

17.03.2021

Appellant in person and Mr. Noor Zaman Khattak,  
District Attorney for respondents present.

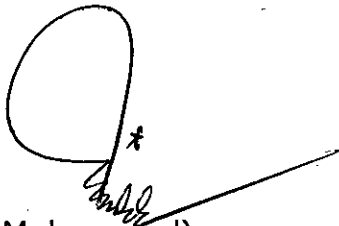
The instant appeal was fixed for hearing on 16.03.2021 and was adjourned due to paucity of time. Today, the appellant/applicant has submitted application for withdrawal of the appeal No. 179/2019. Learned District Attorney, present before the Tribunal in connection with other cases, accepts notice of the application.

It is the grievance of the appellant/applicant that his appeal has already taken long time for decision and is likely to take more, which he is unable to withstand.

The application is allowed and the appeal is dismissed as withdrawn. File be consigned to the record room.

The instant dismissal of appeal shall not effect, in any manner what-so-ever, the rights of appellant otherwise available to him.

Announced:  
17.03.2021

  
(Mian Muhammad)  
Member (E)

  
Chairman

28.12.2020

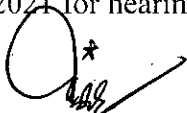
Due to summer vacation, case is adjourned to  
16.3.2021 for the same as before.

  
Reader

16.03.2021

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

Due to paucity of time, instant matter is adjourned to  
04.06.2021 for hearing before the D.B.

  
(Mian Muhammad)  
Member (E)

  
Chairman

28.10.2020

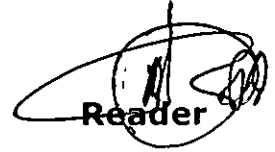
Proper D.B is on Tour, therefore, the case is  
adjourned for the same on 29.12.2020 before D.B.

A handwritten signature in black ink, consisting of a stylized, cursive script that appears to be the name 'Reader'.

Reader

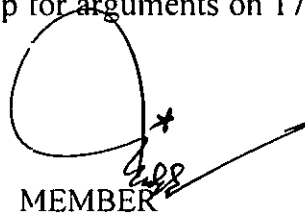
30.03.2020

Due to public holiday on account of COVID-19, the case is adjourned to 08.06.2020 for the same as before.

  
Reader

08.06.2020

Appellant in person present. Addl: AG for respondents present. Due to general strike of the Khyber Pakhtunkhwa Bar Council, the case is adjourned. To come up for arguments on 17.08.2020 before D.B.

  
MEMBER

  
MEMBER

17.08.2020

Due to summer vacations, the case is adjourned to 28.10.2020 for the same.

  
Reader

06.11.2019

Appellant alongwith counsel and Addl. AG alongwith Jaffar Ali, Senior Clerk for the respondents present.

Representative of respondents seeks time to furnish reply/comments. Last opportunity granted. To come up for requisite reply/comments on 18.12.2019 before S.B.

  
Chairman

18.12.2019


Appellant in person, Addl. AG alongwith Adnan Zeb, Legal Assistant for the respondents present.

Representative of respondents has furnished parawise comments on behalf respondents. Placed on record. The appeal is assigned to D.B for arguments on 12.02.2020. The appellant may furnish rejoinder, within one month, if so advised.

  
Chairman

12.02.2020

Learned counsel for the appellant present. Mr. Muhammad Jan learned Deputy District Attorney for the respondents present. Learned counsel for the appellant requested for adjournment. Adjourned. To come up for arguments on 30.03.2020 before D.B.

  
(Hussain Shah)  
Member

  
(M. Amin Khan Kundi)  
Member

23.07.2019

Appellant in person and Mr. Usman Ghani, District Attorney for the respondents present.

Learned District Attorney requests for time to procure written reply of the respondents. To come up for written reply/comments on 11.09.2019 before S.B.

  
Chairman

11.09.2019

Appellant in person and Addl. AG for the respondents present.

Learned AAG requests for further time to submit the requisite reply. Adjourned to 07.10.2019 on which date the requisite reply/comments shall positively be submitted before S.B.

  
Chairman

07.10.2019

Appellant in person and Addl. AG alongwith Saleem Javed, Litigation Officer and Sher Daraz Khan, SO for the respondents present.

Representatives of respondents requests for time to submit reply/comments. To come up for written reply/comments on 06.11.2019 before S.B.

  
Chairman

15.04.2019

Learned counsel for the appellant present. Preliminary arguments heard.

The appellant (Retired Chowkidar) has filed the present service appeal u/s 4 of Khyber Pakhtunkhwa Service Tribunal Act, 1974 against the order dated 30.07.2018 whereby he was retired from service w.e.f 02.07.2018. Plea of the appellant is that since his date of birth has been recorded as 10.04.1961 in his service book/as such the appellant will attain the age of superannuation on 09.04.2021 hence the impugned order is not tenable. The appellant has also assailed the office order dated 29.01.2018 through which his departmental appeal was regretted.

Points urged need consideration. The appeal is admitted for regular hearing subject to all legal objections. The appellant is directed to deposit security and process fee within 10 days. Thereafter, notices be issued to the respondents for written reply/comments. To come up for written reply/comments on 29.05.2019 before S.B.


  
Member

29.05.2019

Counsel for the appellant submitted an application for extension of time to deposit security and process fee. It is stated by learned counsel that he has not been contacted by the appellant, therefore, the requisite charges could not be deposited within time.

The application is allowed and the appellant is required to make the requisite deposit within next two days. Thereafter notices be issued to the respondents for submission of written reply/comments on 23.07.2019 before the S.B.

  
Chairman

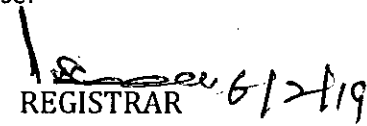


  
Amount Deposited  
& Process Fee

29/5

Form- A  
FORM OF ORDER SHEET

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

Case No. 179/2019

S.No.	Date of order proceedings	Order or other proceedings with signature of judge
1	2	3
1-	06/2/2019	<p>The appeal of Mr. Zafar Ali Shah resubmitted today by Mr. Saeed Khan Advocate may be entered in the Institution Register and put up to the Worthy Chairman for proper order please.</p> <p> REGISTRAR 6/2/19</p>
2-		<p>This case is entrusted to S. Bench for preliminary hearing to be put up there on <u>14-3-19</u>.</p> <p> CHAIRMAN</p>
14.03.2019		<p>Counsel for the appellant present and seeks adjournment. Adjourned to 15.04.2019 for preliminary hearing before S.B.</p> <p> (MUHAMMAD AMIN KHAN KUNDI) MEMBER</p>

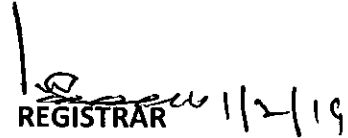


The appeal of Mr. Zafar Ali Shah son of Gul Shah r/o Mian Gano Mia P/O Jahangira Tehsil and District Nowshera received today i.e. on 01.02.2019 is incomplete on the following score which is returned to the counsel for the appellant for completion and resubmission within 15 days.

- 1- Annexure-D of the appeal is illegible which may be replaced by legible/better one.
- 2- Departmental appeal having no date, be dated.

No. 809 /S.T,

Dt. 01/2 /2019.

  
REGISTRAR  
SERVICE TRIBUNAL  
KHYBER PAKHTUNKHWA  
PESHAWAR.

Mr. Saeed Khan Adv. Pesh.

- ① Annexure-D being replaced with better copy as D-1
- ② Departmental appeal being dated  
P2 case.



**BEFORE THE KHYBER PUKHTUNKHWA SERVICE TRIBUNAL  
PESHAWAR**

Service Appeal No--179---/2019

Zafar Ali shah

V E R S U S

Secretary Health Services Khyber  
Pukhtunkhwa (KPK), Peshawar.&  
others

**I N D E X**

<b>S NO</b>	<b>DESCRIPTION OF DOCUMENTS</b>	<b>ANNEX</b>	<b>PAGE</b>
1.	Memo Of Appeal	-	1-5
2.	Affidavit		6
3.	Copy of impugned order dated 30.07.2018	'A'	7
4.	departmental appeal/ Representation	<b>B</b>	8-9
5.	office order dated 26.10.2018	<b>C</b>	10
6.	Service book	<b>D</b>	11-12
7.	Academic Certificates & CNIC of Appellant	<b>E</b>	13-15
8.	Copies Of final order dated 29.01.2019	<b>F</b>	16
9.	Wakalatnama	-	17

Through:

**Appellant**

  
**Saeed Khan**

**Advocate,**

**High Court, Peshawar**

**Cell # 0312-0593106**

①

**BEFORE THE KHYBER PUKHTUNKHWA SERVICE TRIBUNAL  
PESHAWAR**

Khyber Pakhtukhwa  
Service Tribunal

SERVICE APPAL No. 179 /2019

Diary No. 146

Dated 01-2-2019

Zafar Ali shah S/o Gul Shah R/o Mian Gano Mia,  
P/o Jahangira Tehsil and District Nowshera.

.....**Appellant**

**VERSUS**

1. Secretary Health Services Khyber Pukhtunkhwa (KPK), Peshawar.
2. Director General Health Services Khyber Pukhtunkhwa (KPK), Peshawar.
3. Additional Director General Health Services (HRM) KPK, Peshawar
4. District Health Officer (DHO) Nowshera.

.....**RESPONDENTS**

**APPEAL AGAINST THE OFFICE ORDER No.5516-20/  
DHO NSR DATED 30.07.2108 OF THE DISTRICT  
HEALTH OFFICER NOWSHERA (RESPONDNET No.4)  
WHEREBY THE APPELLANT HAS BEEN PRE-MATURE  
RETIRED FROM SERVICE WHICH IS ILLEGAL  
PERVERSE AND AGAINST THE RETIREMENT LAW,  
RULES AND POLICY AND INEFFECTIVE UPON THE  
RIGHT OF APPELLANT HENCE LIABLE TO BE SET  
ASIDE.**

Filed to-day

Registrar  
12/19

Re-submitted to-day  
and filed.

Registrar  
6/2/19

**PRAYER:**

ON ACCEPTANCE OF THIS APPEAL THE OFFICE ORDER NO.5516-20 / DHO NSR DATED 30.07.2108 OF THE DISTRICT HEALTH OFFICER NOWSHERA (RESPONDNETNO.4) MAY PLEASE BE DECLARED ILLEGAL AND THE SAME MY GRACIOUSLY BE SET ASIDE WITH ALL BACK BENEFITS FURTHERMORE THE PAST PERIOD OF SERVICE OF APPELLANT MAY PLEASE BE CONSIDERD AS LEAVE AND RESPONDENTS BE DIRECTED TO PAY ALL THE SALARY, ALLOWANCES SINCE NOT PAID TO APPELLANT IN CONSEQUENCES OF THE IMPUGNED ORDER DATED 30.07.2018.

---

**Respectfully Sheweth:**

**The appellant humbly submits brief facts as under:-**

- 1) That the appellant is serving in the health department as Chowkidar since 24.05.1979 and since then the appellant performed his duties with zeal and devotion and work hard with diligence to the entire satisfaction of his superior and his services being highly appreciated as well.
- 2) That the appellant has received an office order No.5516-20/DHO, NSR Dated 30.07.2018 whereby the appellant has retired from service pre-mature prior to attaining the age of superannuation i.e. 60

years copy of office order No.5516-20/DHO, NSR Dated 30.07.2018 is annexed as **Annex 'A'**).

- 3) That the appellant preferred an departmental appeal /representation to respondent No.1 on 16.08.2018 against the captioned retirement order wherein the appellant agitated his grievances that as according to the service book his date of birth has been correctly recorded as 10.04.1961 which also evident from his CNIC similarly from the Academic certificates of the present appellant, which have been submitted to the respondents department by the present appellant at the time of his appointment, however, on the strength of the said departmental appeal/ representation the respondent constituted an inquiry committee vide office order dated 26.10.2018 and the present appellant was directed to appear before the said committee on dated 30.10.2018. Copy departmental appeal / office order dated 26.10.2018 / Service book/ Certificates & CNIC / are attached as **Annex 'B-C-D-E'**).
- 4) That as per direction the appellant appear before the inquiry committee and proved his stance strongly but the departmental appeal / representation of the present appellant has been disposed of by the respondents with following remakes vide office order No.1281-82 dated 29.01,2019 , as; **your appeal for the subject case has been considered by the competent authority but, it is regretted in the light of inquiry report,** hence this appeal copy of

the office order No.1281-82 dated 29.01,2019 is attached as **Annex-F**

- 5) That the appellant feeling aggrieved from the illegal act, order of the respondents and having no other remedies hence approached to this Ho'able Tribunal against with following among other grounds.

### GROUNDS

- A) that the act of the respondents is illegal and against the norms of law and justice
- B) That the impugned office order dated 30.07.2018 is against the law, facts and norm of natural justice hence not maintainable in the eye of law.
- C) That the impugned order is against the fundamental right of the appellant guaranteed under the constitution of Islamic republic of Pakistan 1973.
- D) That the appellant was appointed in respondent department as Chowkidar since 24.05.1979 and his date of birth has been correctly scribe in the service book as 10.04.1961 whereas the respondent wrongly written the date of birth appellant in the same as 21 years instead of 18 years, the

said error is on the part of respondent as they have committed illegality by missed calculated the date of birth of the present appellant hence the appellant shall not be held responsible for the irresponsible and negligence act on the part of respondents., hence the impugned order is not warranted and not sustainable in the eye of law.

- E) That impinged order is surfing from serious illegality and against the retirement law, rules and policy hence liable to be set aside.
- F) That the appellant seeks permission to advance other ground at the time of arguments.

**It is, therefore respectfully prayed that the instant appeal may please be accepted as prayed for in the heading of the instant appeal.**

**Any other relief, which this honorable tribunal deemed proper in the matter, may also be granted to the appellant.**

*Z.A. Khan*  
**Appellant**

**Through**

*Saeed Khan*  
**Saeed Khan)  
Advocate,  
High Court, Peshawar**

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

Service Appeal No. \_\_\_\_\_/2019

Zafar Ali Shah.....**Appellant**

**VERSUS**

Secretary Health & others .....**Respondents**

**AFFIDAVIT**

I, Zafar Ali Shah Son of Guldat Shah R/o Miangan, Mian Esa, P.O Jahangira Tehsil & District Nowshera, do hereby solemnly affirm and declare on oath that the contents of the accompanying **Service Appeal** are true and correct to the best of my knowledge and belief and nothing has been concealed from this Hon'ble Court.

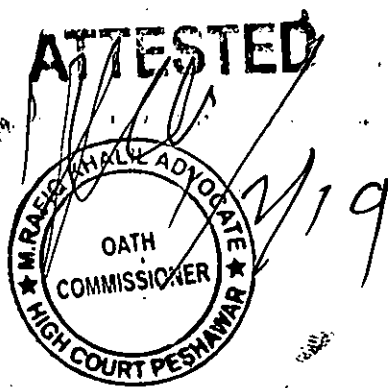
*Z.A. Shah*

Identified by

**DEPONENT**  
CNIC#: 17201-2244652-5

*[Signature]*

**Saeed Khan**  
Advocate High Court







(7)

Annex - A

**OFFICE OF THE DISTRICT HEALTH OFFICER NOWSHERA**  
Phone & Fax: 0923-580759 E-Mail: nowshera.edoh@gmail.com

OFFICE ORDER

On attaining the age of superannuation, Mr. Zafar Ali Shah (Chowkidar) working under the control of undersigned at Civil Dispensary Mian Essa, District Nowshera is hereby stand retired from service w.e. from 02-07-2018. He is also entitle for 365-encashment in lieu of LPR.

**ATTESTED**

Sd \_\_\_\_\_  
District Health Officer  
Nowshera

No. 5516-20 / DHO NSR

Date: 30/07/2018

Copy forwarded to the:

1. District Accounts Officer Nowshera.
2. Incharge DHIS Cell, DHO Office Nowshera.
3. Incharge Accounts Section DHO Office Nowshera.
4. Incharge CD Mian Essa, Nowshera.
5. Official concerned.

District Health Officer  
Nowshera

To

The Most Respected  
Director General Health (D.G), for  
Government of KPK  
Peshawar

ATTESTED

**Subject:- DEPARTMENTAL APPEAL IN THE BELOW  
CONTENTS AND REASONS.**

*Respected Sir,*

*With profound veneration, applicant is submitting as  
under;*

Applicant being bonafide employee of one of the most esteemed institution rather department of Govt. of Pakistan and being remained Chowkidar, therein, currently retired from his service by the competent authority vide retirement **order No. 5516-20/DHO NSR dated 30/07/2018.**

Since applicant was about to know his retirement in the coming era, therefore submitted numerous verbal as well as written representation to appropriate, competent authority of health department, stated therein about the true citation of the actual date of birth of the applicant, according to his CNIC and that was **10/04/1961**, which further strengthened by the board authority, who issued matriculation certificate to the applicant. **BUT** the appropriate competent authority erroneous, wrongly by considering wrong facts of the date of birth of the applicant, as per

service book record, wherein the wrong date of birth of the applicant was lying as **10/10/1959**. hence the retirement order of the applicant was not warranted and not sustainable in the eye of the law, hence liable to be re perused for recalling the same. **(Copy of the documents are enclosed herewith)**

ATTESTED

That the applicant date of birth mentioned in the service book dated **10/04/1961** was mentioned by Mr. Abdul Khaliq District Health Officer was given direction to Mr. Firasat Khan to mention his date of birth in the service book record. **(Copy of the service Book is enclosed)**

It is thus prayed that in the light of the above elaborated factual stance, the retirement order of the applicant w.e.f. 30/07/2018 by considering wrong date of birth of the applicant i.e. 10/010/1959, may graciously be recommended to recall by recognizance the actual date of birth of applicant as per matriculation certification and CNIC.

Applicant

*Zafar Ali Shah*  
**Zafar Ali Shah**  
**S/o Gul Dad Shah R/o**  
**Mian Gano, Mia Mesa P.O**  
**Jahangira Tehsil & District**  
**Nowshera**

Cell No. 0332-9696823

Date: 16-08-2018



(10)

Annex - C

**DIRECTORATE GENERAL HEALTH SERVICES  
KHYBER PAKHTUNKHWA, PESHAWAR**

*All communications should be addressed to the Director General Health Services Peshawar and not to any official by name  
Exchange # 091-9210187, Tele # 091-9213798, Fax # 091-9210230 # 091-9213193*

**OFFICE ORDER**

**ATTESTED**

As directed by the competent authority the following inquiry committee is hereby constituted to investigate properly the departmental appeal of Mr. Zafar Ali Shah S/O Gul Dad Shah of District ( Ex- Chowkidar) attached to District Health Officer Nowshera in the office of the undersigned on 30/10/2018 at 10:00 AM.. Copy attached)

- |  |           |
|--|-----------|
| 1. Dr. Iftikhar Ali Director<br>(Coord:/Dev :) DGHS office Pesh: | Chairman. |
| 2. Mr. Arshad Khan AD (Ministerial)<br>DGHS Office Peshawar.     | Member.   |
| 3. Muhammad Shah Head Clerk<br>DHO Office, Nowshera.             | Member.   |
| 4. Mr. Fayyaz Ahmad DGHS Office Pesh                             | Member.   |

SD/- DIRECTOR GENERAL HEALTH  
SERVICES KPK, PESHAWAR.

No. 1102-06 /Coord:/GF Dr. Iftikhar Ali (DHO NSR Mr./ Zafar Ali Chowkidar) Dt: 26/10/2018

Copy forwarded to:-

1. DHO Nowshera for information he is requested to direct Head Clerk alongwith all the relevant documents of his to his office to attend the inquiry committee on the above mentioned date and time.
2. Assistant Director (Ministerial) DGHS Office Peshawar.
3. Mr. Fayyaz Ahmad Supdt: Accounts DGHS Office Peshawar.
4. Mr. Zafar Ali Shah S/O Gul Shah R/O Mian Gano Mia Mesa PO Jahangira Tehsil and District Nowshera Cell Phone 03329696823 with the remarks to attend the above committee on the above mentioned date and time.
5. PA DGHS Office Khyber Pakhtunkhwa Peshawar.

ADDITIONAL DIRECTOR GENERAL (HRM)  
DIRECTORATE GENERAL HEALTH  
SERVICES KYBER PAKHTUNKHWA, PESHAWAR.

23/10/18

The entries in this page should be re- lines



گورنمنٹ پاکستان  
17201-224-1652-3  
10/04/1961  
علی احمد علی  
ریاست ہریانہ  
گورنمنٹ ہریانہ

(11)

Name

Race

Residence

Father's name and residence

Date of birth by Christian Era as nearly as can be ascertained

10-09-1961

Exact height by measurement

Five District Health Newsletter

Personal marks for identification

Handwritten notes and scribbles.

Left hand thumb and finger impression of (non-gazetted) officer

Little Finger

Ring Finger

Middle Finger

Fore Finger

Thumb

Signature of Government servant

Handwritten signature: Ali Ahmad

Signature and designation of the Head of the Office, or other Attesting Officer

Handwritten text and scribbles at the bottom right.

1	2	3	4	5	6	7	8
Name of post	Whether substantive or officiating and whether permanent or temporary	If officiating state - (i) substantive appointment or (ii) whether service counts for pension under Art. 371, C. S. R.	Pay in substantive post	Additional pay for officiating	Other emoluments falling under 'Pay'	Date of appointment	Signature of Government servant
<i>[Faint handwritten text]</i>							<i>[Signature]</i>
<i>[Faint handwritten text]</i>							<i>[Signature]</i>
<i>[Faint handwritten text]</i>							<i>[Signature]</i>
<i>[Faint handwritten text]</i>							<i>[Signature]</i>
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<i>[Faint handwritten text]</i>							<i>[Signature]</i>
<i>[Faint handwritten text]</i>							<i>[Signature]</i>

9	10
Signature and designation of the head of the office or other attesting officer in attestation of columns 1 to 8	Date of termination of appointment
<i>[Signature]</i>	
<i>[Signature]</i>	
<i>[Signature]</i>	
<i>[Signature]</i>	
<i>[Signature]</i>	
<i>[Signature]</i>	
<i>[Signature]</i>	
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<i>[Signature]</i>	
<i>[Signature]</i>	
<i>[Signature]</i>	
<i>[Signature]</i>	
<i>[Signature]</i>	

Director General  
PESHAWAR

C12

**BETTER COPY OF SERVICE BOOK ANNEXURE-D-1**

ATTESTED

*[Signature]*  
Attested

1. Name Zafar Ali Shah
2. Race \_\_\_\_\_
3. Residence R/o Mian Gano Mia, P/o Jahangira Tehsil and District Nowshera
4. Father name \_\_\_\_\_ Gul Dad Shah (as above)
5. Date of birth by Christian Era as \_\_\_\_\_ 21 years 10-04-1961  
Early as can be ascertained
6. Exact height by measurement \_\_\_\_\_ 5-6"
7. Personal mark for identification \_\_\_\_\_
8. Left hand thumb and finger impression  
of (non-gazetted) officer  
little Finger \_\_\_\_\_ Ring Finger \_\_\_\_\_  
Middel Finger \_\_\_\_\_ For Finger \_\_\_\_\_  
Thumb \_\_\_\_\_
9. Signature of Government servant \_\_\_\_\_ Zafar Ali Shah
10. signature and designation of head  
Of the office , or other attesting  
Officer \_\_\_\_\_

1	2	3	4	5	6	7	8	9	10
Name of post	Whether substantive or officiating and whether permanent or temporary	if officiating state (i) substantive appointment or (ii) whether service counts for pension under Article 371 C.S.R	pay in substantive post	Additional pay in substantive post	Other emoluments falling under the term pay	Date of appointment	Signature of government servant	signature and designation of head Of the office , or other attesting officer in attestation column No 8	Date of termination of appointment

pay Rs - 255 / pm

pay Rs - 260 / pm

pay Rs - 265 / pm



(13)

# GOVERNMENT HIGH SCHOOL SHaidu

PESHAWAR DISTT)

S.L.C Fee 30  
S.L.C Fee 6.00  
6.50

## School Leaving Certificate

Annex - E

**ATTACHED**

38

Admission No 172 File No \_\_\_\_\_

This is to certify that Mr Zafar Ali Shah  
 Son of Mr Gul Dad Shah attended this school  
 upto 31.3.77 He has paid all his dues upto 31.3.77

He was allowed to withdraw his name on the above date. At the time of his leaving this institution, he was reading in 10<sup>th</sup> (Tenth) class.

According to the school record, his Date of Birth is :-

In figures 10 - 4 - 1961

In words Tenth April N.H & Sixty one

The following particulars are certified to be correct, according to the school record :-

DATE OF ADMISSION	DATE OF WITHDRAWAL	PERIOD OF ATTENDANCE DURING THE CURRENT YEAR		POSSIBLE ATTENDANCE DURING THE CURRENT YEAR	ACTUAL ATTENDANCE DURING THE CURRENT YEAR
		FROM	TO		
15.4.75	31.3.77	15.4.75	31.3.77		/

Date of issue 16.1.79

Conduct Good

Prepared by [Signature]

[Signature]  
Head Master

s. N<sup>o</sup> 323402

(14)

بِسْمِ اللّٰهِ الرَّحْمٰنِ الرَّحِیْمِ

Roll No. 5594

**BOARD OF INTERMEDIATE AND SECONDARY EDUCATION**



**Peshawar N.W.F.P. Pakistan**  
**Secondary School Certificate Examination**  
**SESSION 1981 (ANNUAL)**

THIS IS TO CERTIFY THAT Zafar Ali Shah

Son/Daughter of \_\_\_\_\_

Gen. \_\_\_\_\_

and a resident of \_\_\_\_\_

Peshawar District

has passed the *Secondary School Certificate Examination*  
of the Board of Intermediate and Secondary Education, Peshawar held in April 1981  
as a *Private candidate*. He/She obtained 325 Marks out of 850  
and has been placed in Grade  Representing Satisfactory

The Candidate passed in the following subjects:

- |                       |                 |                 |                     |
|-----------------------|-----------------|-----------------|---------------------|
| 1. <del>English</del> | 3. Islamiyat    | 5. Pak: Studies | 7. Gen: Mathematics |
| 2. Urdu               | 4. Isl: Studies | 6. Gen: Science | 8. Pashto           |

Date of birth according to admission form is Tenth April  
one thousand nine hundred and Sixty one (10-4-1961)

*Assit. Secretary*

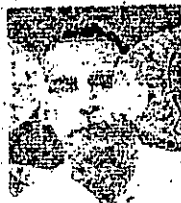
31st. July, 1981

*This certificate is issued without alteration or erasure.*

*Secretary*

(2)

(15)



Handwritten signature or mark.

ATTESTED

علی ارشد شاہ  
تاریخ: 04/02/2011



شناختی نمبر: 17201-2244652-5 نام: محمد اقبال

سوجھ بوجھ: ایمان گل، ایمان حسین، ڈاکا، جہانگیر، کھنڈ، ضلع نوشہرہ

13891461005



سکول پتہ: اربنا

تاریخ: 31/01/2022 تاریخ: 04/02/2011

گمشدہ کارڈ ہے پر وہی میٹر جس میں ڈال دیں



(16)

# DIRECTORATE GENERAL HEALTH SERVICES KHYBER PAKHTUNKHWA PESHAWAR



E-Mail Address: [nwfpdghs@yahoo.com](mailto:nwfpdghs@yahoo.com) office Ph# 091-9210269 Exchange# 091-9210187, 9210196 Fax # 091-9210230  
No. 1281-82 /Personnel Dated: 28 /01/2019

Annex-F

ATTESTED

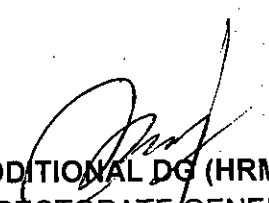
To,  
Mr. Zafar Ali Shah S/O Gul Dad Shah  
R/O Mian Gano, Mia Mesa P.O Jahangira  
Tehsil & District Nowshera Cell# 0332-9696823

Subject: DEPARTMENTAL APPEAL IN THE BELOW CONTENTS AND REASONS.

Memo:

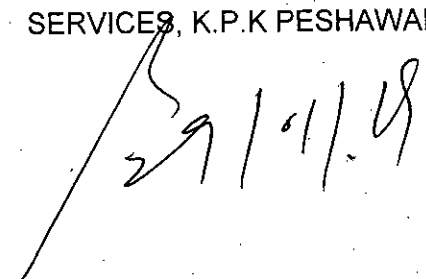
I am directed to refer to your appeal dated on 16.08.2018, on the subject noted above.

Your appeal for the subject case has been considered by the competent authority but, it is regretted in light of enquiry report.

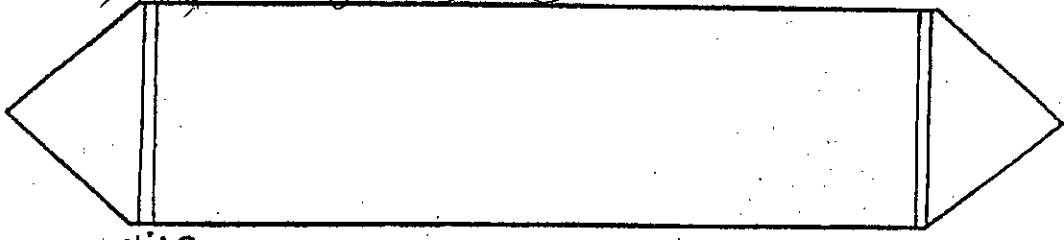
  
ADDITIONAL DG (HRM)  
DIRECTORATE GENERAL HEALTH  
SERVICES, K.P.K PESHAWAR

C.C

DHO Nowshera.

  
29/11/18

# بعدالت سروس ٹرانسپونل KPK



2 منجانب

تفرض علی شاہ بنام سسر ٹری بیڈی KPK

---	موزخہ
---	مقدمہ
---	دعویٰ
---	جزم

## باعث تحریر آنکے

مقدمہ مندرجہ عنوان بالا میں اپنی طرف سے واسطے پیروی و جواب دہی وکل کاروائی متعلقہ آن مقام شاہ پور کیلئے صدف خان اللہ ولد مقرر کر کے اقرار کیا جاتا ہے۔ کہ صاحب موصوف کو مقدمہ کی کل کاروائی کا کامل اختیار ہوگا۔ نیز وکیل صاحب کو راضی نامہ کرنے و تقرر ثالثہ فیصلہ برحلف دیئے جواب دہی اور اقبال دعویٰ اور بسورت ڈگری کرنے اجراء اور صولی چیک درو پیہا عرضی دعویٰ اور درخواست ہر قسم کی تصدیق زرائیں پر دستخط کرانے کا اختیار ہوگا۔ نیز صورت عدم پیروی یا ڈگری یکطرفہ یا اپیل کی برآمدگی اور منسوخی نیز دائر کرنے اپیل نگرانی و نظر ثانی و پیروی کرنے کا اختیار ہوگا۔ از بصورت ضرورت مقدمہ مذکور کے کل یا جزوی کاروائی کے واسطے اور وکیل یا مختار قانونی کو اپنے ہمراہ یا اپنے بجائے تقرر کا اختیار ہوگا۔ اور صاحب مقرر شدہ کو بھی وہی جملہ مذکورہ بااختیارات حاصل ہوں گے اور اس کا ساختہ پرواختہ منظور قبول ہوگا۔ دوران مقدمہ میں جو خرچہ ہر جانہ التوائے مقدمہ کے سبب سے وہوگا۔ کوئی تاریخ پیشی مقام دورہ پر ہو یا حد سے باہر ہو تو وکیل صاحب پابند ہوں گے۔ کہ پیروی مذکور کریں۔ لہذا وکالت نامہ لکھدیا کہ سند ہے۔

Accepted

Accepted

ط

الرقوم 29 ماہ جنوری 2019

\_\_\_\_\_ واہ العبد

کے لئے منظور ہے۔

شاہ

بمقام

تفرض علی شاہ اپیل

Before The Honable Service Tribunal KPK

Zafar Ali Shah

VS

Secretary Health Services KPK & others

Application for allowing the Appellant  
to deposit Security Amount as  
per Rule.

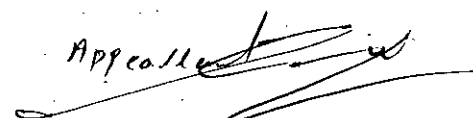
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Respectfully sheweth,

The applicant submits as under:-

1. That the above titled case is pending before this Honorable Court in which today date is fixed for hearing.
2. That the security amount has not been deposited by the appellant. Therefore, now the appellant wants to deposit the same.

It is therefore most humbly requested that on acceptance of this application the appellant may please be allowed to deposit the security amount.

Through 

Secy KHA Adm

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

Service Appeal No. 179/2019

Zafar Ali Shah.....(Appellant)

**VERSUS**

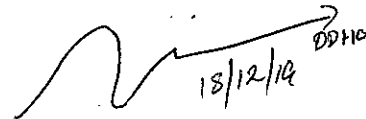
Govt of KPK and others.....(Respondents)

**I N D E X**

<b>S.No</b>	<b>Description of Documents</b>	<b>Annex</b>	<b>Pages</b>
1.	Para-wise comments		1-3
2.	Copy of relevant page of Service Book of the appellant	A	4-7
3.	Copy of Inquiry Report	B	8-11
4.	Copy of NADRA Verification	NADRA	12-16

Respondents No. 1 to 4

Through

  
18/12/19

Dated: 18/12/2019

**Dr. Shahid**  
Legal Representative

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

**Service Appeal No. 179/2019**

1

Zafar Ali Shah S/o Guldat Shah R/o Miangan Mian Essa, PO Jehangira, Tehsil & District Nowshera.

...(Appellant)

...VERSUS...

1. Government of Khyber Pakhtunkhwa through Secretary Health Services, Civil Secretariat, Peshawar.
2. Director General, Health Services, Government of Khyber Pakhtunkhwa, Peshawar.
3. Additional Director General, Health Services, HRM, Khyber Pakhtunkhwa, Peshawar.
4. District Health Officer, Nowshera. ...(Respondents)

**PARA-WISE COMMENTS ON BEHALF OF THE RESPONDENTS**

**Respectfully Sheweth:**

**Preliminary Objections:**

- 1) The appellant has no cause of action to file the instant appeal.
- 2) The appellant has concealed facts from this Hon'ble Tribunal.
- 3) The appellant has not come to this Hon'ble Tribunal with clean hands.
- 4) The instant appeal is not maintainable.
- 5) The appellant is estopped by his own conduct to file the instant appeal.

**Facts:**

1. Para-1 is correct.
2. Para-2 is correct to the extent of issuance of the Notification No. 5516-20/DHO, dated 30-07-2018 is concerned, however, the averment of premature retirement prior to attainment of the age of superannuation is wrong, baseless and malafide in order to prolong his service. It is added that the appellant has correctly been retired from the service, considering his service record, wherein, his age, at the time of his



appointment was recorded as 21 years. **(Copy of the relevant page of Service Book of the appellant is annexed as "A")**.

3. Para-3 is correct to the extent of submission of departmental appeal, inquiry and refusal of the Competent Authority to consider. It is added that the plea of appellant to consider his date of birth as 10-04-1961 against the one recorded in his Service Book as 21 years, on the basis of Medical Report, at the time of his initial appointment was not accepted by the Inquiry Committee and the entry of date of birth as 10-04-1961, in the service book of the appellant was declared as tempering being not signed by the Competent Authority. **(Copy of Inquiry Report is annexed as "B")**.
4. Para-4 is incorrect, so far as the proof of assertion of date of birth as 10-04-1961 is concerned.
5. Para-5 is legal, however, it is added that appellant has no locus-standi.

#### **Grounds:**

- A. Incorrect. Respondents have acted in accordance with law and rules on the subject. There is no deviation from the application of law and rules nor the appellant has indicated any law or rule which has been allegedly been violated.
- B. Incorrect. The appellant has been retired on attaining his age of superannuation, as per record of this office.
- C. Incorrect. No right of the appellant has been infringed. The law and rules on the subject has rightly been applied, on the attainment of age of superannuation of the appellant.
- D. Incorrect. Infact the appellant had provided his age as 21 years at the time of his appointment, which was correctly been incorporated in his Service Book. It is further added that the appellant is relying on two different CNICs. The old NIC bearing No. 13891451005, submitted at the time of his initial appointment, has been concealed from the Hon'ble Court, as the same was found bogus and fake through an inquiring letter No. 9831/DHO/NSR, dated 23-10-2019. This letter was

responded by NADRA showing that NIC No.13891451005 was not existing. Moreover, appellant has made tempering in the Service Book, for his benefit, which was duly enquired, and his age was found as 21 years at the time of entry into service, speaking about his proper and correct superannuation. (Copies of the Letter No. 9831 (ibid) and the response of NADRA with allied documents-5 sheets, are annexed herewith as "Annexure-NADRA".

E. Incorrect. No law has been referred to. It is further added that the contention of appellant that his date of birth was not correctly entered in his Service Book is wrong, as the matter was inquired in detail. Detailed reply has been given in the preceding Para.

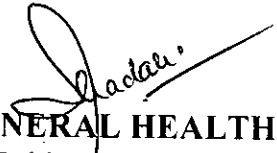
F. This ground is legal, therefore, need not to be responded.

It is, therefore, very humbly submitted that the appellant has correctly been retired on attaining the age of superannuation, on the strength of his service record. Hence, it is prayed that the appeal may kindly be dismissed.


(Respondent No. 1)

  
**SECRETARY HEALTH SERVICES**  
Khyber Pakhtunkhwa, Peshawar

(Respondent No. 2)

  
**DIRECTOR GENERAL HEALTH SERVICES**  
Khyber Pakhtunkhwa, Peshawar

(Respondent No. 3)

  
**ADDITIONAL DIRECTOR  
GENERAL HEALTH SERVICES**  
**(PRM)** Khyber Pakhtunkhwa

(Respondent No. 4)

  
**DISTRICT HEALTH OFFICER**  
Nowshera

Anex A

No. The entries in this page should be renewed or re-attested at least every five years, and the signature in lines 9 and 10 should be dated.

1. Name .. ..

2. Race .. ..

3. Residence .. ..

4. Father's name and residence .. ..

5. Date of birth by Christian Era as nearly as can be ascertained: .. ..

6. Exact height by measurement .. ..

7. Personal marks for identification .. ..

*A black mark on left*

8. Left hand thumb and finger impression of (non-gazetted) officer

Little Finger

Ring Finger

Middle Finger

Fore Finger

Thumb

9. Signature of Government servant .. ..

*Ali chak*

10. Signature and designation of the Head of the Office, or other Attesting Officer

Police District (North) Nowshera

(S)

**OFFICE OF THE DISTRICT HEALTH OFFICER NOWSHERA**

Phone & Fax: 0923-580759

E-Mail: nowshera.edoh@gmail.com

OFFICE ORDER

On attaining the age of superannuation, Mr. Zafar Ali Shah (Chowkidar) working under the control of undersigned at Civil Dispensary Mian Essa, District Nowshera is hereby stand retired from service w.e. from 02-07-2018. He is also entitle for 365-encashment in lieu of LPR.


Sd \_\_\_\_\_  
District Health Officer  
Nowshera

Date: 30/07/2018

No. 5516-20 / DHO NSR

Copy forwarded to the:

1. District Accounts Officer Nowshera.
2. Incharge DHIS Cell, DHO Office Nowshera.
3. Incharge Accounts Section DHO Office Nowshera.
4. Incharge CD Mian Essa Nowshera.
5. Official concerned.

  
District Health Officer  
Nowshera

حکومت پاکستان  
قومی شناختی کارڈ

17201-2244652-5

تلفظ علی شاہ

سیدتیہ علیہ السلام

1962

تاریخ پیدائش

وزارت داخلہ

وزارت داخلہ

6

USB536

17201-2244652-5

13891461005

31/01/2012

15/02/2002

وزارت داخلہ

وزارت داخلہ

7



حکومت پاکستان

قومی شناختی کارڈ  
17201-2244652-5

لقب: علی شاہ

پیدائش: 10/04/1961

علی ارشد حکیم

تاریخ پیدائش: 10/04/1961

Signature

دستخط ماہل کارڈ

منظور جسٹس راجنزل



USB536

قومی شناختی کارڈ نمبر: 17201-2244652-5

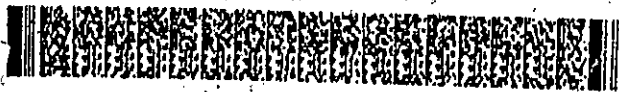
موجودہ رہتہ: ایس ایس کان، ایس ایس جی، ڈاک گاہ، شاہ کبیرہ، کھنسل و ضلع نوشہرہ

13891451005

تاریخ: 28/02/2022

03/03/2010

منظور کارڈ سے پر قریبی ایس ایس جی میں ڈال دیں



Anex B

**DIRECTORATE GENERAL HEALTH SERVICES  
KHYBER PAKHTUN KHW PESHAWAR**



E-Mail Address: [ms.fpdghs@yahoo.com](mailto:ms.fpdghs@yahoo.com) office Ph# 091-9210269 Exchange# 091-9210187, 9210196 Fax # 091-9210230

**OFFICE ORDER**

Dr. Iftikhar Ali Director Development/Coordinator DGHS KP Peshawar is hereby nominated as Enquiry Officer to dig out the factual position regarding correction of date of birth in respect of Mr. Zafar Ali Shah Ex-Chowkidar attached to DHO Office Nowshera, (copy attached).

The Enquiry report must be submitted within 05-days positively.

Sd/xxxxxxxxx  
DIRECTOR GENERAL HEALTH  
SERVICES, Khyber Pakhtunkhwa,  
PESHAWAR.

No. 7543-45 /Personnel

Dated 23 /10/2018.

Copy forwarded to the:-

1. DHO Nowshera w/r to his letter No. 6505/DHO NSR dated 17.09.2018.
2. Dr. Iftikhar Ali Director Development/Coordinator DGHS KP Peshawar.
3. PA to DGHS, Khyber Pakhtunkhwa Peshawar.

For information and necessary action.

*Q*  
**ADDITIONAL DG (HRM)**  
DIRECTORATE GENERAL HEALTH  
SERVICES, K.P.K PESHAWAR  
*M* *23/10/18*

To  
The Director General Health Service  
Khyber Pakhtunkhwa Peshawar.

Subject: - **ENQUIRY REPORT.**

**INTRODUCTION:**

The following members of enquiry committee were constituted to probe in the matter of Date of Birth entry in the service book of Mr. Zafar Ali Shah Ex-Chowkidar under DHO Nowshera, vide DGHS Office Order on the body of Inquiry report submitted by Dr. Iftikhar, Director (Development) DGHS Office Peshawar on 31.10.2018.

1. Dr. Ikramullah Khan, Director (HRM) DGHS Office.
2. Dr. Rizwanullah Khan, Deputy Director (HRM) DGHS Office.

**PROCEDURES AND FINDINGS:**

**Statement of Mr. Nouman Razak Mr. Junior Clerk / Accountant DHO Office Nowshera** was recorded in which he stated that Mr. Zafar Ali Shah S/O Gul Dad Shah was initially appointed on 23.05.1979 as Chowkidar after obtaining Medical Certificate with entry of age 21-years and same age was also entered in service book too. He qualified Matric on 31.07.1981 after 02-years of service and his Matriculate Certificate shows his Date of Birth 10.04.1961. He further stated that Mr. Zafar Ali Shah produced two CNIC during in his service. His 1<sup>st</sup> CNIC was issued on 15.02.2002 in which his Date of Birth was 1962. In 2<sup>nd</sup> CNIC which was issued on 03.03.2010 his Date of Birth was changed after 31-years of service i.e 10.04.1961 before this he never agitated in this office for correction of his date of birth according to Matriculate Certificate.

He further stated that in the year 2010 due to heavy flood in District Nowshera certain record was destroyed but his service book still shows his age 21-years which entered at the time of appointment. The Date of Birth in service book is erroneously entered by Mr. Firasat Hayat Junior Clerk of DHO Office Nowshera according to Matric Certificate but the competent authority did not signed. It is tempering in record and illegal.


**"Statement of Mr. Zafar Ali Shah Ex-Chowkidar under DHO Office Nowshera"**, has stated that he was appointed as Chowkidar on 24.05.1979, he qualified Matric on 1981 which was entered in service book and confirmed by the than DHO Dr. Hakim Khan. I obtain my NIC on the base of Middle Certificate. My LPR has not been received to my in-charge so far and I am regularly performing my duty. Dr. Zafar Afridi has performed my Medical Examination but he did not asked about my age and identity card etc. I lost my 1<sup>st</sup> NIC and I made my another CNIC in which my date of birth 1962 and after correction in my date of birth I made another CNIC in which date of birth was 10.04.1961, the same date of birth




53  
was in my Middle Standard School Certificate. The service book and other service record always remain in the custody of the office and they are responsible for maintain it, is there is an error CNIC or Middle Standard School Certificate for which I am not responsible.

**CONCLUSION AND RECOMMENDATION:**

- 10
1. Mr. Zafar Ali Shah Ex-Chowkidar was appointed on 23.05.1979 and qualified Matric on 31.07.1981, right after 02-years 03-months & 07-days of initial date of appointment.
  2. Before this, there is no application on record to correct his date of birth in service book within 02-years stipulated period after initial date of appointment.
  3. He never used his Middle Standard School Certificate to enter the date of birth i.e 10.04.1961 in service book and relevant record. In-spite of the fact that the Middle Standard School Certificate which he produced was issued on 16.01.1979 and same was also not used to enter date of birth in 1<sup>st</sup> NIC.
  4. According to his claimed date of birth he was 18-years 1-month & 14-days but he did not produced 1<sup>st</sup> NIC of his life so far.
  5. According various Judgment of Apex Court of Pakistan including 2018 PLC (C.S) 44, 2013 SCMR759. 2017 PLC (CS)74, Govt. Servant Rules, Govt. Servant can rectify his / her date of birth within 02-years of his service and afterward this option is exhausted, for them.
  6. The DHO Nowshera verified the statement of Nouman Raza Junior Clerk of Nowshera that the entry of date of birth 10.04.1961 in service book is not signed by the than DHO and it is tempering in record and illegal.
  7. Before correction the date of birth in service book the correction is mandatory in medical examination certificate by the competent authority which absolutely is not present in this case.
  8. Mr. Zafar Ali Shah Ex-Chowkidar is wasting his and this office valuable time, his departmental appeal may be dismissed.

  
**Deputy Director (HRM)**  
Directorate General Health  
Services Khyber Pakhtunkhwa Peshawar  
Dated: 18.01.2019

  
**Director (DEV)**  
Directorate General Health  
Services Khyber Pakhtunkhwa Peshawar  
Dated: 18.01.2019

**DIRECTORATE GENERAL HEALTH SERVICES**  
**KHYBER PAKHTUNKHWA PESHAWAR**



E-Mail Address: [dgshs@kpk.gov.pk](mailto:dgshs@kpk.gov.pk) office Ph# 091-9210269 Ex-change# 091-9210187, 9210196 Fax # 091-9210230

No. 1281-82 / Personnel

Dated: 29 /01/2019

To,

Mr. Zafar Ali Shah S/O Gul Dad Shah  
R/O Mian Gano, Mia Mesa P.O Jahangira  
Tehsil & District Nowshera Cell# 0332-9696823

Subject:

DEPARTMENTAL APPEAL IN THE BELOW CONTENTS AND REASONS.

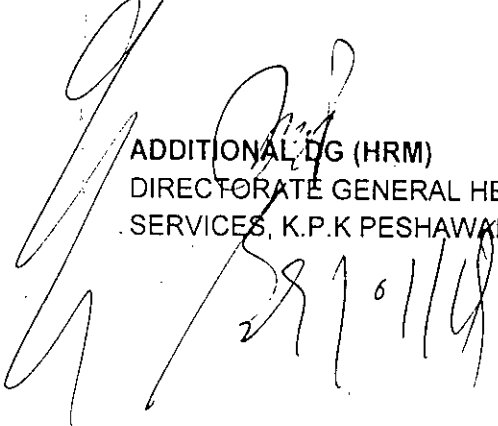
Memo:

I am directed to refer to your appeal dated on 16.08.2018, on the subject noted above.

Your appeal for the subject case has been considered by the competent authority but, it is regretted in light of enquiry report.

C.C

DHO Nowshera.

  
ADDITIONAL DG (HRM)  
DIRECTORATE GENERAL HEALTH  
SERVICES, K.P.K PESHAWAR

12

Anex NADRA



**OFFICE OF THE DISTRICT HEALTH OFFICER NOWSHERA**

Phone & Fax: 0923-580759

E-Mail: nowshera.edoh@gmail.com

No. 9831 / DHO NSR

Date: 23 / 10 /2019


**MOST IMMEDIATE**

To  
Deputy Director NADRA  
Nowshera Zone

Subject: **VERIFICATION OF CNIC.**

Memo;

Kindly verify CNIC No. **13891451005** date of Birth, in respect of Mr. Zafar Ali Shah S/O Gul Dad Shah on urgent basis being court matter.

  
District Health Officer  
Nowshera

o/c



**GOVERNMENT OF PAKISTAN**  
**MINISTRY OF INTERIOR**  
**NATIONAL DATABASE & REGISTRATION AUTHORITY**  
*Zonal Head Office Nowshera*  
Near Daewoo Bus Terminal GT Road Nowshera Cantt  
Tel No. 0923-610508

13



No. NADRA/ZHO-NSR/MNIC-Veri

23 Oct, 2019

To: Registration Section  
RHO Peshawar

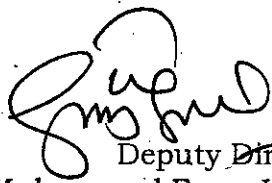
Copy to: District Health Officer  
Nowshera

w.r.t. your letter No. 9831/DHO NSR  
Dated: 23 Oct, 2019

Subject: **Verification of MNIC**

Reference: Office of the District Health Officer letter no. 9831/DHO NSR dated: 23 Oct, 2019

1. Please find enclosed above letter in original no. 9831/DHO NSR Dated 23 Oct, 2019 regarding request for provision of D.O.B of MNIC# 138-91-451005 in r/o Mr. Zafar Ali Shah S/O Gul Dad Shah.
2. Submitted for your further necessary action please.

  
Deputy Director  
(Muhammad Faraz Khan)

*Ahman*  
*See*  
*h*





14

**GOVERNMENT OF PAKISTAN**  
**MINISTRY OF INTERIOR**  
**NATIONAL DATABASE & REGISTRATION AUTHORITY**  
*Zonal Head Office Nowshera*  
Near Daewoo Bus Terminal GT Road Nowsher Cantt.  
0923-610508



ZHO-Nowshera/MNIC-Veri/002


05 Nov, 2019

To: District Health Officer  
Nowshera

Subject: **Verification of MNIC Record**

Reference: Your letter no. 9831/DHO NSR dated 23 oct, 2019.

Find enclosed RG-2 of the referred MNIC # 138-91-451005 received from DRO peshawar letter no. Regn: 4/09/14-ZHQ@-PSR/Oct-63 dated 30 oct, 2019, as desired please.

  
Deputy Director  
(Muhammad Faraz Khan)

۱ 3 8 - 4 0 - 1 0 8 1 0 2 2

حصہ اول (حصہ اول) اشارہ سال سے نام کے افراد کے نام پر ولایت												
۱	۲	۳	۴	۵	۶	۷	۸	۹	۱۰	۱۱	۱۲	
وزیر اعلیٰ وزیر اعلیٰ												
۱	۱	۳	۸	-	۴	۰	-	۱	۰	۸	۱۰	۲
نام پر وزیر اعلیٰ												
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نام پر وزیر اعلیٰ												
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نام پر وزیر اعلیٰ												

حصہ دوم (حصہ دوم) اشارہ سال سے نام کے افراد کے نام پر ولایت

روٹی زائچہ دار وزیر اعلیٰ

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نام پر وزیر اعلیٰ												
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نام پر وزیر اعلیٰ												

MR. ...

سربراہ کا نام اور ولایت وزیر اعلیٰ کے نام پر وزیر اعلیٰ کے نام پر

تصدیق کے لیے سربراہ کے نام پر وزیر اعلیٰ کے نام پر

تصدیق کے لیے سربراہ کے نام پر وزیر اعلیٰ کے نام پر

تصدیق کے لیے سربراہ کے نام پر وزیر اعلیٰ کے نام پر

Superintendent  
 NADRA  
 HQ (C) Peshawar

Dava Adana khal

۱ ۳ ۸ - ۴ ۰ - ۱ ۰ ۸ ۱ ۰ ۲ ۲

16

**GOVERNMENT OF PAKISTAN**  
**MINISTRY OF INTERIOR**  
**NATIONAL DATABASE AND REGISTRATION AUTHORITY**  
*District Registration office Peshawar*  
*Charsaddah Road, In front of Eidgah, adjacent to National Bank*  
Tel No. 091-5243472



Regn. 138-71-451005, 138-71-451005, Oct-19

30-Oct-2019

To: **Deputy Director**  
**Zone Nowshera**

Sub: **Verification of MNIC**  
Ref: Your E-mail of Dated 23 Oct 2019

1. It is intimated that verification status of the MNICs provided vide above referred email letter has been mentioned against each. Details are as under:-

S#	Name	Citizen Code #	Remarks
1.	Litrad Ali Shah	138-71-451005	Attested copy of RG-2 is attached

2. Forwarded for your information and further necessary action, please.

  
**Deputy Director (Regn)**  
**(Bilqias Khan)**

**BEFORE THE KHYBER PUKHTUNKHWA SERVICE TRIBUNAL  
PESHAWAR**

C.M NO. \_\_\_\_\_ 2019

In Re

Appeal No. 179/019

Zafar Ali shah.....Appellant

**VERSUS**

Secretary Health Services KPK Peshawar  
& others.....Responden  
ts

**INDEX**

S NO	DESCRIPTION OF DOCUMENTS	ANNEX	PAGE
1.	<del>Application</del> Application	-	1
2.	Affidavit		2
3.	Copy Of Appointment Order along with better copy	A A-1	3-4

Through:

**Applicant / Appellant**

  
**Saeed Khan**

**Advocate,**

**High Court, Peshawar**

**Cell # 0312-0593106**

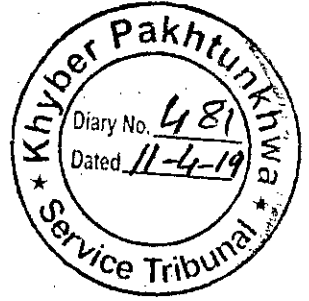


BEFORE THE KHYBER PUKHTUNKHWA SERVICE TRIBUNAL  
PESHAWAR

C.M NO. \_\_\_\_\_ 2019

In Re

Appeal No. 179/019



Zafar Ali shah.....Appellant

VERSUS


Secretary Health Services KPK Peshawar &  
others.....Respondents

APPLICATION FOR PLACE ON FILE THE  
ADDITIONAL APPENDED DOCUMENT

Respectfully sheweth,

1. That the subject service appeal is pending before the this Honorable Tribunal for adjudication which is fixed for 15.04.2019.
2. That at previous date of hearing the appellant was directed by this honorable tribunal to produce and submit appointment order, hence, in compliance of the order appellant is submitted the said appointment order as **annex-A**

It is therefore humbly requested that on acceptance of this application the appended / annexed appointment order may graciously be placed on file for the safe administration of justice.

  
**SAEED KHAN**  
Advocate, High Court  
Peshawar  
Cell # 0312-0953106

Put up to the court with relevant appeal.

11/4/19

Reader

**BEFORE THE KHYBER PUKHTUNKHWA SERVICE TRIBUNAL  
PESHAWAR**

**C.M NO. \_\_\_\_\_ 2019**

**In Re**

**Appeal No. 179/019**

**Zafar Ali shah.....Appellant**

**VERSUS**

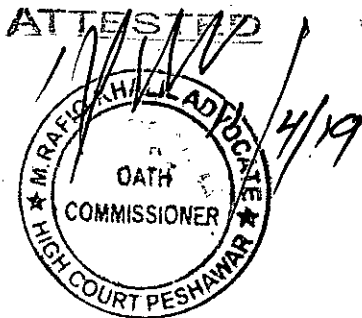
**Secretary Health Services KPK Peshawar &  
others.....Respondents**

**AFFIDAVIT**

**I, Zafar Ali shah S/o Gul Shah R/o Mian Gano Mia,  
P/o Jahangira Tehsil and District Nowshera, solemnly  
affirm and declare that all the contents C.M are true and  
correct, and nothing has been concealed or withheld from this  
Honorable Court.**

*Z. A. Shah*  
**DEPONENT**

**CNIC NO.17201-2244652-5**



3

Annex - A

OFFICE OF THE DISTRICT HEALTH OFFICER, PESHAWAR

OFFICE OF THE DISTRICT HEALTH OFFICER, PESHAWAR

Mr. Mian Zafar Ali Shah of Mian Gul Dad Shah is hereby offered a post of Chowkidar in the National pay scale of Rs. 250-5-280/6-340 plus usual allowances as ~~admissible~~ under the rules against the vacant post.

2. His appointment in the health department is temporary and his services may be terminated at any time without assigning any kind of notice.
3. He has to join duty at his own expenses.
4. The offer is subject to the condition that he is domiciled of Peshawar District and medical fitness from the Civil Surgeon, Peshawar.
5. In case he wishes to resign at any time one Month's prior Notice will be necessary, which he will have to forfeit one month's pay in lieu thereof.
6. He will be governed by all rules and orders relating to leave, T. A., Medical attendance and Pay etc as may be required by the Government for the category of Government servant to which he belongs.
7. If he accepts the offer he should report to the Compounder Civil Dispensary - Mian Esa for duty.
8. The offer will be cancelled if no reply is received within one week's time from the date of issue of this order.

District Health Officer, Peshawar.

No. 5057-59/E-19 DHO,

Date: 23/5/2018

Copy forwarded to the :

1. Mian Zafar Ali Shah of Mian Gul Dad Shah of Nil. Mian Esa
2. Compounder Civil Dispensary Mian Esa

Account:

Record Keeper.

for information and necessary action.

*[Signature]*  
District Health Officer,  
Peshawar.

(4)

Better Copy.

Annex-A-1

**IN THE OFFICE OF DISTRICT HEALTH OFFICER PESHAWAR**

1. Mr. Mian Zafar Ali shah s/o Mian Gul shah is hereby offered a post of Chowkedar in the national pay scale of Rs.250-5-280/6-340 plus usual allowances as admissible under the rules against the vacant post.
2. His appointment in Health Department is temporary and his service may be terminated any time without assigning any kind of notice.
3. He has to join the duty at his own expenses.
4. The offer is subject to the condition that he is domiciled is of Peshawar district he fitness certificate from civil surgeon Peshawar.
5. In case he wishes to resign at any time one month prior notice will be necessary falling which he will have to forfeit on month pay in lieu thereof.
6. He will be governed by such rules and orders relating to leave T.A, medical attendance and pay etc as may be required by the government for the category of government servant to which he belongs.
7. If he accepts this offer he would report to the compounder civil dispensary main era for duty.
8. The offer will be canceled if no reply is received within week's time from the date of issue of this order.

**ATTESTED**

**District Health Officer Peshawar**

**No5057-59/E-19/ DHO**

**Dated 23/5/1979**

**Copy forwarded to the**

1. Mr. Mian Zafar Ali shah s/o mian Gul shah
2. Compounder Civil Dispensary main Era
3. Accountant
4. Record keeper

**For information and necessary action.**

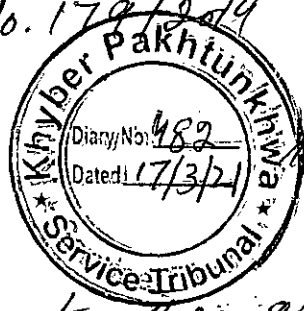
**District Health Officer  
Peshawar**

Before the Khyber Pakhtunkhwa Service Tribunal

Appeal No. 179/2019

Zafar Ali Shah

vs



Health Deptt.

Application for withdrawal of the abovementioned titled appeal.

R/sheweth:-

1) That the abovesaid case is pending adjudication before this august Tribunal and is filed on <sup>put up to the court with relevant appeal</sup> dated 04.06.2021.

2) That the appellant has filed the abovesaid <sup>order dated</sup> case against ~~compulsory~~ retirement 30.07.2021.

3) That the case of the appellant is pending before this august Tribunal since long and is not decided yet.

It is therefore most humbly requested that the appellant wants to withdraw the abovementioned appeal with the permission of this august honorable Tribunal, on acceptance of this application.

Z.A. Shah

Applicant  
Zafar Ali Shah

Dated: 17.03.2021.

NIC# 17201-2244652-5