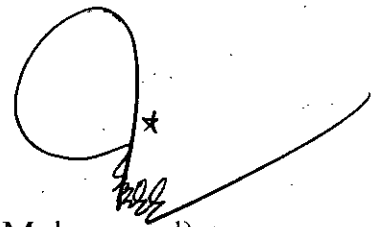


25.03.2021 Counsel for the petitioner present. Mr. Muhammad Rashid, DDA alongwith Dr. Fakhar Zaman, MS, Tank for respondents present.

Representative of the respondents made a commitment that complete and conclusive implementation report will be produced on the next date of hearing.

Adjourned to 21.06.2021 before S.B at camp court D.I.Khan.



(Mian Muhammad)
Member(E)
Camp Court D.I.Khan

21.6.21

Due to COVID 19, the case is adjourned to 25.10.21 for issue



25.10.2021 Counsel for the appellant present.

Mr. Asif Masood Ali Shah, Deputy District Attorney alongwith Dr. Fakhar Zaman, Litigation Officer for respondents present.

Implementation report not submitted. Representative of the respondents requested for time for submission of implementation report. Adjourned. To come up for implementation report on 14.12.2021 before S.B at Camp Court, D.I. Khan.



(ATIQU-UR-REHMAN WAZIR)
MEMBER (EXECUTIVE)
CAMP COUR D.I KHAN

14.12.2021

Counsel for the petitioner and Mr. Muhammad Adeel Butt, learned Additional Advocate General alongwith Mr. Mishqatullah, DMS for the respondents present.

Learned AAG seeks short adjournment in order to contact DHO concerned to apprise the Tribunal about the steps taken towards implementation of the judgment under execution. Request is accorded. Case to come up on 15.12.2021 before S.B at Camp Court, D.I.Khan.


Chairman.

Camp Court, D.I.Khan

15.12.2021

Counsel for the petitioner and Mr. Muhamad Adeel Butt, learned Additional Advocate General for the respondents alongwith Dr. Abbas Sherani, M.S (respondent No. 3) in person present.

According to correspondence produced by the respondent department and placed on file, the process for release of admissible salaries etc. to the petitioner and other similarly placed with him is underway in the higher quarter. The respondents are directed to pursue the case vigorously. Case to come up on 27.01.2022 for implementation report before S.B at Camp Court, D.I.Khan.


Chairman

Camp Court, D.I.Khan

27.01.2022

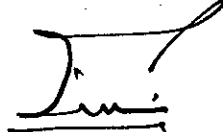
Tour is cancelled, therefore, case is adjourned to 26.5.22 for the same as before.

Reader.

26.05.2022

Learned counsel for the petitioner present. Dr. Fakhar Zaman, DMS alongwith Mr. Farhaj Sikandar, District Attorney for the respondents present.

Representative of the respondents stated at the bar that implementation of the judgment under execution is in process and implementation report will be produced on the next date. Respondents are directed to positively produce the implementation report on 29.06.2022 before the S.B at Camp Court D.I.Khan.



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

30th June, 2022

1. Petitioner alongwith his counsel present. Mr. Muhammad Adeel Butt, Additional Advocate General alongwith Dr. Fakhar Zaman, District Specialist for respondents present.
2. Petitioner submits that his grievance has been redressed and does not want to further pursue this execution. The instant execution petition is disposed of being executed. Consign.
3. *Pronounced in open court in D.I.Khan and given under my hand and seal of the Tribunal on this 30th day of June, 2022.*

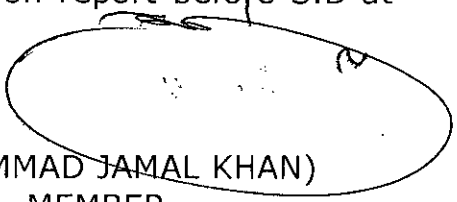


(Kalim Arshad Khan)
Chairman
Camp Court D.I.Khan

28.10.2020

Petitioner is present in person. Mr. Usman Ghani, District Attorney and Dr. Fakhar Nawaz, D.M.S, for the respondents are also present.


Petitioner requested for adjournment on the ground that the Members of the High Court as well as of the District Bar Association D.I.Khan are observing strike today, therefore, his counsel is not available today. Adjourned to 25.11.2020 on which date to come up for implementation report before S.B at Camp Court, D.I.Khan.


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

25.11.2020

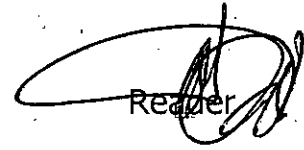
Petitioner with counsel and Mr. Muhammad Jan, learned DDA alongwith Mishqat Ullah Superintendent for respondents present.

Representative of respondents submitted a letter dated 23.01.2020 addressed to the Director General Health Services, Peshawar, whereby guideline regarding arrears of reinstated employee was sought by the Medical Superintendent DHQ Hospital Tank. The list of reinstated employee has also been annexed with the letter. The respondent department is directed to expedite the matter and resolve the issue of arrears at earliest. To come up for implementation/progress report on 27.01.2021 before S.B at Camp Court, D.I Khan.


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

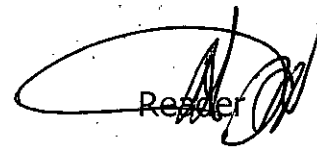
26/3/2020

Due to COVID-19 the case is adjourned. To come up for the same 22/4/2020 at Camp Court, D.I Khan


Reader

22/4/2020

Due to COVID-19 the case is adjourned. To come up for the same 23/9/2020 at Camp Court, D.I Khan



Reader

23.09.2020

Petitioner present through counsel.

Dr. FaKhar Nawaz D.M.S being representative of respondents, present. Mr. Usman Ghani, learned District Attorney present.


A request was made for adjournment by the respondents in order to apprise the Tribunal in respect of the implementation report as case of the petitioner is under process; allowed. To come up for implementation report on 28.10.2020 before S.B at Camp Court D.I Khan.


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

E.P No. 13/2018

25.02.2020

Counsel for the petitioner and Mr. Usman Ghani, District Attorney alongwith Dr. Umer Daraz, Medical Superintendent (Tank) (Respondent No. 2) for the respondents present. Respondent No. 2 submitted implementation report. The same is placed on record. Learned counsel for the petitioner requested for adjournment to examine the same. Adjourned to 26.03.2020 for further proceedings before S.B at Camp Court D.I.Khan.


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

26.11.2019

Counsel for the petitioner and Mr. Ziaullah Deputy District Attorney alongwith M/S Umer Daraz, M.S (Tank) and Hazrat Shah, Superintendent for the respondents present. Vide order sheet dated 23.09.2019 the reinstatement order of the petitioner was furnished by the respondent-department and the case was adjournment for objection petition/reply and arguments. Today, learned counsel for the appellant submitted objection petition/reply which is placed on record. Case to come up for arguments on 28.01.2020 before S.B at Camp Court D.I.Khan.



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

28.01.2020

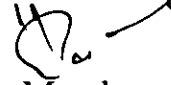
Mr. Hidayatullah, one of the petitioner in connected Execution Petition No. 14/2018, on behalf of the petitioner present. Mr. Usman Ghani, District Attorney for the respondents present. Mr. Hidayatullah, requested for adjournment on the ground that learned counsel for the appellant is not available today due to general strike of Khyber Pakhtunkhwa Bar Council. Representative of the respondents is also absent, therefore, notices be issued to the respondents with the direction to direct the representative to attend the court on the next date positively. Adjourned to 25.02.2020 for arguments before S.B at Camp Court D.I.Khan.



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

23.09.2019

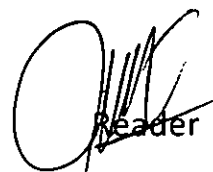
Mr. Farhaj Sikandar learned Deputy District Attorney alongwith Umar Zada M.S present. Learned DDA seeks adjournment to furnish reply. Adjourn. To come up for reply/arguments/further proceedings on 21.10.2019 before S.B at Camp Court, D.I.Khan.



Member
Camp Court, D.I.Khan.

21/10/2019

Since tour to D.I.Khan has been cancelled .To come for the same on 26/11/2019.



Reader

25.06.2019

Counsel for the petitioner and Mr. Farhaj Sikandar, District Attorney alongwith Dr. Ihsanullah, M.S (Tank) for the respondents present. Representative of the department submitted detail of leave account of the petitioner. The same is placed on record. Representative of the department is directed to submit the implementation report on the next date positively. Adjourned to 27.08.2019 for implementation report before S.B at Camp Court D.I.Khan.



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

27.08.2019

~~27.08.2019~~ Counsel for the petitioner present. Mr. Farhaj Sikandar, District Attorney alongwith Dr. Umer Nawaz, Medical Superintendent DHQ Hospital Tank (Respondent No. 2) present. The Execution Petition was fixed for implementation report for today but Dr. Umer Nawaz, Medical Superintendent DHQ Hospital Tank (Respondent No. 2) stated that he assumed the charge today and requested for short adjournment. Dr. Umer Nawaz, Medical Superintendent DHQ Hospital Tank (Respondent No. 2) stated at the bar that he will definitely furnish implementation report on the next date. He is strictly directed to furnish implementation report on the next date positively. To come up for implementation report on 23.09.2019 before S.B at Camp Court D.I.Khan.



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

21.01.2019

Junior to counsel for the petitioners and Mr. Farhaj Sikandar, District Attorney alongwith Samiullah, Data Entry Operator for the respondents present.

In view of order dated 20.04.2018 in C.Ps No. 212-P to 246-P/2018 the representative of respondents, when required to produce the implementation report, requested for adjournment. He stated that the judgment under implementation, as per Medical Superintendent DHQ Hospital, Tank will be implemented before 01.04.2019.

The instant matter is adjourned to 22.04.2019 at camp court, D.I.Khan on which date the implementation report shall positively be submitted else the respondent No. 2 shall appear in person before the Tribunal.

Chairman
Camp Court, D.I.Khan

22.04.2019

Learned counsel for the petitioner and Mr. Farhaj Sikandar learned District Attorney alongwith M/S Ihsan Ullah Medical Superintendent (respondent No.2), Fakhar Zaman Pathologist and Sajjad Qureshi CT Pharmacy present. Learned District Attorney stated that respondent No.2 (Medical Superintendent) has not brought in the notice of high-ups that the appointments made by the then Medical Superinntendent Mr. Muhammad Khan Afridi, were subject to the outcome of the decision in service appeals under implementation. Respondent No.2 seeks adjournment to furnish the actual facts to the notice of respondent No.1. Adjourn. To come up for implementation report/further proceedings on 25.06.2019 before S.B at Camp Court, D.I.Khan.

Member
Camp Court, D.I.Khan.

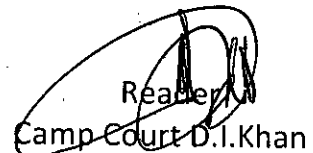
30-8-18

Petitioner present in person. Dr. Fakhar Zaman
for respondents present. Case is hereby cancelled
therefore the petition is adjourned for the same on
12-9-18 at Camp Court D.I. Khan.



12.09.2018

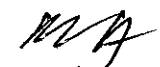
12th September has been declared as public holiday
on account of 1st Muharram therefore, the case is adjourned
for the same on 27.11.2018 before S.B at Camp Court
D.I.Khan.



Readey
Camp Court D.I.Khan

27.11.2018

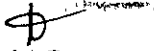
Counsel for the petitioners present. Mr. Usman Ghani,
District Attorney alongwith Dr. Fakhar Zaman, District
Specialist Pathology present. Implementation report not
submitted. Learned District Attorney requested for further
adjournment. Adjourned. To come up for implementation
report on 21.01.2019 S.B at Camp Court D.I.Khan.



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

15.03.2018

Counsel for the petitioner and Mr. Ziaullah, Deputy District Attorney alongwith Dr. Khayal Muhammad, M.S respondent no.2 in person present. Respondent no.2 appeared in person and presented some documents through which the case has been taken with the quarter concerned for creation of posts of Class-IV etc. He is directed to submit written implementation report positively on the next date of hearing. To come up for implementation report on 26.04.2018 before S.B

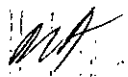

(AHMAD HASSAN)

MEMBER

Camp Court D.I.Khan

25.05.2018 : Due to retirement of the Worth Chairman, the Tribunal become non-functional. To come up for the same 22.06.2018. Notice be issued to the parties accordingly.

22.06.2018


Member
Petitioner alongwith counsel Mr. Waqar Alam, Advocate present. Dr. Fakhar Zaman, DMS on behalf of the respondents present.

The above named DMS made a request for adjournment so as to implement the order of this Tribunal in letter and spirit. Granted. Respondents are directed to implement the order of this Tribunal and produce documentary proof on 30.08.2018 before S.B at camp court, D.I.Khan.


Chairman

Camp Court, D.I.Khan

22.02.2018

Counsel for the petitioner present. Mr. Usman Ghani, District Attorney alongwith Dr. Khail Muhammad Barki, M.S (Tank) for the respondents also present. Representative of the department submitted implementation report/office order dated 24.01.2018 vide which the petitioner has been reinstated in service. Implementation report is placed on record. Learned counsel for the petitioner seeks time to examine the implementation report. Adjourned. To come up for further proceedings on 15.03.2018 before S.B at Camp Court D.I.Khan.

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




15.03.2018.

Counsel for the petitioner and Mr. Ziaullah, Deputy District Attorney alongwith Dr. Khayal Muhammad, M.S for respondents present. Representative of respondent no. 1 presented some documents through which the case has been taken with the quarter concerned for creation of posts of Class IV etc. He is directed to submit written implementation report positively on the next date of hearing. To come up for implementation report on 26.04.2018 before S.B

(AHMAD HASSAN)
MEMBER
Camp Court D.I.Khan

FORM OF ORDER SHEET

Execution Petition No. 13/2018

S.No.	Date of order Proceedings	Order or other proceedings with signature of Judge
1	2	3
1	11.01.2018	<p>The Execution Petition of Mr. Muhammad Ayub etc submitted to-day by Mr. Muhammad Waqar Alam Advocate may be entered in the relevant Register and put up to the Court for proper order please.</p> <p style="text-align: right;"> REGISTRAR -</p>
2-		<p>This Execution Petition be put up before Touring S. Bench at Dera Ismail Khan on <u>25-1-18</u></p> <p style="text-align: right;"> CHAIRMAN</p>
	25.01.2018	<p>Counsel for the petitioner present. Notice be issued to the respondents for implementation report for 22.02.2018 before S.B at Camp Court D.I.Khan.</p> <p style="text-align: right;"> (Muhammad Amin Khan Kundi) Member Camp Court D.I.Khan</p>

BEFORE THE KHYBER PAKHTUNKHWA SERVICE TRIBUNAL,
PESHAWAR, CAMP COURT
DERA ISMAIL KHAN

Execution Petition No. 13 /2018

Muhammad Ayub etc VS DG Health Services etc
(Petitioner) (Respondents)

INDEX

Sr. #	Particulars of Documents	Annexure	Page
1	Execution Petition with affidavit	--	1-6
2	Copy of order dated 25/10/2017	--	7-21
3	Copies of applications	--	22
4	Wakalatnama	--	23

Dated: 10/01/2018

Your humble petitioners,

Muhammad Ayub etc

Through counsel:-

Muhammad Waqar Alam
Advocate High Court

Muhammad Waqar Alam
10.1.18

2

BEFORE THE KHYBER PAKHTUNKHWA SERVICE
TRIBUNAL, PESHAWAR, CAMP COURT
DERA ISMAIL KHAN

Khyber Pakhtunkhwa
Service Tribunal

Execution Petition No. 13 /2018

Diary No. 61
Dated 11/01/2018

In Service Appeal Nos. 968/2016

1. **Muhammad Ayub** s/o Aziz-Ullah. (Medical Technician BPS-12).
2. **Farhan Haider** s/o Muhammad Hanif (Medical Technician BPS-12)
3. **Muhammad Imran** s/o Muhammad Mushtaq (Medical Technician BPS-12)
4. **Sabir Khan** s/o Muhib-Ullah (Medical Technician BPS-12)
5. **Fazal-Ur-Rehman** s/o Habib-Ur-Rehman (Medical Technician BPS-12)
6. **Waqar Ahmed** s/o Naeem Khan (Child Health Technician BPS-12)
7. **Nek Nawaz** s/o Iqbal Hussain (Pharmacy Technician BPS-12)
8. **Binyameen** s/o Ameen Hussain (Pharmacy Technician BPS-12)
9. **Ghulam Jaffar** s/o Ghulam Abbas Khan (Pharmacy Technician BPS-12)
10. **Muhammad Dawood** s/o Ghulam Rabbani (Pharmacy Technician BPS-12).
11. **Sikandar Hussain** s/o Imam Bakhsh (Dental Technician BPS-12)

R/o District Tank, reinstated employees of
DHQ Hospital Tank.

..... (**PETITIONERS**)

VERSUS

1. **Director General Health Services, KPK, Peshawar.**
2. **Medical Superintendent, DHQ Hospital, Tank.**

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

Wahid

**IMPLEMENTATION/EXECUTION PETITION
OF ORDER DATED 25/10/2017 PASSED BY
THIS HONORABLE TRIBUNAL IN SERVICE
APPEAL NUMBERS 968/2016 and others.**

Respectfully Sheweth;

1. That the present petitioners had filed Service Appeals for their reinstatement into service which was very graciously be accepted by this worthy court vide order dated 25/10/2017 and all the petitioners reinstated in service. Copies of service appeals and order dated 25/10/2017 are enclosed herewith.
2. That after getting attested copies of the reinstatement order dated 25/10/2017 of this Honourable Tribunal the petitioners conveyed the same to the all concerned respondents. Copies of letters in this regard are enclosed herewith.
3. That on 06/01/2018, petitioners moved an application to the respondent No.2 for redressal of their grievances under right to information ordinance but the respondent no.2 dispatched the application of the petitioners and no response yet has been received by the petitioners from the respondents side which is clearly violation, disobedience by the respondents. Hence, the execution petition is filed in the worthy tribunal. Copy of application is enclosed herewith.
4. That on 21/11/2017 the petitioners moved applications to respondent No. 2 along with other respondents for implementing the order of this Honourable Court in letter and spirit but unfortunately they have not complied the same. Copies of applications are enclosed herewith.

Yhs

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5. That the instant application is being preferred in the aforesaid background, as order dated 25/10/2017 of this Honourable Court has been violated by respondents and contempt of Court proceedings are sought to be initiated against the said respondents on the following grounds amongst others:-

GROUNDS

- a. That the Respondents wilfully and with malafide intentions not obeying the legal orders of this Honourable Court/Tribunal hence liable to be contempt of court proceedings.
- b. That since the aforesaid order passed by this Honourable Court has been violated, the petitioners are left with no option but to invoke the powers vested in the Honourable Court for initiating contempt proceedings or other appropriate order thereon.
- c. That respondents have been guilty of disobedience of the lawful orders passed by this Honourable Court and therefore, a penal action be initiated against respondents under the law.

In view of above submissions, it is earnestly prayed that on acceptance of this application, contempt proceedings be initiated against respondents and they be apportioned severe punishment in accordance with law and the order

Shri

5

dated 25/10/2017, may please be implemented/executed in favour of petitioners against the respondents to the best interest of justice and equity.

Dated: 10/01/2018

Your humble petitioners,

ایوب

Muhammad Ayub

فرحان

Farhan Haider

امران

Muhammad Imran

صابر خان

Sabir Khan

فازل الرحمن

Fazal-Ur-Rehman

واقار احمد

Waqar Ahmed

نیک نواز

Nek Nawaz

بینامین

Binyameen

غلام جعفر

Ghulam Jaffar

داؤد

Muhammad Dawood

سیکندر حسین

Sikandar Hussain

6

**BEFORE THE KHYBER PAKHTUNKHWA SERVICE
TRIBUNAL, PESHAWAR, CAMP COURT
DERA ISMAIL KHAN**

Execution Petition No. _____/2018

**Wajid Munir Nasri etc VS DG Health Services etc
(Petitioner) (Respondents)**

AFFIDAVIT

I, **Muhammad Waqar Alam** Advocate High Court, **counsel for petitioners**, do hereby solemnly affirm and declare on Oath that contents of the accompanying execution petition are true and correct as communicated to me by my client and nothing has been deliberately concealed from this Hon'ble Court.

Muhammad Waqar Alam
Advocate High Court
District Bar D.I. Khan
Peshawar

10/1/18

[Signature]
DEPONENT 10.1.18

8

BEFORE THE KHYBER PAKHTUNKHWA SERVICE TRIBUNAL, PESHAWAR
AT CAMP COURT D.I.KHAN.

Appeal No. 878/2016

Date of Institution ... 29.08.2016

Date of Decision ... 25.10.2017



Shafiq-ur-Rahman S/O Gul Rahman Caste Kundi,
R/O Village Nandoor Pai, Tehsil & District Tank.
JCT Multipurpose

... (Appellant)

VERSUS

1. Government of Khyber Pakhtunkhwa, through Secretary Health Department,
Khyber Pakhtunkhwa Peshawar and 3 others. ... (Respondents)

MR. MUHAMMAD WAQAR ALAM

Advocate

MR. YOUSAF JAN

Advocate

SHAIKH IFTIKAHR-UL-HAQ

Advocate

--- For appellant.

MR. FARHAJ SIKANDAR,

District Attorney

... For respondents

MR. AHMAD HASSAN,

MR. MUHAMMAD HAMID MUGHAL

... MEMBER(Executive)
... MEMBER(Judicial)

JUDGMENT

AHMAD HASSAN, MEMBER.-

This judgment shall dispose of the instant service appeal as well as connected service appeal no. 860/2016 titled M. Iqbal, no. 861/2016 titled M. Nisar, no. 862/2016 titled M. Rizwan, no. 863/2016 titled Fazal Rehman, no. 874/2016 titled Wajid Munir Nasri, no. 875/2016 titled Sabir Khan, no. 876 of 2016 titled Naimat ullah, no. 877/2016 titled Sikandar Hussain, no. 879/2016 titled Shukat Khan, no. 880/16 titled Imran Khan, no. 881/2016 titled Bin Yamin, no. 882/2016 titled Naik Nawaz, no. 883/216 titled Irfanullah, no. 884/2016 titled Muhammad Ali, no. 885/2016 titled Waheed Khan, no. 886/2016 titled M. Imran, no. 887/2016 titled Hidayat Ullah, no. 888/2016 titled M. Daud, no. 889/2016 titled Ghulam Jafar Khan, no. 890/2016 titled Samiullah, no.891/2016 titled

ATTESTED

EXAMINER
Khyber Pakhtunkhwa
Service Tribunal,
Peshawar

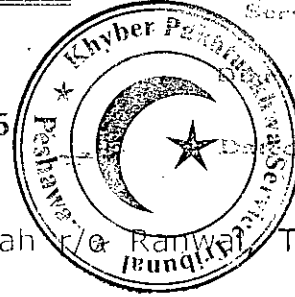
7

BEFORE THE KHYBER PAKHTUNKHWA SERVICE

TRIBUNAL, PESHAWAR

Khyber Pakhtunkhwa
Service Tribunal

Service Appeal No. 901 /2016



No. 914
29-8-2016

Muhammad Ayub s/o Aziz Ullah / @ Ranwal, Tehsil &
District Tank.

JCT Multipurpose Medical Technician

(Appellant)

VERSUS

1. Government of KPK, through secretary Health Department, KPK Peshawar.
2. Secretary to Govt: of KPK, Health Department, Peshawar.
3. Director General Health services, KPK Peshawar.
4. District Health officer (DHO), District Tank.
5. District Accounts Officer, District Tank
6. Medical Superintendent (DHQ Hospital), District Tank

..... (RESPONDENTS)

APPEAL UNDER SECTION 4 OF THE KPK SERVICES TRIBUNAL ACT, 1974, AGAINST THE IMPUGNED ORDER No. 2247-51 DATED 09/05/2016 ISSUED BY RESPONDENT NO.6/M.S DHQ-HOSPITAL, TANK, WHEREBY APPELLANT WAS REMOVED/TERMINATED FROM SERVICE AND AGAINST THE OMISSION ON THE PART OF RESPONDENT NO.3 FOR INDICISION OF THE DEPARTMENTAL APPEAL WHICH IS AGAINST THE LAW AND IN VIOLATION OF SERVICES LAWS AND

Filed to-day
29/8/16

ATTESTED

EXAMINER
Khyber Pakhtunkhwa
Service Tribunal,
Peshawar

9

Illaud Din, no. 892/2016 titled Waqar Ahmad, no. 893/2016 titled Asmatullah, no. 894/2016 titled Meherban, no. 895/2016 Waris Khan, no. 896/2016 titled M. Waqas, no. 897/2016 titled Farhan Haidar, no. 898/2016 titled Munir Khan, no. 899/2016 titled Gulfam Hussain, no. 900/2016 titled Umer Hayat, no. 901/2016 titled M.Ayub, no. 968/2016 titled Fazal-Ur-Rehman, no. 969/2016 titled Fazal Nadeem and no. 1060/16 titled Shaukat Ullah, as similar question of law and facts are involved therein.

2. Arguments of the learned counsel for the parties heard and record perused.

FACTS

3. The brief facts are that the appellant was appointed as Junior Clinical Technician (Multipurpose) BPS-12 after observance of all codal formalities. Vide impugned order dated 09.05.2016 he was removed from service against which he preferred departmental appeal on 21.05.2016 but was not responded within the statutory period, hence, the instant service appeal.

ARGUMENTS

4. Learned counsel for the appellant argued that after fulfillment of codal formalities the appellant was appointed as JCT (Multipurpose) vide order dated 30.09.2012. Thereafter vide order dated 26.08.2013 he was adjusted in DHO Hospital Tank. On 28.04.2015 respondent no. 6 wrote a letter to District Accounts Officer to stop the salary of the appellant and others. The appellant and others filed Writ Petition nol. 418-D/2015 and Writ Petition no. 541-D/15 in Peshawar High Court Bench D.I.Khan for the redressal of their grievances. Divisional Bench of Peshawar High Court vide order dated 15.12.2012 disposed of the petition on the commitment of respondent no.6 M.S DHQ, Hospital Tank that salary of all employees will be released. Subsequently, on 09.01.2016 a show cause notice was issued to the appellant to which proper reply was submitted. Vide impugned order dated 09.05.2016 he was removed from service. Impugned order is against the law and rules, codal formalities were not completed before passing this order. Opportunity of personal hearing was also not provided to him and was condemned unheard. First enquiry

ATTESTED

SYAZAMMER
Khalid Muhammad
Service Tribunal,
Peshawar

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was conducted on the same allegations in 2013 and the enquiry officer declared these appointments valid. Though the merit list is maintained by the official respondents but one of the ground mentioned in the impugned order was that he failed to produce the same. After their termination these posts were again re-advertised and appointments made which clearly indicated that vacant posts were available. It is also amounts to discrimination as enshrined in Article-25 of the Constitution. Reliance was placed on case law as reported in 1996 SCMR 413, 1996 SCMR 1350, 2009 SCMR 412, 2006 SCMR 678, 2015 PLC (C.S) 1519, 2004 SCMR 468, 2004 SCMR 630, 2004 SCMR 49 and 2004 SCMR 158.

5. On the other hand learned District Attorney argued that sanctioned vacant posts were not available for appointment. Moreover, against the sanctioned strength of 117 posts of different categories DHQ, Hospital, Tank 139 officials were drawing salary. Thereafter enquiry was conducted and services of the appellant and others were terminated. Before passing the impugned order all codal formalities were observed.

CONCLUSION.

6. Careful perusal of record would reveal that the appellant was appointed after observance of all codal formalities. Moreover, it has not been disputed by the respondents or the enquiry officer that the appellant did not possess the required qualification for the post of JCT (Multipurpose). Main charge leveled in the show cause notice served on the appellant is that proper criteria contained in APT rules 1989 was not followed in its true spirit and the entire case of recruitment contained legal lacuna. It is a clear manifestation of incompetence, negligence, laxity and slackness on the part of respondents having failed to adhere to the criteria prescribed for recruitment in the said rules. However, to save their skin and shift responsibility appellant was made a escape goat. That Writ Petition no. 418-D/2015 was disposed of by the Peshawar High Court after commitment of M.S DHQ Hospital that salaries of appellant and others would be released in due course of time. But he failed to honor the commitment and subsequently vide order dated 09.05.2016 appellant was removed from service. Attention is also invited to para-6 of the impugned order that

ATTESTED

EXAMINER
Khyber Pakhtunkhwa
Service Tribunal,
Peshawar

the appellant failed to produce original merit list. It is funny, flimsy and against the established norms of official business. Needless to emphasize that maintenance of merit list is the responsibility of the respondents. It clearly demonstrates that the respondents had no solid grounds/justification to remove the appellant from service. Moreover, a letter dated 06.02.2012 annexed with the appeal indicates that 57 posts of various categories were created in DHQ, Hospital Tank during the financial year 2011-12. Hence, allegation of non-availability of posts could not be substantiated. Learned District Attorney when confronted on this point to produce authentic documentary evidence was unable to present the same. Even the Medical Superintendent present during the hearing could not satisfy this Tribunal when asked to provide documents indicating details of sanctioned post in DHQ, Hospital Tank. Several opportunities were afforded to them but they failed to bring these documents in support of their claim. Enquiry in 2015 was not conducted in the mode and manner prescribed in the rules. It appears to be a fact finding inquiry. Had it been conducted under E&D Rules 2011 then charge sheet and statement of allegations were required to be served on the appellant. As the appellant was not associated with the inquiry proceedings, hence, he was condemned unheard. He aptly raised similar objections and valid concerns in para-4 of the reply to the show cause notice served on him. In addition to above if inquiry was not conducted under E&D Rules 2011 and direct show cause notice was served on the appellant then specific reasons should have been recorded for dispensing with regular inquiry. However, the show cause is completely silent on this account. As such show cause notice was not served according to the procedure laid down in E&D Rules 2011. Moreover, the inquiry committee failed to probe the case properly. Neither specific discrepancies were highlighted nor tailor made recommendations firmed up. The committee failed to fix responsibility and its only achievement was to have created more confusion. The committee miserably failed to address the vital question of non-availability of sanctioned posts. It is still a mystery that if the posts were not available and the terminated employees were drawing salary over and above then sanctioned strength then why these post were re-advertised and fresh appointments were made? This Tribunal vide order sheet dated 27.12.2016 had directed that fresh appointments if made by the respondents would be subject to the decision of instant service appeal. This condition has

ATTESTED

District Attorney

 Khyber Pakhtunkhwa

 Service Tribunal,

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also been inserted in the appointment orders of newly appointed employees. Making fresh appointments against posts vacated due to termination of services of the appellant has proved beyond doubt that entire drama was staged by the respondents to accommodate their blue eyed candidates. Whenever an issue is subjudice in court of law government departments exercise extra care to avoid future complications. The respondents were not be able to justify undue haste shown in making these appointments.

7. Time and again it has been held by the superior courts in various judgments that in case illegal appointments are made then action should be taken against the authority who made these appointments instead of penalizing the employees. It is strange that no action was taken against those responsible for making these appointments against the rules. Reliance was placed on case law as reported in 1996 SCMR 413, 1996 SCMR 1350, 2009 SCMR 412, 2006 SCMR 678, 2015 PLC (C.S) 1519, 2004 SCMR 468, 2004 SCMR 630, 2004 SCMR 49 and 2004 SCMR 158.

8. As a sequel to above the appeal is accepted by setting aside the impugned order, dated 09.05.2016 and the appellant is reinstated in service. The intervening period may be treated as leave of the kind due. Parties are left to bear their own costs. File be consigned to the record room.



(MUHAMMAD HAMID MUGHAL)
MEMBER



(AHMAD HASSAN)
MEMBER
CAMP COURT D.I.KHAN

ANNOUNCED
25.10.2017

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EXAMINER
Khyber Pakhtunkhwa
Service Tribunal,
Peshawar

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A. No. 90/2016
M. Ayub vs Govt



Order

25.10.2017

Counsel for the appellants and Mr. Farhaj Sikandar, District Attorney alongwith Mr. Khair Muhammad, MS Tank for respondents present. Arguments heard and record perused.

This appeal is also accepted as per detailed judgment of today placed on file in connected service appeal No. 878/2016 entitled "Shafiqur-Rehman-vs-Govt. of Khyber Pakhtunkhwa through Secretary Health Department, Khyber Pakhtunkhwa Peshawar and 3 others". Parties are left to bear their own cost. File be consigned to the record room.

Announced:
25.10.2017

SD/- Ahmad Hassan,
Member
and court DI Khan,

SD/- M. Hamid Mughal,
Member

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EXAMINER
Khyber Pakhtunkhwa
Service Tribunal,
Peshawar

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14



A-No - 875/2016
Sabir Khan vs Govt

Order
25.10.2017

Counsel for the appellant and Mr. Farhaj Sikandar, District Attorney alongwith Mr. Khair Muhammad, MS Tank for respondents present. Arguments heard and record perused.

This appeal is also accepted as per detailed judgment of today placed on file in connected service appeal No. 878/2016 entitled "Shafiqur-Rehman-vs-Govt: of Khyber Pakhtunkhwa through Secretary Health Department, Khyber Pakhtunkhwa Peshawar and 3 others". Parties are left to bear their own cost. File be consigned to the record room.

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Khyber Pakhtunkhwa Service Tribunal
Peshawar

Announced:
25.10.2017

Dr. Ahmad Hassan, Member
Chief Justice DIX Khan
Dr. M. Hamid Nighal, Member

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15



Ar No - 882/2016
Naik Nawaz vs Govt

Order
25.10.2017

Counsel for the appellant and Mr. Farhaj Sikandar, District Attorney alongwith Mr. Khair Muhammad, MS Tank for respondents present. Arguments heard and record perused.

This appeal is also accepted as per detailed judgment of today placed on file in connected service appeal No. 878/2016 entitled "Shafiqur-Rehman-vs-Govt. of Khyber Pakhtunkhwa through Secretary Health Department, Khyber Pakhtunkhwa Peshawar and 3 others". Parties are left to bear their own cost. File be consigned to the record room.

Announced:
25.10.2017

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Khyber Pakhtunkhwa Service Tribunal, Peshawar

SD/- Ahmad Hassan, Member
Camp Court D.I. Khan,
SD/- M. Hamid Mughal, Member

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16



A- No 892/2016
Waqas Ahmad vs Govt

Order

25.10.2017

Counsel for the appellant and Mr. Farhaj Sikandar, District Attorney alongwith Mr. Khair Muhammad, MS Tank for respondents present. Arguments heard and record perused.

This appeal is also accepted as per detailed judgment of today placed on file in connected service appeal No. 878/2016 entitled "Shafiqur-Rehman-vs-Govt: of Khyber Pakhtunkhwa through Secretary Health Department, Khyber Pakhtunkhwa Peshawar and 3 others". Parties are left to bear their own cost. File be consigned to the record room.

Announced:
25.10.2017

SD/ Ahmad Hassan, Member
Comptroller Dikhan

SD/ M. Hamid Mughal, Member

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EX-103/17
Khyber Pakhtunkhwa
Service Tribunal,
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17



Order

25.10.2017

ANO-897/2016
Farhan Haider vs Govt

Counsel for the appellants and Mr. Farhaj Sikandar, District Attorney alongwith Mr. Khair Muhammad, MS Tank for respondents present. Arguments heard and record perused.

This appeal is also accepted as per detailed judgment of today placed on file in connected service appeal No. 878/2016 entitled "Shafiqur-Rehman-vs-Govt: of Khyber Pakhtunkhwa through Secretary Health Department, Khyber Pakhtunkhwa Peshawar and 3 others". Parties are left to bear their own cost. File be consigned to the record room.

Announced:
25.10.2017

Sd/- Ahmad Hassan, Member
Camp court D.I. Khan

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EX. No. 897/2017
Khyber Pakhtunkhwa
Service Tribunal
Peshawar

Sd/- M. Hamid Mughal, Member

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ANo - 886/2016

Muhammad Jamrao vs Govt

Order

25.10.2017

Counsel for the appellant and Mr. Farhaj Sikandar, District Attorney alongwith Mr. Khair Muhammad, MS. Tank for respondents present. Arguments heard and record perused.

This appeal is also accepted as per detailed judgment of today placed on file in connected service appeal No. 878/2016 entitled "Shafiqur-Rehman-vs-Govt: of Khyber Pakhtunkhwa through Secretary Health Department, Khyber Pakhtunkhwa Peshawar and 3 others". Parties are left to bear their own cost. File be consigned to the record room.

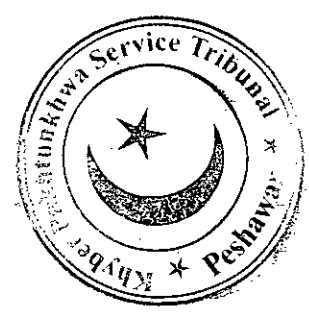
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Khyber Pakhtunkhwa
Service Tribunal
Peshawar

SD/ Ahmad Hassan, Member
Chief Court D-1 Khan

SD/ M. Hameed Mughal, Member

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A. No - 881/2016
Bin Yamin vs Govt

Order

25.10.2017

Counsel for the appellant and Mr. Farhaj Sikandar, District Attorney alongwith Mr. Khair Muhammad, MS Tank for respondents present. Arguments heard and record perused.

This appeal is also accepted as per detailed judgment of today placed on file in connected service appeal No. 878/2016 entitled "Shafiq-ur-Rehman-vs-Govt: of Khyber Pakhtunkhwa through Secretary Health Department, Khyber Pakhtunkhwa Peshawar and 3 others". Parties are left to bear their own cost. File be consigned to the record room.

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Announced: 25.10.2017

SD/- Ahmad Hassan, Member
Court of D.I. Khem

EX-111-12
Khyber Pakhtunkhwa
Service Tribunal,
Peshawar

SD/- M. Hamid Nigal, Member

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20



A. No - 877/20/16

Sikandar Hussain vs Groot

Order

25.10.2017

Counsel for the appellant and Mr. Farhaj Sikandar, District Attorney alongwith Mr. Khair Muhammad, MS Tank for respondents present. Arguments heard and record perused.

This appeal is also accepted as per detailed judgment of today placed on file in connected service appeal No. 878/2016 entitled "Shafiqur-Rehman-vs-Govt. of Khyber Pakhtunkhwa through Secretary Health Department, Khyber Pakhtunkhwa Peshawar and 3 others". Parties are left to bear their own cost. File be consigned to the record room.

SD/- Ahmad Hassan, Member
Camp Court DI Khan

SD/- M. Hamid Mughal, Member

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25.10.2017
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Service Tribunal,
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Total 8
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Order

25.10.2017

Counsel for the appellant and Mr. Farhaj Sikandar, District Attorney alongwith Mr. Khair Muhammad, MS Tank for respondents present: Arguments heard and record perused.

This appeal is also accepted as per detailed judgment of today placed on file in connected service appeal No. 878/2016 entitled "Shafiqur-Rehman-vs-Govt: of Khyber Pakhtunkhwa through Secretary Health Department, Khyber Pakhtunkhwa Peshawar and 3 others". Parties are left to bear their own cost. File be consigned to the record room.

Announced:
25.10.2017

*SD/- Ahmad Hassan, Member
Camp court D.I Khan,
SD/- Mohamed Mughal,
Member*

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EX. NO. 1017
Khyber Pakhtunkhwa Service Tribunal, Peshawar

Date of Presentation of Application 15-11-17
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KHYBER PAKHTUNKHWA SERVICE TRIBUNAL PESHAWAR

No. 169 /ST

Dated 28 / 01 / 2019

To


The Medical Superintendent District Headquarter Hospital,
Government of Khyber Pakhtunkhwa,
Tank.

SUBJECT: -

ORDER IN EXECUTION PETITION NO. 13/2018, MR. MUHAMMAD AYUB.

I am directed to forward herewith a certified copy of order dated 21.01.2019 passed by this Tribunal on the above subject for strict compliance.

Encl: As above


REGISTRAR
KHYBER PAKHTUNKHWA
SERVICE TRIBUNAL
PESHAWAR.

OFFICE OF THE
MEDICAL SUPERINTENDANT DHQ HOSPITAL
DISTRICT TANK

No _____

Dated _____ /2018.

To
The Director General Health Services,
Khyber Pakhtunkhwa Peshawar.

Subject: CIVIL PETITION NO. 212-P TO 246-P OF 2018 - GOVERNMENT OF KHYBER
PAKHTUNKHWA THROUGH SECRETARY HEALTH VERSUS MR. SHAFIQ-
UR-REHMAN AND 34 OTHERS.

R/Sir,

Reference additional DG (ADMN) DGHS Letter No. 5493-95 / Personnel dated
02-07-2018 addressed to Secretary to Govt: Khyber Pakhtunkhwa Health Department and
copy endorsed to undersigned.

In continuation of this office letter No. 3139-42 Dated 26-07-2018 (Photocopy
attached), it is submitted for your kind information that there is no posts lying vacant of Class-
IV and other staff in DHQ Hospital Tank to implement the judgment of Honorable Supreme
Court of Pakistan. All the posts were filled by then Medical Superintendent DHQ Hospital Tank
vacated by affected employees.

It is once again requested that the undersigned may please be advised for
implementation of the judgment of Honorable Supreme Court of Pakistan.

MEDICAL SUPERINTENDANT
DHQ HOSPITAL TANK

No 3401-04 / Dated 9/8 /2018.

Copy to the: -

1. Section Officer (let-II) KPK Health Department.
2. Director Admin DGHS KPK Health Department.
3. P.S to Secretary to Govt: of KPK Health Department.
4. Office File for record.

H. Amleer
MEDICAL SUPERINTENDANT
DHQ HOSPITAL TANK

OFFICE OF THE
MEDICAL SUPERINTENDENT DHQ HOSPITAL
DISTRICT TANK

No 296 /

Dated 30/1 /2019.

To

The Section Officer (Budget-II),
Health Department Khyber Pakhtunkhwa.

Subject: PROPOSED SNE FOR CURRENT FINANCIAL YEAR 2018-2019.

Memo,

Enclosed please find herewith the subject cited above SNE for favour of information and further necessary action.



MEDICAL SUPERINTENDENT
DHQ HOSPITAL TANK



No 297-99 / Dated 30/1 /2019.

Copy to the: -

1. Director General Health Services, Khyber Pakhtuunkhwa.
2. P.S to Secretary to Government of KPK Health Department.
3. Office record.



MEDICAL SUPERINTENDENT
DHQ HOSPITAL TANK



PROPOSED SNE FOR CREATION OF MENTIONED BELOW IN DHQ HOSPITAL TANK.

S. No	DDO Code / Name of Institute	Correct Nomenclature of post	BPS	Demand	Existing position according to Budget Book	Approved / Notified criteria	DDO Wise implementation	Detail Justification
1.	TK-7006 DHQ Hospital Tank	Electrician	7	2	1	1	TK-7006 DHQ Hospital Tank	The mentioned posts are required for DHQ Hospital Tank due to Honourable Supreme Court of Pakistan & Services Tribunal Re-instated employees.
		Store Keeper	7	2	2	2		
		Plumber	6	2	1	1		
		Carpenter	5	2	1	1		
		Ward Orderly	4	10	25	25		
		X-Ray Attendant	4	1	2	2		
		Chowkidar	3	1	6	6		
		Sweeper / Cleaner	3	2	9	9		


**MEDICAL SUPERINTENDENT
DHQ HOSPITAL TANK**



OFFICE OF THE
MEDICAL SUPERINTENDANT DHQ HOSPITAL
DISTRICT TANK

No 2455 /

Dated 11/6 /2018.

To

The Director General Health Services,
Khyber Pakhtunkhwa Peshawar.

Subject:

CIVIL PETITION NO. 212-P TO 246 OF 2018 GOVERNMENT OF KHYBER
PAKHTUUNKHWA THROUGH SECRETARY HEALTH VERSUS SHAFIQ-UR-
REHMAN AND 34 OTHERS.

R/Sir,

With reference Deputy Director (HRM) DGHS KPK Peshawar letter No. 4701/personnel Dated 24-05-2018 received on 09-06-2018 (Photocopy attached), it is submitted for your kind information that this office has no vacant posts for implementation of Honourable Supreme Court of Pakistan order in the above mentioned civil petition.

In this regards guideline may please be given to undersigned that new appointed employees (who were appointed by Ex- M.S DHQ Hospital Tank against the posts of above civil petitioners (terminated employees)) may be terminated or request for creation of new posts to implement judgment of Honourable Supreme Court of Pakistan (**SNE for the said posts is already submitted for approval**) or may be adjusted at the DHO Tank side or in other districts on the disposal of DGHS KPK Peshawar.

Being a court matter hence may please be treated as most immediate.

No 2456-59 / Dated 11/6 /2018.

Copy to the: -

1. Honourable Services Tribunal, KPK Peshawar.
2. Section Officer (Lit-II) Health Department KPK.
3. P.S to Secretary to Government of KPK Health Department.
4. Office file for record.


MEDICAL SUPERINTENDANT
DHQ HOSPITAL TANK


MEDICAL SUPERINTENDANT
DHQ HOSPITAL TANK

BEFORE THE KHYBER PAKHTUNKHWA SERVICE TRIBUNAL
PESHAWAR BENCH, DERA ISMAIL KHAN

Execution Petition

Muhammad Ayub and Others

Versus

MS Tank and Others

OBJECTION PETITION IN RESPECT OF APPOINTMENT
ORDERS OF THE DEGREE HOLDER.

The applicants humbly submits as under:

1. That the applicants was appointed in the year 2012 by the competent authority against the clear vacant post but unfortunately the applicants were terminated by the Ex-MS Muhammad Khan Afridi on flimsy grounds hence, the appellants being dissatisfied from the dismissal orders filed service appeal in this Honourable Tribunal which was very ~~graciously~~ ^{graciously} be allowed by this Tribunal vide order dated: 25/10/2017.
2. That the department filed CPLA in the Supreme Court of Pakistan by challenging the order dated: 25/10/2107 which was also dismissed by the Supreme Court of Pakistan vide order dated: 20/04/2018 which is already placed on file.
3. That the applicants were reinstated into service by the competent authority but the applicants are dissatisfied from the reinstatement order on the following scores.
 - i. That the reinstatement order in respect of applicants is totally wrong and against the spirit of judgment dated: 25/10/2017 which is liable to be corrected according to the judgment of this Honourable Tribunal.
 - ii. That the applicants were reinstated against other posts rather there reinstatement is required against

MS

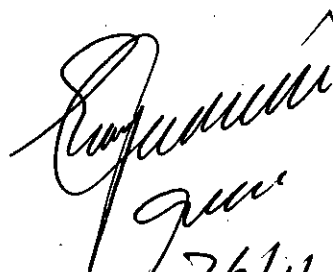
their parent posts hence, the reinstatement order is liable to be corrected.

- iii. That the applicants posts are readvertised despite of the fact that the applicants got stay order from this Honourable Tribunal on 29/08/2016 which was passed by the Chairman of Service Tribunal and according with communicated to the respondents hence, during the period of stay appointment against the post of the applicants is totally illegal hence, the right of the applicants regarding reinstatement against other posts is required legal justification from the appointing authority. Copy of the advertisement dated: 17/04/2019 is enclosed.
- iv. That the applicants back benefits issue is still outstanding against the department which is also required to be resolved by this Honourable Tribunal in the interest of justice.

It is therefore humbly requested that by accepting the instant application the official respondents may please be directed to reinstate the applicants against their parent post and the back benefits and seniority issue may also be resolved according to the judgment of this Honourable Tribunal which was upheld by the august Supreme Court of the Pakistan.

Your humble applicants

Muhammad Ayub & others


26/11/18

OFFICE OF THE EXECUTIVE DISTRICT OFFICER HEALTH
DISTRICT TANK.




No: 1578-781

Dated: 26/07/2012.

OFFICE ORDER.

Consequent upon the approval accorded by the District Selection Committee under the Chairmanship of the Executive District Officer Health Tank and with reference to the Interview held on 20-04-2012, and 28-05-2012 Mr. Bin Yamin S/O Ahmed Hussain R/O village Pirwana District Tank is hereby appointed as JCT Pharmacy against the vacant post at DHQR: Hospital Tank in BPS-09 Viz: @ Rs. 6200-360-17600 plus usual allowances as admissible under the rules and subject to revision time to time on the following terms and conditions according to the Government Policy:-

1. His appointment in the Health Department is purely on temporary Basis and his services are liable to be terminated at any time without giving notice or assigning irrespective of the facts that he may belong to a post other than one to which he is recruited.
2. He has to join duty at his own expenses in case he wishes to resign at any time one month notice will be essential or in lieu thereof one month pay shall be forfeited.
3. He will be governed by such rules and orders relating to leave, TA, Medical charges as may be issued by the Govt: from time to time for the category of Government Servant to which he may belong.
4. He will not entitle for pension or Gratuity as laid down policy of the Government of Khyber Pakhtoon Khawa Peshawar.
5. His appointment is subject to the condition that he will produce character certificate from the concerned District Police Officer as well as his Diploma Certificate shall be verified from the Khyber Pakhtunkhawa Medical Faculty Peshawar.
6. If He accepts the offer on the above conditions he is directed to report to the Medical Superintendent DHQR: Hospital Tank this office for further duty within fifteen (15) days of the receipt of this letter, failing which your services will be terminated.
7. The appointment will be subject to the production of Medical Fitness Certificate.


EXECUTIVE DISTRICT OFFICER
(HEALTH) TANK.

Cc: -

1. Director General Health Services, Khyber Pakhtunkhawa, Peshawar
2. District Accounts Officer, Tank.
3. Medical Superintendent DHQR: Hospital Tank.
4. Account Clerk of this office.
5. Bin Yamin S/O Ahmed Hussain R/O village Pirwana District Tank.


EXECUTIVE DISTRICT OFFICER
(HEALTH) TANK.

SITUATION VACANT

Applications are invited from suitable candidates having domicile of District Tank for the following vacant position in DHQ Hospital Tank. However the candidates having Domicile of Khyber Pakhtunkhwa can apply.

S #	Nomenclature of Post	BPS	Age limit	Prescribed Qualification
1	Accountant	14	25-35 yrs	MBA in Finance / M.Com in accounting.
2	PHC Tech:MP	12	18-30 Yrs	At least SSC 2nd Division with Science from recognized Board & having Two years Diploma in the relevant Paramedical Technology from Khyber Pakhtunkhwa Medical Faculty or Diploma in the relevant Paramedical Technology from any recognized institution provided that the name is registered with Khyber Pakhtunkhwa Medical Faculty.
3	CT Dental	12	-do-	At least SSC 2nd Division with Science from recognized Board & having Two years Diploma in the relevant Paramedical Technology from Khyber Pakhtunkhwa Medical Faculty or Diploma in the relevant Paramedical Technology from any recognized institution provided that the name is registered with Khyber Pakhtunkhwa Medical Faculty.
4	FJCT Pathology	12	-do-	At least SSC 2nd Division with Science from recognized Board & having Two years Diploma in the relevant Paramedical Technology from Khyber Pakhtunkhwa Medical Faculty or Diploma in the relevant Paramedical Technology from any recognized institution provided that the name is registered with Khyber Pakhtunkhwa Medical Faculty.
5	CT Radiology	12	-do-	At least SSC 2nd Division with Science from recognized Board & having Two years Diploma in the relevant Paramedical Technology from Khyber Pakhtunkhwa Medical Faculty or Diploma in the relevant Paramedical Technology from any recognized institution provided that the name is registered with Khyber Pakhtunkhwa Medical Faculty.
6	FJCT Radiology	12	-do-	At least SSC 2nd Division with Science from recognized Board & having Two years Diploma in the relevant Paramedical Technology from Khyber Pakhtunkhwa Medical Faculty or Diploma in the relevant Paramedical Technology from any recognized institution provided that the name is registered with Khyber Pakhtunkhwa Medical Faculty.
7	CT Cardiology	12	-do-	At least SSC 2nd Division with Science from recognized Board & having Two years Diploma in the relevant Paramedical Technology from Khyber Pakhtunkhwa Medical Faculty or Diploma in the relevant Paramedical Technology from any recognized institution provided that the name is registered with Khyber Pakhtunkhwa Medical Faculty.
8	CT Physiotherapy	12	-do-	At least SSC 2nd Division with Science from recognized Board & having Two years Diploma in the relevant Paramedical Technology from Khyber Pakhtunkhwa Medical Faculty or Diploma in the relevant Paramedical Technology from any recognized institution provided that the name is registered with Khyber Pakhtunkhwa Medical Faculty.
9	CT Pharmacy	12	-do-	At least SSC 2nd Division with Science from recognized Board & having Two years Diploma in the relevant Paramedical Technology from Khyber Pakhtunkhwa Medical Faculty or Diploma in the relevant Paramedical Technology from any recognized institution provided that the name is registered with Khyber Pakhtunkhwa Medical Faculty.
10	Lab Attendant	4	18-40 yrs	

TERM & CONDITION :-

1. Interested candidate must send application along with attested copies of required documents, domicile and CNIC through postal address given below within fifteen day after advertisement.
2. Application must clearly specify for the relevant technology.
3. No Separate call will be issue for interview.
4. The Candidates shall bring their original documents and CNIC when appearing for interview.
5. 2% quota reserve for Disable Person.
6. 3% quota reserve for Minority.
7. Separate call will be issued for interview.
8. Preference will be given having domiciled of District Tank; In Case of non-suitable candidates the other District of Khyber Pakhtunkhwa Candidates will be considered.
9. The Competent authority reserves the right to cancel the interview without reason.
10. No TA/DA will be admissible as per Govt. Rules.
11. Test/Interview will be held on 3/05/2019 in the office Medical Superintendent DHQ. Hospital Tank.

Say No To
Corruption
Druas

**MEDICAL SUPERINTENDENT
DHQ HOSPITAL TANK**

INF(P)
1628 / 19

17-4-2019

**OFFICE OF THE
MEDICAL SUPERINTENDENT DHQ HOSPITAL
DISTRICT TANK**

Corrigendum/2

OFFICE ORDER

With reference Honourable Services Tribunal Khyber Pakhtunkhwa Peshawar (D.I. Khan Bench) decision on 25-10-2017 and reference Govt. Of Khyber Pakhtunkhwa Health Department No. SOH(Lit-II)13-4045/2016 dated 22-01-2018, the following paramedics are here by reinstated against the vacant post provisionally till the final decision of Supreme Court of Pakistan.

S #	Name	Designation with BPS	Adjusted against the vacant post with BPS
1	Fazal Rehman	PHC Tech MP BPS-12	CT Dental BPS-12
2	Sikandar Hussain	CT Dental BPS-12	CT Dental BPS-12
3	Sabir Khan	PHC Tech MP BPS-12	PHC Tech MP/EPI BPS-12
4	Binyamin	CT Pharmacy BPS-12	CT Anesthesia BPS-12
5	Muhammad Daud	CT Pharmacy BPS-12	CT Anesthesia BPS-12
6	Waqar Ahmad	Neonatal and child health tech BPS-12	CT Anesthesia BPS-12
7	Shafiq ur Rehman	PHC Tech MP BPS-12	CT Anesthesia BPS-12
8	Muhammad Imran	PHC Tech MP BPS-12	CT Anesthesia BPS-12
9	Ghulam Jaffar	CT Pharmacy BPS-12	CT Ophthalmology BPS-12
10	Farhan Haider	PHC Tech MP BPS-12	CT Ophthalmology BPS-12
11	Nek Nawaz	CT Pharmacy BPS-12	CT Ophthalmology BPS-12
12	Muhammad Ayub	PHC Tech MP BPS-12	CT Ophthalmology BPS-12
13	Muhammad Rizwan	CT Pathology B-12	FCT Pathology B-12
14	Muhammad Nisar	CT Pathology B-12	CT Pathology B-12
15	Fazal Rehman	CT Pathology BPS-12	FCT Pathology BPS-12
16	Muhammad Iqbal	CT Cardiology BPS-12	CT Cardiology BPS-12

xxxSDxxxxx
MEDICAL SUPERINTENDENT
DHQ HOSPITAL TANK

No 709-17 / Dated Tank the 20/2/2018.

Copy to the: -

1. Deputy Commissioner, District Tank
2. Director General Health Service, Khyber Pakhtunkhwa Peshawar.
3. SO (Lit) Khyber Pakhtunkhwa Law Department.
4. SO (Lit-II) Govt. of Khyber Pakhtunkhwa Health Department Peshawar.
5. Registrar Khyber Pakhtunkhwa Service Tribunal, Peshawar (D.I Khan Bench).
6. PS to Secretary Health Peshawar.
7. DAO Tank.
8. All Concerned
9. Office file for record.


MEDICAL SUPERINTENDENT
DHQ HOSPITAL TANK

BEFORE THE KHYBER PAKHTUNKHWA SERVICE TRIBUNAL PESHAWAR
AT CAMP COURT D.I.KHAN.

Appeal No. 878/2016

Date of Institution ... 29.08.2016

Date of Decision ... 25.10.2017



Shafiq-ur-Rahman S/O Gul Rahman Caste Kundi,
R/O Village Nandoor Pai, Tehsil & District Tank.
JCT Multipurpose

... (Appellant)

VERSUS

1. Government of Khyber Pakhtunkhwa, through Secretary Health Department,
Khyber Pakhtunkhwa Peshawar and 3 others. ... (Respondents)

MR. MUHAMMAD WAQAR ALAM

Advocate

MR. YOUSAF JAN

Advocate

SHAIKH IFTIKAHR-UL-HAQ

Advocate

--- For appellant.

MR. FARHAJ SIKANDAR,

District Attorney

... For respondents

MR. AHMAD HASSAN,

MR. MUHAMMAD HAMID MUGHAL

...
...

MEMBER (Executive)

MEMBER (Judicial)

JUDGMENT

AHMAD HASSAN, MEMBER.-

This judgment shall dispose of the instant service appeal as well as connected service appeal no. 860/2016 titled M. Iqbal, no. 861/2016 titled M. Nisar, no. 862/2016 titled M. Rizwan, no. 863/2016 titled Fazal Rehman, no. 874/2016 titled Wajid Munir Nasri, no. 875/2016 titled Sabir Khan, no. 876 of 2016 titled Naimatullah, no. 877/2016 titled Sikandar Hussain, no. 879/2016 titled Shukat Khan, no. 880/16 titled Imran Khan, no. 881/2016 titled Bin Yamin, no. 882/2016 titled Naik Nawaz, no. 883/216 titled Irfanullah, no. 884/2016 titled Muhammad Ali, no. 885/2016 titled Waheed Khan, no. 886/2016 titled M. Imran, no. 887/2016 titled Hidayat Ullah, no. 888/2016 titled M. Daud, no. 889/2016 titled Ghulam Jafar Khan, no. 890/2016 titled Samiullah, no. 891/2016 titled

ATTESTED

EXAMINER
Khyber Pakhtunkhwa
Service Tribunal
Peshawar

Illaud Din, no. 892/2016 titled Waqar Ahmad, no. 893/2016 titled Asmatullah, no. 894/2016 titled Meherban, no. 895/2016 Waris Khan, no. 896/2016 titled M. Waqas; no. 897/2016 titled Farhan Haidar, no. 898/2016 titled Munir Khan, no. 899/2016 titled Gulfam Hussain, no. 900/2016 titled Umer Hayat, no. 901/2016 titled M.Ayub, no. 968/2016 titled Fazal-Ur-Rehman, no. 969/2016 titled Fazal Nadeem and no. 1060/16 titled Shaukat Ullah, as similar question of law and facts are involved therein.

2. Arguments of the learned counsel for the parties heard and record perused.

FACTS

3. The brief facts are that the appellant was appointed as Junior Clinical Technician (Multipurpose) BPS-12 after observance of all codal formalities. Vide impugned order dated 09.05.2016 he was removed from service against which he preferred departmental appeal on 21.05.2016 but was not responded within the statutory period, hence, the instant service appeal.

ARGUMENTS

4. Learned counsel for the appellant argued that after fulfillment of codal formalities the appellant was appointed as JCT (Multipurpose) vide order dated 30.09.2012. Thereafter vide order dated 26.08.2013 he was adjusted in DHO Hospital Tank. On 28.04.2015 respondent no. 6 wrote a letter to District Accounts Officer to stop the salary of the appellant and others. The appellant and others filed Writ Petition no. 418-D/2015 and Writ Petition no. 541-D/15 in Peshawar High Court Bench D.I.Khan for the redressal of their grievances. Divisional Bench of Peshawar High Court vide order dated 15.12.2012 disposed of the petition on the commitment of respondent no.6 M.S DHQ, Hospital-Tank that salary of all employees will be released. Subsequently, on 09.01.2016 a show cause notice was issued to the appellant to which proper reply was submitted. Vide impugned order dated 09.05.2016 he was removed from service. Impugned order is against the law and rules, codal formalities were not completed before passing this order. Opportunity of personal hearing was also not provided to him and was condemned unheard. First enquiry

ATTESTED

EXAMINER
Khyber Pakhtunkhwa
Service Tribunal,
Peshawar

was conducted on the same allegations in 2013 and the enquiry officer declared these appointments valid. Though the merit list is maintained by the official respondents but one of the ground mentioned in the impugned order was that he failed to produce the same. After their termination these posts were again re-advertised and appointments made which clearly indicated that vacant posts were available. It is also amounts to discrimination as enshrined in Article-25 of the Constitution. Reliance was placed on case law as reported in 1996 SCMR 413, 1996 SCMR 1350, 2009 SCMR 412, 2006 SCMR 678, 2015 PLC (C.S) 1519, 2004 SCMR 468, 2004 SCMR 630, 2004 SCMR 49 and 2004 SCMR 158.

5. On the other hand learned District Attorney argued that sanctioned vacant posts were not available for appointment. Moreover, against the sanctioned strength of 117 posts of different categories DHQ, Hospital, Tank 139 officials were drawing salary. Thereafter enquiry was conducted and services of the appellant and others were terminated. Before passing the impugned order all codal formalities were observed.

CONCLUSION.

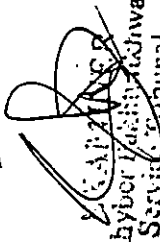
6. Careful perusal of record would reveal that the appellant was appointed after observance of all codal formalities. Moreover, it has not been disputed by the respondents or the enquiry officer that the appellant did not possess the required qualification for the post of JCT (Multipurpose). Main charge leveled in the show cause notice served on the appellant is that proper criteria contained in APT rules 1989 was not followed in its true spirit and the entire case of recruitment contained legal lacuna. It is a clear manifestation of incompetence, negligence, laxity and slackness on the part of respondents having failed to adhere to the criteria prescribed for recruitment in the said rules. However, to save their skin and shift responsibility appellant was made a escape goat. That Writ Petition no. 418-D/2015 was disposed of by the Peshawar High Court after commitment of M.S DHQ Hospital that salaries of appellant and others would be released in due course of time. But he failed to honor the commitment and subsequently vide order dated 09.05.2016 appellant was removed from service. Attention is also invited to para-6 of the impugned order that

ATTESTED

EXAMINER
Khyber Pakhtunkhwa
Services Tribunal,
Peshawar

the appellant failed to produce original merit list. It is funny, flimsy and against the established norms of official business. Needles to emphases that maintenance of merit list is the responsibility of the respondents. It clearly demonstrates that the respondents had no solid grounds/justification to remove the appellant from service. Moreover, a letter dated 06.02.2012 annexed with the appeal indicates that 57 posts of various categories were created in DHQ, Hospital Tank during the financial year 2011-12. Hence, allegation of non-availability of posts could not be substantiated. Learned District Attorney when confronted on this point to produce authentic documentary evidence was unable to present the same. Even the Medical Superintendent present during the hearing could not satisfy this Tribunal when asked to provide documents indicating details of sanctioned post in DHQ, Hospital Tank. Several opportunities were afforded to them but they failed to bring these documents in support of their claim. Enquiry in 2015 was not conducted in the mode and manner prescribed in the rules. It appears to be a fact finding inquiry. Had it been conducted under E&D Rules 2011 then charge sheet and statement of allegations were required to be served on the appellant. As the appellant was not associated with the inquiry proceedings, hence, he was condemned unheard. He aptly raised similar objections and valid concerns in para-4 of the reply to the show cause notice served on him. In addition to above if inquiry was not conducted under E&D Rules 2011 and direct show cause notice was served on the appellant then specific reasons should have been recorded for dispensing with regular inquiry. However, the show cause is completely silent on this account. As such show cause notice was not served according to the procedure laid down in E&D Rules 2011. Moreover, the inquiry committee failed to probe the case properly. Neither specific discrepancies were highlighted nor tailor made recommendations firmed up. The committee failed to fix responsibility and its only achievement was to have created more confusion. The committee miserably failed to address the vital question of non-availability of sanctioned posts. It is still a mystery that if the posts were not available and the terminated employees were drawing salary over and above then sanctioned strength then why these post were re-advertised and fresh appointments were made? This Tribunal vide order sheet dated 27.12.2016 had directed that fresh appointments if made by the respondents would be subject to the decision of instant service appeal. This condition has

ATTESTED


 Khyber Pakhtunkhwa
 Service Tribunal,
 Peshawar

also been inserted in the appointment orders of newly appointed employees. Making fresh appointments against posts vacated due to termination of services of the appellant has proved beyond doubt that entire drama was staged by the respondents to accommodate their blue eyed candidates. Whenever an issue is subjudice in court of law government departments exercise extra care to avoid future complications. The respondents were not be able to justify undue haste shown in making these appointments.

7. Time and again it has been held by the superior courts in various judgments that in case illegal appointments are made then action should be taken against the authority who made these appointments instead of penalizing the employees. It is strange that no action was taken against those responsible for making these appointments against the rules. Reliance was placed on case law as reported in 1996 SCMR 413, 1996 SCMR 1350, 2009 SCMR 412, 2006 SCMR 678, 2015 PLC (C.S) 1519, 2004 SCMR 468, 2004 SCMR 630, 2004 SCMR 49 and 2004 SCMR 158.

8. As a sequel to above the appeal is accepted by setting aside the impugned order, dated 09.05.2016 and the appellant is reinstated in service. The intervening period may be treated as leave of the kind due. Parties are left to bear their own costs. File be consigned to the record room.

SP/-

(MUHAMMAD HAMID MUGHAL)
MEMBER

(AHMAD HASSAN)
MEMBER
CAMP COURT DEKHAN

ANNOUNCED
25.10.2017

Certified to be true copy

Khyber Pakhtunkhwa
Service Tribunal,
Peshawar

Date of Presentation of Application	15-11-17
Number of Words	2000
Copying Fee	12
Urgent	2
Total	14
Name of Copyist	[Signature]
Date of Completion of Copy	15-11-17
Date of Delivery of Copy	15-11-17

IN THE SUPREME COURT OF PAKISTAN
(APPELLATE JURISDICTION)

PRESENT: MR. JUSTICE MIAN SAQIB NISAR, HCJ
MR. JUSTICE UMAR ATA BANDIAL
MR. JUSTICE SYED MANSOOR ALI SHAH

CIVIL PETITIONS NO. 212-P TO 246-P OF 2018
*(on appeal against the judgment dated 25.10.2017 of the
KPK Service Tribunal Peshawar passed in Service Appeals
No. 878, 860-863, 874-877, 879, 880-901, 968, 969 and
1060/2016)*

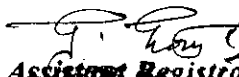
Government of KPK through Secretary Health
Department, Peshawar and others

...Petitioner(s)

VERSUS

Shafiq-ur-Rehman	(in CP 212-P/18)
Muhammad Iqbal	(in CP 213-P/18)
✓ Muhammad Nisar	(in CP 214-P/18)
✓ Muhammad Rizwan	(in CP 215-P/18)
Fazal Rehman	(in CP 216-P/18)
Wajid Muneer Nasri	(in CP 217-P/18)
✓ Sabir Khan	(in CP 218-P/18)
Niamat Ullah	(in CP 219-P/18)
✓ Sikandar Hussain	(in CP 220-P/18)
Shaukat Khan	(in CP 221-P/18)
✓ Imran Khan	(in CP 222-P/18)
Bin Yamin	(in CP 223-P/18)
Naik Nawaz	(in CP 224-P/18)
✓ Irfan Ullah	(in CP 225-P/18)
✓ Muhammad Ali	(in CP 226-P/18)
✓ Waheed Khan	(in CP 227-P/18)
✓ Muhammad Imran	(in CP 228-P/18)
✓ Hidayatullah	(in CP 229-P/18)
✓ Muhammad Daud	(in CP 230-P/18)
Ghulam Jafer	(in CP 231-P/18)
✓ Sami Ullah	(in CP 232-P/18)
✓ Illaud Din	(in CP 233-P/18)
✓ Waqar Ahmad	(in CP 234-P/18)
✓ Asmatullah	(in CP 235-P/18)
✓ Meherban	(in CP 236-P/18)
✓ Waris Khan	(in CP 237-P/18)
✓ Muhammad Waqas	(in CP 238-P/18)
Farhan Haidar	(in CP 239-P/18)
Munir Khan	(in CP 240-P/18)
✓ Gulfam Hussain	(in CP 241-P/18)
✓ Umar Hayat	(in CP 242-P/18)
✓ Muhammad Ayub	(in CP 243-P/18)
✓ Fazal-ur-Rehman	(in CP 244-P/18)
Fazal Nadeem	(in CP 245-P/18)
Shaukat Ullah	(in CP 246-P/18)

ATTESTED


Assistant Registrar
Supreme Court of Pakistan
Peshawar.

...Respondent

For the Petitioner(s): Mian Arshad Jan, Addl. AG, KPK.
Mian Saadullah Jandoli, AOR.
Mr. Bakhtiar Ali SO

For the Respondent(s): Mr. Saleemullah Khan Ranazai, ASC

Date of Hearing: 20.04.2018

ORDER

MIAN SAQIB NISAR, CJ.— All these petitions are 64 days time barred. In the applications for condonation of delay, no sufficient cause has been propounded. The same are accordingly dismissed with the result that the main petitions are also dismissed as bared by time.

Sd/- Mian Saqib Nisar, HCJ
Sd/- Umar Ata Bandial, J
Sd/- Syed Mansoor Ali Shah, J



PESHAWAR.

20th April, 2018.

Not approved for reporting

Mudassar/

[Signature]
28/4/18

Certified to be true copy

[Signature]
Assistant Registrar
Supreme Court of Pakistan
Peshawar.

OFFICE OF THE MEDICAL SUPERINTENDENT DHQ HOSPITAL DISTRICT TANK

No _____ /

Dated ___ / ___ /2020.

To

The Director General Health Services,
Khyber Pakhtunkhwa, Peshawar.

Subject:

**GUIDELINE REGARDING ARREARS OF REINSTATED EMPLOYEES
THROUGH THE HONOURABLE SERVICES TRIBUNAL KHYBER
PAKHTUNKHWA CAMP COURT D.I. KHAN.**

R/Sir,

It is stated that 35 employees of different cadre (BPS – 03 to BPS – 12) have been reinstated by the Honourable Services Tribunal Khyber Pakhtunkhwa Camp Court D.I. Khan in the year 2017. They were reinstated with effect from the dates mentioned against each (list attached). It is further stated that they have claimed their arrears of their affected period through the Honourable Services Tribunal Khyber Pakhtunkhwa.

You are therefore requested to please issue guidelines regarding this matter so as to proceed further into the matter.


MEDICAL SUPERINTENDENT
DHQ HOSPITAL TANK

No 6359-62 / Dated 23/11 /2020.

Copy to the:

1. Honourable Services Tribunal Khyber Pakhtunkhwa Camp Court D.I. Khan.
2. Section Officer Lit-I Government of Khyber Pakhtunkhwa Health Department Peshawar.
3. P.S to Secretary to Government of Khyber Pakhtunkhwa Health Department Peshawar.
4. Office file for record.


MEDICAL SUPERINTENDENT
DHQ HOSPITAL TANK

List of Reinstated Employees (DHQ Hospital Tank)

S #	Name	Designation	BPS	Date of Appointment	Date of Terminated	Date of Reinstated	Affected Period
1	Mr. Sikandar Hussain	CT Dental	12	19/9/2012	9/5/2016	24/1/2018	23 Months
2	Waqar Ahmad	Neonatal and child Health Tec	12	15/4/2013		24/1/2018	23 Months
3	Muhammad Imran	PHC MP	12	25/9/2012	9/5/2016	24/1/2018	23 Months
4	Muhammad Ayub	PHC MP	12	16/7/2012	9/5/2016	24/1/2018	23 Months
5	Farhan Haider	PHC MP	12	16/7/2012	9/5/2016	24/1/2018	23 Months
6	Sabir Khan	PHC MP	12	1/8/2012	9/5/2016	24/1/2018	23 Months
7	Fazaal Rehman	PHC MP	12	16/7/2012	9/5/2016	24/1/2018	23 Months
8	Binyamin	CT Pharmacy	12	16/7/2012	9/5/2016	24/1/2018	23 Months
9	Muhammad Daud	CT Pharmacy	12	16/7/2012	9/5/2016	24/1/2018	23 Months
10	Nek Nawaz	CT Pharmacy	12	16/7/2012	9/5/2016	24/1/2018	23 Months
11	Ghulam Jaffar	CT Pharmacy	12	1/8/2012	9/5/2016	24/1/2018	23 Months
12	Muhammad Iqbal	CT Cardiology	12	16/7/2012	9/5/2016	24/1/2018	23 Months
13	Muhammad Rizwan	CT Pathology	12	16/7/2012	9/5/2016	24/1/2018	23 Months
14	Muhammad Nisar	CT Pathology	12	16/7/2012	9/5/2016	24/1/2018	23 Months
15	Fazal Rehman	CT Pathology	12	16/7/2012	9/5/2016	24/1/2018	23 Months
16	Wajid Munir	Electrician	7	16/7/2012	9/5/2016	22/1/2020	45 Months
17	Fazal Nadeem	Plumber	7	15/5/2012	9/5/2016	22/1/2020	45 Months
18	Ill ud Din	Store Keeper	7	16/7/2012	9/5/2016	22/1/2020	45 Months
19	Shoukat ullah	Store keeper	7	12/9/2013	9/5/2016	22/1/2020	45 Months
20	Shoukat Khan	Carpenter	6	1/8/2012	9/5/2016	22/1/2020	45 Months
21	Gulfam Hussain	W/O	4	15/5/2012	9/5/2016	22/1/2020	45 Months
22	Irfan Ullah	W/O	4	15/5/2012	9/5/2016	22/1/2020	45 Months
23	Hidayat Ullah	W/O	4	15/5/2012	9/5/2016	22/1/2020	45 Months
24	Munir Khan	W/O	4	15/5/2012	9/5/2016	22/1/2020	45 Months
25	Waris Khan	W/O	4	15/5/2012	9/5/2016	22/1/2020	45 Months
26	Naimat ullah	W/O	4	15/5/2012	9/5/2016	22/1/2020	45 Months
27	Mehrban	W/O	4	15/5/2012	9/5/2016	22/1/2020	45 Months
28	Sami Ullah	W/O	4	16/5/2012	9/5/2016	22/1/2020	45 Months
29	Muhammad Waqas	W/O	4	15/5/2012	9/5/2016	22/1/2020	45 Months
30	Asmat Ullah	W/O	4	16/7/2012	9/5/2016	22/1/2020	45 Months
31	Umer Hayat	X-Ray	4	1/8/2012	9/5/2016	22/1/2020	45 Months
32	Muhammad Ali	Cleaner/Sweep	3	15/5/2012	9/5/2016	22/1/2020	45 Months
33	Imran Khan	Cleaner	3	16/5/2012	9/5/2016	22/1/2020	45 Months
34	Waheed Khan	Chowkidar	3	15/5/2012	9/5/2016	22/1/2020	45 Months


Medical Superintendent
DHQ Hospital Tank

OFFICE OF THE MEDICAL SUPERINTENDENT DHQ HOSPITAL DISTRICT TANK

No. _____ /

Dated 23/01/2020.

The Director General Health Services,
Khyber Pakhtunkhwa, Peshawar.

Subject: **INFORMATION REGARDING ADJUSTMENT OF RE-INSTATED EMPLOYEES BY HONOURABLE SERVICES TRIBUNAL KHYBER PAKHTUNKHWA PESHAWAR CAMP COURT D.I. KHAN.**

R/Sir,

It is submitted for your kind information that undersigned implemented the decision of Honourable Services Tribunal Khyber Pakhtunkhwa Peshawar Camp Court (D.I) Khan on dated 25-10-2017 and adjusted 19 employees mentioned below on their original post (with the same direction of Govt. of Khyber Pakhtunkhwa Health Department No: SOH (Lit-II) 13-4045/2016 dated 22-1-2018 and Director General Health Services letter no. 13318-17, dated 03-12-2019 for the implementation of decision of above mentioned Honourable Court. The source form for stoppage of pay of and starting of pay of reinstated employees are also sent to DAO Tank. (Photocopy attached).

Working Employees	Designation/BPS	Re-instated Employees	Designation/BPS
Mr. Anjid Khan	Store Keeper (B-7)	Mr. Illa-ud-Din	Store Keeper (B-7)
Mr. Ali Khan	Store Keeper (B-7)	Mr. Shoukat Ullah	Store Keeper (B-7)
Mr. M. Inam	Electrician (B-7)	Mr. Wajid Munir	Electrician (B-7)
Mr. Qiblat Saeed	Plumber (B-7)	Mr. Fazal Nadeem	Plumber (B-7)
Mr. Hussain Bakhsh	Carpenter (B-6)	Mr. Shaukat Khan	Carpenter (B-6)
Mr. Sadam Hussain	Ward Orderly (B-4)	Mr. Naimat Ullah W/O	Ward Orderly (B-4)
Mr. Iqbal Khan	Ward Orderly (B-4)	Mr. Irfan Ullah	Ward Orderly (B-4)
Mr. Fousef Ahmad	Ward Orderly (B-4)	Mr. Hidayat Ullah	Ward Orderly (B-4)
Mr. Naseem Ullah	Ward Orderly (B-4)	Mr. Sami Ullah	Ward Orderly (B-4)
Mr. Pheer Ullah	Ward Orderly (B-4)	Mr. Asmat Ullah	Ward Orderly (B-4)
Mr. Shabir Khan	Ward Orderly (B-4)	Mr. Mehroon	Ward Orderly (B-4)
Mr. Mujeeb ur Rehman	Ward Orderly (B-4)	Mr. Waris Khan	Ward Orderly (B-4)
Mr. Saleem Nawaz	Ward Orderly (B-4)	Mr. Muhammad Waqas	Ward Orderly (B-4)
Mr. Abdul Karim	Ward Orderly (B-4)	Mr. Munir Khan	Ward Orderly (B-4)
Mr. Muhammad Saleem	Ward Orderly (B-4)	Mr. Gulfam Hussain	Ward Orderly (B-4)
Mr. Zafar Ali	X-Ray Attendant (B-4)	Mr. Umar Hayat	X-Ray Attendant (B-4)
Mr. Saad Khan	Sweeper (B-3)	Mr. Imran Khan	Sweeper (B-3)
Mr. Ramrez Khan	Sweeper (B-3)	Mr. Muhammad Ali	Sweeper (B-3)
Mr. Shoaib Khan	Chowkidar (B-3)	Mr. Waheed Khan	Chowkidar (B-3)

Furthermore, the case of four to five employees is still in trial in the same Honourable Court and the decision is still pending from their side. After the final decision of Honourable Services Tribunal Court Khyber Pakhtunkhwa Peshawar Camp Court D.I. Khan then the pay and removal from automatic attendance of Mr. ikramullah Ward Orderly and Mr. Haman Jazbe Sweeper will be stopped and re-instated employees will be adjusted on their original posts.

The case is referred to your's good office for further directions and guidelines.

MEDICAL SUPERINTENDENT
DHQ HOSPITAL TANK

No. _____ / Dated Tank the 23/01/2020.

Copy to the:-

1. Honourable Services Tribunal Khyber Pakhtunkhwa Peshawar Camp Court D.I. Khan.
2. Deputy Commissioner, Tank.
3. SO (Lit-II) Govt. of Khyber Pakhtunkhwa Health Department Peshawar.
4. Accountant DHQ Hospital Tank.

MEDICAL SUPERINTENDENT
DHQ HOSPITAL TANK

**OFFICE OF THE MEDICAL SUPERINTENDENT DHQ HOSPITAL
DISTRICT TANK**

OFFICE ORDER:

In-continuation of this office letter No: 281 Dated 22-01-2020 and reply of District Accounts Office, Tank (regarding this office letter number mentioned above) vide Letter No. Pay/DAO Tank / 2019-20 / 27 Dated 22-01-2020, in which it is mentioned that the post of CT (Surgical) BPS – 12 & CT (Pharmacy) BPS – 12 are technical cadre posts, the specialized professional cadre posts & the Store Keepers in BPS -07 may be adjusted against their original post (Photocopy attached).

Therefore, as per reply of DAO Tank vide letter number mentioned above and decision of Honourable Services Tribunal Khyber Pakhtunkhwa Peshawar (D.I. Khan Bench) decision on 25-10-2017 and reference Govt. of Khyber Pakhtunkhwa Health Department No. SOH (Lit-II) 13-4045/2016 dated 22-1-2018 and reference Director General Health Services letter no. 13316-17 dated 03-12-2019, Mr. Illa-ud-Din Store Keeper BPS – 07 is hereby adjusted on the post occupied by Mr. Amjid Khan Store Keeper BPS – 07 and Mr. Shoukat Ullah Store Keeper BPS – 07 is hereby adjusted on the post occupied by Mr. Arif Khan Store Keeper BPS – 07 with immediate effect.

xxxSDxxx

**MEDICAL SUPERINTENDENT
DHQ HOSPITAL TANK**

No 222/174 / Dated Tank the 23/1/2020.

Copy to the: -

1. Director General Health Services, Khyber Pakhtunkhwa Peshawar.
2. Deputy Commissioner, Tank.
3. District Accounts Officer, Tank with the request to start the Pay of Mr. Illa-ud-din S/K BPS -07 against his original post occupied by Mr. Amjid Khan S/K BPS -07 and the start the pay of Mr. Shoukat Ullah BPS – 07 against his original post occupied by Mr. Arif Khan S/K BPS – 07 with immediate effect. Being a court, the matter may please be treated as most urgent as to avoid contempt of court (Source form for starting of pay and stoppage of pay are attached for necessary action please.
4. Registrar Khyber Pakhtunkhwa Services Tribunal Peshawar (D.I. Khan Bench)
5. SO (Lit-II) Govt. of Khyber Pakhtunkhwa Health Department Peshawar.
6. Accountant DHQ Hospital Tank for necessary action
7. Above to mentioned store keepers

**MEDICAL SUPERINTENDENT
DHQ HOSPITAL TANK**

THE MEDICAL SUPERINTENDENT DHQ HOSPITAL DISTRICT TANK

The District Accounts Officer,
District Tank.

No. 281
Dated 22/01/2020

Subject: **REINSTATEMENT / ADJUSTMENT OF 19 EMPLOYEES.**

With reference this office order No. 226-32 Dated 20-01-2020 (Photocopy attached) in which the undersigned adjusted Mr. Shoukat Ullah Store Keeper BPS – 07 against the vacant post of CT Pharmacy BPS 12 and Mr. Ila-ud-Din Store Keeper BPS – 07 is adjusted against the vacant post of CT (Surgical) BPS – 12.

Therefore, it is requested that undersigned may please be informed well in time before the coming of Honourable Services Tribunal Camp Court D.I. Khan that either the provisional ID of above mentioned posts i.e CT (Pharmacy) BPS – 12 and CT (Surgical) BPS – 12 may be activated for the above mentioned reinstated employees or not. If the provisional ID of CT (Pharmacy) BPS – 12 & CT (Surgical) BPS – 12 is not activated then Mr. Shoukatullah Store Keeper BPS – 07 and Mr. Ila-ud-Din Store Keeper BPS – 07 will be adjusted against their original post as store keeper BPS - 07.

Furthermore, this office also addressed a letter for re-instatement of 17 employees against their original post which is mentioned in this office letter vide letter No. 266-72 Dated 21-01-2020 for the purpose of starting of pay of the re-instated employees.

Therefore, you are requested to stop the pay of mentioned below staff persons and start the pay of reinstated employees mentioned in column No. 03 against their original posts as per decision of Honourable Services Tribunal Khyber Pakhtunkhwa Peshawar Camp Court D.I. Khan on dated 25-10-2017 and reference order of Khyber Pakhtunkhwa Health Department No. SOH (Lit-II) 13-4045/2016 Dated 22-01-2019 and order of DG, HS Khyber Pakhtunkhwa Letter No. 13316-17 Dated 13-12-2019.

The Source forms for starting of pay of reinstated employees were also sent to your good office along with the stoppage forms for stoppage of pay of staff mentioned in column no. 2.

Working Employees	Designation/BPS	Re-instated Employees	Designation/BPS
Mr. Wajid Munir	Electrician (B-7)	Mr. Wajid Munir	Electrician (B-7)
Mr. Fazal Saeed	Plumber (B-7)	Mr. Fazal Nadeem	Plumber (B-7)
Mr. Shaukat Bakht	Carpenter (B-6)	Mr. Shaukat Khan	Carpenter (B-6)
Mr. Naimat Hussain	Ward Orderly (B-4)	Mr. Naimat Ullah W/O	Ward Orderly (B-4)
Mr. Irfan Khan	Ward Orderly (B-4)	Mr. Irfan Ullah	Ward Orderly (B-4)
Mr. Hidayat Ahmad	Ward Orderly (B-4)	Mr. Hidayat Ullah	Ward Orderly (B-4)
Mr. Sami Ullah	Ward Orderly (B-4)	Mr. Sami Ullah	Ward Orderly (B-4)
Mr. Asmat Ullah	Ward Orderly (B-4)	Mr. Asmat Ullah	Ward Orderly (B-4)
Mr. Mehran	Ward Orderly (B-4)	Mr. Mehran	Ward Orderly (B-4)
Mr. Waris Khan	Ward Orderly (B-4)	Mr. Waris Khan	Ward Orderly (B-4)
Mr. Muhammad Waqas	Ward Orderly (B-4)	Mr. Muhammad Waqas	Ward Orderly (B-4)
Mr. Munir Khan	Ward Orderly (B-4)	Mr. Munir Khan	Ward Orderly (B-4)
Mr. Muhammad Saleem	Ward Orderly (B-4)	Mr. Gulfam Hussain	Ward Orderly (B-4)
Mr. Umar Hayat	X-Ray Attendant (B-4)	Mr. Umar Hayat	X-Ray Attendant (B-4)
Mr. Imran Khan	Sweeper (B-3)	Mr. Imran Khan	Sweeper (B-3)
Mr. Muhammad Ali	Sweeper (B-3)	Mr. Muhammad Ali	Sweeper (B-3)
Mr. Waheed Khan	Chowkidar (B-3)	Mr. Waheed Khan	Chowkidar (B-3)

282 - 86 / Dated 22/01/2020.

MEDICAL SUPERINTENDENT
DHQ HOSPITAL TANK

Copy to the:-

1. Honourable Services Tribunal Khyber Pakhtunkhwa Peshawar Camp Court D.I. Khan.
2. Director General Health Services, Khyber Pakhtunkhwa Peshawar.
3. Deputy Commissioner, Tank.
4. SO (Lit-II) Govt. of Khyber Pakhtunkhwa Health Department Peshawar.
5. Accountant DHQ Hospital Tank for necessary action.

MEDICAL SUPERINTENDENT
DHQ HOSPITAL TANK

THE MEDICAL SUPERINTENDENT DHQ HOSPITAL DISTRICT TANK

CE ORDER REGARDING RE-STATEMENT OF THE 17 EMPLOYEES

With the reference Honourable Services Tribunal Khyber Pakhtunkhwa Peshawar (D.I.Khan Bench) decision on 25-10-2017 and reference Govt. of Khyber Pakhtunkhwa Health Department No. SOH (Lit-II) 13-4045/2016 dated 22-1-2018 and with the reference Director General Health Services letter no. 13316-17 dated 03-12-2019, with the direction to implement the judgment of the Honourable Services Tribunal Khyber Pakhtunkhwa (D.I.Khan Bench).

In the view of the above directions the following seventeen employees have been re-instated on their designated posts as mentioned below:-

Furthermore, The salaries and Biometric Attendance of the employees already working on these posts have been stopped with the immediate effect in the best public interest

Sr	Working Employees	Designation/BPS	Re-instated Employees	Designation/BPS
1	Mr. M. Inam	Electrician (B-7)	Mr. Wajid Munir	Electrician (B-7)
2	Mr. Iqbal Saeed	Plumber (B-7)	Mr. Fazal Nadeem	Plumber (B-7)
3	Mr. Hussain Bakhsh	Carpenter (B-6)	Mr. Shaukat Khan	Carpenter (B-6)
4	Mr. Sadam Hussain	Ward Orderly (B-4)	Mr. Naimat Ullah W/O	Ward Orderly (B-4)
5	Mr. Javed Khan	Ward Orderly (B-4)	Mr. Irfan Ullah	Ward Orderly (B-4)
6	Mr. Touseef Ahmad	Ward Orderly (B-4)	Mr. Hidayat Ullah	Ward Orderly (B-4)
7	Mr. Naseeb Ullah	Ward Orderly (B-4)	Mr. Sami Ullah	Ward Orderly (B-4)
8	Mr. Ihsan Ullah	Ward Orderly (B-4)	Mr. Asmat Ullah	Ward Orderly (B-4)
9	Mr. Shabir Khan	Ward Orderly (B-4)	Mr. Mehrban	Ward Orderly (B-4)
10	Mr. Mujeeb ur Rehman	Ward Orderly (B-4)	Mr. Waris Khan	Ward Orderly (B-4)
11	Mr. Saleem Nawaz	Ward Orderly (B-4)	Mr. Muhammad Waqas	Ward Orderly (B-4)
12	Mr. Abdul Karim	Ward Orderly (B-4)	Mr. Munir Khan	Ward Orderly (B-4)
13	Mr. Muhammad Saleem	Ward Orderly (B-4)	Mr. Gulfam Hussain	Ward Orderly (B-4)
14	Mr. Zafar Ali	X-Ray Attendant (B-4)	Mr. Umar Hayat	X-Ray Attendant (B-4)
15	Mr. Sohail Khan	Sweeper(B-3)	Mr. Imran Khan	Sweeper(B-3)
16	Mr. Rameez Khan	Sweeper (B-3)	Mr. Muhammad Ali	Sweeper (B-3)
17	Mr. Shoaib Khan	Chowkidar (B-3)	Mr. Waheed Khan	Chowkidar (B-3)

MEDICAL SUPERINTENDENT
DHQ HOSPITAL TANK

No. 26.12 / Dated Tank the 21/11/2020.

Copy to the:-

1. Director General Health Services, Khyber Pakhtunkhwa Peshawar.
2. Deputy Commissioner, Tank
3. Registrar Khyber Pakhtunkhwa Services Tribunal Peshawar (D.I.Khan Bench)
4. SO (Lit-II) Govt. of Khyber Pakhtunkhwa Health Department Peshawar.
5. DAO Tank
6. Accountant DHQ Hospital Tank.
7. All officials concerned.

MEDICAL SUPERINTENDENT
DHQ HOSPITAL TANK

OFFICE OF THE MEDICAL SUPERINTENDENT DHQ HOSPITAL DISTRICT TANK

No. 259 /

Dated 20/01/2020.

To

District Account Officer,

District Tank

Subject: TO PROVIDE PROVISIONAL IDs OF THE RE-INSTATED EMPLOYEES AGAINST THE VACANT CHARGE NURSE POSTS

Memo,

Reference of this letter No.3758 dated 15-10-2019 on the subject cited above

Your reply received with the observation that these re-instated employees cannot be adjusted against the post of charge Nurses BPS-16 for the draw of pay.

For your kind information we have no vacant post to re-instate these employees. We can not directly terminate the working employees on these post working for the last three years, without any explanation, warning and show cause notice. Direct termination is the human right violation.

Director General Health Services, Khyber Pakhtunkhwa directed the undersigned to draw the salaries of the re-instated employees against the vacant Charge nurse post, which is the provisional IDs for these said employees, but you are constantly refusing to start the salaries.

So contempt of court comes on the side of the District Account Officer Tank, in order to avoid contempt of court, so kindly once again, you are hereby requested to start the salaries of these re-instated employees (Copies attached).

Furthermore, Trauma and Burn centers are going to be started by the Govt of KPK very soon, due to which more than forty vacancies will be created over here and these employees will be adjusted on their own posts.

This is Court matter should be dealt in the first priority and urgently.

MEDICAL SUPERINTENDENT
DHQ HOSPITAL TANK

No. 260 - 65 / Dated Tank the 20/01/2020.

Copy to the: -

1. Director General Health Services, Khyber Pakhtunkhwa Peshawar.
2. Deputy Commissioner, Tank
3. Registrar Khyber Pakhtunkhwa Services Tribunal Peshawar (D.I.Khan Bench)
4. SO (Lit-II) Govt. of Khyber Pakhtunkhwa Health Department Peshawar
5. Accountant DHQ Hospital Tank.
6. Master file

MEDICAL SUPERINTENDENT
DHQ HOSPITAL TANK

OFFICE OF THE MEDICAL SUPERINTENDENT DHQ HOSPITAL DISTRICT TANK

OFFICE ORDER

With the reference Honourable Services Tribunal, Khyber Pakhtunkhwa Peshawar (D.I.Khan Bench) decision on 25-10-2017 and reference Govt. of Khyber Pakhtunkhwa Health Department No. SOH (Lit-II) 13-4045/2016 dated 22-1-2018 and with the reference Director General Health Services letter no. 13316-17 dated 03-12-2019, with the direction to implement the judgment of the Honourable Services Tribunal Khyber Pakhtunkhwa (D.I.Khan Bench).

In the view of the above direction the two store keepers are adjusted as below.

1. Mr. Shaukat Ullah Store Keeper BPS-7 adjusted against the vacant post of CT Pharmacy BPS-12.
2. Mr. Illa ud Din Store Keeper BPS-7 adjusted against the vacant post of CT Surgical BPS-12.


MEDICAL SUPERINTENDENT
DHQ HOSPITAL TANK

No 226-32 / Dated Tank the 20/11 /2020.

Copy to the: -

1. Director General Health Services, Khyber Pakhtunkhwa Peshawar.
2. Deputy Commissioner, Tank
3. Registrar Khyber Pakhtunkhwa Services Tribunal Peshawar (D.I.Khan Bench)
4. SO (Lit-II) Govt. of Khyber Pakhtunkhwa Health Department Peshawar.
5. DAO Tank
6. Accountant DHQ Hospital Tank.
7. Above to mentioned store keepers


MEDICAL SUPERINTENDENT
DHQ HOSPITAL TANK



OFFICE OF THE MEDICAL SUPERINTENDENT DHQ HOSPITAL
DISTRICT TANK

MS Office / Fax No. 0963-512534.

Email: dhqhospitaltank2011@gmail.com.

No. 2159 /

Dated 10/07/2021.

To

The Director General Health Services,
Khyber Pakhtunkhwa, Peshawar.

Subject:

ARREARS OF RE-INSTATED EMPLOYEES AT DHQ HOSPITAL TANK.

DEMAND UNDER HEAD A-01278 (LEAVE SALARY) DDO Code TK - 4161.

HEAD A-01278 (LEAVE SALARY) AMOUNT: 5000000/- FIVE MILLION

R/Sir,

Reference this office letter No. 1617/ Dated 12-05-2021 (Photocopy attached).

It is stated that the undersigned has requested for allocation of amounting to Rs. 5000000/- under head A-01278 (Leave Salary) for the payment of arrears of the affected period of remaining 27 re-instated employees, but the undersigned is still waiting for your kind guidance. It is also mentioned here that the Government of Khyber Pakhtunkhwa Finance Department release only Rs. 750/- under head A-01278 (Leave Salary) for the financial year 2021-2022.

Keeping in view the advice of high-ups (Photocopies attached for ready reference), it is therefore humbly requested that being a court matter the amount mentioned above may be allocated under head A-01278 (Leave Salary) for the payment of remaining employees accordingly.


MEDICAL SUPERINTENDENT
DHQ HOSPITAL TANK

No. 2160-63 /

Dated 10/07/2021

Copy to the:

1. Honorable Services Tribunal, Khyber Pakhtunkhwa Peshawar.
2. Addl: Director General Health Services (HRM), DGHS Office Khyber Pakhtunkhwa Peshawar with reference to your office letter No. 2576-77/AE.VI Dated 06-05-2021.
3. Section Officer (LIT-II), Health Department Khyber Pakhtunkhwa Peshawar.
4. Office files for record.


MEDICAL SUPERINTENDENT
DHQ HOSPITAL TANK



OFFICE OF THE MEDICAL SUPERINTENDENT DHQ HOSPITAL
DISTRICT TANK

MS Office / Fax No. 0963-512534.

Email: dhqhospitaltank2011@gmail.com.

No. 1617 /

Dated 12/05/2021.

To

The Director General Health Services,
Khyber Pakhtunkhwa Peshawar.

Subject:

ARREARS OF RE-INSTATED EMPLOYEES AT DHQ HOSPITAL TANK.

R/Sir,

Reference to the Honorable Secretary Health Khyber Pakhtunkhwa Notification No. SOH (Lit-II) / 1-9 / 2021 Dated 21-04-2021 and Addl. Director General (HRM) DGHS office No. 2576-77/AE.VI Dated 06-05-2021 (Photocopies attached).

It is submitted for your kind information that as per decision of the Honorable Services Tribunal Khyber Pakhtunkhwa, that the employees be reinstated and their intervening period will be consider as leave of kind. For the compliance of said decision, the employees have been re-instated.

As per guideline the undersigned has insufficient amount for the payment of leave of kind to the re-instated 34 employees. Amount of Rs. 475000/- has been paid to 07 employees and the amount Rs. 5000000/- may be allocated / released under head A-01278 (Leave Salary) (DDO TK-4161) for the payment of remaining employees accordingly.

MEDICAL SUPERINTENDENT
DHQ HOSPITAL TANK

Copy to the: -

Number & Dated even above:

1. Honorable Services Tribunal, Khyber Pakhtunkhwa Camp court at D.I. Khan.
2. Addl. Director General Health Services, DGHS Office Khyber Pakhtunkhwa Peshawar.
3. Section Officer (LIT-II), Health Department Khyber Pakhtunkhwa Peshawar.
4. Office file for record.

MEDICAL SUPERINTENDENT
DHQ HOSPITAL TANK



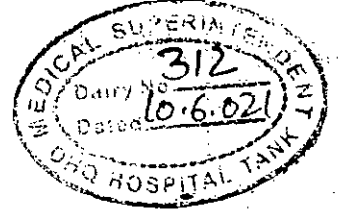
DIRECTORATE GENERAL HEALTH SERVICES
KHYBER PAKHTUNKHWA PESHAWAR

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

No. 2576-77 AE.VI, Dated Peshawar the 06/05 /2021

To:-

The Medical Superintendent,
DHQ Hospital Tank.



Subject: - **ARREARS OF REINSTATED EMPLOYEES AT DHQ HOSPITAL TANK.**

Memo:-

Reference your letter No. 7174/ dated 23.12.2020 on the subject noted above.

As per advice of the Secretary to Govt. of Khyber Pakhtunkhwa Health Department Peshawar the intervening periods of the re-instated employees may be adjusted according to their leave credit as leave on full pay. However if the intervening period is more than their leave on credit, the remaining period may be treated as leave without pay (Copy attached).

ADDI: DIRECTOR GENERAL (HRM)
DIRECTORATE GENERAL HEALTH
SERVICES, KP PESHAWAR

C.C

Secretary to Govt. of Khyber Pakhtunkhwa Health Department,
Peshawar for information w/r to his letter No. SOH (Lit-II)/1-9/2021 dated
21.04.2021.



MOST IMMEDIATE
COURT MATTER

GOVERNMENT OF KHYBER PAKHTUNKHWA
HEALTH DEPARTMENT

NO. SOH (Lit-II)/1-9/2021
Dated Pesh: the, 21-04-2021

EA

Main Diary No. 652

Date: 21/04/21

The Director General,
Health Services, Khyber Pakhtunkhwa,
Directorate General Health Services,
Khyber Pakhtunkhwa

Subject 1:- ARREARS OF REINSTATED EMPLOYEES AT DHQ HOSPITAL TANK.

I am directed to refer to your letter No. 1566-67//AE.VI, dated, 05-04-2021 on the subject noted above and to state that the intervening periods of the re-instated employees may be adjusted according to their leave credit as leave on full pay. However if the intervening period is more than their leave on credit, the remaining period may be treated as leave without pay.

AD Miss

Section Officer (Lit-II)

and date even:

forwarded for information to :-

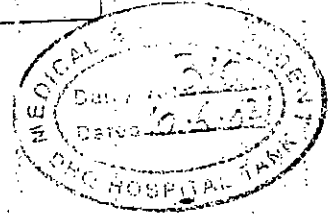
- Service Tribunal, Khyber Pakhtunkhwa Camp Court D. I. Khan.
- Medical Superintendent, DHQ Hospital Tank.
- to the Secretary Health Department, Khyber Pakhtunkhwa.
- to Deputy Secretary (Litigation) Health Department Peshawar.

PA to DGHS
[Signature]

Section Officer (Lit-II)

DIRECTORATE GENERAL HEALTH SERVICES KHYBER PAKHTUNKHWA PESHAWAR

E-Mail Address: nwfpdrlhs@yihoo.com office Ph# 091-9210269 * Exchange# 091-9210187, F210196 Fax # 091-9210230
No. 2053 / Personnel Dated: 12/11 / 2021



To,

The Medical Superintendent
DHQ Hospital Tank.

Subject:

ARREARS OF REINSTATED EMPLOYEES AT DHQ HOSPITAL TANK.

Memo:

Reference to your letter No. 7175-79 dated 23.12.2020 on the subject noted above.

You are requested to submit the copy of judgement of Khyber Pakhtunkhwa Service Tribunal Camp Court at DIKhan as the same was not attached found with your above quoted letter.

ADDITIONAL DG (ADMIN)
DIRECTORATE GENERAL HEALTH
SERVICES, K.P.K 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, 091-9210195 Fax (091) 9210230

No. 1566 / AE.VI, Dated Pesh: the 05 / 01 / 2021.

The Secretary to Govt. of Khyber Pakhtunkhwa,
Health Department Peshawar.



Subject:- **ARREARS OF REINSTATED EMPLOYEES AT DHQ HOSPITAL TANK.**

In continuation of this Directorate letter No. 652/AE.VI dated 03.02.2021 on the subject noted above, I am forwarding a copy of letter No. 7174/ dated 23.12.2020 alongwith copies of Judgment / decision of the Honourable Service Tribunal Khyber Pakhtunkhwa received from Medical Supdt. DHQ Hospital Tank regarding 34 employees of different cadres (BS-03 to BS-12) have been re-instated by the Honourable Service Tribunal Khyber Pakhtunkhwa Camp Court DIKhan in the year 2017 list attached, they have claimed their arrears of their affected period though the Honourable Services Tribunal Khyber Pakhtunkhwa.

It is therefore requested that necessary advice of the Law Department may please be obtained.

DIRECTOR GENERAL HEALTH
SERVICES, KP, PESHAWAR.

C.C

Medical Supdt. DHQ Hospital Tank for information w/r to his letter referred above.

NC21017: (013)
HEALTH

073102 DISTRICT HEADQUARTER HOSPITALS

FUNCTIONAL CUM OBJECT CLASSIFICATION AND PARTICULARS OF THE SCHEME	NUMBER OF POSTS		BUDGET ESTIMATES	REVISED ESTIMATES	BUDGET ESTIMATES
	2020-2021	2021-2022	2020-2021	2020-2021	2021-2022
			Rs	Rs	Rs
07	HEALTH				
073	HOSPITAL SERVICES				
0731	GENERAL HOSPITAL SERVICES				
073102	DISTRICT HEADQUARTER HOSPITALS				
TK4161	MS District Head Quarter Hospital Tank				
A0123G	Ad-hoc Relief Allowance-2018		6,110,000	6,261,000	6,261,000
A0123P	Ad-hoc Relief Allowance 2019		3,749,000	3,943,000	3,943,000
A01251	Mess Allowance		1,680,000	1,738,000	1,738,000
A01252	Non Practising Allowance		982,000	1,861,000	1,861,000
A012-2	TOTAL OTHER ALLOWANCES(EXCLUDING TA)		<u>801,000</u>		<u>2,000</u>
A01274	Medical Charges		<u>1,000</u>		<u>1,000</u>
001	Medical Charges		1,000		1,000
A01278	Leave Salary		<u>800,000</u>		<u>1,000</u>
001	Leave Salary		800,000		1,000
A03	TOTAL OPERATING EXPENSES		<u>61,669,000</u>	<u>83,787,000</u>	<u>64,471,000</u>
A032	TOTAL COMMUNICATIONS		<u>34,000</u>	<u>55,000</u>	<u>41,000</u>
A03201	Postage and Telegraph		8,000	15,000	10,000
A03202	Telephone and Trunk Call		26,000	40,000	31,000
A033	TOTAL UTILITIES		<u>7,875,000</u>	<u>10,483,000</u>	<u>10,101,000</u>
A03302	Water		1,074,000	1,100,000	1,100,000
A03303	Electricity		<u>6,800,000</u>	<u>9,000,000</u>	<u>9,000,000</u>
001	Electricity		6,800,000	9,000,000	9,000,000
A03304	Hot and Cold Weather Charges		1,000	383,000	1,000
A036	TOTAL MOTOR VEHICLES		<u>1,000</u>		<u>1,000</u>
A03603	Registration		1,000		1,000
A038	TOTAL TRAVEL & TRANSPORTATION		<u>2,417,000</u>	<u>1,850,000</u>	<u>2,026,000</u>
A03805	Travelling Allowance		<u>984,000</u>	<u>1,100,000</u>	<u>1,000,000</u>
001	Travelling Allowance		984,000	1,100,000	1,000,000
A03806	Transportation of Goods		<u>45,000</u>	<u>50,000</u>	<u>45,000</u>
001	Transportation of Goods		45,000	50,000	45,000
A03807	P.O.L. Charges A.planes H.coptors S.Cars M/Cycle		<u>1,388,000</u>	<u>700,000</u>	<u>981,000</u>

وکالت نامہ



Father's Name: MUHAMMAD KHURSHID ALAM
 Address: USTRAMA, SOUTH NEAR GCT
 DJILHAN
 Office Tel: 9986-718378, Cell # 9333-8938816
 Enrollment Dt. L.C: 28-05-2007
 Enrollment Dt. M.C: 03-10-2009
 Place of Practice: DJILHAN
 Date of Birth: 15-04-1982
 Blood Group: _____
 1st Floor G-Block, Khyber Road Peshawar. Ph. 091-8211172
 E-mail: nwpbarcouncil@hotmail.com

SERVICE TRIBUNAL KPK Peshawar **بعدالت جناب**

Petitioner's **مخانب**

Wajid Mundy **بنام** The D.G Health

دعویٰ یا جرم
Execution of petition **تفصیل دعویٰ یا جرم**

باعث تحریر آنکہ

مقدمہ مندرجہ بالا اعنوان میں اپنی طرف واسطے سروری وجوہات ہی برائے پیشی یا تفسیر مقدمہ بمقام **محمد وقار عالم ایڈووکیٹ ہائی کورٹ** کیلئے

کوسب ذیل شرائط پر وکیل مقرر کیا ہے، کہ میں بر پیشی پر خود بذریعہ اختیار نامی درود و حالت حاضر ہوتا ہوں گا۔ اور ہر وقت پکارے جانے حضور وکیل صاحب
 موصوف کو اطلاع دیکر حاضر عدالت کروں گا، اگر پیشی پر بطور حاضر ہوں اور حضور سروری غیر حاضر کی وجہ سے کسی طور پر میرے بر خلاف ہو گیا۔ تو صاحب موصوف
 اسکے کسی طرح ذمہ دار نہ ہوں گے، نیز وکیل صاحب موصوف صدر تمام پکھری کے علاوہ کسی جگہ یا پکھری کے اوقات سے پہلے یا پیچھے یا ہر وقت تھکیل دینی کرنے کے
 ذمہ دار نہ ہوں گے۔ نیز وکیل صاحب موصوف صدر تمام پکھری کے علاوہ کسی جگہ یا پکھری کے اوقات سے پہلے یا پیچھے یا ہر وقت تھکیل دینی کرنے کے ذمہ دار نہ
 ہوں گے۔ اور حضور صدر پکھری کے علاوہ ہر جگہ حالت ہونے یا ہر وقت تھکیل یا پکھری کے اوقات کے آگے پیچھے پیش ہونے پر بطور کوئی تھکان پینے تو اس کے ذمہ
 دار یا اس کے واسطے کسی سزا نہ کے اٹھا کرنے یا عتاب نہیں کرنے کے بھی موصوف ذمہ دار نہ ہوں گے۔ محض کوکل مانتہ پروا اطلاع صاحب موصوف عمل کر وہ
 ذلت خود حضور و قبول ہوگا۔ اور صاحب موصوف کو مرضی دعویٰ، یا اجاب دعویٰ اور خواست اجراء ڈگری و نظر ثانی اپیل و جرم و خواست پر و خلاصہ تصدیق کرنے کا
 بھی اختیار ہوگا۔ اور کہ کسی ڈگری کرنے اور جرم کا وہ یہ وصول کرنے اور رسید دینے اور حاصل کرنے اور جرم کے بیان دینے اور اس پر جانسی یا ماضی یا نامہ فیصلہ
 ملنے کرنے، یا قبول و نفی کا بھی اختیار ہوگا۔ اور بصورت مقرر ہونے تاریخ پیشی حضور مذکورہ عدالت دن از پکھری صدر سروری حضور مذکورہ نظر ثانی و اپیل و جرم و آدنی
 حضور یا حضور ڈگری بظرف یا درخواست تم استانی یا قرتی یا کرداری عمل از فیصلہ اجراء ڈگری بھی صاحب موصوف کو بشرط اعلیٰ علیہ حالت سروری کا اختیار ہوگا
 اور تمام مانتہ پروا اطلاع صاحب موصوف عمل کر وہ ذلت خود حضور و قبول ہوگا۔ اور بصورت ضرورت صاحب موصوف کو یہ بھی اختیار ہوگا کہ حضور مذکورہ اسکے کسی جرم
 کی کاہلی یا بصورت درخواست نظر ثانی اپیل یا جرم یا دیگر مصلحت حضور مذکورہ کی دوسرے وکیل یا ہر جگہ اپنے جہانے یا اپنے جرم مقرر کریں۔ اور اپنے شیر قانون کو
 بھی ہر امر میں وہی اور دوسرے اختیارات حاصل ہوں گے، جیسے صاحب موصوف کو حاصل ہیں اور در بیان مقدمہ میں جو کہ ہر جگہ اتنا لہذا ہے چاہا، وہ صاحب
 موصوف کا حق ہوگا۔ مگر صاحب موصوف کو پوری نہیں تاریخ پیشی سے پہلے امانت کروں گا۔ تو صاحب موصوف کو پورا اختیار ہوگا کہ وہ حضور کی سروری نہ کریں اور کسی
 صحت میں ہر کوئی مصلحت کی تم صاحب موصوف کے بر خلاف نہیں ہوگا۔

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مضمون وکالت نامہ سن لیا ہے اور اسی طرح سمجھ لیا ہے اور حضور ہے۔
العبد **العبد** **العبد**
 محمد وقار عالم ایڈووکیٹ ہائی کورٹ
 (1) فضل الرحمن (2) ذوالفقار علی (3) محمد عمران (4) محمد رفیق (5) محمد رفیق (6) محمد رفیق (7) محمد رفیق (8) محمد رفیق (9) محمد رفیق (10) محمد رفیق