

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

Service Appeal No. 1217/2018

BEFORE: MR. KALIM ARSHAD KHAN, ... CHAIRMAN  
MISS FAREEHA PAUL ... MEMBER(E)

**Mst. Dilara Staff Nurse District Hea Quarters Office, Charsadda.**  
..... (Appellant)

Versus

1. Secretary Health Government of Khyber Pakhtunkhwa Civil Secretariat, Peshawar.
2. Director General Health Services Khyber Pakhtunkhwa Civil Secretariat, Peshawar.
3. Medical Superintendent District Headquarter Hospital, Charsadda.  
..... Respondents)


Mr. Javed Iqbal Gulbela,  
Advocate ... For appellant

Mr. Muhammad Riaz Khan Paindakhel, ... For respondents  
Assistant Advocate General

Date of Institution..... 04.10.2018  
Date of Hearing..... 09.12.2022  
Date of Decision..... 09.12.2022

**JUDGEMENT**

**FAREEHA PAUL, MEMBER (E):** The service appeal in hand has been instituted under Section 4 of the Khyber Pakhtunkhwa Service Tribunal Act, 1974 against the order dated 05.06.2018 whereby the appellant had been relieved/transferred from DHQ Hospital Charsadda, order dated 26.12.2018 whereby she had been retransferred on administrative grounds during pendency of the service appeal and against the order dated 09.04.2019 whereby she was again transferred to Women and Children Hospital Rajjar Charsadda



on administrative grounds. It has been prayed that on acceptance of the appeal, the impugned orders might be set aside and the appellant might be allowed to serve as Staff Nurse at DHQ Hospital, Charsadda.

2. Brief facts of the case, as given in the memorandum of appeal, are that the appellant was inducted into service after going through the mandatory requirements on 02.06.2008 as Charge Nurse. She, while serving at District Headquarter Hospital Charsadda, was relieved from the said Hospital vide impugned order dated 05.06.2018 by the Medical Superintendent and was directed to report to Director General Health Services, Khyber Pakhtunkhwa on administrative grounds. She preferred a departmental appeal to Director General Health Services, Khyber Pakhtunkhwa against that order but it was not responded, instead vide order dated 08.06.2018 an inquiry was ordered to be conducted against her. Feeling aggrieved, she preferred service appeal No. 1217/2018 and interim relief was granted to her but the respondent retransferred the appellant vide impugned order dated 26.12.2018, against which she preferred departmental appeal in time but she was once again transferred to Women and Children Hospital Rajjar, Charsadda vide impugned order dated 09.04.2019. Again a departmental appeal was preferred by her which was not responded; hence the service appeal.

3. The Service appeal was first submitted on 04.10.2018 on which interim relief was granted but on 13.06.2019, learned counsel for the appellant produced copies of both the subsequent orders before the bench with the request that he wanted to challenge both the orders through amendment in



service appeal. Learned Assistant AG had no objection and hence on 10.07.2019, learned counsel for the appellant submitted amended service appeal.

4. Respondents were put on notice who submitted written replies/comments on the appeal. We have heard the learned counsel for the appellant as well as the learned Assistant Advocate General for the respondents and perused the case file with connected documents in detail.

5. Learned counsel for the appellant after presenting the case in detail contended that transfer order on administrative grounds was always considered and declared as punishment by superior courts. He further contended that no penalty could be imposed without conducting proper inquiry, issuing charge sheet/statement of allegations, show cause notice and opportunity of personal hearing. He argued that neither any opportunity was ever extended to the appellant to defend her case against the alleged occurrence nor any notice was ever issued to her. According to him salary of the appellant had been stopped which was an infringement of her fundamental rights and that during pendency of the appeal, she was transferred twice on administrative grounds. Learned counsel for the appellant requested that the appeal might be accepted as prayed for.

6. Learned Assistant Advocate General, while rebutting the arguments of learned counsel for the appellant, contended that the appellant was transferred on administrative ground by the competent authority due to her misconduct, willful negligence and non-willingness to perform her duties. He further



contended that despite being a civil servant, she invited media personnel for highlighting and propagating a departmental administrative affair before general public in order to pressurize and blackmail her high-ups. According to him the appellant had been counseled on many occasions to improve her performance and behavior but no heed was paid to it by her. He further argued that after conducting proper inquiry, issuing show cause notice, statement of allegations and personal hearing, the appellant was relieved from her place of posting. Learned AAG invited the attention to Section 10 of the Khyber Pakhtunkhwa Civil Servants Act, 1973 according to which every civil servant was bound to serve anywhere in the province in the best public interest. He requested that the appeal might be dismissed with cost.

7. Arguments presented before us and perusal of record reveals that the appellant was appointed as Charge Nurse in 2008 and she served in DHQ Charsadda since then. The Medical superintendent of DHQ Charsadda relieved the appellant, with the directions to report to Director General, Health Services, Khyber Pakhtunkhwa, on the grounds that she was not performing her duties. There were reports against her that she quarreled and used abusive language with her seniors. There was another report against her that she invited media personnel for a press conference against the hospital and its administration.

8. It has been noted that the appellant remained in the DHQ Charsadda for about ten years when she was first directed to report to the office of Director General Health Services from where she was later on transferred to Women



and Children Hospital Rajjar, Charsadda. There is no second opinion on the fact <sup>that</sup> she is a civil servant and as provided in the Khyber Pakhtunkhwa Civil Servants Act 1973, she was liable to serve anywhere as directed by her competent authority. Moreover she had to report to her place of posting immediately but in this case, in pursuance of order dated 26.12.2018, she submitted her arrival report on 09.04.2019. Moreover calling media persons for a press conference is also a violation of government instructions where a civil servant has been barred to interact with media personnel without prior approval of their competent authority.

9. From the above discussion, it appears that the appellant had been violating the law and rules governing her service. She was reluctant to act on the orders of her competent authority which is highly unsuitable for a civil servant. Keeping all these facts in view, the appeal is dismissed with costs. Consign.

10. *Pronounced in open court in Peshawar and given under our hands and seal of the Tribunal this 9<sup>th</sup> day of December, 2022.*



**(KALIM ARSHAD KHAN)**  
Chairman



**(FAREEHA PAUL)**  
Member (E)

Service Appeal No. 1217/2018

09<sup>th</sup> Dec 2022

Mr. Javed Iqbal Gulbela, Advocate for appellant present. Mr. Muhammad Riaz Khan Paindakhel, Assistant Advocate General for the respondents present. Arguments heard and record perused.

2. Vide our detailed judgement containing 05 pages, the appeal is dismissed with costs. Consign.

3. *Pronounced in open court in Peshawar and given under our hands and seal of the Tribunal this 9<sup>th</sup> day of December, 2022.*



**(KALIM ARSHAD KHAN)**  
Chairman

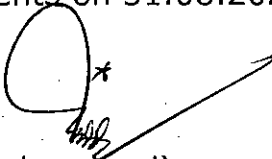



**(FAREEHA PAUL)**  
Member (E)

04.07.2022

Learned counsel for the appellant present. Mr. Riaz Ahmed Painsakhel, Assistant Advocate General for the respondents present.

Learned counsel for the appellant sought adjournment on the ground that he is proceeding for appearance in cases fixed in the august Peshawar High Court, Peshawar. Adjourned. To come up for arguments on 31.08.2022 before the D.B.

  
(Mian Muhammad)  
Member (E)

  
(Salah-ud-Din)  
Member (J)

31.08.2022

Bench is incomplete, therefore, case is adjourned to 10.11.2022 for the same as before.


  
Reader

10.11.2022

Junior to counsel for the appellant present.

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

Former requested for adjournment on the ground that his senior counsel is busy before Hon'ble Peshawar High Court Peshawar. Adjourned. To come up for arguments on 09.12.2022 before D.B.

  
(Fareeha Paul)  
Member (E)

  
(Rozina Rehman)  
Member (J)


SCANNED  
KPST  
Peshawar


04.08.2021

Junior to counsel for appellant present.

Mr. Riaz Khan Paindakheil learned Assistant Advocate General for respondents present.

Former made a request for adjournment as senior counsel is busy before Hon'ble Peshawar High Court, Peshawar; granted. To come up for arguments on 09.12.2021 before D.B.

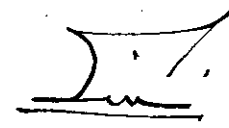
  
(Atiq-Ur-Rehman Wazir)  
Member (E)

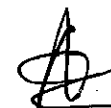
  
(Rozina Rehman)  
Member (J)

09.12.2021

Junior to counsel for the appellant and Mr. Noor Zaman, District Attorney for the respondents present.

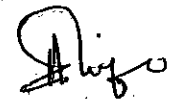
Senior counsel for the appellant is stated to be busy before the Hon'ble High Court today. Request for adjournment is made by his junior. Request is accorded. To come up for arguments on 30.03.2021 before the D.B.

  
(Salah-ud-Din)  
Member(J)

  
Chairman

30-3-2022

Proper DB not available the case is adjourned to come up for the same as before on 4-7-2022

  
Reader



30-12-2020

Due to summer vacation, case is adjourned to  
17-3-2021 for the same as before.

  
Reader

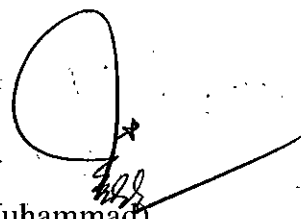
17.03.2021

Counsel for the appellant and Mr. Noor Zaman Khattak,  
District Attorney alongwith Mr. Asad, Assistant for  
respondents present.

Learned District Attorney requests for time to submit  
reply/comments in respect of amended service appeal  
submitted by the appellant.

It is revealed from the record that the reply of amended  
appeal was to be submitted on 19.02.2020, however, thereafter,  
the proceedings were adjourned on five occasions due to  
different reasons. The respondents are allowed time but as a  
last chance.

Adjourned to 30.04.2021 before D.B.



(Mian Muhammad)  
Member (E)



Chairman

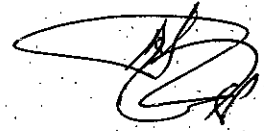
30-4-2021

due to COVID-19, the case is adjourned  
to 4-8-2021 for the same.

  
Reader

03.04.2020

Due to COVID 19, the case is adjourned  
for the same on 30.6.2020.



30.06.2020

Due to COVID-19, the case is adjourned to 25.08.2020  
for the same.

  
Reader

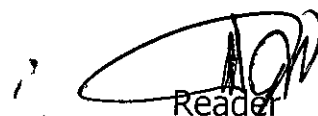
25.08.2020

Due to summer vacation case to come up for the  
same on 28.10.2020 before D.B.

  
Reader

28.10.2020

Proper D.B is on Tour, therefore, the case is  
adjourned for the same on 30.12.2020 before D.B.

  
Reader

09.12.2019

Clerk to counsel for the appellant present. Addl: AG for respondents present. Clerk to counsel for the appellant seeks adjournment due to general strike of the Bar. Adjourned. To come up for arguments on 06.02.2020 before D.B.


  
Member

  
Member

06.02.2020


Appellant in person present. Mr. Riaz Ahmed Paindakhel learned Assistant Advocate General for the respondents present and requested for adjournment on the ground that he received copy of amendment service appeal today. Adjourn. To come up for further proceedings/arguments on 19.02.2020 before D.B.

  
Member

  
Member

19.02.2020

Appellant in person present. Mr. Kabirullah Khattak learned Additional AG alongwith Mr. Javed Saleem Litigation Officer for the respondents present. Representative of the respondent department seeks time to furnish written reply/comments of the amended appeal. Adjourned. To come up for written reply/comments of amended appeal and arguments on 03.04.2020 before D.B.

  
(Hussain Shah)  
Member

  
(M. Amin Khan Kundi)  
Member

19.09.2019

Learned counsel for the appellant present. Mr. Usman Ghani learned District Attorney present and seeks adjournment to furnish reply of the amended appeal. Adjourn. To come up for reply if any, and arguments on 26.09.2019 before D.B.

Member

Member

26.09.2019

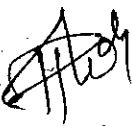
Clerk of counsel for the appellant and Mr. Usman Ghani, District Attorney for the respondents present. Clerk of counsel for the appellant requested for adjournment on the ground that learned counsel for the appellant is busy in the Hon'ble Peshawar High Court and cannot attend the Tribunal today. Adjourned to 25.10.2019 for arguments before D.B.


  
(HUSSAIN SHAH)  
MEMBER

  
(M. AMIN KHAN KUNDI)  
MEMBER

25.10.2019

Appellant with counsel present. Mr. Zia Ullah learned Deputy District Attorney for the respondents present. Learned counsel for the appellant seeks adjournment. Adjourned. To come up for arguments on 09.12.2019 before D.B

  
(Hussain Shah)  
Member

  
(M. Amin Khan Kundi)  
Member

10.07.2019


Clerk to counsel for the appellant and Mr. Usman Ghani learned District Attorney present. Clerk to counsel for the appellant submitted amended service appeal. Adjourn. To come up for further proceedings on 26.07.2019 before D.B. The respondents if they desire, may also furnish reply to the amended service appeal on the next date fixed.

Member

Member

26.07.2019

Learned counsel for the appellant and Mr. Zia Ullah learned Deputy District Attorney for the respondents present. Learned counsel for the appellant requested for adjournment. Adjourned. To come up for further proceedings on 18.09.2019 before D.B.

  
(Hussain Shah)  
Member

(M. Amin Khan Kundi)  
Member

18.09.2019

Mr. Tahir Advocate, junior to counsel for the appellant present. Mr. Zia Ullah learned Deputy District Attorney for the respondents present. Junior to counsel for the appellant seeks adjournment. Adjourn. To come up for arguments on 19.09.2019 before D.B.

Member

  
Member

09.05.2019

Learned counsel for the appellant and Mr. Muhammad Jan learned Deputy District Attorney for the respondents present. The learned Member (Executive) Mr. Hussain Shah is on leave, therefore, the bench is incomplete. Adjourned. To come up for arguments on 13.06.2019 before D.B.

*MA*

(Muhammad Amin Khan kundi)  
Member.

13.06.2019

Appellant alongwith her counsel and Mr. Riaz Ahmad Paindakheil, Assistant AG for the respondents present. Learned counsel for the appellant furnished copy of order dated 26.12.2018 whereby the appellant has been transferred from DHQ Hospital Charsadda to Category-C Hospital Shabqadar Charsadda. He also furnished<sup>a</sup> copy of order dated 24.04.2019, whereby the appellant has been transferred from DHQ Hospital Charsadda to Women & Children Hospital Rajjar Charsadda. Copies of both the orders<sup>are</sup> placed on record. Learned counsel for the appellant also stated the he want<sup>ed</sup> to challenge the aforesaid orders through amendment in service appeal. Learned Assistant AG expressed no objection. As such, to come up for amended service appeal on 10.07.2019 before D.B.

?

*AH*  
(Ahmad Hassan)  
Member

*MA*  
(M. Amin Khan Kundi)  
Member

**Service Appeal No. 1217/2018**


**02.01.2019**

Appellant alongwith her counsel present. Mr. Kabirullah Khattak, Additional AG alongwith Mr. Aziz-ur-Rehman, Medical Officer for the respondent present. Written reply on behalf of respondents not submitted. Learned Additional AG requested for further adjournment. Adjourned. To come up for written reply/comments on 25.02.2019 before S.B.

  
**Muhammad Amin Khan Kundi**  
**Member**

**25.02.2019**

Appellant with counsel present. Mr. Kabirullah Khattak, Addl: AG alongwith M/S Hazrat Shah, Supdt, Jafar Shah, Assistant, Ayub Jan, Senior Clerk and Saleem Javed, Litigation Officer. Written reply submitted which is placed on file. Case to come up for rejoinder and arguments on 15.04.2019 before D.B.

  
**Member**  
**(Ahmad Hassan)**

**15.04.2019**

Counsel for the appellant and Mr. Muhammad Jan, Deputy District Attorney alongwith M/S Javed Saleem, Litigation Officer and Ayub Jan, Senior Clerk for the respondents present. Learned counsel for the appellant submitted rejoinder and seeks adjournment for arguments. Adjourned. To come up for arguments on 09.05.2019 before D.B.

  
**(HUSSAIN SHAH)**  
**MEMBER**

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

19.10.2018

Learned counsel for the appellant present.  
Preliminary arguments heard.

Appellant (Staff Nurse) has filed the present appeal u/s of the Khyber Pakhtunkhwa Service Tribunal Act 1974 against the order dated 05.06.2018 whereby she was relieved from DHQ Hospital Charsadda on administrative grounds and was directed to report Director General Health Services Khyber Pakhtunkhwa Office. Learned counsel for the appellant while assailing the impugned order argued inter alia that the salary of the appellant has also been stopped.

Points raised need consideration. The present appeal is admitted for regular hearing subject to all just 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. To come up for written reply/comments on 05.12.2018 before S.B.

Till the next date fixed, ad-interim relief is granted to the effect that the Director General Health Services Khyber Pakhtunkhwa (respondent No.2) is directed to release the salary to the appellant from the date of her arrival/joining of her new posting in compliance of the order dated 05.06.2018.

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KPST  
Peshawar

Appellant Deposited  
Security & Process Fee


  
Member

05.12.2018

Appellant alongwith counsel and Hazrat Shah, Superintendent for respondents No. 1 & 2 alongwith Addl. AG for the respondents present.

Representative of respondents No. 1 & 2 requests for further time to furnish requisite comments/reply while respondent No. 3 is unrepresented today. The matter is adjourned to 02.01.2019 for submission of reply/comments while respondent No. 3 shall also be put on fresh notice for the said date.

Appellant stated at the bar that interim relief granted to her on 19.10.2018 has not been regarded by the respondent department. On the other hand, representative of respondents No. 1 & 2 undertakes that needful shall be done within the shortest possible time.

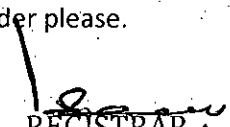

  
Chairman



Form- A  
FORM OF ORDER SHEET

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

Case No. 1217/2018

S.No.	Date of order proceedings	Order or other proceedings with signature of judge
1	2	3
1-	04/10/2018	The appeal of Mst. Dilara presented today by Mr. Javed Iqbal Gulbella Advocate may be entered in the Institution Register and put up to the Learned Member for proper order please.   REGISTRAR 4/10/18
2-	5-10-18	This case is entrusted to S. Bench for preliminary hearing to be put up there on <u>19-10-18</u>   MEMBER

**BEFORE THE HONBLE KHYBER PAKHTUNKHWA  
SERVICES TRIBUNAL PESHAWAR**

In Re S.A \_\_\_\_\_/2018

Mst. Dilara

**VERSUS**

Secretary Health Government of Khyber Pakhtunkhwa  
Civil Secretariat Peshawar and Others

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5.	Copy of departmental appeal	"B"	12
6.	Copy of order dated 06/06/2018	"C"	13-16.
7.	Copies of the impugned transfer orders and departmental appeal	"D" To "G"	17-20.
8.	Other Documents	"H"	21-24
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Dated : 10/07/2019




Appellant

Through

  
JAVED IQBAL GULBELA

  
ISRAR AHMAD

&   
SAGHIR IQBAL GULBELA  
Advocate, High Court,  
Peshawar.

Off Add: 9-10A Al-Nimrah Centre, Govt College Chowk Peshawar

①

**BEFORE THE HONBLE KHYBER PAKHTUNKHWA  
SERVICES TRIBUNAL PESHAWAR**

In S.A \_\_\_\_\_/2019

Mst. Dilara staff nurse District Head Quarters office  
Charsadda.

-----(*Petitioner*)

**VERSUS**

1. Secretary Health Government of Khyber  
Pakhtunkhwa Civil Secretariat Peshawar.
2. Director General Health Services Khyber  
Pakhtunkhwa at Civil Secretariat Peshawar.
3. Medical Superintendent District Headquarters  
Hospital Charsadda.

-----(*Respondents*).

**AMENDED SERVICE APPEAL U/S 4 OF THE  
KHYBER PAKHTUNKHWA SERVICE  
TRIBUNAL ACT 1974 AGAINST THE  
IMPUGNED OFFICE ORDER NO. 3306/DHQ  
HOSPITAL CHARASADDA DATED 05/06/2018  
WHEREBY THE APPELLANT HAS  
ILLEGALLY BEEN RELIVED/TRANSFERRED  
FROM DHQ HOSPITAL CHARASADDA,  
ORDER NO.6244-47 DATED 26/12/2018  
WHEREBY THE APPELLANT HAS BEEN  
RETRANSFERRED ON ADMINISTRATIVE  
GROUND DURING PENDENCY OF THE  
SERVICE APPEAL AND IMPUGNED ORDER  
DATED 09/04/2019, WHEREBY THE  
APPELLANT WAS AGAIN RETRANSFERRED  
TO WOMEN AND CHILDREN HOSPITAL  
RAJJAR, CHARASADDA, ON  
ADMINISTRATIVE GROUNDS IN A  
CURSORY AND WHIMSICAL MANNER.**

Respectfully Sheweth,

1. That the Appellant is a naturally born bonafide citizen of the Islamic Republic of Pakistan & hails from respectable family.
2. That appellant was inducted into service after going through the mandatory required tests and interview on 02/06/2008 as charged nurse.
3. That being a pragmatic, regular, punctual, dutiful and devoted fellow the appellant got her accelerated promotions because of her whetted skills and professionalism and is now serving as charge nurse and posted at District Headquarters Hospital Charsadda.
4. That abruptly the appellant was relieved from the DHQ Hospital Charsadda vide impugned office order NO. 3306/DHQ Hospital Charsadda dated 05/06/2018 by medical superintendant DHQ Hospital Charsadda, on administrative grounds

③

without any reason, prior notice, show cause notice, inquiry or any sort of written complaint. (Copy of the impugned order dated 05/06/2018 is annexed as annexure "A")

5. That feeling aggrieved the appellant preferred departmental appeal, but in spite of laps of statutory period nothing came up over the same. (Copy of departmental appeal is annexed as annexure "B")

6. That interestingly after relieving the appellant on administrative grounds, which relieving order amounts to punishment as being carried on administrative grounds, an alleged inquiry was ordered vide order dated 08/06/2018. (Copy of order dated 06/06/2018 is annexed as annexure "C")

7. That feeling aggrieved, the appellant preferred service appeal No. 1217/2018 and even interim relief was graciously granted, but the Respondent re-transferred the appellant vide the impugned order No. 6244-47, dated 26/12/2018, where against the

(4)

appellant preferred a timely departmental appeal. But the story didn't end here and the appellant was again re-transferred and again on administrative grounds to women and children hospital rajjar Charsadda vide impugned order dated 09/04/2019 the appellant once again preferred departmental appeal against the same, but nothing came up of the same. (Copies of the impugned transfer orders and departmental appeal are annexed as annexure "D")

8. That feeling highly aggrieved the appellant prefers the instant departmental appeal for setting aside all the impugned office orders mentioned above upon the following grounds inter alia:-

Grounds:-

- A. That the petitioner is naturally born bona-fide citizen of the Islamic Republic of Pakistan and is fully and equally, on equality basis, entitled to all basic and fundamental rights as enshrined in the fundamental law of the land.

(5)

B. That the impugned relieving order as well as the other two impugned transfer orders are Quorum non judice, vide illegal, unwarranted and is liable to be set aside.

C. That the appellant has been condemned unheard, throughout.

D. That the relieving and transfer orders on administrative grounds is always considered and declared as punishment by superior courts of the land.

E. That keeping in view the above principle, no penalty can be imposed without conducting any proper inquiry, issuing show cause or final show cause notice, statement of allegations or opportunity of personal hearing and if any penal action is lacking any the aforementioned essential ingredients commencing from show cause notice, then the very penal action is void and

(8)

illegal and same is the case of  
appellant.

F. That neither any opportunity was ever  
extended to the appellant to defend her  
case against the alleged occurrence,  
nor any mandatory instruments in the  
form of any notice was ever issued to  
the appellant, but even then was made  
an escape goat.

G. That even the salary of appellant has  
been illegal stopped, which even  
amount to infringement of  
fundamental rights.

H. That from every angle the impugned  
relieving and transfer orders are  
illegal, void and are liable to be  
concealed and set aside.

I. That even during the pendency of the  
captioned service appeal, the appellant  
was transferred again and again and  
that too on administrative grounds,  
which also amount to flouting this  
Hon'ble Tribunal.



7



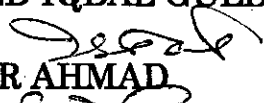

J. That all three, repeated, departmental appeal went futile and without any findings upon them.

K. That any other ground not raised here may graciously be allowed to raised at the time of arguments.

*It is, therefore, most humbly prayed that on acceptance of the instant appeal, the impugned office order No.3306/DHQ Hospital Charsadda dated 05/06/2018 by medical superintendant DHQ Hospital Charsadda impugned transfer order No.6244-47, dated 26/12/2018 and dated 09/04/2019 be set aside and the appellant may kindly be allowed to serve as staff nurse at DHQ Hospital Charsadda.*

*Any other relief, not specifically asked for may also graciously be extended in favor of the appellant in the circumstances of the case.*

Dated : 10/07/2019

  
Appellant  
Through   
JAVED IQBAL GULBELA  
  
ISRAR AHMAD  
&   
SAGHIR IQBAL GULBELA  
Advocate, High Court,  
Peshawar

**NOTE:-**No such like appeal for the same appellant upon the same subject matter has earlier been filed by me before this Hon'ble Tribunal.

Advocate.

(8)

**BEFORE THE HONBLE KHYBER PAKHTUNKHWA  
SERVICES TRIBUNAL PESHAWAR**

In S.A \_\_\_\_\_/2019

Mst. Dilara

**VERSUS**


Secretary Health Government of Khyber Pakhtunkhwa  
Civil Secretariat Peshawar and Others

**AFFIDAVIT**

I, **Mst. Dilara** staff nurse District Head Quarters office **Charsadda**, do hereby solemnly affirm and declare that all the contents of the accompanied **appeal** is true and correct to the best of my knowledge and belief and nothing has been concealed or withheld from this Hon'ble Tribunal.

  
**DEPONENT**

Identified By:

  
**Javed Iqbal Gulbela**  
Advocate High Court  
Peshawar.

NIC # 17101-7544548-4



~~S.A~~ S-A

**BEFORE THE HONBLE KHYBER PAKHTUNKHWA  
SERVICES TRIBUNAL PESHAWAR**

In S.A \_\_\_\_\_/2019

Mst. Dilara

**VERSUS**

Secretary Health Government of Khyber Pakhtunkhwa  
Civil Secretariat Peshawar and Others

**ADDRESSES OF PARTIES**

**APPELLANT.**

Mst. Dilara staff nurse District Head Quarters office  
Charsadda.

**RESPONDENTS:**

1. Secretary Health Government of Khyber  
Pakhtunkhwa Civil Secretariat Peshawar.
2. Director General Health Services Khyber  
Pakhtunkhwa at Civil Secretariat Peshawar.
3. Medical Superintendant District Headquarters  
Hospital Charsadda.

Dated : 10/07/2019



Appellant

Through

  
JAVED IQBAL GULBELA

  
ISRAR AHMAD

&   
SAGHIR IQBAL GULBELA

Advocate, High Court,  
Peshawar.

(78) (9)

**BEFORE THE HONBLE KHYBER PAKHTUNKHWA  
SERVICES TRIBUNAL PESHAWAR**

In Re C.M No# \_\_\_\_\_ / 2018

In S.A \_\_\_\_\_ /2019

Mst. Dilara

**VERSUS**

Secretary Health Government of Khyber Pakhtunkhwa  
Civil Secretariat Peshawar and Others

**APPLICATION FOR RELEASE OF  
SALARY OF PETITIONER OF THE  
INTERVENING PERIOD**

**RESPECTFULLY SHEWETH,**

1. That the petitioner is filing the accompanying amended appeal, the contents of which may graciously be considered as integral part and parcel of the instant petition.
2. That prima facie case exists in favour of the Petitioner.
3. That balance of convenience is also lies in favor of Petitioner and his quite sanguine of his success.

10

4. That if the instant application is not allowed the petitioner shall suffer irreparable loss.

*It is, therefore, most humbly prayed that on acceptance of the instant petition the salary of the Petitioner May kindly be released till the final disposal of the accompanying appeal.*

*Any other relief not specifically asked for may also graciously be extended in favour of the petitioner in the circumstances of the case.*


Dated : 10/07/2019

  
Appellant

Through

  
JAVED IQBAL GULBELA

  
ISRAR AHMAD

&   
SAGHIR IQBAL GULBELA  
Advocate, High Court,  
Peshawar

(11)

A  
"A"

DISTRICT HEADQUARTER HOSPITAL CHARSAZZA  
KHYBER PAKHTUNKHWA

No: 3306 /DHQ Hosp. Charsadda

Dated: 05/06/2018

To

Mst. Dil Ara  
Staff Nurse, Night Shift, Casualty Department  
DHQ Hospital Charsadda

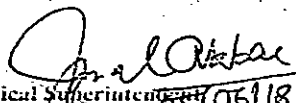
Sub: RELIEVE ON ADMINISTRATIVE GROUNDS

It has been reported by the night supervisor as well as night DMS that you are not performing your duty and categorically refused to perform your duty in casualty

Yesterday you came to the office of the undersign along with your husband and in presence of DMS morning shift, matron and night supervisor, you were consistently arguing and screaming against both, despite of the fact M\$ gave you the assurance that continue with your duty and you will be facilitated next month or you may ask any of your colleague to exchange duty for your convenience. After decision you all went to matron office and after about 10:15 minutes report and complaint received by both matron and supervisor that you quarrel with them, abuse them and beat them. Your this kind of harsh, irresponsible and aggressive attitude towards your seniors is absolutely not tolerable and highly objectionable. You are therefore strictly warned to refrain from such type of behavior and attitude.

Moreover it has been reported by the DMS night shift (Dr. Jibran) that you have invited and approached media people for a press conference against the hospital administration and government institute/hospital. You being government employee should know your limitations/restrictions and service rules that no government servant can directly approach media without prior permission of the competent authority.

You are therefore relieved from DHQ Hospital Charsadda on administrative grounds and directed to report to Director General Health Services KP office.

  
Medical Superintendent  
05/06/18  
DHQ Hospital Charsadda

Copy to:

1. Director General Health Services Khyber Pakhtunkhwa Peshawar
  2. Assistant Director (Nursing) DGHS Office Khyber Pakhtunkhwa Peshawar
  3. Additional DG Health (HRM) Services Khyber Pakhtunkhwa, Peshawar
  4. PS to Secretary Health Khyber Pakhtunkhwa, Peshawar
  5. Matron DHO Hospital Charsadda
  6. DAO Charsadda
  7. Accounts Section of this hospital to stop her pay forthwith.
- For information.

(12)

12

'Auss'  
'B'

8/6/18



عنوان: Departmental Appeal

جناب عالی!

گزارش ہے کہ میں دل آرایہم 2 جون 2008ء کو چار سداہ ہسپتال میں بطور چارج نرس بھرتی ہوئی اب تک مجھ سے کوئی Explanation طلب نہیں ہوا ہے کیونکہ میں اپنی ڈیوٹی نہایت ایمانداری سے سرانجام دیتی ہوں۔ جون 2018ء میں میری نائٹ ڈیوٹی Due تھی اس لئے میں نے ایک ہفتہ پہلے میٹرن جیلہ فرید اور ایم جمان اکبر صاحب سے درخواست کی کہ میرا دو سالہ بیٹا اور میں خود بھی بیمار ہوں اور نائٹ ڈیوٹی کرنے سے قاصر ہوں اسلئے میری نائٹ ڈیوٹی اگلے مہینے لگائی جائے جس پر میٹرن کو روہ نے مجھ سے رشوت طلب کی اور میری معذرت پر انتقاماً میری ڈیوٹی کچھلٹی میں لگائی۔

4 جون 2018ء کو میں اپنے شوہر کے ہمراہ ایم ایس کے دفتر گئی اور دوبارہ اس سے ڈیوٹی تبدیل کرنے کی درخواست کی اور بتایا کہ جنوری میں میرے سائٹ تھ ڈیوٹی کرنے والی چارج نرسوں کی ڈیوٹی آپ نے تبدیل کی ہے لہذا میری بھی تبدیل کجائے لیکن بے سود۔ ایم ایس کے دفتر سے باہر آنے کے بعد معمولی تکرار پر نائٹ سپروائزر مریم بی بی نے میٹرن کے کہنے پر مجھے گالیاں دیں اور تھپڑ مارے۔ یہ واقعہ صبح 9 بجے ایم ایس کے دفتر کے سامنے ہوا لیکن اس نے صورت حال جاننے کی زحمت گوارا نہ کی اور میرے کہنے کے باوجود بھی میٹرن اور نائٹ سپروائزر کے خلاف تادیبی کارروائی نہیں کی۔ انصاف کے حصول کیلئے مجھے مجبوراً میڈیا کا سہارا لینا پڑا لیکن ایم ایس صاحب نے میرے اس اقدام پر ناراضگی کا اظہار کرتے ہوئے انتقامی طور پر مجھے ہسپتال سے Relieve کیا۔

مہربانی فرما کر مجھے دوبارہ اپنی ڈیوٹی پر بحال کیا جائے

الرقوم: 8 جون 2018ء

العارض

آپ کی وفادار

دل آراء بیگم چارج نرس  
0333-9221612

This case is worth a disgraceful  
end for you. The open air  
dissemination in the part of  
Dr. Arif through a cheap  
needs to be investigated  
for obvious reasons.  
Dr. Hemullah Dr. Arif  
Mr. Hemullah  
to enquire & report  
back of this case.

(A) (B) (C) Am



**DIRECTORATE GENERAL HEALTH SERVICES  
KHYBER PAKHTUNKHWA PESHAWAR**

All communications Should be Addressed to The Director General  
Health Services Peshawar and not to any official by name  
Office Ph: 091 - 9210269 Exchange - 091 - 9210187, 091 - 9210196 Fax: 091 - 9210230

**OFFICE ORDER**

The following officers are hereby nominated as enquiry officer to conduct enquiry against Mrs. Dilhara Begum D/O Sardar Wali, Charge Nurse (BS-16) DHQ Hospital, Charsadda being unwilling worker and categorically refused to perform her duty in Casualty Department and submit report within 15 days positively.

01. Dr. Ikramullah, Director (Admn) DGHS KP Peshawar.
02. Mr. Faridullah Shah Deputy Director (Nursing) DGHS KP Peshawar.

Sd/-  
DIRECTOR GENERAL HEALTH  
SERVICES, KPK, PESHAWAR.

No. 2263-67 /E.II, Dated Pesh. The 8/6 /2018.

Copy forwarded to the:-

01. Medical Supdt. DHQ Hospital, Charsadda.
02. Director (Admn) DGHS Khyber Pakhtunkhwa Peshawar.
03. Deputy Director (Nursing) DGHS Khyber Pakhtunkhwa Peshawar.
04. Deputy Director (Account) DGHS Khyber Pakhtunkhwa Peshawar.
05. PA to DGHS Khyber Pakhtunkhwa Peshawar.

For information and necessary action.

ADDL. DIRECTOR GENERAL (HRM)  
DIRECTORATE GENERAL HEALTH  
SERVICES, KPK, PESHAWAR

08/6/18



~~14~~

14



To

The Director General Health Services,  
Khyber Pakhtunkhwa, Peshawar

Subject: RELEASE OF PAY (SALARY).

R/Sir,

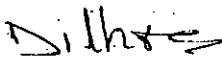
It is submitted that I have been relieved from duties on 5<sup>th</sup> June 2018. An enquiry was conducted against me on 12<sup>th</sup> June 2018, but it is still in balance, and I am waiting for resumption of any duties and released of pay. I have not received my pay for the last three months.

Therefore, I philanthropically request you to order for released of my pay and obliged.

Thanking you in anticipation.

Yours Faithfully,

Dated: 28.08.2018

  
Dilhara Begum D/O  
Sardar Wali

15

\*\*\*\*\*

091-5272031 (فون) 091-5272031 (فون)

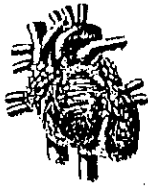
ABC REGISTERED

DAILY AUSAF PESHAWAR

شماره: 3 | منگل 20 رمضان المبارک 1439ھ 25 جون 2018ء 21 جون 2017ء بھارت 16 جیت 15 بجے | 329

جاری شدہ ہفت روزہ شفاف ترین دل آراء  
 کا تشریحی انگریزی کا مطالبہ

جاری شدہ ہفت روزہ (شفاف ترین دل آراء) کی ایک کپی ہسپتال جاہ  
 میں ہی ملنے لگی ہے۔ دل آراء ہفت روزہ نے فی جی کسٹرو مارکیٹ  
 سے ہن پر سمرٹن اور ڈائن سپرو انڈر کے قند کے  
 انگریزی کتب کے اضافے کے ساتھ ساتھ کامیاب کر کے ہوئے  
 ان تمام کتابوں کے کہ معجزانہ جیسے سے جس سے ہر ماہ  
 سپرو انڈر پر ہم کبھی کبھی صرف صرف قند اور شہین  
 ہفت روزہ کی کاپی ہسپتال پر ملنے لگی ہے۔



# PESHAWAR HEART CENTER

Behind Khyber Medical Center Dabgari Garden Peshawar.  
Mob:0306-5997878-0314-9697745

## Echocardiography Report

Name: Dil Aram      Echo No: 0123      Address: Charzadda  
 Date: 24.01.2018      Age: 40 Years      Referred By: Dr. Syed Sheraz Jamal

Measurements	Observed	Normal range (mm)	Parameter	Values
Aortic root dimension	28	20-40	EPSS	
Left Atrial dimension	41	19-40	PHI	
Left vent. End Diastolic dimension	45	36-56	A Velocity (cm/sec)	
Left vent. End Systolic dimension	30		E Velocity (cm/sec)	
LV Thickness	10	08-12	E/A Ratio	
IVC Thickness	10	08-11	RVP (mmHg)	3'
Right vent. Dimension	23	08-26	Dias.	
Fractional Shortening	32%	Ejection Fraction (Normal Range 50-70%)		60%
IVRT		DCT		
Regurgitation		Velocity (m/sec)	Valve Area (cm <sup>2</sup> )	Regurgitation
Mitral valve	Peak: 24.5 Mean: 12.1	1.45	1.32	+1
Aortic valve				+1
Tricuspid valve				Trace
Pulmonary valve				

### Comments:

- Mildly dilated LA.
- Normal size LV with preserved systolic function.
- No regional wall motion abnormality at rest.
- Thickened, doming and noncalcific mitral valve with mild MR.
- Other valves are normal in structure.
- MVA=1.45cm<sup>2</sup> on Doppler, 1.32cm<sup>2</sup> on 2D.
- No ASD, VSD or PDA seen.
- No clot or pericardial effusion seen.

### Conclusions:

- Preserved LV systolic function.
- Moderate MS with mild MR.
- Mild TR with pulmonary hypertension.

Consultant Cardiologist

Registered with H.C.C

Mr. ROOHULLAH  
Cardiac Technologist

*Handwritten signature*

*Handwritten signature and date: 08/06/2018*



Ann - "D" (17)

**DIRECTORATE GENERAL HEALTH SERVICES  
KHYBER PAKHTUNKHWA PESHAWAR**

All communications Should be Addressed to The Director General  
Health Services Peshawar and not to any official by name  
Office Ph (091 - 9210269 Exchange 7) 091 - 9210187, 091 - 9210196 Fax (091 - 9210230)

**OFFICE ORDER.**

In the light of recommendation of enquiry report, Mrs. Dilhara Begum D/O Sardar Wali, Charge Nurse BPS-16 DHQ Hospital, Charsadda is hereby transferred / posted to Category-C Hospital Shabqadar Charsadda against the vacant post on administrative grounds, in the interest of public service with immediate effect.

**NB:** - Arrival/ departure report should please be submitted to this Directorate for record.

**Sd/-**

**DIRECTOR GENERAL HEALTH  
SERVICES, KP PESHAWAR.**

No. 6244-47 /E.II, Dated Pesh. 26 / 12 /2018.  
Copy forwarded to the:-

01. DHQ Hospital, Charsadda.
02. Medical Supdt. DHQ Hospital, Charsadda.
03. DAO, Charsadda.
04. DA-concerned DGHS Office Peshawar.  
For information and necessary action.

**DEPUTY DIRECTOR (NURSING)  
DIRECTORATE GENERAL HEALTH  
SERVICES, K.P PESHAWAR**

26/12

Ann - "E"

18

بخدمت جناب ڈائریکٹر جنرل ہیلتھ سروسز خیبر پختونخوا ایشیا اور

عنوان: تبادلہ (Transfer)

جناب عالی!

گزارش ہے کہ ایم۔ ایس ڈی ایچ کیو ہسپتال چارسدہ نے بحوالہ آفس آرڈر نمبر

(3306/D.H.Q Hospital Charsadda) بتاریخ 5 جون 2018ء کو مجھے انتظامی بنیادوں

(Relieve on Administrative Grounds) پر ہسپتال سے فارغ کیا۔ میں نے

8 جون 2018ء کو حکمانہ درخواست (Departmental Appeal) کی۔ آپ صاحبان نے بحوالہ آفس آرڈر

No 2263-67/ E.II Dated Pesh the 8/6/2018 کو

(1) ڈاکٹر اکرام اللہ صاحب (ڈائریکٹر ایڈمن) ڈی جی ایچ ایس

(2) فرید شاہ صاحب (ڈپٹی ڈائریکٹر نرسنگ) ڈی جی ایچ ایس

کو انکوائری کے لئے مقرر کیا۔

12 جون 2018ء کو مذکورہ بالا افسران نے ڈی۔ ایچ۔ کیو ہسپتال چارسدہ میں انکوائری کی۔

مختلف اوقات میں جانکاری کرنے کے باوجود بھی میرے کیس پر کوئی پیش رفت نہیں ہوئی۔ حکمانہ درخواست اور انکوائری کے چار ماہ بعد میں نے قانونی طور پر سروس

ٹریبونل KPK میں اپنا کیس دائر کیا۔ معزز عدالت نے 14 اکتوبر 2018ء کو اپنے واضح ہدایت میں ایم ایس چارسدہ کے آفس آرڈر

(3306/D.H.Q Hospital Charsadda date 5 june 2018) کو غیر قانونی، غلط اور سرسری قرار دیا۔ اور میری پوسٹنگ اور تنخواہ کھولنے کی ہدایات

جاری کیں۔

معزز عدالت کے ہدایت نامہ کو میں نے ڈائری نمبر 31597 بتاریخ 23 اکتوبر 2018ء کو DGHS کے ڈائری سیکشن میں جمع کیا۔ لیکن معزز عدالت کے واضح آرڈر کو

ماننے اور سوتا ڈکرنے میں تاخیر کرے استعمال کیے گئے۔ اور 2 ماہ 22 دن بعد مجھے دوبارہ انتظامی بنیادوں (Administrative Grounds) پر آفس آرڈر نمبر

(6244-47 / E.II Dated pesh 26/12/2018) کو کیلگری سی ہسپتال شیڈولڈ ٹرانسفر کی گئی۔

چونکہ میں (Dignosed Cardic Patient) اور جسمانی طور پر کمزور ہوں اور ہسپتال تک پہنچنے کے لئے مجھے تین تین سواریاں تبدیل کرنے پڑتی ہے۔

لہذا آپ صاحبان سے آفس آرڈر (6244-47 / E.II Dated pesh 26/12/2018) کو منسوخ کرنے کی اور ڈی ایچ کیو ہسپتال چارسدہ میں باعزت طور پر

پوسٹنگ کی درخواست کرتی ہوں۔

المرقوم 24 جنوری 2019

العارض

آپ کی وفادار

Director

دل آرا نجیم چارج نرس

0333-9221612

دوسن اینڈ چلڈرن ہسپتال راج

چارسدہ



OFFICE OF THE  
DISTRICT HEALTH OFFICER  
CHARSADDA

19

No. 3128 / DHO

Am - "F"  
Dated Charsadda the 9/4/2019


To

The Director General  
Health Services, Khyber Pakhtunkhwa  
Peshawar.

Subject: - OFFICE ORDER

It is to inform you that Mrs. Dilhara Begum D/o Sardar Wali, charge nurse (BS-16) has been posted at Category C Hospital Shabqadar vide order No. 6244-47/E.II Dated 26/12/2018, how she reported for duty today on 9/04/2019 after laps of three and half months.

You are therefore requested to refresh the order and also make a copy to DHO Charsadda for further necessary action.

  
DISTRICT HEALTH OFFICER  
CHARSADDA

20

Ann-G

بخدمت جناب ڈائریکٹر جنرل ہیلتھ سروسز خیبر پختونخوا ایشاور

عنوان: تبادلہ (Transfer)

جناب عالی!

گزارش ہے کہ بار پھر میری تبادلہ تھوڑی سے ترمیم کے بعد انتظامی بنیادوں (Administrative Grounds) پر بحوالہ آفس آرڈر (No 6608 - 12 / E.II Dated pesh 24/4/2019) دوسن اینڈ چلڈرن ہسپتال رجز چارسدہ کی گئی۔ جو انصاف کے تقاضوں کے منافی ہے۔ کیونکہ خیبر پختونخواہ سروسز ٹریبونل کے معزز عدالت نے ایم ایس، ڈی ایچ کیو ہسپتال چارسدہ کے آفس آرڈر (3306/DHQ Hosital Charsadda dated 5/6/2018) کو غیر قانونی، غلط اور سرسری قرار دیا ہے۔ چونکہ گیارہ مہینوں سے میری تجواہ بند ہے۔ لہذا باامرجوری میں نے دوسن اینڈ چلڈرن ہسپتال رجز چارسدہ 25 اپریل 2019 کو جوائن کر لیا۔ لیکن آپ صاحبان سے ایک بار پھر میری التجا ہے کہ معزز عدالت کے حکم کو مد نظر رکھتے ہوئے مجھے باعزت طور پر ڈی ایچ کیو ہسپتال چارسدہ پوسٹ کیا جائے تاکہ انصاف کے تقاضے پورے ہو۔

الرقوم: 23 مئی 2019ء

العارض

آپ کی وفادار

*Diha*

دل آرا بیگم چارج نرس

0333-9221612

دوسن اینڈ چلڈرن ہسپتال رجز

چارسدہ

(25)  
Ann → "H"  
**BEFORE THE HONBLE KHYBER PAKHTUNKHWA**  
**SERVICES TRIBUNAL PESHAWAR**

Khyber Pakhtunkhwa  
Service Tribunal

In Re S.A 1217 /2018

Diary No. 1454

Dated 04-10-2018

Mst. Dilara staff nurse District Head Quarters office  
Charsadda.

-----*(Petitioner)*

**VERSUS**

1. Secretary Health Government of Khyber Pakhtunkhwa Civil Secretariat Peshawar.
2. Director General Health Services Khyber Pakhtunkhwa at Civil Secretariat Peshawar.
3. Medical Superintendent District Headquarters Hospital Charsadda.

-----*(Respondents)*

**SERVICE APPEAL U/S 4 OF THE KHYBER**  
**PAKHTUNKHWA SERVICE TRIBUNAL ACT**  
**1974 AGAINST THE IMPUGNED OFFICE**  
**ORDER NO. 3306/DHQ HOSPITAL**  
**CHARSADDA DATED 05/06/2018 WHEREBY**  
**THE APPELLANT HAS ILLEGALLY BEEN**  
**RELIVED/TRANSFERRED FROM DHQ**  
**HOSPITAL CHARSADDA ON**  
**ADMINISTRATIVE GROUNDS IN A**  
**CURSORY AND WHIMSICAL MANNER.**

Filed to-day

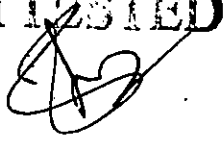
Registrar

4/10/18

**Respectfully Sheweth,**

1. That the Appellant is a naturally born bonafide citizen of the Islamic Republic of Pakistan & hails from respectable family.

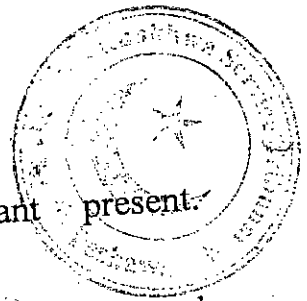
**ATTESTED**

  
EXAMINER  
Khyber Pakhtunkhwa  
Service Tribunal,  
Peshawar



19.10.2018

22



Learned counsel for the appellant present.  
Preliminary arguments heard.

Appellant (Staff Nurse) has filed the present appeal u/s of the Khyber Pakhtunkhwa Service Tribunal Act 1974 against the order dated 05.06.2018 whereby she was relieved from DHQ Hospital Charsadda on administrative grounds and was directed to report Director General Health Services Khyber Pakhtunkhwa Office. Learned counsel for the appellant while assailing the impugned order argued inter alia that the salary of the appellant has also been stopped.

Points raised need consideration. The present appeal is admitted for regular hearing subject to all just 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. To come up for written reply/comments on 05.12.2018 before S.B.

Till the next date fixed, ad-interim relief is granted to the effect that the Director General Health Services Khyber Pakhtunkhwa (respondent No.2) is directed to release the salary to the appellant from the date of her arrival/joining of her new posting in compliance of the order dated 05.06.2018.

Member

Certified to be true copy

Khyber Pakhtunkhwa  
Service Tribunal,  
Peshawar

Date of P.

Name of P.

Copy No.

Urgent

Tax

Name of

Date

Date

6-800  
28-  
  
22-10-18  
22-10-18

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**BEFORE THE HONBLE KHYBER PAKHTUNKHWA**  
**SERVICES TRIBUNAL PESHAWAR**

In Re S.A. 1217 /2018

Khyber Pakhtunkhwa  
Services Tribunal  
Diary No. 1454  
Dated 04-10-2018

Mst. Dilara staff nurse District Head Quarters office  
Charsadda.

-----(*Petitioner*)

**VERSUS**

1. Secretary Health Government of Khyber  
Pakhtunkhwa Civil Secretariat Peshawar.
2. Director General Health Services Khyber  
Pakhtunkhwa at Civil Secretariat Peshawar.
3. Medical Superintendent District Headquarters  
Hospital Charsadda.



-----(*Respondents*).

SERVICE APPEAL U/S 4 OF THE KHYBER  
PAKHTUNKHWA SERVICE TRIBUNAL ACT  
1974 AGAINST THE IMPUGNED OFFICE  
ORDER NO. 3306/DHQ HOSPITAL  
CHARSADDA DATED 05/06/2018 WHEREBY  
THE APPELLANT HAS ILLEGALLY BEEN  
RELIVED/TRANSFERRED FROM DHQ  
HOSPITAL CHARSADDA ON  
ADMINISTRATIVE GROUNDS IN A  
CURSORY AND WHIMSICAL MANNER.

File to-day  
4/10/18

**Respectfully Sheweth,**

1. That the Appellant is a naturally born  
bonafide citizen of the Islamic Republic  
of Pakistan & hails from respectable  
family.

Certified to be true copy

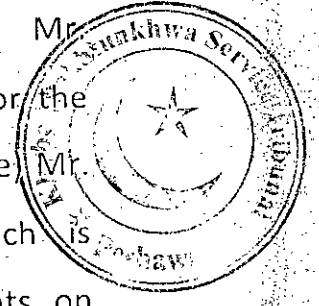
Khyber Pakhtunkhwa  
Service Tribunal,  
Peshawar

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Khyber Pakhtunkhwa  
Service Tribunal,  
Peshawar

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09.05.2019

Learned counsel for the appellant and Mr. Muhammad Jan learned Deputy District Attorney for the respondents present. The learned Member (Executive) Mr. Hussain Shah is on leave, therefore, the bench is incomplete. Adjourned. To come up for arguments on 13.06.2019 before D.B.



MA

(Muhammad Amin Khan Kundi)  
Member

13.06.2019

Appellant alongwith her counsel and Mr. Riaz Ahmad Paindakheil, Assistant AG for the respondents present. Learned counsel for the appellant furnished copy of order dated 26.12.2018 whereby the appellant has been transferred from DHQ Hospital Charsadda to Category-C Hospital Shabqadar Charsadda. He also furnished a copy of order dated 24.04.2019 whereby the appellant has been transferred from DHQ Hospital Charsadda to Women & Children Hospital Rajjar Charsadda. Copies of both the orders placed on record. Learned counsel for the appellant also stated that he want to challenge the aforesaid orders through amendment in service appeal. Learned Assistant AG expressed no objection. As such, to come up for amended service appeal on 10.07.2019 before D.B.

(Ahmad Hassan)  
Member

MA  
(M. Amin Khan Kundi)  
Member

Certified to be true copy  
Khyber Pakhtunkhwa  
Service Tribunal,  
Peshawar

Date of Presentation of Application 17-6-19  
Number of Vendors 800  
Copying Fee 6-00  
Urgent  
Total 6-00  
Name of Clerk  
Date of Completion of Copy 18-6-19  
Date of Delivery of Copy 18-6-19

25

## وکالت نامہ

بعدالت

سرورشی شریک پراپرٹیز

دلہارا نام حکومت وکیل

منجانب Appellate تاریخ ۱۵/۷/۲۰۱۸

### باعث تحریر آنکہ

مقدمہ مندرجہ بالا عنوان میں اپنی طرف سے واسطے پیروی و جوابدہی بمقام \_\_\_\_\_ کے لئے

## جاوید اقبال گل بیلہ ایڈوکیٹ ہائی کورٹ

کو بدین شرط وکیل مقرر کیا ہے کہ میں ہر پیشی پر خود یا بذریعہ مختیار خاص رو برو عدالت حاضر ہوتا رہوں گا۔ اور بوقت پکارے جانے مقدمہ وکیل صاحب موہم فی کو اطلاع دیکر حاضر عدالت کروں گا اگر پیشی پر من مظہر حاضر نہ ہو اور مقدمہ میری غیر حاضری کی وجہ سے کسی طور میرے برخلاف ہو گیا تو صاحب موصوف اس کے کسی طرح ذمہ دار نہیں ہوں گے۔ نیز وکیل صاحب موصوف صدر مقام پکھری کے کسی اور جگہ سماعت ہونے یا بروز تعطیل یا پکھری کے اوقات کے آگے پیچھے پیش ہونے پر من مظہر کو کوئی نقصان پہنچنے تو اس کے ذمہ دار یا اس کے واسطے کسی معاوضہ کے ادا کرنے یا اختیار نامہ واپس کرنے کے بھی صاحب موصوف ذمہ دار نہ ہوں گے۔ مجھ کو کل ساختہ پرواختہ صاحب موصوف مثل کردہ ذات خود منظور قبول ہوگا۔ اور صاحب موصوف کو عرضی دعویٰ و جواب دعویٰ اور درخواست اجراءے ڈگری و نظر ثانی اپیل و نگرانی ہر قسم کی درخواست پر دستخط و تصدیق کرنے کا بھی اختیار ہوگا۔ اور کسی حکم یا ڈگری کے اجراء کرنے اور ہر قسم کارروپیہ وصول کرنے اور رسید دینے اور داخل کرنے اور ہر قسم کے بیان دینے اور سپردداشتی و راضی نامہ کو فیصلہ برخلاف کرنے، اقبال دعویٰ دینے کا بھی اختیار ہوگا۔ اور بصورت اپیل و برآمدگی مقدمہ یا منسوخی ڈگری یکطرفہ درخواست حکم اتنہامی یا ترقی یا گرفتاری قبل از اجراء ڈگری بھی موصوف کو بشرط ادائیگی علیحدہ مختیار نامہ پیروی کا اختیار ہوگا۔ اور بصورت ضرورت صاحب موصوف کو بھی اختیار ہوگا یا مقدمہ مذکورہ یا اس کے کسی جزوی کارروئی کے واسطے یا بصورت اپیل، اپیل کے واسطے کسی دوسرے وکیل یا پیر مٹر کو بجائے اپنے یا اپنے ہمراہ مقرر کریں۔ اور ایسے مشیر قانون کو ہر امر میں وہی اور ویسے ہی اختیارات حاصل ہوں گے۔ جیسے کہ صاحب موصوف کو حاصل ہیں اور پہلے ادا نہ کروں گا۔ تو صاحب موصوف کو پورا اختیار ہوگا کہ مقدمہ کی پیروی نہ کریں اور ایسی صورت میں میرا کوئی مطالبہ کسی قسم کا صاحب موصوف کے برخلاف نہیں ہوگا۔ لہذا یہ مختیار نامہ لکھ دیا تاکہ سند رہے مورخہ \_\_\_\_\_ مضمون مختیار نامہ من لیا ہے اور اچھی طرح سمجھ لیا اور منظور ہے۔

ATTESTED & ACCEPTED

Dikana

سہ دلہارا

جاوید اقبال گل بیلہ ایڈوکیٹ ہائی کورٹ پشاور

Handwritten signatures and marks.

**BEFORE THE HONBLE KHYBER PAKHTUNKHWA  
SERVICES TRIBUNAL PESHAWAR**

In Re S.A 1217 /2018

Mst. Dilara

**VERSUS**

Secretary Health Government of Khyber Pakhtunkhwa  
Civil Secretariat Peshawar and Others

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4.	Application for release of salary		11-12
5.	Addresses of Parties.		13
6.	Copy of the impugned order dated 05/06/2018	"A"	14
7.	Copy of departmental appeal	"B"	15
8.	Copies of order dated 06/06/2018	"C"	16
9.	Other Documents		17-19
10.	Wakalatnama		20

Dated : 03/10/2018

Appellant *Dilara*

Through *J.I.*

**JAVED IQBAL GULBELA  
&  
SAGHIR IQBAL GULBELA  
Advocate, High Court,  
Peshawar.**

Off Add: 9-10A Al-Nimrah Centre, Govt College Chowk Peshawar

①

**BEFORE THE HONBLE KHYBER PAKHTUNKHWA  
SERVICES TRIBUNAL PESHAWAR**

Khyber Pakhtunkhwa  
Service Tribunal

In Re S.A 1217 /2018

Diary No. 1454

Dated 04-10-2018

Mst. Dilara staff nurse District Head Quarters office  
Charsadda.

-----(*Petitioner*)

**VERSUS**

1. Secretary Health Government of Khyber  
Pakhtunkhwa Civil Secretariat Peshawar.
2. Director General Health Services Khyber  
Pakhtunkhwa at Civil Secretariat Peshawar.
3. Medical Superintendent District Headquarters  
Hospital Charsadda.

-----(*Respondents*).

**SERVICE APPEAL U/S 4 OF THE KHYBER  
PAKHTUNKHWA SERVICE TRIBUNAL ACT  
1974 AGAINST THE IMPUGNED OFFICE  
ORDER NO. 3306/DHQ HOSPITAL  
CHARSADDA DATED 05/06/2018 WHEREBY  
THE APPELLANT HAS ILLEGALLY BEEN  
RELIVED/TRANSFERRED FROM DHQ  
HOSPITAL CHARSADDA ON  
ADMINISTRATIVE GROUNDS IN A  
CURSORY AND WHIMSICAL MANNER.**

filed to-day  
Registrar  
4/10/18

**Respectfully Sheweth,**

1. That the Appellant is a naturally born  
bonafide citizen of the Islamic Republic  
of Pakistan & hails from respectable  
family.

2. That appellant was inducted into service after going through the mandatory required tests and interview on 02/06/2008 as charged nurse.
3. That being a pragmatic, regular, punctual, dutiful and devoted fellow the appellant got her accelerated promotions because of her whetted skills and professionalism and is now serving as charge nurse and posted at District Headquarters Hospital Charsadda.
4. That abruptly the appellant was relieved from the DHQ Hospital Charsadda vide impugned office order NO. 3306/DHQ Hospital Charsadda dated 05/06/2018 by medical superintendant DHQ Hospital Charsadda, on administrative grounds without any reason, prior notice, show cause notice, inquiry or any sort of written complaint. (Copy of the impugned order dated 05/06/2018 is annexed as annexure "A")
5. That feeling aggrieved the appellant preferred departmental appeal, but

inspite of laps of statutory period nothing came up over the same. (Copy of departmental appeal is annexed as annexure "B")

6. That interestingly after relieving the appellant on administrative grounds, which relieving order amounts to punishment as being carried on administrative grounds, an alleged inquiry was ordered vide order dated 08/06/2018. (Copy of order dated 06/06/2018 is annexed as annexure "C")
7. That feeling highly aggrieved the appellant prefers the instant departmental appeal for setting aside the impugned office order dated 05/06/2018 upon the following grounds inter alia:-

Grounds:-

- A. That the petitioner is naturally born bona-fide citizen of the Islamic Republic of Pakistan and is fully and equally, on equality basis, entitled to all basic and fundamental rights as



enshrined in the fundamental law of the land.

B. That the impugned relieving order is Quorum non judice, vide illegal, unwarranted and is liable to be set aside.

C. That the appellant has been condemned unheard.

D. That the relieving order on administrative grounds is always considered and declared as punishment by superior courts of the land.

E. That keeping in view the above principle, no penalty can be imposed without conducting any proper inquiry, issuing show cause or final show cause notice, statement of allegations or opportunity of personal hearing and if any penal action is lacking any the aforementioned essential ingredients commencing from show cause notice, then the very penal action is void and

5

illegal and same is the case of appellant.

F. That neither any opportunity was ever extended to the appellant to defend her case against the alleged occurrence, nor any mandatory instruments in the form of any notice was ever issued to the appellant, but even then was made an escape goat.

G. That even the salary of appellant has been illegal stopped, which even amount to infringement of fundamental rights.

H. That from every angle the impugned relieving order is illegal, void and is liable to be concealed and set aside.

I. That any other ground not raised here may graciously be allowed to raised at the time of arguments.

*It is, therefore, most humbly prayed that on acceptance of the instant appeal, the impugned office order*


(6)

*No.3306/DHQ Hospital Charsadda dated 05/06/2018 by medical superintendant DHQ Hospital Charsadda be set aside and the petition may kindly be allowed to service as staff nurse as DHQ Hospital Charsadda.*

*Any other relief, not specifically asked for may also graciously be extended in favor of the appellant in the circumstances of the case.*

Dated : 03/10/2018

  
Appellant

Through 

JAVED IQBAL GULBELA  
& 

SAGHIR IQBAL GULBELA  
Advocate, High Court,  
Peshawar

**NOTE:-**

No such like appeal for the same appellant upon the same subject matter has earlier been filed by me before this Hon'ble Tribunal.

  
Advocate.

**BEFORE THE HONBLE KHYBER PAKHTUNKHWA  
SERVICES TRIBUNAL PESHAWAR**

In Re S.A \_\_\_\_\_/2018

Mst. Dilara

**VERSUS**

Secretary Health Government of Khyber Pakhtunkhwa  
Civil Secretariat Peshawar and Others

**AFFIDAVIT**

I, Mst. Dilara staff nurse District Head Quarters office Charsadda, do hereby solemnly affirm and declare that all the contents of the accompanied **appeal** is true and correct to the best of my knowledge and belief and nothing has been concealed or withheld from this Hon'ble Tribunal.

*[Handwritten Signature]*

Identified By:

**Javed Iqbal Gulbela**  
Advocate High Court  
Peshawar.

*[Handwritten Signature]*  
**DEPONENT**



(8)

**BEFORE THE HONBLE KHYBER PAKHTUNKHWA  
SERVICES TRIBUNAL PESHAWAR**

In Re S.A \_\_\_\_\_/2018

Mst. Dilara

**VERSUS**

Secretary Health Government of Khyber Pakhtunkhwa  
Civil Secretariat Peshawar and Others

**ADDRESSES OF PARTIES**

**APPELLANT.**

Mst. Dilara staff nurse District Head Quarters office  
Charsadda.

**RESPONDENTS:**

1. Secretary Health Government of Khyber Pakhtunkhwa Civil Secretariat Peshawar.
2. Director General Health Services Khyber Pakhtunkhwa at Civil Secretariat Peshawar.
3. Medical Superintendent District Headquarters Hospital Charsadda.

Dated : 03/10/2018

Appellant

Through

JAVED IQBAL GULBELA  
&  
SAGHIR IQBAL GULBELA  
Advocate, High Court,  
Peshawar.

**BEFORE THE HONBLE KHYBER PAKHTUNKHWA  
SERVICES TRIBUNAL PESHAWAR**

In Re C.M No# \_\_\_\_\_ / 2018

In Re S.A \_\_\_\_\_ /2018

Mst. Dilara

**VERSUS**

Secretary Health Government of Khyber Pakhtunkhwa  
Civil Secretariat Peshawar and Others

**APPLICATION FOR SUSPENSION OF  
IMPUGNED OFFICE ORDER  
NO.3306/DHQ HOSPITAL CHARSADE  
DATED 05/06/2018**

**RESPECTFULLY SHEWETH,**

1. That the petitioner is filing the accompanying appeal, the contents of which may graciously be considered as integral part and parcel of the instant petition.
2. That prima facie case exists in favour of the Petitioner.
3. That balance of convenience is also lies in favor of Petitioner and his quite sanguine of his success.

4. That if the instant application is not allowed the petitioner shall suffer irreparable loss.

It is, therefore, most humbly prayed that on acceptance of the instant petition impugned office order No.3306/DHQ Hospital Charsadda dated 05/06/2018 of the office of M/S DHQ Hospital Charsadda may kindly be suspended till the final disposal of the accompanying appeal.

Any other relief not specifically asked for may also graciously be extended in favour of the petitioner in the circumstances of the case.

Dated: 03/10/2018

*Dilwan*

Appellant

Through

*JQJ*

JAVED IQBAL GULBELA  
& *SAD*  
SAGHIR IQBAL GULBELA  
Advocate, High Court,  
Peshawar

11

**BEFORE THE HONBLE KHYBER PAKHTUNKHWA  
SERVICES TRIBUNAL PESHAWAR**

In Re S.A \_\_\_\_\_/2018

Mst. Dilara

**VERSUS**

Secretary Health Government of Khyber Pakhtunkhwa  
Civil Secretariat Peshawar and Others

**AFFIDAVIT**

I, Mst. Dilara staff nurse District Head Quarters office Charsadda, do hereby solemnly affirm and declare that the contents of the Instant **application** are true and correct to the best of my knowledge and belief and nothing has been concealed from this Hon'ble Tribunal.

*D. Dilara*  
**DEPONENT**

*Identified By:* *J. Gulbela*

**JAVED IQBAL GULBELA**  
Advocate High Court  
Peshawar





**BEFORE THE HONBLE KHYBER PAKHTUNKHWA  
SERVICES TRIBUNAL PESHAWAR**

In Re C.M No# \_\_\_\_\_ / 2018

In Re S.A. \_\_\_\_\_ /2018

Mst. Dilara

**VERSUS**

Secretary Health Government of Khyber Pakhtunkhwa  
Civil Secretariat Peshawar and Others

**APPLICATION FOR RELEASE OF  
SALARY OF PETITIONER**

**RESPECTFULLY SHEWETH,**

1. That the petitioner is filing the accompanying appeal, the contents of which may graciously be considered as integral part and parcel of the instant petition.
2. That prima facie case exists in favour of the Petitioner.
3. That balance of convenience is also lies in favor of Petitioner and his quite sanguine of his success.

(13)

4. That if the instant application is not allowed the petitioner shall suffer irreparable loss.

It is, therefore, most humbly prayed that on acceptance of the instant petition the salary of the Petitioner May kindly be released till the final disposal of the accompanying appeal.

Any other relief not specifically asked for may also graciously be extended in favour of the petitioner in the circumstances of the case.

Dated: 03/10/2018

*D. Memon*  
Appellant

Through *J. Iqbal*

*S. Iqbal*  
JAVED IQBAL GULBELA  
&  
SAGHIR IQBAL GULBELA  
Advocate, High Court,  
Peshawar

(19)

A  
"A"

DISTRICT HEADQUARTER HOSPITAL CHARSADDA  
KHYBER PAKHTUNKHWA

No: 3306 /DHQ Hosp. Charsadda

Dated: 05/06/2018

To

Mst. Dil Ara  
Staff Nurse, Night Shift, Casualty Department  
DHQ Hospital Charsadda

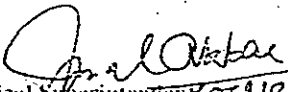
Subj: RELIEVE ON ADMINISTRATIVE GROUNDS

It has been reported by the night supervisor as well as night DMS that you are not performing your duty and categorically refused to perform your duty in casualty.

Yesterday you came to the office of the undersign along with your husband and in presence of DMS morning shift, matron and night supervisor, you were consistently arguing and screaming against both, despite of the fact MS gave you the assurance that continue with your duty and you will be facilitated next month or you may ask any of your colleague to exchange duty for your convenience. After decision you all went to matron office and after about 10:15 minutes report and complaint received by both matron and supervisor that you quarrel with them, abuse them and beat them. Your this kind of harsh, irresponsible and aggressive attitude towards your seniors is absolutely not tolerable and highly objectionable. You are therefore strictly warned to refrain from such type of behavior and attitude.

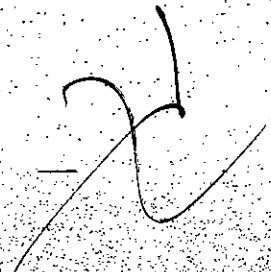
Moreover it has been reported by the DMS night shift (Dr. Jibran) that you have invited and approached media people for a press conference against the hospital administration and government institute/hospital. You being government employee should know your limitations/restrictions and service rules that no government servant can directly approach media without prior permission of the competent authority.

You are therefore relieved from DHQ Hospital Charsadda on administrative grounds and directed to report to Director General Health Services KP office.

  
Medical Superintendent  
DHQ Hospital Charsadda  
05/06/18

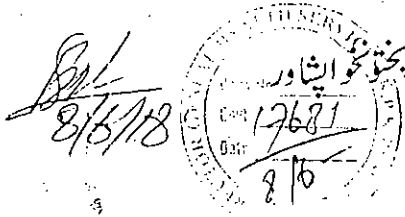
Copy to:

1. Director General Health Services Khyber Pakhtunkhwa Peshawar
  2. Assistant Director (Nursing) DGHS Office Khyber Pakhtunkhwa Peshawar
  3. Additional-DG Health (HRM) Services Khyber Pakhtunkhwa, Peshawar
  4. PS to Secretary Health Khyber Pakhtunkhwa, Peshawar
  5. Matron DHQ Hospital Charsadda
  6. DAO Charsadda
  7. Accounts Section of this hospital to stop her pay forthwith.
- For information.



(15)

'Auss'  
'B'



Departmental Appeal: عنوان

جناب عالی!

گزارش ہے کہ میں دل آرا ہیگم 2 جون 2008ء کو چار سیدہ ہسپتال میں بطور چارج نرس بھرتی ہوئی اب تک مجھ سے کوئی Explanation طلب نہیں ہوا ہے کیونکہ میں اپنی ڈیوٹی نہایت ایمانداری سے سرانجام دیتی ہوں۔ جون 2018ء میں میری نائٹ ڈیوٹی Due تھی اس لئے میں نے ایک ہفتہ پہلے میٹرن جمیلہ فرید اور ایم جمال اکبر صاحب سے درخواست کی کہ میرا دو سالہ بیٹا اور میں خود بھی بیمار ہوں اور نائٹ ڈیوٹی کرنے سے قاصر ہوں اسلئے میری نائٹ ڈیوٹی اگلے مہینے لگائی جائے جس پر میٹرن کو روہ نے مجھ سے رشوت طلب کی اور میری معذرت پر انتقاماً میری ڈیوٹی کچھ لائی میں لگائی۔

4 جون 2018ء کو میں اپنے شوہر کے ہمراہ ایم ایس کے دفتر گئی اور دوبارہ اس سے ڈیوٹی تبدیل کرنے کی درخواست کی اور بتایا کہ جنوری میں میرے سائٹ تھ ڈیوٹی کرنے والی چار نرسوں کی ڈیوٹی آپ نے تبدیل کی ہے لہذا میری بھی تبدیلی کی جائے لیکن بے سود۔ ایم ایس کے دفتر سے باہر آنے کے بعد معمولی ٹکراؤ پر نائٹ سپروائزر مریم بی بی نے میٹرن کے کہنے پر مجھے گالیاں دیں اور تھپڑ مارے۔ یہ واقعہ صبح 9 بجے ایم ایس کے دفتر کے سامنے ہوا لیکن اس نے صورتحال جاننے کی زحمت گوارا نہ کی اور میرے کہنے کے باوجود بھی میٹرن اور نائٹ سپروائزر کے خلاف تادیبی کارروائی نہیں کی۔ انصاف کے حصول کیلئے مجھے مجبوراً میڈیا کا سہارا لینا پڑا لیکن ایم ایس صاحب نے میرے اس اقدام پر ناراضگی کا اظہار کرتے ہوئے انتقامی طور پر مجھے ہسپتال سے Relieve کیا۔

مہربانی فرما کر مجھے دوبارہ اپنی ڈیوٹی پر بحال کیا جائے

الرقوم: 8 جون 2018ء

العارض

آپ کی وفادار

دل آرا ہیگم چارج نرس  
0333-9221612

This case is worth a disgraceful  
end for both. The open air  
dissemination in the part of  
Dr. Arif things of chump  
needs to be investigated  
for obvious reasons.  
1) Dr. Hemullah Dr. Arif  
2) Mr. Hemullah (as per  
to enquire & report  
and of Mrs. Arif

(16)

Amr  
"C"



**DIRECTORATE GENERAL HEALTH SERVICES  
KHYBER PAKHTUNKHWA PESHAWAR**

All communications Should be Addressed to The Director General  
Health Services Peshawar and not to any official by name  
Office Ph : 091 - 9210269 Exchange :- 091 - 9210187, 091 - 9210196 Fax : 091 - 9210230

**OFFICE ORDER**

The following officers are hereby nominated as enquiry officer to conduct enquiry against Mrs. Dilhara Begum D/O Sardar Wali, Charge Nurse (BS-16) DHQ Hospital, Charsadda being unwilling worker and categorically refused to perform her duty in Casualty Department and submit report within 15 days positively.

01. Dr. Ikramullah, Director (Admn) DGHS KP Peshawar.
02. Mr. Faridullah Shah Deputy Director (Nursing) DGHS. KP Peshawar.

Sd/-  
DIRECTOR GENERAL HEALTH  
SERVICES, KPK, PESHAWAR.

No. 2263-67 /E.II, Dated Pesh. The 8/6 /2018.

Copy forwarded to the:-

01. Medical Supdt. DHQ Hospital, Charsadda.
02. Director (Admn) DGHS Khyber Pakhtunkhwa Peshawar.
03. Deputy Director (Nursing) DGHS Khyber Pakhtunkhwa Peshawar.
04. Deputy Director (Account) DGHS Khyber Pakhtunkhwa Peshawar.
05. PA to DGHS Khyber Pakhtunkhwa Peshawar.

For information and necessary action.

ADDL. DIRECTOR GENERAL (HRM)  
DIRECTORATE GENERAL HEALTH  
SERVICES, KPK, PESHAWAR

08/6/18

17



To

The Director General Health Services,  
Khyber Pakhtunkhwa, Peshawar

Subject: RELEASE OF PAY (SALARY).

R/Sir,

It is submitted that I have been relieved from duties on 5<sup>th</sup> June 2018. An enquiry was conducted against me on 12<sup>th</sup> June 2018, but it is still in balance, and I am waiting for resumption of any duties and released of pay. I have not received my pay for the last three months.

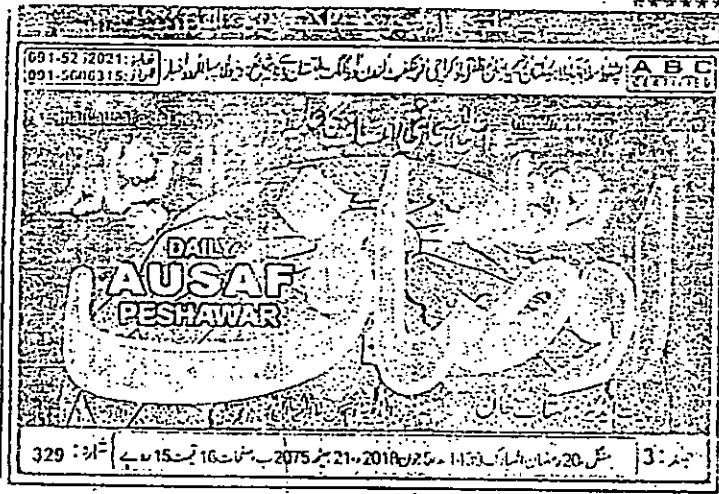
Therefore, I philanthropically request you to order for released of my pay and obliged.

Thanking you in anticipation.

Yours Faithfully,

Dilhara Begum D/O  
Sardar Wali

Dated: 28.08.2018



**چار سترہ ہفت روزہ افسانہ نرسوں اور آراء**  
**کاشتکاری اور انگریزی کا مطالعہ**

پروفیسر ڈاکٹر شکیل احمد پٹو، ڈی ایچ کیو کے ہسپتال میں  
 سینئر سٹاف نرسوں اور آراء کے لیے فزیکل انجینئرنگ اور  
 سٹریٹجی پر محنت اور توجہ سے کام لیتے ہوئے ان کے  
 انگریزی کے افسانہ نرسوں کو کامیاب کرتے ہوئے  
 ان کے کام کو نیا رنگ دینے کے لیے کام کرتے ہوئے  
 پروفیسر ڈاکٹر شکیل احمد پٹو، ڈی ایچ کیو کے ہسپتال میں  
 سینئر سٹاف نرسوں اور آراء کے لیے فزیکل انجینئرنگ اور

**STEL**



# PESHAWAR HEART CENTER

(19)

Behind Khyber Medical Center Dabgari Garden Peshawar.  
Mob: 0306-5997878-0314-9697745

## Echocardiography Report

Name: Dil Aram      Echo No: 0123      Address: Charzadda  
 Date: 24.01.2018      Age: 40 Years      Referred By: Dr. Syed Sheraz Jamal

Measurements	Observed	Normal range (mm)	Parameter	Values
Aortic root dimension	28	20 - 40	EPSS	
Left Atrial dimension	41	19 - 40	PHI	
Left ventricle End Diastolic dimension	45	36 - 56	A Velocity (cm/sec)	
Left ventricle End Systolic dimension	30		E Velocity (cm/sec)	
LV Thickness	10	08 - 12	E:A Ratio	
RV Thickness	10	08 - 11	RVP (mmHg)	5
Right ventricle dimension	23	08 - 26	D.A.S	3

Fractional Shortening: 32%      Ejection Fraction (Normal Range 50-70%): 60%  
 IVRT: DCT

Valves	Gradient (mmHg)	Velocity (m/sec)	Valve Area (cm <sup>2</sup> )	Regurgitation
	Peak	Mean	Doppler	
Aortic valve	24.5	12.1	1.45	+1
Mitral valve			1.32	+1
Tricuspid valve				Trace
Pulmonary valve				

### Comments:

- Mildly dilated LA.
- Normal size LV with preserved systolic function.
- No regional wall motion abnormality at rest.
- Thickened, doming and noncalcific mitral valve with mild MR.
- Other valves are normal in structure.
- MVA=1.45cm<sup>2</sup> on Doppler, 1.32cm<sup>2</sup> on 2D.
- No ASD, VSD or PDA seen.
- No clot or pericardial effusion seen.

### Conclusions:

- Preserved LV systolic function.
- Moderate MS with mild MR.
- Mild TR with pulmonary hypertension.

Consultant Cardiologist

Registered with H.C.C

Mr. ROOHULLAH  
Cardiac Technologist

*[Handwritten signature]*

*[Handwritten signature]* 08/06/2018



# وکالت نامہ

بعدالت: h.p.k. Jeyra Koush

نام: h.p.k. Jeyra Koush

مخائب: Appellant دعویٰ: S.A.

تاریخ: 4/10/2018

باعث تحریر آنکہ مقدمہ مندرجہ بالا عنوان اپنی طرف سے واسطے پیروی و جوہد ہی

بمقام ..... کیلئے جاوید اقبال گل بیلہ ایکو کیٹ ہائی کورٹ کو بدلے میں شرط و کلا

مقرر کیا ہے۔ کہ میں ہر پیشی کا خود یا بزرگیہ مختار خاص رو برو عدالت حاضر ہوتا رہوں گا۔ اور بوقت پکارے جانے مقدمہ وکیل

صاحب موصوف کو اطلاع دے کر حاضر عدالت کرونگا، اگر پیشی پر من مظہر حاضر نہ ہو اور مقدمہ میری غیر حاضری کی وجہ سے

کسی طور پر میرے برخلاف ہو گیا تو صاحب موصوف اس کے کسی طرح ذمہ دار نہ ہونگے۔ نیز وکیل صاحب موصوف صدر

مقام چکھری کی کسی اور جگہ یا چکھری کے مقررہ اوقات سے پہلے یا پیچھے یا بروز تعطیل پیروی کرنے کے ذمہ دار نہ ہونگے۔ اگر

مقدمہ علاوہ صدر مقام چکھری کے کسی اور جگہ سماعت ہونے یا بروز تعطیل یا چکھری کے اوقات کے آگے پیچھے پیش ہونے پر

من مظہر کو کوئی نقصان پہنچے تو اس کے ذمہ دار یا اس کے واسطے کسی معاوضہ کے ادا کرنے یا مختار نہ واپس کرنے کے بھی

صاحب موصوف ذمہ دار نہ ہونگے۔ مجھے کوکل ساختہ پر داختہ صاحب موصوف مثل کردہ ذات خود منظور و قبول ہوگا۔ اور

صاحب موصوف کو عرضی دعویٰ و جواب دعویٰ اور درخواست اجراء ڈگری و نظر ثانی اپیل و نگرانی ہر قسم کی درخواست پر دستخط و

تصدیق کرنے کا بھی اختیار ہوگا اور کسی حکم یا ڈگری کے اجراء کرنے اور ہر قسم کے روپیہ وصول کرنے اور رسید دینے اور داخل

کرنے اور ہر قسم کے بیان دینے اور سپروائش و راضی نامہ فیصلہ برخلاف کرنے اقبال دعویٰ دینے کا بھی اختیار ہوگا۔ اور

بصورت اپیل و برآمدگی مقدمہ یا منسوخی ڈگری یکطرفہ درخواست حکم امتناعی یا ترقی یا گرفتاری قبل از اجراء ڈگری بھی موصوف

کو بشرط ادائیگی علیحدہ مختار نہ پیروی کا اختیار ہوگا۔ اور بصورت ضرورت صاحب موصوف کو بھی اختیار ہوگا یا مقدمہ مذکورہ یا

اس کے کسی جزوی کارروائی کے واسطے یا بصورت اپیل، اپیل کے واسطے دوسرے وکیل یا بیرسٹر کو بجائے اپنے یا اپنے ہمراہ

مقرر کریں اور ایسے مشیر قانون کے ہر امر وہی اور ویسے ہی اختیارات حاصل ہونگے جیسے کے صاحب موصوف کو حاصل

ہیں۔ اور دوران مقدمہ میں جو کچھ ہر جانہ التواء پڑے گا۔ اور صاحب موصوف کا حق ہوگا۔ اگر وکیل صاحب موصوف کو

پوری فیس تاریخ پیشی سے پہلے ادا نہ کرونگا تو صاحب موصوف کو پورا اختیار ہوگا کہ مقدمہ کی پیروی نہ کریں اور ایسی صورت

میں میرا کوئی مطالبہ کسی قسم کا صاحب موصوف کے برخلاف نہیں ہوگا۔ لہذا مختار نامہ لکھ دیا ہے۔

مورخہ: ..... مضمون مختار نامہ سن لیا ہے اور اچھی طرح سمجھ لیا ہے اور منظور ہے۔

Advt  
4/10/2018

Advt  
4/10/2018

Advt  
4/10/2018

KHYBER PAKHTUNKWA SERVICE TRIBUNAL, PESHAWAR

No. 2210 /ST

Dated 12/11/2018

To

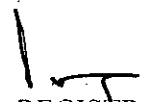
The Director General Health Services,  
Government of Khyber Pakhtunkhwa,  
Peshawar.

Subject: -

ORDER IN APPEAL NO. 1217/2018, MST. DIL ARA.

I am directed to forward herewith a certified copy of Order dated 19.10.2018 passed by this Tribunal on the above subject for strict compliance.

Encl: As above

  
REGISTRAR  
KHYBER PAKHTUNKHWA  
SERVICE TRIBUNAL  
PESHAWAR.



**DIRECTORATE GENERAL HEALTH SERVICES  
KHYBER PAKHTUNKHWA PESHAWAR**

All communications Should be Addressed to The Director General  
Health Services Peshawar and not to any official by name  
Office Ph (091 - 9210269 Exchange ☎ 091 - 9210187, 091 - 9210196 Fax ☎ 091 - 9210230

**OFFICE ORDER.**

In the light of recommendation of enquiry report, Mrs. Dilhara Begum D/O Sardar Wali, Charge Nurse BPS-16 DHQ Hospital, Charsadda is hereby transferred / posted to Category-C Hospital Shabqadar Charsadda against the vacant post on administrative grounds, in the interest of public service with immediate effect.


**NB:** - Arrival/ departure report should please be submitted to this Directorate for record.

**Sd/-**

**DIRECTOR GENERAL HEALTH  
SERVICES, KP PESHAWAR.**

No. 62441-47 /E.II, Dated Pesh. 26 / 12 /2018.  
Copy forwarded to the:-

01. DHQ Hospital, Charsadda.
02. Medical Supdt. DHQ Hospital, Charsadda.
03. DAO, Charsadda.
04. DA-concerned DGHS Office Peshawar.  
For information and necessary action.

  
**DEPUTY DIRECTOR (NURSING)  
DIRECTORATE GENERAL HEALTH  
SERVICES, K.P PESHAWAR**

26/12

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

**SERVICE APPEAL NO. 1217 OF 2018**

Dilara.....Appellant

Versus

Govt. of Khyber Pakhtunkhwa and others.....Respondents

**PARAWISE COMMENTS ON BEHALF OF RESPONDENTS**

**Respectfully Sheweth,**

**Preliminary Objections:-**

1. That the Appellant has got neither cause of action nor locus standi to file the instant Appeal.
2. That the Appellant has filed the instant appeal just to pressurize the respondents.
3. That the instant Appeal is against the prevailing Law and Rules.
4. That the Appeal is not maintainable in the present form and also in the present circumstances of the issue.
5. That the Appellant has filed the instant appeal with mala-fide intention hence liable to be dismissed.
6. That the Appellant has not come to the Tribunal with clean hands.
7. That the Appeal is time barred.
8. That the Honorable Tribunal has no Jurisdiction to adjudicate upon the matter.

**ON FACTS:**

1. Para-01 pertain to record, needs no comments.
2. Para-02 pertain to record, needs no comments.
3. Para-03 is correct to the extent that the Appellant was serving as Charge Nurse and was posted at DHQ Hospital, Charsadda, remaining para is subject to proof on behalf of the Appellant.
4. In reply to Para-04, it is submitted that the Appellant was not abruptly transferred, rather the Medical Superintendent DHQ Hospital, Charsadda, was a Competent Authority to relieve the Appellant on Administrative Ground for further posting. Furthermore, the relieving order clearly manifests the misconduct, willful negligence and non willingness of the Appellant in proper performance in her duty for a constant period of time, the gross misconduct on the part of the Appellant is also quite evident from

the fact that despite being a Civil Servant, she invited media personnels for highlighting & propagating a departmental administrative affair before general public as pressurizing and black mailing tactics for her own vested interest & wrongful gain in the given circumstances.

Therefore she was relieved from DHQ Hospital, Charsadda vide letter No. 3306/DHQ, dated 05/06/2018 (Annex-A) on valid reasons and fully justifiable in all respects and in the best interest of the department & Public at large.

5. Para-5 is misleading and as admittedly a proper enquiry was conducted vide order dated 08.06.2018 of the Respondent No. 2 i.e. Director General Health Services & her application was found baseless (Annex-B).
6. Para-6 is wrong & misleading, hence denied. The detailed reply has already been furnished in the preceding para.
7. Para-7 is denied, as the Appellant is not an aggrieved person on the strength of the impugned Office Order dated 05.06.2018 to knock at the door of this Honorable Tribunal through the instant appeal.

#### ON GROUNDS.

- A. Ground-A is legal, need no comments.
- B. Para-B is wrong, incorrect & misleading. The impugned order has been validly issued by the Competent Authority and fully in accordance with facts and law on the subject.
- C. Para-C is incorrect. The Appellant has been counseled on many occasions to be efficient in performance of her official duty and to keep proper liaison with her senior in discharging of her duties, but no heed was paid upon it.
- D. Para-D is incorrect, as a relieving order based on just cause & reasons is always considered as effective tool in the proper functions and administration of a department, as the situation required in the instant case.
- E. Para-E is wrong, as it is an admitted fact that the Appellant was not only disinclined towards performance of her duty, disrespectful to his seniors, but also bent upon maligning and degrading the whole department by taking the self created matter to the media against all norms of rules &

procedure, therefore the relieving order was made as a last resort, which in the given circumstances could not be termed as punishment or penalty in the original sense of the word, in suing conducting proper inquiry, issuing show cause or final Show Cause notice, statement of allegation, especially when if the Appellant was personally heard on many occasion and advised to obey the rules & procedure in performance of her sacred duty. Moreover, the Appellant being a Civil Servant under the Civil Servant Act 1973 & as per Section 10 of the Act ibid "A Civil Servant is bound to serve any where, as per needs and interest of the department.

F. Para-F is wrong, incorrect & misleading. Detailed reply has already been furnished is preceding para.

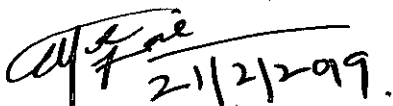
G. Para-G is misleading & incorrect. As the Appellant was supposed to withdraw her salary from the place of her new posting according to rules and procedure.

H. Para-H is wrong, incorrect, misleading, hence denied. The detailed reply has already been furnished in the preceding paras.

I. Para-I is legal, need no comments.

**PRAYER:**

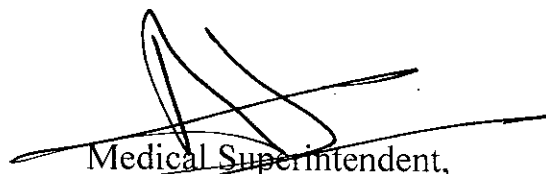
It is therefore most humbly prayed that on acceptance of comments, the instant Appeal may very graciously be dismissed with cost.

  
21/2/2019.

Secretary, Health Department,  
Khyber Pakhtunkhwa, Peshawar.  
**Respondent No. 01**



Director General Health Services,  
Khyber Pakhtunkhwa, Peshawar.  
**Respondent No. 02**



Medical Superintendent,  
DHQ Hospital, Charsadda.  
**Respondent No. 03**

*MS*  
*51*  
 Additional DG Health (HRM)

DISTRICT HEADQUARTER HOSPITAL CHARSAZZA  
 KHYBER PAKHTUNKHWA

No: 3306 /DHQ Hosp. Charsadda

Dated: 05/06/2018

To  
 Mst Dll Ara  
 Staff Nurse, Night Shift, Casualty Department  
 DHQ Hospital Charsadda

Sub: RELIEVE ON ADMINISTRATIVE GROUNDS

It has been reported by the night supervisor as well as night DMS that you are not performing your duty and categorically refused to perform your duty in casualty.

Yesterday you came to the office of the undersign along with your husband and in presence of DMS morning shift, matron and night supervisor, you were consistently arguing and screaming against both, despite of the fact MS gave you the assurance that continue with your duty and you will be facilitated next month or you may ask any of your colleague to exchange duty for your convenience. After decision you all went to matron office and after about 10:15 minutes report and complaint received by both matron and supervisor that you quarrel with them, abuse them and beat them. Your this kind of harsh, irresponsible and aggressive attitude towards your seniors is absolutely not tolerable and highly objectionable. You are therefore strictly warned to refrain from such type of behavior and attitude.

Moreover it has been reported by the DMS night shift (Dr. Jibran) that you have invited and approached media people for a press conference against the hospital administration and government institute/hospital. You being government employee should know your limitations/restrictions and service rules that no government servant can directly approach media without prior permission of the competent authority.

You are therefore relieved from DHQ Hospital Charsadda on administrative grounds and directed to report to Director General Health Services KP office.

*Amal Akbar*  
 Medical Superintendent  
 DHQ Hospital Charsadda

Copy to:

1. Director General Health Services Khyber Pakhtunkhwa Peshawar
  2. Assistant Director (Nursing) DGHS Office Khyber Pakhtunkhwa Peshawar
  3. Additional DG Health (HRM) Services Khyber Pakhtunkhwa, Peshawar
  4. PS to Secretary Health Khyber Pakhtunkhwa, Peshawar
  5. Matron DHQ Hospital Charsadda
  6. DAO Charsadda
  7. Accounts Section of this hospital to stop her pay forthwith.
- For information.

61



**DIRECTORATE GENERAL HEALTH SERVICES  
KHYBER PAKHTUNKHWA PESHAWAR**

All communications should be addressed to The Director General Health Services Peshawar and not to any official by name  
Office Ph ( 091 - 9210269 Exchange - 091 - 9210187, 091 - 9210190 Fax ( 091 - 9210230

**OFFICE ORDER**

The following officers are hereby nominated as enquiry officer to conduct enquiry against Mrs. Dilhara Begum D/O Sardar Wali, Charge Nurse (BS-16) DHQ Hospital, Charsadda being unwilling worker and categorically refused to perform her duty in Casualty Department and submit report within 15 days positively.

- 01. Dr. Ikramullah, Director (Admn) DGHS KP Peshawar.
- 02. Mr. Faridullah Shah Deputy Director (Nursing) DGHS KP Peshawar.

Sd/-  
DIRECTOR GENERAL HEALTH SERVICES, KPK, PESHAWAR.

No. 2263-67 /E.II, Dated Pesh. The 8/6 /2018.

Copy forwarded to the:-

- 01. Medical Supdt. DHQ Hospital, Charsadda.
- 02. Director (Admn) DGHS Khyber Pakhtunkhwa Peshawar.
- 03. Deputy Director (Nursing) DGHS Khyber Pakhtunkhwa Peshawar.
- 04. Deputy Director (Account) DGHS Khyber Pakhtunkhwa Peshawar.
- 05. PA to DGHS Khyber Pakhtunkhwa Peshawar.

For information and necessary action.

2  
ADDL. DIRECTOR GENERAL (HRM)  
DIRECTORATE GENERAL HEALTH SERVICES, KPK, PESHAWAR

08/06/18



17/5/19

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

12171 18  
In S.A# 553/2017

Mst. Dilara

Versus

Secretary Health, Government of Khyber Pakhtunkhwa,  
Civil Secretariat, Peshawar & Others

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Dated: 15/04/2019

*Dilara*  
Appellant

Through

*Javed Iqbal Gulbela*  
**JAVED IQBAL GULBELA,**  
Advocate High Court  
Peshawar

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

In S.A# 1217/2018

Mst. Dilara staff nurse District Head Quarters Office  
Charsadda. .... Petitioner

Versus

Secretary Health, Government of Khyber Pakhtunkhwa,  
Civil Secretariat, Peshawar & Others

..... Respondents

**REJOINDER ON BEHALF OF  
APPELLANT TO THE  
COMMENTS FILED BY THE  
RESPONDENTS**

**Respectfully Sheweth,**

**Reply to Preliminary objection:-**

1. Para No. 1 of the Preliminary objections is misleading, wrong, incorrect and sternly denied. The petitioner has a strong locus standi and prima facie case, besides having solid cause of action.
2. Para No. 2 of the Preliminary objections is incorrect, wrong, misleading and is therefore denied.

3. Para No. 3 of the Preliminary objections is misleading, incorrect and is therefore denied. Moreover the appeal of the appellant is according to law and rules.
4. Para No. 4 of the Preliminary objections is misleading, incorrect, hence denied.
5. Para No. 5 of the Preliminary objections is incorrect, misleading and hypocritic, hence denied.
6. Para No. 6 of the Preliminary objections is incorrect, hence denied.
7. Para No. 7 of the Preliminary objections is incorrect, hence denied. Moreover, the appellant filed the appeal in time, according to law.
8. Para No. 8 of the Preliminary objection is incorrect and misleading, hence denied. Moreover, this Hon'ble Tribunal has ample jurisdiction to entertain the instant appeal according to law.

**On Facts:-**

1. Para No. 1 of the comments is incorrect, concocted, fabricated, baseless, wrong and hypocritic, hence denied, while that of the main appeal is true and correct.

2. Para No. 2 of the comments is incorrect, wrong, baseless, concocted, fabricated and hypocritic, hence denied, while that of the main appeal is true and correct.
3. Para No. 3 of the comments is incorrect, wrong, baseless, misleading and hypocritic, hence denied, while that of the main appeal is true and correct and a detail true picture is given in the preceding Para of the main appeal.
4. Para No. 4 of the comments is incorrect, concocted, fabricated, misleading, malicious, baseless and hypocritic, hence denied while that of the main appeal is true and correct and the detail of true picture is given in the main appeal.
5. Para No.5 of the comments is incorrect, concocted, fabricated, misleading, hence denied, while that of the main appeal is true and correct.
6. Para No. 6 of the comments is incorrect, concocted, fabricated, baseless, misleading, malicious and hypocritic,

hence denied, while that of the main appeal is true and correct.

7. Para No. 7 of the comments is incorrect, concocted, fabricated, misleading, hence denied, while that of the main appeal is true and correct.

**On Grounds:-**

A. No comments.

B. Incorrect, baseless and denied.

C. Incorrect, baseless, concocted, fabricated and denied.

D. Incorrect, baseless, concocted, fabricated and denied.

E. Incorrect and denied. Moreover the Respondents are making a probate and reprobate and in preliminary objections; moreover the true picture in detailed in main appeal.

F. Incorrect and malicious, hence denied. True picture in detailed in main appeal.

G. Incorrect and malicious, hence denied.

True picture in detailed in main appeal.

H. Incorrect and denied.

I. Incorrect and denied.

It is, therefore, most humbly prayed that appeal of the appellant be allowed on prayed for therein, in favour of the appellant.

  
Appellant

Through

  
**Javed Iqbal Gulbela**

Advocate, High Court  
Peshawar.

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

In S.A# 553/2017

Mst. Dilara

Versus

Secretary Health, Government of Khyber Pakhtunkhwa,  
Civil Secretariat, Peshawar & Others

**AFFIDAVIT**

I, Mst. Dilara staff nurse District Head Quarters Office Charsadda, do hereby solemnly affirm and declare on oath that contents of the Rejoinder are true and correct to the best of my knowledge and belief and nothing has been concealed from this Hon'ble court.

*Dilara*  
DEPONENT





OFFICE OF THE  
DISTRICT HEALTH OFFICER  
CHARSADDA

No. 3128/DHO

Dated Charsadda the 9/4/2019


To

The Director General  
Health Services, Khyber Pakhtunkhwa  
Peshawar.

Subject: - OFFICE ORDER

It is to inform you that Mrs. Dilhara Begum D/o Sardar Wali, charge nurse (BS-16) has been posted at Category C Hospital Shabqadar vide order No. 6244-47/E.II Dated 26/12/2018, how she reported for duty today on 9/04/2019 after laps of three and half months.

You are therefore requested to refresh the order and also make a copy to DHO Charsadda for further necessary action.

  
DISTRICT HEALTH OFFICER  
CHARSADDA



**TO BE SUBSTITUTED FOR THE SAME NUMBER AND DATE.**



**DIRECTORATE GENERAL HEALTH SERVICES  
KHYBER PAKHTUNKHWA PESHAWAR**

All communications should be addressed to The Director General  
Health Services Peshawar and not to any official by name.  
Office Ph : 091 - 9210269 Exchange No. 091 - 9210167, 091 - 9210196 Fax : 091 - 9210230

**OFFICE ORDER.**

In the light of recommendation of enquiry report, Mrs. Dilhara Begum D/O Sardar Wali, Charge Nurse BPS-16 DHQ Hospital, Charsadda is hereby transferred / posted to Category-C Hospital Shabqadar Charsadda against the vacant post on administrative grounds, in the interest of public service with immediate effect.

**NB:** - Arrival/ departure report should please be submitted to this Directorate for record.

**Sd/-**

**DIRECTOR GENERAL HEALTH  
SERVICES, KP PESHAWAR.**

No. **6244-47** /E.II, Dated Pesh. **26** / **12** /**2018**.  
Copy forwarded to:-

01. District Health Officer, Charsadda.
02. Medical Supdt. DHQ Hospital, Charsadda.
03. DAO, Charsadda.
04. DA-concerned DGHS Office Peshawar.  
For information and necessary action.

**DEPUTY DIRECTOR (NURSING)  
DIRECTORATE GENERAL HEALTH  
SERVICES, K.P PESHAWAR**

*han*

**IN THE HON'BLE SERVICE TRIBUNAL KHYBER**  
**PAKHTUNKHWA PESHAWAR**

CM No. \_\_\_\_\_/2019

In S.A # 1217/2018

Mst Dil Ara

**Versus**

Secretary Health Government of Khyber  
Pakhtunkhwa & Other

**INDEX**

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put up to the court with  
relevant appeal.

Reader

7/8/19.

*Dilw*  
Applicant

Through

*Javed Iqbal Gulbela*

&

*Saghir Iqbal Gulbela*

Advocates, High Court  
Peshawar.

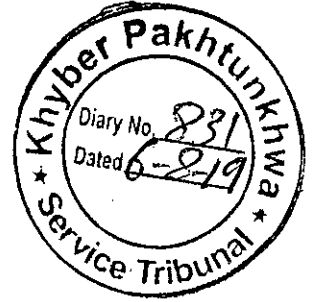
Dated: 27/07/2019

①

**IN THE HON'BLE SERVICE TRIBUNAL KHYBER  
PAKHTUNKHWA PESHAWAR**

CM No. \_\_\_\_\_/2019

In S.A # 1217/2018



Mst Dil Ara

**Versus**

Secretary Health Government of Khyber  
Pakhtunkhwa & Other

**APPLICATION FOR PLACING ON FILE  
NECESSARY AND IMPORTANT DOCUMENTS  
FOR JUST DECISION OF THE CASE, IN THE  
ABOVE NOTED CASE ON BAHALF OF  
APPELLANT**

**Respectfully Sheweth,**

1. That the above noted case is pending adjudication before this Hon'ble Court, which was fixed for hearing on 26/07/2019 and next date of hearing ~~has~~ been fixed for 18-9-19
2. That the Petitioner had been wants to place on file office documents/ order NO.6608-

②

12/E.II dated 24/04/2019. (Copies are annexed as annexure "A").

3. That for the ends of justice the above mentioned document must be placed on file and be read as part and parcel of the original case.
4. That there is no legal bar to place on files the above mentioned document.

*It is, therefore, most humbly prayed that on acceptance of this application the above mentioned document may very kindly be placed on file.*

  
Applicant

Through   
*Javed Iqbal Gulbela*

&   
*Saghir Iqbal Gulbela*

Advocates, High Court  
Peshawar.

Dated: 27/07/2019

**IN THE HON'BLE SERVICE TRIBUNAL KHYBER**  
**PAKHTUNKHWA PESHAWAR**

CM No. \_\_\_\_\_/2019

In S.A # 1217/2018

Mst Dil Ara

**Versus**

Secretary Health Government of Khyber  
Pakhtunkhwa & Other

**AFFIDAVIT**

I, Mst Dil Ara, Staff nurse, District Head Quarters office Charsadda, appellant in main appeal, do hereby solemnly affirm and declare on oath that all the contents of the **accompanied petition** are true and correct to the best of my knowledge and belief and nothing has been concealed or withheld from this Hon'ble Court.

*Dil Ara*  
**DEPONENT**

**CNIC: 17101-7544548-4**

Identified by:

*Javed Iqbal Gulbela*  
**JAVED IQBAL GULBELA**  
Advocate High Court  
Peshawar.



(u)



**DIRECTORATE GENERAL HEALTH SERVICES  
KHYBER PAKHTUNKHWA PESHAWAR**

All communications Should be Addressed to The Director General  
Health Services Peshawar and not to any official by name  
Office Ph # 091 - 9210269 Exchange # 091 - 9210187, 091 - 9210196 Fax # 091 - 9210230

**OFFICE ORDER.**

In partial modification of this Directorate office order bearing Endst: No. 6244-47/E.II, dated 26.12.2018. In the light of recommendation of enquiry report, Mrs. Dilhara Begum D/O Sardar Wali, Charge Nurse BPS-16 DHQ Hospital, Charsadda is hereby transferred / posted to Women & Children Hospital Rajjar Charsadda against the vacant post on administrative grounds, in the interest of public service with immediate effect.

**NB:** - Arrival/ departure report should please be submitted to this Directorate for record.

**Sd/-**  
DIRECTOR GENERAL HEALTH  
SERVICES, KP PESHAWAR.

No. 6608-12 /E.II, Dated Pesh. 24 / 4 /2019.  
Copy forwarded to the:-

01. District Health Officer, Charsadda.
  02. Medical Supdt. DHQ Hospital, Charsadda.
  03. Medical Supdt. Women & Children Hospital Rajjar Charsadda.
  04. DAO, Charsadda.
  05. DA-concerned DGHS Office Peshawar.
- For information and necessary action.

**DEPUTY DIRECTOR (NURSING)**  
DIRECTORATE GENERAL HEALTH  
SERVICES, K.P PESHAWAR

24/4