ~~are~~<sup>is</sup> against the legal norms of justice.
- H.** That the appellant would like to seek the permission of this Hon'ble Tribunal to advance some more grounds at the time of arguments.

In view of the above narrated facts and grounds, it is, therefore, humbly prayed that the impugned notification dated 01-11-2019 (to the extent of appellant) may graciously be set aside being passed in manifest disregard of article 9, 35 and 38 of the Constitution of Islamic Republic of Pakistan, 1973 as well as law laid down by the Hon'ble Superior courts in various judgments and posting/transfer policy.

Any other relief deemed proper and just in the circumstances of the case, may also be granted.

Through

  
Appellant



**Rizwanullah**  
M.A. LL.B

**Advocate High Court, Peshawar**

Dated: 06-02-2020



**BEFORE THE HON'BLE CHAIRMAN, KHYBER PAKHTUNKHWA  
SERVICE TRIBUNAL, PESHAWAR**

Service Appeal No. \_\_\_\_\_/2020

1. Dr. Muhammad Nisar, Medical officer (B-17) DHQ Hospital Landikotal, District Khyber.

**APPELLANT**

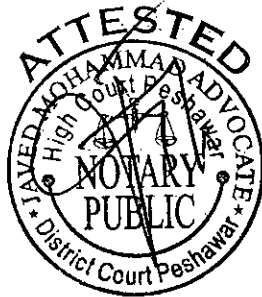
**VERSUS**

1. The Chief Secretary Government of Khyber Pakhtunkhwa, Peshawar and others.

**RESPONDENTS**

**AFFIDAVIT**

I, Dr. Muhammad Nisar, Medical officer (B-17) DHQ Hospital Landikotal, District Khyber, do hereby solemnly affirm and declare that the contents of the accompanied Service Appeal are true and correct to the best of my knowledge and belief and that nothing has been concealed from this Hon'ble Tribunal.



  
**DEPONENT**

07 FEB 2020



GOVERNMENT OF KHYBER PAKHTUNKHWA  
HEALTH DEPARTMENT

Annex - A

10

**NOTIFICATION**

Dated Peshawar the 01<sup>st</sup> November, 2019

**No.SO(E)H-II/4-1/2019**

The competent authority has been pleased to order the following posting/transfer of doctors are hereby made on the basis of rationalization policy with immediate effect in the best public interest:

S.#	Name of Doctor	Domicile	From	To
1	Dr. Adnan Zahir s/o Zahir Shah, MO, BS-17	SWA	Attached to DHO Khyber at Jamrud	Services placed at the disposal of DHO SWA for further posting against the vacant post of WMO, BS-17
2	Dr. Amir Gul s/o Mehmood Khan, MO, BS-17	Mohmand	Attached to DHO Khyber at Jamrud	Services placed at the disposal of DHO Mohmand for further posting against the vacant post of WMO, BS-17
3	Dr. Muhammad Alamgir s/o Muhammad Ayub Khan, MO, BS-17	SWA	Attached to DHO Khyber at Jamrud	Services placed at the disposal of DHO SWA for further posting against the vacant post of MO, BS-17
4	Dr. Muhammad Zubair Zahir s/o Zahir Khan, MO, BS-17	SWA	Attached to DHO Khyber at Jamrud	Services placed at the disposal of DHO SWA for further posting against the vacant post of MO, BS-17
5	Dr. Sahar Salman w/o Salman Liaqat, WMO, BS-17	Peshawar	Attached to DHO Khyber at Jamrud	Services placed at the disposal of DHO Charsadda for further posting against the vacant post of MO, BS-17
6	Dr. Huma Shandana D/O Shah Sahib, WMO, BS-17	Mohmand	Attached to DHO Khyber at Jamrud	Services placed at the disposal of DHO Mohmand for further posting against the vacant post of MO, BS-17
7	Dr. Muhammad Haroon s/o Kemya Gul, MO, BS-17	Peshawar	Attached to DHO Khyber at Jamrud	Services placed at the disposal of DHO Charsadda for further posting against the vacant post of MO, BS-17
8	Dr. Shama Naz D/O Sabir Khan, WMO, BS-17	NWA	Attached to DHO Khyber at Jamrud	WMO, BS-17 THQ Hospital Mirali NWA
9	Dr. Khalid Saleem s/o Muhammad Naib Din Khan, MO, BS-17	NWA	Attached to DHO Khyber at Jamrud	MO, BS-17 THQ Hospital Mirali NWA

Attested  
Applicant

10	Dr. Muhammad Ali s/o Fazli Mabood, BS-17	Peshawar MO,	DHQ Hospital Landikotal	Services placed at the disposal of DHO Charsadda for further posting against the vacant post of MO, BS-17
✓ 11	Dr. Muhammad Nisar s/o Wali Jan, MO, BS-17	South Waziristan	DHQ Hospital Landikotal	Services placed at the disposal of DHO South Waziristan for further posting against the vacant post of MO, BS-17
12	Dr. Perveen Hussain s/o Muhammad Hussain, WMO, BS-17	Peshawar	DHQ Hospital Landikotal	Services placed at the disposal of DHO Charsadda for further posting against the vacant post of WMO, BS-17
13	Dr. Naushaba Lal D/O Lal Muhammad, WMO, BS-17	Mohmand	DHQ Hospital Landikotal	Services placed at the disposal of DHO Mohmand for further posting against the vacant post of WMO, BS-17

**SECRETARY HEALTH  
KHYBER PAKHTUNKHWA**

**Endst. of even No. & Date.**

Copy to the:

1. Accountant General Khyber Pakhtunkhwa.
2. Director General, Health Services, Khyber Pakhtunkhwa.
3. Director Health Services Merged Areas, Peshawar.
4. Medical Superintendent DHQ Hospital Landiotal.
5. DHO Khyber/Charsadda/Mohmand/SWA.
6. DAO Khyber/Charsadda/Mohmand/SWA.
7. PS to Minister for Health, Khyber Pakhtunkhwa.
8. PS to Secretary Health Khyber Pakhtunkhwa.
9. Doctors concerned.

*Attested*  
*Appellant*

*[Handwritten Signature]*  
Section Officer (E-II)



Annex - B

(12)

GOVT. OF KHYBER PAKHTUNKHWA  
OFFICE OF THE MEDICAL SUPERINTENDENT,  
DISTRICT HQ HOSPITAL LANDIKOTAL.

No. 3438 /DHQ LKL Dated 07/11/2019.


T0,

The Director Health Services,  
Merged Areas Peshawar.

Subject: DEPARTMENTAL REPRESENTATION AGAINST THE TRANSFER  
ORDER DATED 01.11.2019.

Dear Sir,

Please find herewith an application in respect of Dr. Muhammad Nisar  
Medical Officer District Headquarter Hospital Landikotal, requesting to cancel the  
transfer order S.No.11, vide Secretary Health Notification No. SO(E)H-II/4-1/2019  
dated 01.11.2019. (Which is self explanatory).

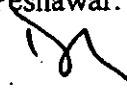
  
Medical Superintendent,  
District Headquarter Hospital,  
Landikotal.


No. 3439 /

Dated 07/11/2019.

Copy to:

1. PS to Secretary Health Khyber Pakhtunkhwa Peshawar.

  
Medical Superintendent,  
District Headquarter Hospital,  
Landikotal

Attested  
  
Appellant

To

The Secretary Health,  
Govt. of Khyber Pakhtunkhwa,  
Civil Secretariat, Peshawar.

Subject: DEPARTMENTAL REPRESENTATION AGAINST THE  
TRANSFER ORDER DATED 01.11.2019 BEING ILLEGAL,  
UNLAWFUL, AGAINST THE RECOMMENDATION OF  
GRIEVANCES COMMITTEE AND ALSO AGAINST THE  
SPOUSE POLICY/WEDLOCK POLICY.

May it please your good-self,

Being aggrieved of the Notification ibid, the appellant submits this departmental Representation on the following facts and grounds:-

1. That Appellant is an employee of Khyber Pakhtunkhwa Health Deptt. As Medical officer BS-17 and working in DHQ hospital Landikotal with full zeal and zest.
2. That the wife of the Appellant was also serving as Dist Specialist in same deptt: and transferred to District South Waziristan Vide order dated 03.05.2019. copy annexed.
3. That the wife of the appellant file appeal before the grievances committee on the grounds mentioned in the appeal (copy annexed) on the basis of which grievances committee with draw/cancel the transfer order dated 03.05.2019 of the appellant's wife vide order dated 25/07/2019. Copy annexed.
4. That thereafter now the deptt: transfer the appellant to same area Waziristan vide order dated 01.11.2019 despite the fact that the appellant has enmity in that area and serious threat to his life.
5. That now the appellant filing appeal being aggrieved on the following grounds:

GROUNDS:

1. That the impugned order dated 01.11.2019 is illegal, unlawful, against the recommendation of grievances committee and also against the spouse policy/wedlock policy.
2. That the appellant has Blood enmity in that area and serious threat to his life from the opponent. Only on the basis of this ground the appellant transfer order dated 01.11.2019 may be withdrawn /cancel to the extent of appellant. Copy of certificate is attached.

*Covering letter  
2019/9/07*

*Attest  
Appellant*

14


3. That the impugned order was also against the spouse policy because the appellant wife's also in Govt. servant and working in the landikotal. So the impugned order is also against the spouse policy/wed-lock policy.
4. That the appellant has 4 minor children and whom are studding in school and there is no arrangement of hostel or convince and no other male family member is available. So on the basis of the said humanitarian ground the order dated 1.11.2019 of the appellant may be cancel/withdrawn.
5. That on the analogy of the appellant's wife order dated 25.07.2019, the appellant may also be treated same and the order of the appellant, may be cancelled.

It is, therefore, humbly requested that on acceptance of this departmental Representation, the impugned Notification dated 01/011/2019 may graciously be withdrawn/cancelled to the extent of the appellant to meet the end of justice.

DATED : 7 /11/2019

YOURS SINCERELY

Attested

  
Appellant



Dr. Muhammad Nisar  
Medical Officer (Bs-17)  
DHQ Hospital Landikotal

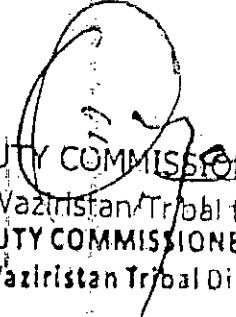
Annex-C

15


TO WHOM IT MAY CONCERN.

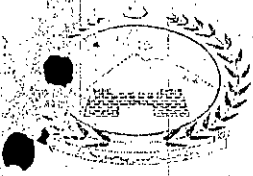
It is to certify that Dr. Mohammad Nisar S/o Wali Jan Mehsud belong to South Waziristan Tribal District has enmity to him and his family from the last 10 years to his opponent and there is a serious threat to his life.



  
DEPUTY COMMISSIONER  
South Waziristan Tribal District  
DEPUTY COMMISSIONER  
South Waziristan Tribal District

Attested

  
Appellant



Annex - D

16

GOVERNMENT OF KHYBER PAKHTUNKHWA  
HEALTH DEPARTMENT

Dated Peshawar the 3<sup>rd</sup> May, 2019

**NOTIFICATION**


**No. SOH-1/HD/3-5/2019:** In order to fill the maximum vacant posts of District Specialists (BS-18) in various specialties in the different health facilities, for providing quality health services to the patients at their door step, the competent authority is pleased to transfer **Dr. Parveen Nasir D/O Payo Azam**, District Specialist Gynecology (BS-18) from Type-D Hospital Jamrud District Khyber to DHQ Hospital Wana District South Waziristan against the vacant post, on domicile / rationalization basis, with immediate effect and in the best public interest.

SECRETARY HEALTH  
KHYBER PAKHTUNKHWA

**Endst. of even No. & Date.**

Copy to the:

1. Director General Health Services, Khyber Pakhtunkhwa.
2. Director Health Services (Newly Merged Districts) Warsak Road, Peshawar.
3. District Health Officers concerned.
4. Medical Superintendent / Incharge of the concerned hospitals.
5. District Accounts Officers concerned.
6. PSO to Minister for Health Khyber Pakhtunkhwa
7. Deputy Director (IT), Health Department Peshawar.
8. DHIS Cell DG Health Office Peshawar.
9. PS to Secretary Health, Khyber Pakhtunkhwa.
10. Doctor concerned.

  
-Section Officer (E-I)

Attest



Appellant



To,

The Secretary Health  
Govt. KPK, Peshawar  
Grievances Committee

Annex - E

17

Subject: APPEAL FROM DR. PARVEEN NISAR (DISTRICT SPECIALIST GYNECOLOGY  
(FCPS BPS-18 JAMRUD CIVIL HOSPITAL FOR CANCELLATION OF MY  
TRANSFER TO WAZIRISTAN ON FOLLOWING GRIEVANCE/GROUNDS

Respected/Sir,

Most respectfully it is stated that your good self will consider my cancellation order on the following grounds:

1. Brief service history

Work as WMO at Wana Hospital from 2002 to 2007 (South Waziristan Agency).

Demonstrator at KMC from 2007 to 2009

FCPS training at HMC from 2009 to 2014

Medical officer at Jamrud Hospital from 2014 to 2016

And now working at the same hospital as district specialist (Total Service 18 years)

It has come to my knowledge that I have been transferred from the Jamrud Hospital to Wana South Waziristan where my husband has blood. Enmity with opponent from the last 10 year and he is not in position to visit his native village due to this enmity and it is impossible for me to serve in that Area.

I have four children which are admitted in Peshawar model school and root millennium school from the last 10 years and there is no arrangement of hostel with both of these school, and due to my transfer my children education and safety will be badly suffered.

Therefore keeping in view the life threat to me and my husband as well as considering of my children - the order of my transfer Notification No. SOH-1/HD/3-5/2019 Dated: 03 May, 2019 may kindly be canceled and the applicant may be allowed to serve at the same post in the best interest of people of Jamrud Civil Hospital (D) Distt Khyber.

Thanks!

Attested

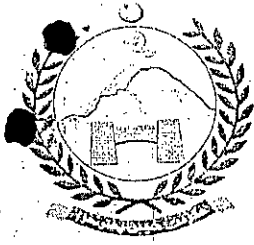


Appellant

Your's Sincere



DR. PARVEEN NISAR  
Dist Special Civil Hospital Type-D  
Jamrud Dist Khyber



Amma - F (18)  
GOVERNMENT OF KHYBER PAKHTUNKHWA  
HEALTH DEPARTMENT

Dated Pesh: the 25<sup>th</sup> July 2019

NOTIFICATION

No. SOH-I/HD/3-5/2019 The competent authority, on the recommendations of Grievance Committee is pleased to withdraw/cancel order of Dr. Parveen Nisar D/O Payo Azam, Distt: Specialist Gynaecology (BS-18) issued vide this Department's Notification bearing No. SOH-I/HD/3-5/2019 dated 3/5/2019, in the public interest.

SECRETARY HEALTH  
KHYBER PAKHTUNKHWA

Encl: No and date even

C.C

1. Director General Health Services, Khyber Pakhtunkhwa Peshawar.
2. Director Health Services (Newly Merged Districts) Warsad Road, Peshawar.
3. Medical Supdt; DHQH South Waziristan.
4. Medical Supdt/Incharge Type 'D' Hospital Jamrud District Khyber.
5. Distt: Accounts Officer, South Waziristan/Khyber District.
6. PS to Secretary Health Department.
7. Doctor concerned.
8. Personal file of the doctor concerned.

Attest

Appellant

Section Officer (E-I)



GOVERNMENT OF KHYBER PAKHTUNKHWA  
HEALTH DEPARTMENT

165  
Annex - G (19)

Dated Peshawar the 27<sup>th</sup> November, 2019

**NOTIFICATION**

**No. SO(E)H-II/4-1/2019** The competent authority is pleased to cancel/withdraw this Department's Notification dated 01.11.2019 to the extent of Dr. Huma Shandana D/O Shah Sahib, WMO, BS-17 appearing at S.No.6 under transfer from DHO office Khyber to DHO office Mohmand and retain her at her original place of posting.

**SECRETARY HEALTH  
KHYBER PAKHTUNKHWA**

**Endst. of even No. & Date.**

Copy to the:

1. Accountant General Khyber Pakhtunkhwa.
2. Director General, Health Services, Khyber Pakhtunkhwa.
3. Director Health Services Merged Areas Peshawar.
4. DHO Khyber/Mohmand.
5. DAO Khyber/Mohmand.
6. PS to Minister for Health, Khyber Pakhtunkhwa.
7. PS to Secretary Health Khyber Pakhtunkhwa.
8. Doctor concerned.

*[Signature]*  
27/11/2019  
Section Officer (E-II)  
*[Signature]*

**DIRECTORATE OF HEALTH SERVICES  
MERGED AREAS WARSAK ROAD PESHAWAR**

No. 19826-357/DHS/Admin

Date: 07/12/2019

1. Accountant General Khyber Pakhtunkhwa Peshawar
2. Director General Health Services, Govt of Khyber Pakhtunkhwa Peshawar
3. District Health Officer, Khyber Mohmand Tribal District Merged Areas
4. District Accounts Officer, Khyber Mohmand Tribal District Merged Areas
5. Section Officer, (E-III), Health Dept. Govt of Khyber Pakhtunkhwa Peshawar.
6. PS to Secretary Health Govt of Khyber Pakhtunkhwa Peshawar
7. PA to DHS Merged Areas Peshawar
8. Officer concerned

Attested

*[Signature]*  
Appellant

*[Signature]*  
03 Dec 2019  
Deputy Director (Admin.)  
DHS MA



Annex - H

20


**DIRECTORATE OF HEALTH SERVICES**  
**MERGED AREAS SECRETARIAT, WARSAK ROAD, PESHAWAR**  
PHO 091 9212212, FAX 09091 9212910 9212207 E-mail 091 9212110

**OFFICE ORDER:**

Subject - ADJUSTMENT

Reference Office Order No SO(EH-11/4-1/209 dated 1-11-2019, the following partial modification is hereby made in the best interest of public service as per the directives of the competent authority:

Dr. Amir Gul S/O Mehmood Khan BPS-17 under transfer from DHO Khyber at Jamrud to DHO Mohmand is hereby retained at Khyber at Jamrud with immediate effect


  
Director Health Services  
Merged Areas, Peshawar

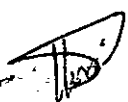
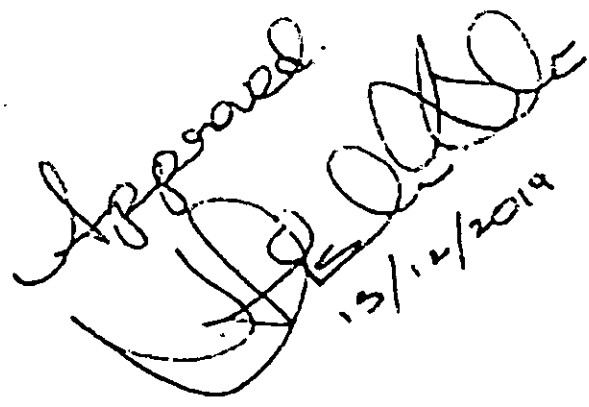
Dated 13/12/2019

No. 3574-95  
IDHS/Merged Areas/Admn

CC:

1. Deputy Commissioner Khyber
2. Deputy Commissioner Mohmand
3. District Health Officer Khyber at Jamrud
4. District Health Officer Mohmand
5. District Account Office Khyber
6. District Account Office Mohmand
7. Officer Concerned.

  
Director Health Services  
Merged Areas, Peshawar

Attested  
  
Approver  
  
13/12/2019

**BEFORE THE HON'BLE CHAIRMAN, KHYBER PAKHTUNKHWA  
SERVICE TRIBUNAL, PESHAWAR**

Service Appeal No. \_\_\_\_\_/2020

1. Dr. Muhammad Nisar, Medical officer (B-17) DHQ Hospital Landikotal, District Khyber.

**APPELLANT**

**VERSUS**

1. The Chief Secretary Government of Khyber Pakhtunkhwa, Peshawar and others.

**RESPONDENTS**

**APPLICATION FOR SUSPENDING  
THE OPERATION OF THE  
IMPUGNED NOTIFICATION  
DATED 01-11-2019 TO THE EXTENT  
OF APPELLANT PASSED BY THE  
COMPETENT AUTHORITY TILL  
THE DISPOSAL OF MAIN APPEAL.**

**Respectfully Sheweth:-**

1. That the appellant has filed service appeal along with this application in which no date has been fixed so far.
2. That the facts enumerated and grounds taken in the body of service appeal may kindly be considered as an integral part of this application, which make out an excellent prima facie case in favour of the appellant.

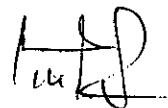
3. That the impugned notification dated 01-11-2019 was issued in glaring and palpable defiance to Articles 9, 35 and 38 of the Constitution of Islamic Republic of Pakistan, 1973 while, on the other, it absolutely contravened and defied the posting/transfer policy of the Government of Khyber Pakhtunkhwa which precisely aimed at facilitating serving husbands/wives at the same station so as to ward off the couple against psychological/economic straits.
4. That the appellant specifically underlined upon the existence of serious threat to his life owing to blood enmity with his opponents in the Area by furnishing certificate issued by the office of Deputy Commissioner South Waziristan however, the plea was not considered by the Competent Authority nonetheless, the same version was accepted in case of his wife Dr. Parveen Nisar whose transfer order was canceled/recalled.
5. That it is not only shocking but also ironic the departmental appeals of Dr. Huma Shandana and Dr. Amir Gulab who were also transferred through the disputed notification dated 01-11-2019 have been accepted and their transfer orders were recalled/cancelled vide Notification dated 27-11-2019 and 03-12-2019 respectively. This is a disparity and anomaly and is also violation of **Article 25 of the Constitution of Islamic Republic of Pakistan, 1973** which has unequivocally laid down that all citizens placed in similar circumstances are entitled to equal treatment and protection of law. The Hon'ble Supreme Court of Pakistan through various judgments has maintained that equal treatment is the fundamental right of every citizen.
6. That in case the operation of the impugned notification is not suspended, the very purpose of appeal would be defeated and it would become infructuous as well.

It is, therefore, humbly prayed that the impugned notification dated 01-11-2019 to the extent of appellant may graciously be suspended till the disposal of main appeal.

Appellant/Applicant

Through

Dated: 04-02-2019

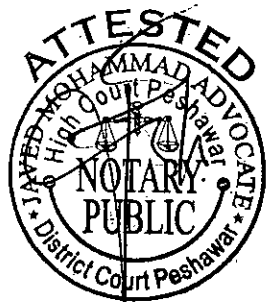


**Rizwanullah**  
M.A. LL.B

Advocate High Court, Peshawar

**AFFIDAVIT**

I, Dr. Muhammad Nisar, Medical officer (B-17) DHQ Hospital Landikotal, District Khyber do hereby solemnly affirm and declare that the contents of the accompanied Stay Application are true and correct to the best of my knowledge and belief and that nothing has been concealed from this Hon'ble Tribunal.

  
 DEPONENT


07 FEB 2020

To,

The Medical Superintendent  
DHQ Hospital Landi Kotal  
District Khyber



**SUBJECT: AGAIN REQUEST FOR IMPLEMENTATION OF STAY ORDER IN FAVOUR OF DR. MUHAMMAD NISAR BPS-17 DHQ HOSPITAL LANDI KOTAL.**

Respected Sir,

Reference to the Government of Khyber Pakhtunkhwa Health Department No.SOH/Lit-II) 13-4455/2020 Dated Peshawar the 16.03.2020 regarding the implementation of the Stay Order# 830/2020 dated 09.03.2020 in favour of Dr.Muhammad Nisar BPS-17 issue by Hon'ble Service Tribunal Court. As endorsed by Directorate of Health Service Merged Areas Warsak Road Peshawar No.6968-75/DHS/Admn dated 18.03.2020

It is humbly requested to please implement the above order of the Hon'ble Court without any further delay. Because I have left with no other option except to knock the door of the Hon'ble Court once again for the implementation of the above order.

Hopefully that you will allow me with under your kind supervision to honor the order of the Hon'ble Court to work at Landi Kotal DHQ Hospital on my original post to help public in this critical situation.

Thanks

Dated: 21-5-2020

  
Yours Obediently,

Medical Officer BPS-17  
DHQ Hospital Landi Kotal  
District Khyber

Copy forwarded to the:-

1. Registrar Khyber Pakhtunkhwa Service Tribunal Peshawar.
2. Section Officer (E-II) Health Department.
3. PS to Special Secretary Health Khyber Pakhtunkhwa.
4. Director General, Health Services KPK, Peshawar.
5. Director Health Services Merged Area Peshawar.
6. section officer (lit-II) Health Department

D/No. 11  
CHS 21/5/2020





**MOST IMMEDIATE  
COURT MATTER.**

2<sup>ND</sup> REMINDER

GOVERNMENT OF KHYBER PAKHTUNKHWA  
HEALTH DEPARTMENT  
SOH(Lit-II)13-4455/2020  
Dated Peshawar, the 16/03/2020

To

1. The Director General, Health Services,  
Khyber Pakhtunkhwa, Peshawar.
2. The Director Health Services,  
Merged Area, Peshawar.

**D.H.S. FATA**

D.No. 1300

Date. 18/03/2020

Subject:-

SERVICE APPEAL NO. 830/2020 :- DR. MOHAMMAD NISAR  
VERSUS GOVT. OF KHYBER PAKHTUNKHWA HEALTH  
DEPARTMENT AND OTHERS.

I am directed to refer to this department letter of even number dated 13/02/2020 followed by reminder dated 25/02/2020 on the subject noted above and to forward herewith a copy of status-quo order dated 09.03.2020 passed by the Khyber Pakhtunkhwa Service Tribunal, Peshawar for further necessary action.

I am further directed to request once again to furnish the parawise comments duly completed in all respect to this department for the signature of the Secretary Health immediately so that the same comments could be submitted before the court on due date i.e. 24.03.2020 to vacate the status-quo in the instant case, please.

Being court matter, hence may please be treated as **MOST URGENT.**

Encl: As Above

SECTION OFFICER (LIT-II)

Endst: of even No & date:-

Copy forwarded to:-

1. The Registrar, Khyber Pakhtunkhwa Service Tribunal, Peshawar.
2. The Section Officer (E-II), Health Department for similar action.
3. PS to the Secretary Health.
4. PA to the Special Secretary Health.
5. PA to the Deputy Secretary (lit) Health.

SECTION OFFICER (LIT-II)

**DIRECTORATE OF HEALTH SERVICES  
MERGED AREAS WARSAK ROAD PESHAWAR**

No. 6968-75/DHS/Admn

Date: 18 /03/2020

Copy is forwarded to the-

1. Registrar, Khyber Pakhtunkhwa, Service Tribunal Peshawar.
2. Section Officer (E-II), Health Department, for similar action.
3. Section officer, (Lit-II), Health Department Peshawar w/r to his letter No. SOH(Lit-II)13-4455/2020, dated 16/03/2020.
4. Medical Superintendent, DHQ Hospital Landikotal, for further necessary action.
5. District Accounts Officer, Khyber.
6. Doctor Concerned.
7. PA to DHS, Merged Areas.

Director Health Services,  
Merged Areas, Peshawar

1. Director General, Health Services KPK, Peshawar.

A. No. 830/2020  
Dr. Muhammad Nisar vs Govt



09.03.2020

Appellant in person and Mr. Kabirullah Khattak  
Additional AG for the respondents present. Neither written  
reply on behalf of respondents submitted nor  
representative of the department is present, therefore,  
notices be issued to the respondents with the direction the  
representative to attend the court and submit written reply  
on the next date positively. Adjourned to 24.03.2020 for  
written reply/comments but as a last chance. Status-quo  
be maintained till the next date.

*M.A.*  
(MUHAMMAD AMIN KHAN KUNDI)  
MEMBER

Copy  
Kundli  
Service Tribunal  
Peshawar

Date of Presentation of Copy	09-3-2020
Number of Words	800
Copying Fee	10-00
Urgent	-
Total	10-00
Name of Copyist	<i>[Signature]</i>
Date of Completion of Copy	10-3-2020
Date of Delivery of Copy	10-3-2020

**BEFORE THE HON'BLE CHAIRMAN, KHYBER PAKHTUNKHWA  
SERVICE TRIBUNAL, PESHAWAR**

Service Appeal No, 830 /2020

Khyber Pakhtunkhwa  
Service Tribunal

Case No. 1023

Dated 07-09-2020

1. Dr. Muhammad Nisar, Medical officer (B-17) DHQ Hospital Landikotal,  
District Khyber.



**APPELLANT**

**VERSUS**

1. The Chief Secretary Government of Khyber Pakhtunkhwa, Peshawar.
2. The Secretary to Government of Khyber Pakhtunkhwa, Health Department,  
Peshawar.
3. The Director General Health and Services, Government of Khyber  
Pakhtunkhwa, Peshawar.
4. The Director Health Services Merged Area, Peshawar.

**RESPONDENTS**

Filed to-day

Registrar

07/02/2020

ATTEST

Khyber Pakhtunkhwa  
Service Tribunal,  
Peshawar

**APPEAL UNDER SECTION 4 OF THE  
KHYBER PAKHTUNKHWA SERVICE  
TRIBUNAL ACT, 1974 AGAINST THE  
NOTIFICATION DATED 01-11-2019  
PASSED BY THE COMPETENT  
AUTHORITY WHEREBY THE  
SERVICES OF APPELLANT WERE  
PLACED AT THE DISPOSAL OF DHO  
SOUTH WAZIRISTAN FOR FURTHER  
POSTING AGAINST THE VACANT POST  
OF MEDICAL OFFICER (B-17) IN UTTER  
VIOLATION OF LAW AGAINST WHICH  
A DEPARTMENTAL APPEAL WAS  
FILED ON 07-11-2019 BUT THE SAME**



# DIRECTORATE OF HEALTH SERVICES

MERGED AREA SECRETARIAT WARSAK ROAD PESHAWAR

Ph # 091-9210212 Fax # 091-9212110

## OFFICE ORDER

In pursuance to Khyber Pakhtunkhwa Service Tribunal Peshawar status quo dated 09-03-2020, Dr. Muhamamd Nisar MO (BS-17), is hereby adjusted/posted at the strength of District Health Officer Orakzai against the vacant post of MO (BS-17) for the purpose of drawl of salaries in the public interest with immediate effect.

Whereas, the doctor concerned will perform duties at DHQ Hospital Landikotal.

--sd/--


Director Health Services,  
Merged Areas, Peshawar.

No. 16877-85/DHS/Admin

Dated 16/07/2020

Copy forwarded to the:-

1. Registrar Khyber Pakhtunkhwa Peshawar.
2. Section Officer (Liti-II) & (E-II) Health Department Khyber Pakhtunkhwa.
3. Deputy Director (Admin) DHS Merged Areas.
4. District Health Officer Orakzai & South Waziristan.
5. Medical Superintendent DHQ Hospital Landikotal.
6. District Accounts Officer Khyber, Orakzai & South Waziristan.
7. Litigation Section DHS Merged Areas.
8. Record Section DHS Merged Areas.
10. Doctor concerned.

  
Director Health Services,  
Merged Areas, Peshawar.

*Na*  
2

Before the Honorable Chairman, KPK Service Tribunal, Peshawar

Service Appeal

Dr. Muhammad Nisar

Appellant 2  
بنام

VS  
Chief Secretary etc

موری  
مقدمہ  
دعوی  
جرم

باعث تحریر آنکہ

مقدمہ مندرجہ عنوان بالا میں اپنی طرف سے واسطے پیروی و جواب دہی وکل کاروائی متعلقہ

آن مقام Peshawar کیلئے Adv. Razaullah

مقرر کر کے اقرار کیا جاتا ہے۔ کہ صاحب موصوف کو مقدمہ کی کل کاروائی کا کامل اختیار ہوگا۔ نیز وکیل صاحب کو راضی نامہ کرنے و تقرر ثالث و فیصلہ پر حلف دیئے جواب دہی اور اقبال دعویٰ اور بصورت ڈگری کرنے اجراء اور وصولی چیک و روپیہ ارغرضی دعویٰ اور درخواست ہر قسم کی تصدیق زرائیں پر دستخط کرانے کا اختیار ہوگا۔ نیز صورت عدم پیروی یا ڈگری یکطرفہ یا اپیل کی برآمدگی اور منسوخی نیز دائر کرنے اپیل نگرانی و نظر ثانی و پیروی کرنے کا مختار ہوگا۔ از بصورت ضرورت مقدمہ مذکور کے کل یا جزوی کاروائی کے واسطے اور وکیل یا مختار قانونی کو اپنے ہمراہ یا اپنے بجائے تقرر کا اختیار ہوگا۔ اور صاحب مقرر شدہ کو بھی وہی جملہ مذکورہ باختیارات حاصل ہوں گے اور اس کا ساختہ پر داخبتہ منظور و قبول ہوگا دوران مقدمہ میں جو خرچہ ہر جانہ التوائے مقدمہ کے سبب سے ہوگا۔ کوئی تاریخ پیشی مقام دورہ پر ہو یا حد سے باہر ہو تو وکیل صاحب پابند ہوں گے۔ کہ پیروی مذکور کریں۔ لہذا وکالت نامہ لکھ دیا کہ سندر ہے۔

المرقوم

30

ماہ

January 2020

Attested & accepted  
Adv. Razaullah  
80-1-2020

الع د گ واہ الع  
مقام Peshawar only کے لئے منظور ہے۔