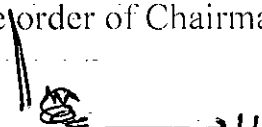


# FORM OF ORDER SHEET

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

Case No.- 507/2023

S.No.	Date of order proceedings	Order or other proceedings with signature of judge
1	2	3
1-	07/03/2023	<p>The appeal of Dr. Noor-ul-Mabood presented today by Mr. Rizwan Ullah Advocate. It is fixed for preliminary hearing before Single Bench at Peshawar on _____.</p> <p>Parcha Peshi is given to appellant/counsel for the date fixed.</p> <p>By the order of Chairman</p> <p> REGISTRAR</p>

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

Service Appeal No. 507 /2023

1. Dr. Noor ul Mabood, (Ex-Deputy Dean PGMI) R/O House No. 248, Street No. 1, Sector J-4, Phase-2, Hayatabad, Peshawar.

**APPELLANT**

**VERSUS**

1. The Chief Minister, Khyber Pakhtunkhwa through Principal Secretary and others.

**RESPONDENTS**

**I N D E X**

S.No	Description of documents	Annexure	Pages #
1	Service Appeal	—	1-13
2	Affidavit	—	14
3	Copy of seniority List	“A”	15-20
4	Copy of application dated 07-11-2022	“B”	21
5	Copy of Notification dated 06-03-2013	“C”	22
6	Copy of Notification dated 21-10-2013	“D”	23-24
7	Copy of Judgment dated 28-10-2016	“E”	25-29
8	Copy of Notification dated 10-04-2017	“F”	30
9	Copy of Notification dated 02-03-2017	“G”	31
10	Copy of Notification dated 13-10-2022	“H”	32
11	Copy of order of this Hon'ble Tribunal dated 14-10-2022	“I”	33
12	Copy of Departmental Appeal dated 11-11-2022	“J”	34-37
13	Copy of order sheets of this Hon'ble Tribunal	“K”	38-43
14	Copy of order sheet dated 22-09-2022	“L”	44-45
15	Wakalatnama	—	—

Appellant

Rizwanullah

Advocate High Court, Peshawar.

Through

Dated: 07-03-2023

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

Service Appeal No. 507 /2023

1. Dr. Noor ul Mabood, (Ex-Deputy Dean PGMI) R/O House No. 248, Street No. 1, Sector J-4, Phase-2, Hayatabad, Peshawar.

**APPELLANT**

**VERSUS**

1. The Chief Minister, Khyber Pakhtunkhwa through Principal Secretary.
2. The Chief Secretary, Khyber Pakhtunkhwa Province, Peshawar.
3. The Secretary to Government of Khyber Pakhtunkhwa, Health Department Peshawar.
4. Dr. Iftikhar Iqbal s/o Lal Pur R/O village and post office Daggar, Nari Banda Daud Shah Tehsil and District, Karak.
5. Abdul Jamil s/o Abdul Aziz R/O Moalla Qazi Khel city and post office Hoti Tehsil and District Mardan.
6. Dr. Farhat Yasmin d/o Raza Muhammad Khan R/O Khalabat Township Sector-4, Haripur Hazara Abbotabad.
7. Dr. Muhammad Rasool Jan s/o Sakhi Marjan R/O village Rehmatatabad Tehsil and District Karak.
8. Dr. Fazli Malik s/o Fazli Khaliq R/O village and post office Kalu Khan, Tehsil and District Mardan.
9. Dr. Arshid Amer s/o Umer Amir R/O Kohatigate Peshawar City Tehsil and District Peshawar.

**RESPONDENTS**

**APPEAL UNDER SECTION 4 OF THE  
KHYBER PAKHTUNKHWA SERVICE  
TRIBUNAL ACT, 1974 FOR GRANT OF**

ANTEDATED PROMOTION IN BPS-20  
FROM THE DATE WHEN HIS  
JUNIORS (RESPONDENTS NO. 4 TO 9)  
WERE PROMOTED IN BPS-20  
THROUGH NOTIFICATION NO.  
SOH(E-V)4-20/2017 DATED 10-04-2017.  
MENTIONED AT SERIAL NO. 4, 5, 6, 8,  
9, AND 11 RESPECTIVELY WHILE  
THE APPELLANT BEING SENIOR,  
DESERVING AND ELIGIBLE WAS  
DEPRIVED OF HIS LEGITIMATE  
RIGHT OF PROMOTION IN AN  
ILLEGAL MANNER AND THROUGH  
IMPROPER DISCRETION. A  
DEPARTMENTAL APPEAL WAS  
FILED WITH THE RESPONDENT  
NO. 1 ON 11-11-2022 AFTER THE  
DISPOSAL OF EXECUTION PETITION  
NO. 63/2017 DECIDED ON 14-10-2022  
THROUGH WHICH THE JUDGMENT  
OF THIS HON'BLE TRIBUNAL WAS  
IMPLEMENTED AND THE  
APPELLANT WAS GRANTED  
ANTEDATED PROMOTION IN BPS-19  
FROM THE DATE WHEREFROM HIS  
ERSTWHILE JUNIORS WERE  
PROMOTED ON 06-03-2013.  
HOWEVER, THE DEPARTMENTAL  
APPEAL FILED BY APPELLANT WAS  
NOT RESPONDED WITHINT THE  
STATUTORY PERIOD OF LAW.

**Prayer in Appeal**

By accepting this appeal, the appellant may graciously be granted antedated promotion in BPS-20 with all consequential benefits from the date on which his erstwhile juniors (respondents No. 4 to 9) were elevated through notification dated 10-04-2017.

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

**Respectfully Sheweth,**

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

1. That the appellant was serving as Deputy Dean (B-18) in Post Graduate Medical Institute, Peshawar at the relevant time. He was placed in seniority list at S. No. 4 among the members of services (B-18) of the Health Department whereas the respondents (4 to 9) were shown at serial No. 10, 11, 14, 15, 16 and 18 respectively. This clearly shows that the appellant was senior than the above respondents. Moreover, this Hon'ble Tribunal also held in Para-2 of judgment dated 28-10-2016 that the respondents did not dispute the above seniority of appellant at S. No. 4 in the cadre of B-18 officers. Nonetheless, the appellant also requested the respondent No. 3 to provide him a copy of Final seniority list with notifications vide application dated 07-11-2022 but his request was not acceded to.

**Copy of seniority list and application is appended as Annex-A & B.**

2. That the case of appellant including others was placed before the Provincial Selection Board for promotion in BPS-19 on 14-12-2012. But he was deprived of his legitimate right of promotion on the pretext of

supersession and his juniors were promoted vide notification dated 06-03-2013. Nonetheless, in subsequent meeting of the Provincial Selection Board, the appellant was duly promoted in BPS-19 on regular basis with immediate effect vide Notification dated 21-10-2013.

**Copy of Notifications are appended as Annex-C & D respectively.**

3. That the appellant felt aggrieved with the aforesaid decision of the previous meeting of PSB dated 14-12-2012, filed a departmental appeal for antedated promotion in BPS-19 but the same was rejected on 09-04-2014. Thereafter, he invoked the jurisdiction of this Hon'ble Tribunal by way of filing Service Appeal No. 813/2014 which was disposed of with the following observations vide judgment dated 28-10-2016: -

**The learned counsel of the appellant relied on judgment of this Tribunal in Service Appeal No. 531 /12 of Dr. Mohammad Ali Chohan decided on 26-12-2012 and submitted that in identical circumstances, this Tribunal converted his supersession into deferment and granted him promotion as prayed for. We in the stated circumstances, decided that the case of the appellant be remitted to the respondents for consideration of case of the appellant antedation for which purpose it may be placed before PSB in the near future. Appeal decided accordingly.**

**(Copy of judgment is appended as Annex-E.)**

4. That the appellant after obtaining certified copy of judgment, requested for its implementation but his efforts didn't yield any result. Consequently, he was constrained to yet again invoke the jurisdiction of this Hon'ble Tribunal through filing Execution Petition No. 63/2017.
5. That after the aforesaid judgment of this Hon'ble Tribunal dated 28-10-2016, the erstwhile juniors (respondents No. 4 to 9) were elevated in higher grade in BPS-20 vide Notification dated 10-04-2017 while, the appellant who was senior, deserving and eligible for promotion was ignored. In the meanwhile, appellant also retired from service on 13-11-2017 vide Notification No. SOH(E/V) 1-132/2007 dated 02-03-2017.

**(Copy of Notifications are appended as Annex-F and G.)**

6. That ultimately, the Competent Authority, complied with the judgment of this Hon'ble Tribunal and as such granted antedated promotion to the appellant in BPS-19 from the date wherefrom his erstwhile juniors were promoted vide Notification dated 13-10-2022. Resultantly, the execution petition was disposed of with the following terms: -

**“Learned AAG produced Notification No. SOII(I-V)4-4/2022 dated 13-10-2022, whereby in compliance of judgment of this Tribunal, the grievance of the petitioner has been redressed. Since the order of the Tribunal has been complied with therefore, the instant**

**execution petition is disposed off  
in the above terms.”**

**(Copy of Notification and  
order of Tribunal are  
appended as Annex-H &  
I)**

7. That since the erstwhile juniors of appellant were promoted in BPS-20 vide Notification dated 10-04-2017, therefore, appellant was also legally entitled to be considered for promotion in the said grade from the same date so as to secure the ends of justice. Therefore, the appellant filed a departmental appeal with respondent No. 1 on 11-11-2022 but the same was not responded.

**(Copy of departmental  
appeal is appended as  
Annex-J)**

8. That the appellant now files this appeal before this Hon'ble Tribunal inter-alia on the following grounds within the statutory period of law.

**GROUND OF APPEAL**

- A. That the Competent Authority has not treated appellant in accordance with law, rules and policy on the subject and acted in violation of **Article 4 of the Constitution of Islamic Republic of Pakistan, 1973**. Therefore, the Notification ignoring the appellant from legitimate promotion is not sustainable in the eye of law.
- B. That the appellant was deprived of his legitimate right of promotion in B-19 in an illegal manner and by use of improper discretion. But this Hon'ble Tribunal vide judgment dated 28-10-2016 did not agree with the



decision of Provincial Selection Board dated 14-12-2012 regarding supersession of appellant and directed the respondents to place the case of appellant before the Provincial Selection Board for antedated promotion (B-19) in the near future; who would consider it in the light of judgment rendered by this Tribunal in Service Appeal No. 531/2012 filed by Dr. Muhammad Ali Chohan, decided on 26-12-2012 through which, the supersession of latter was converted into deferment and he was granted antedated promotion in BPS-20. The above judgment dated 28-10-2016 passed in favour of appellant was neither assailed before appellate forum nor implemented and as such, the appellant was constrained to file the execution petition No. 63/2017 before this Hon'ble Tribunal. Thus, the act of the respondents for noncompliance of the order of this Hon'ble Tribunal is against the spirit of administration of justice.

- C. That it was not only shocking but also ironic that the respondents were provided ample opportunities including last chance for submission of implementation report but they did not bother for the same. Besides, this Hon'ble Tribunal also directed the respondents to issue necessary corrigendum regarding promotion of appellant from 14-12-2012 instead of 21-10-2013 but they also failed to adhere the same and were merely resorting to delay tactics so that the implementation of the judgment may not see the light of the day. Therefore, this Hon'ble Tribunal took stern action whereby, not only the salaries of the judgment debtors were attached but the Secretary Health Department was also ordered to appear in person alongwith implementation report on the next date. The order sheets in respect of above facts are appended

herein as **Annex-K**. However, it would be appropriate to reproduce herein order sheet dated 25-07-2022 and 06-10-2022 so as to confirm and justify the above version of the appellant.

**Order sheet dated 25-07-2022**

Learned counsel for the petitioner present. Mr. Muhammad Adeel Butt, Addl: AG alongwith Mr. Tufail Khan, SO for respondent present.

The focal person, Safullah present on the previous date who had assured implementation of the judgment of the Tribunal within a month is present before the court nor any implementation report has been produced, therefore, let the salaries of the judgment debtors are attached and Secretary Health be directed to appear in person alongwith implementation report on the next date. The Accountant General Khyber Pakhtunkhwa is directed to attach the salaries of the respondents not to release the same till order by this Tribunal.

Last chance is given to the respondents to implement the judgment and submit compliance report on 29-09-2022 before S.B.

**Order Sheet dated 06-10-2022**

Petitioner alongwith his counsel present. Mr. Kabirullah Khattak Addl: AG alongwith

Mr. Nadir Nazar, SO for respondents present.

Representative of the respondents submits that the implementation under execution is under process and will be finalized soon. Despite repeated directions including attachment of salary, respondents are using delaying tactics to implement the judgment. Respondents are directed to appear in person alongwith implementation report failing which further coercive measure would be taken against them. To come up on 07-10-2022 before S.B.

- D. That when the case came up for hearing before this Hon'ble Tribunal on 22-09-2022, Mr. Atta-ur-Rehman Khalil, Special Secretary Health Department appeared and stated that the Secretary Health was busy in another case before the Hon'ble Peshawar High Court however, he assured through undertaking that the implementation report will be produced on next date and as such, the case was adjourned for submission of implementation report on 06-10-2022 positively.

(Copy of order dated 22-09-2022 is appended as Annex-L)

- E. That ultimately, the Competent Authority complied with the judgment of this Hon'ble Tribunal by granting antedated promotion to the appellant in BPS-19 from the date wherefrom his erstwhile juniors were promoted. Consequently, the execution petition was disposed of accordingly vide order dated 14-10-2022.

F. That it is now manifest that the erstwhile juniors (respondents No. 4 to 9) of the appellant were promoted in BPS-20 vide Notification dated 10-04-2017 whereas, the appellant was granted antedated promotion in BPS-19 belatedly for no fault on his part rather but due to slackness of the Competent Authority who deliberately delayed to comply with the judgment of the Hon'ble Tribunal for long six years. In view of above, the legitimate right of promotion of the appellant in the next higher grade (B-20) was effected and his erstwhile juniors mentioned above were promoted on 10-04-2017. It is of much significance to mention here that in case, the judgment of this Hon'ble Tribunal was timely implemented then the appellant would have definitely gained promotion in BPS-20 with his erstwhile juniors as, he has about 34 years unblemished service record and had never earned any adverse entry during entire service. Nevertheless, the appellant was yet again deprived of his right without any fault. Needless to add that appellant's promotion and seniority were required to be counted and reckoned with his contemporary juniors who gained earlier promotion to him as per law laid down by august Supreme Court of Pakistan reported in **2016-SCMR-Page-1784 citation-c**. It would be advantageous to reproduce herein the relevant citation for facility of reference: -

**2016 S C M R 1784 citation(c)**

**----Promotion---Civil servant promoted belatedly for no fault on his part---When promotion of such civil servant to next higher grade was effected then his promotion and seniority was to be counted and reckoned with his contemporary junior officers who were promoted earlier to him.**

- G. That justice is not only confined to judicial system. Every person dealing with the right of people is bound to act justly, fairly, honestly and also in accordance with law otherwise, he should be made answerable to law and should be proceeded against for an appropriate action by his superiors. Reliance can be placed on the judgment of august Supreme Court of Pakistan reported in **2003-SCMR-page-1140-citation (c)**. The relevant citation is reproduced as under: -

**(c) Administration of justice---**

**---Concept---Administration of justice is not confined only to judicial system--- Every person discharging functions in relation to rights of people is bound to act fairly, justly and in accordance with law—Exercise of powers by public functionaries in derogation of direction of law would amount to disobeying the command of law and Constitution--If a person holding a public office is found to have proceeded in violation of law or his acts and conduct amounted to misuse of his official authority, he should be made answerable to law and should be proceeded against for an appropriate action by his superiors.**

In view of the above dictum of august Supreme Court of Pakistan, Competent Authority was legally bound to have acted within the four corners of Constitution and law by granting antedated promotion to the appellant from the date when his erstwhile juniors (respondents No. 4 to 9) were promoted through

Notification dated 10-04-2017 but he failed to do so. Hence, the act of Authority to the extent of appellant is not tenable under law.

- H.** That the Appellate Authority (respondent No. 1) was under statutory obligation to have decided the departmental appeal filed by the appellant after application of mind with cogent reasons and within reasonable time as per law laid down by august Supreme Court of Pakistan reported in **2011-SCMR-page-1**. It would be advantageous to reproduce herein the relevant citation for facility of reference: -

**2011-SCMR-page-1**

**Citation-b**

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


But the Appellate Authority (respondent No. 1) has blatantly violated the above dictum of Apex Court of country by not disposing of the departmental appeal within the statutory period of law. Therefore, the act of appellate authority (respondent No. 1) is not justifiable.

- I.** That the impugned order is suffering from legal infirmities and as such caused grave miscarriage of justice to the appellant.

In view of the above narrated facts and grounds, the appellant may graciously be granted antedated promotion in BPS-20 with all consequential benefits from the date on which his erstwhile juniors

(respondents No. 4 to 9) were elevated through Notification dated 10-04-2017.

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

  
Appellant

Through

Dated: 07-03-2023

  
**Rizwanullah**  
M.A. LL.B  
Advocate High Court, Peshawar.  
(advocaterizwanullah@gmail.com)  
03005965843

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

Service Appeal No. \_\_\_\_\_/2023

1. Dr. Noor ul Mabood, Deputy Dean PGMI, R/O House No. 248, Street No. 1, Sector J-4, Phase-2, Hayatabad, Peshawar.

**APPELLANT**

**VERSUS**

1. The Chief Minister, Khyber Pakhtunkhwa through Principal Secretary and others.

**RESPONDENTS**

**AFFIDAVIT**

I, Dr. Noor ul Mabood, (Ex-Deputy Dean PGMI) R/O House No. 248, Street No. 1, Sector J-4, Phase-2, Hayatabad, Peshawar, do hereby solemnly affirm and declare that the contents of the accompanied Service Appeal are true and correct to the best of my knowledge and belief and that nothing has been concealed from this Hon'ble Tribunal.

*Attested*

*Sub*  
*7/3/23*

**Mian Subghat Ullah Shah  
Senior Advocate  
Notary Public High Court  
Peshawar**

*Not*

**DEPONENT**



(15)

Annex-A

(15)

Annex-A

6

**PROVISIONAL SENIORITY LIST OF MEMBERS OF SERVICES (BPS-18) OF THE HEALTH DEPARTMENT**

Total Sanctioned posts = 96  
 i) Permanent = 96  
 ii) Temporary = 00

**(BASIC PAY SCALE -18)**

Sl: No.	Name of Officer/Official with academic qualification.	Date of Birth and Domicile	Date of Ist entry into Govt: Service	Regular appointment/promotion to the present post.			
				Date	BPS	Method of recruitment/ appointment	Present appointment with date.
(1)	(2)	(3)	(4)	(5)	(6)	(7)	(8)
1.	Dr. Muhammad Saeed Akbar s/o Muhd: Akbar, MBBS, MPH	27.02.1956 / DIKhan	13.11.1983/B-17	17.02.1991	BS-18	By Promotion	365 days leave w.e.from 13.07.2012
2.	Dr. Muhammad Javed s/o Umar Gul Khan, MBBS, MPH	23.4.1961/ Mardan	16.1.1983/B-17	17.02.1991	BS-18	By promotion	DMS, Molvi Jee Hosp: Peshawar
3.	Dr. Attiq-ur-Rehman s/o Inayat-ur-Rehman, MBBS, DHPM	16.04.1955/ Bajaur Agency	16.01.1986/B-17	03.04.1995	BS-18	By Promotion	MS, IDH, Peshawar 15.09.2010
4.	Dr. Noor-ul-Mabood s/o Sahibzada, MBBS, DHPM	14.11.1957/ Mardan	19.03.1987/B-17	03.04.1995	BS-18	By Promotion	DDHO Peshawar 10.02.2009
5.	Dr. Muhammad Aqeel Farooqi s/o Muhammad Younas, MBBS, MPH	03.02.1955/ Mardan	19.03.1987/B-17	03.04.1995	BS-18	By Promotion	EDO(H) Buner.
6.	Dr. Zafeer Hussain s/o Aziz-ur-Rehman, MBBS, Msters in Health Management, Planning &	19.03.1957/ Abbottabad	19.03.1987/B-17	03.04.1995	BS-18	By Promotion	EDO(H) Swabi.
7.	Dr. Ashfaq Ahmad s/o Sakhi Marjan, MBBS, DHPM	20.01.1956/ Kohat	19.03.1987/B-17	03.04.1995	BS-18	By Promotion	SMO DHQH: Karak 31.05.2007
8.	Dr. Sher Muhammad s/o Noor Sala, MBBS, DHPM	05.05.1956/ Swat	19.03.1987/B-17	03.04.1995	BS-18	By Promotion	Medical Superintendent DHQH: Daggar (Buner) 10.2007

Attested  
 [Signature]  
 Applicant

(16)

2

7

(16)

9.	Dr.Amanullah s/o Muhammad Sardar Khan, MBBS, MPH	14.04.1958/ Mardan	19.03.1987/ B-17	03.04.1995	BS-18	By Promotion	1095 days leave w.e.from 15.08.2009
✓ 10.	<del>Dr. Iftikhar Iqbal s/o Lalpur Khan, MBBS, DHPM</del>	<del>02.01.1959/ Kohat</del>	<del>19.03.1987/ B-17</del>	<del>03.04.1995</del>	<del>BS-18</del>	<del>By Promotion</del>	<del>SMO KTH Peshawar 20.06.2003</del>
✓ 11.	Dr.Abdul Jamil s/o Abdul Aziz, MBBS, MPH	15.09.1960/ Mardan	19.03.1987/ B-17	03.04.1995	BS-18	By Promotion	Services placed at the disposal Principal BKMC Mardan 19.8.2009
12.	Dr.Tahir Bashir-ud-Din s/o G.Daulat Din, MBBS, DHPM	27.09.1959/ Abbottabad	19.03.1987/ B-17	03.04.1995	BS-18	By Promotion	MS,DHQH, Timergara.
13.	Dr.Balqias Khan s/o Zawahir Shah/ BDS, MPH	10.4.1955/ Karak	08.08.1984/ B-17	17.09.1995	BS-18	By Promotion	EDO(H) Karak
✓ 14.	Dr.Farhat Yasmin d/o Raza Muhammad Khan, MBBS, MPH	Abbott bad/ 26-03-1959	15.08.1987/ B-17	20.9.1995	BS-18	By Promotion	SWMO EDO(H) Office Haripur 08.2009
✓ 15.	Dr.Muhammad Rasool Jan, S/O Sakhi Marjan, MBBS, MPH	20.04.1963 Karak	06.12.1987/ B-17	18.09.1997	BS-18	By Promotion	On deputataion MNCH Prog: w.e.from 22.02.2010 for 3 years.
✓ 16.	Dr.Fazli Malik s/o Fazli Khaliq, MBBS, MPH	04.10.1960 Mardan	06.12.1987/ B-17	18.09.1997	BS-18	By Promotion	SMO EDO(H) Office, Mardan 11.2005
17.	Dr.Zahoor Ahmad s/o Sahibzada Abdul Mutalib, MBBS, MPH	15.03.1960 Mardan	06.12.1987/ B-17	18.09.1997	BS-18	By Promotion	SMO CD, Kass Korona Mardan. 13.08.2004
✓ 18.	Dr.Arshad Amer S/O Umer Amer, MBBS, Master of Management Sciences in PH	11.09.1961/ Peshawar	06.12.1987/ B-17	18.09.1997	BS-18	By Promotion	SMO Govt. ID Childen Hospital Peshawar 06.09.2003
19.	Dr.Muhammad Daud s/o Muhd Yaqub, MBBS, MPH	19.10.1959/ Abbottabad	06.12.1987/ B-17	21.09.1998	BS-18	By Promotion	SMO DHQH: Abbottabad 4.2007
20.	Dr.Syed Ibne Ali s/o Najmul Hassan, MBBS, EMBA	24.06.1956/ Orakzai Agy.	06.12.1987/ B-17	21.09.1998	BS-18	By Promotion	SMO DHQH: KDA Kohat 16.08.2001
21.	Dr.Muhammad Sherin s/o Shah Zada, MBBS, MPH	1.5.1955/ Swabi.	06.12.1987/ B-17	21.09.1998	BS-18	By Promotion	SMO DHQH: Swabi 7.2010

Attested  
  
 Appellant

(17)

3

8

(17)

22.	Dr.Khalid Iqbal s/o Wali ud din, MBBS, DHPM, MPH	30.6.1958/ Chitral	06.12.1987/ B-17	21.09.1998	BS-18	By Promotion	SMO,DHQH, Chitral.
23.	Dr. Musharat s/o Saleem Khan, MBBS, MPH	8.5.1960/ Peshawar	06.12.1987/ B-17	21.09.1998	BS-18	By Promotion	SMO Jail Hospital Peshawar.9.2006
24.	Dr.Arshad Ahmad s/o Abdur Rehman, MBBS, DHPM, MPH	26.8.1961/ Mardan	06.12.1987/ B-17	21.09.1998	BS-18	By Promotion	EDO(H) Nowshera 06/2011
25.	Dr.Ghulam Nabi Khan s/o Taj Muhammad, MBBS, DHPM	12.2.1956/ Mardan	06.12.1987/ B-17	21.09.1998	BS-18	By Promotion	SMO HMC Peshawar 01.2009
26.	Dr.Shams ul Haq s/o Habib ul Haq, MBBS, DPH, MPH (Australia)	1.6.1957/ Dir	06.12.1987/ B-17	21.09.1998	BS-18	By Promotion	Director (Operation) Rescue 1122 Khyber Pakthunkhwa 20.11.2009
27.	Dr.Ashoor Khan s/o Raza Khan,MBBS, M.Sc in PH	1.2.1959/ FR, Kohat	06.12.1987/ B-17	21.09.1998	BS-18	By Promotion	SMO Govt. ID Children Hospital Peshawar. 11.2008
28.	Dr.Muhammad Daraz Khan s/o Halim Shah, MBBS, MPH	01.07.1959 Karak	06.12.1987/ B-17	21.09.1998	BS-18	By Promotion	SMO EDO(H) Karak. 01.03.2008
29.	Dr.Muhammad Riaz s/o Shafiqur Rehman, MBBS, DHPM, MPH	12.09.1959/ Peshawar	06.12.1987/ B-17	21.09.1998	BS-18	By Promotion	MS. AHQ: Hospital, Bajaur.
30.	Dr.Javed Parvez s/o Sher Mast Khan, MBBS, MPH	28.01.1959 / Peshawar	6.12.1987/B-17	20.08.2001	BS-18	By Promotion	DHIS Cell, DGHS, Office, Peshawar.
31.	Dr.Farooq Shah s/o Zewar Shah, MBBS, DHPM	3.4.1960/ Khyber Agy	6.12.1987/B-17	20.08.2001	BS-18	By Promotion	Agency Surgeon, Mohmand..
32.	Dr.S.Minhajul Haq s/o S.Sirajul Haq,MBBS, MPH (Australia)	7.8.1960 /Manshra	6.12.1987/B-17	20.08.2001	BS-18	By Promotion	DDHO, Abbottabad.
33.	Dr.Azam Khan Wazir s/o Tareez Mal,MBBS, MPH	10.4.1957/ NW Agency	6.12.1987/B-17	20.08.2001	BS-18	By Promotion	Agency Surgeon, Miranshal 2011
34.	Dr.Inamullah s/o Maulana Hamid Ullah, MBBS, DHPM	1.2.1962/ Mardan	6.12.1987/B-17	20.08.2001	BS-18	By Promotion	On deputaion to UNICEF w.e.from 27.07.2010 for 3 years

Attested  
Appellant

(8)

18

35.	Dr. Abdur Rehman s/o Siraj-ur- Rahim, MBBS, MPH	15.6.1960/ Dir	23.1.1988/B-17	20.08.2001	BS-18	By Promotion	Assistant Director (Admn) DGHS KPK Pesh 07.2010
36.	Dr. Fazli Hadi s/o Muhammad Shuaib, MBBS, MPH	18.4.1961 / Mardan	23.1.1988/B-17	20.08.2001	BS-18	By Promotion	SMO EDO(H) Office, Mardan. 10/2009
37.	Dr. Nek Nawaz s/o Muntaz Khan, MBBS, DHPM	3.8.1960/ Bannu	23.1.1988/B-17	20.08.2001	BS-18	By Promotion	EDO(H) Bannu. 12/2008
38.	Dr. Muhammad Ali s/o Muhd Ullah, MBBS, MPH	20.9.1960 / Peshawar	23.1.1988/B-17	20.08.2001	BS-18	By Promotion	SMO RHC Jamalabad Charsadda . 2001
39.	Dr. Muhammad Taus Khan s/o Rangin Khan, MBBS, DHPM	3.2.1960/ DI Khan	23.1.1988/B-17	20.08.2001	BS-18	By Promotion	ON LEAVE.
40.	Dr. Muhammad Asif s/o Muhammad Yousaf, MBBS, DHPM, MPH	2.2.1960/ Peshawar	23.1.1988/B-17	16.04.2008	BS-18	By Promotion	Coordinator Roll Back Malaria Programme KPK Peshawar. 20.04.2009
41.	Dr. Nadeem Ahmad s/o Nazir Ahmad, MBBS, MPH	13.3.1961/ Mardan	23.1.1988/B-17	16.04.2008	BS-18	By Promotion	ON LEAVE.
42.	Dr. Iftikhar Ahmad s/o Inayatullah Khan, MBBS, MPH	2.1.1961/ Peshawar	23.1.1988	16.04.2008	BS-18	By Promotion	SMO THQH: Tangi Charsadda . 12/2010
43.	Dr. Muhammad Khan s/o Khan Muhd, MBBS, MPH	3.5.1959/ Khyber Agy	23.1.1988	16.4.2008	BS-18	By promotion	Services at disposal of DHS FATA 18.01.2011.
44.	Dr. Rashid Ahmad Khan s/o Ghulam Akbar Khan, MBBS, DHPM	10.6.1957/ Bannu	23.1.1988	16.04.2008	BS-18	By promotion	SMO, DHQH, Lakki. 4/2008
45.	Dr. Sardar Ahmad s/o Fateh Muhammad, MBBS, MPH	1.1.1962/ Mardan	23.1.1988	16.04.2008	BS-18	By Promotion	SMO EDO(H) Office, Mardan. 4/2008
46.	Dr. Sartaj Khan s/o Latab Khan, MBBS, DHPM	9.4.1956/ Mardan	23.1.1988	16.04.2008	BS-18	By Promotion	DD(Admn: ) FATA Peshawar. 12.08.2006
47.	Dr. Ihsanul Akbar s/o Mir Akbar, MBBS, MPH	10.4.1955/ Mardan	23.1.1988	16.04.2008	BS-18	By Promotion	SMO EDO(H) office, Swabi 15.05.2002
48.	Dr. Muhammad Umar Shah s/o Hafiz Mohsin Shah, MBBS, DPH	13.11.1958/ FR D.I. Khan	23.1.1988	16.04.2008	BS-18	By Promotion	MS. DHQH, Tank.

Attested  
  
 Appellant

19

19

10

Dr. Aurangzeb s/o Haji Akbar Shah, MBBS, DHPM	5.8.1955/ NW Agency	23.1.1988	16.04.2008	BS-18	By Promotion	SMO THQH: Thall Hangu. 01.02.2007
Dr. Anecsur Rehman s/o Inayatur Rehman, MBBS, MPH	7.6.1958/ Swat	23.1.1988	16.04.2008	BS-18	By Promotion	Waiting for posting.
Dr. Wahid Gul s/o Painda Gul, MBBS, DHPM, MPH	1.4.1961/ Mardan	23.1.1988	16.04.2008	BS-18	By promotion	Waiting for posting
Dr. Iftikhar-ud -Din s/o Shamsud Din, MBBS, DHPM	7.3.1959/ Bajaur Agy	23.1.1988	16.04.2008	BS-18	By Promotion	SMO THQH: Drosh Chitral. 25.11.2000
Dr. Farooq Khattak s/o Mianullah, MBBS, MPH	1.3.1961 / Karak	23.1.1988	16.04.2008	BS-18	By Promotion	ON LEAVE.
Dr. Ghulam Subhani s/o Ghulam Nabi Khan, MBBS, DHPM	27.10.1959/ Kurram Agy	23.1.1988	16.04.2008	BS-18	By Promotion	Assistant Director DGHS Peshawar. 04.04.2003
Dr. Shaukat Hussain s/o Syed Hussain, MBBS, MPH	Abbottabad/ 19-12-1957	12.4.1989	16.04.2008	BS-18	By Promotion	On deputataion to MNCH Prog: For 3 years 05.03.2010
Dr. Muhammad Rafiq s/o Muhammad Nazir, MBBS, MPH	02.01.1958/ Swat	12.4.1989	16.04.2008	BS-18	By Promotion	On deputation with UNICEF for two years .01.06.2010
Dr. Abdul Wahid s/o Iqbal Qamar, MBBS, MPH	13.03.1960/ Buner	12.4.1989	16.04.2008	BS-18	By promotion	DTO Buner. 10/2007
Dr. Fahim Hussain Khan s/o Sayatullah Khan, BDS, DHPM, MPH	22.02.1964 / D.I.Khan	12.4.1989	13.06.2009	BS-18	By promotion.	Provl: Coordinator, NP & PHC, KPK.
Dr. Syed Mujtaba s/o Syed Murtaza, MBBS, MPH	16.9.1956 / Orakzai Agy	4.11.1989	10.9.2009	BS-18	By promotion	SMO KTH Peshawar. 19.12.1998
Dr. Farooq Khan s/o Farooq Khan, MBBS, MPH	13.2.1963/ Peshawar	6.11.1989	10.9.2009	BS-18	By promotion	SMO, HMC, Peshawar
Dr. Obaidur Rehman s/o Obaidur Rehman, MBBS, DHPM	16.5.1963/ Kohat	06.11.1989	10.09.2009	BS-18	By promotion.	SMO, PHSA, Peshawar.

Attested  
*[Signature]*  
Appellant

20

6

11

20

62.	Dr.Rehmanullah s/o Rasool Khan, MBBS, MPH	12.12.1960/ Charsadda	11.11.1989	10.9.2009	BS-18	By promotion	SMO HMC Peshawar. 5/2005
63.	Dr.Ghazali Khan s/o Raza Khan, MBBS, MPH, DHPM	25.9.1961/ Peshawar	11.11.1989	10.9.2009	BS-18	By promotion	SMO,LRH, Peshawar
64.	Dr.Janbaz Afridi s/o Gulab Sher, MBBS, DHPM, MPH	2.9.1961/ Peshawar	12.11.1989	10.9.2009	BS-18	By promotion	DD(EPI) DGHS, Office.11.10.2010
65.	Dr.Saeed Gul s/o Ziarat Gul, MBBS, MPH	15.02.1963/ Khyber Agy	18.6.1990	10.9.2009	BS-18	By promotion	Assistant Director DGHS, Office 07.11.2009
66.	Dr.Nasir Idrees s/o Ghulam Idrees, MBBS, MPH	4.4.1964/ Peshawar	2.9.1990	10.9.2009	BS-18	By promotion	1528 days leave w.c.from 14.09.2009.
67.	Dr.Saifullah Khalid s/o Ghulam Rasool, MBBS	28.5.1962/ Mansehra	2.9.1990	10.9.2009	BS-18	By promotion	DIIDC, Abbottabad.
68.	Dr.Aqeel Jan Bangash s/o Hyder Gul, MBBS, EMBA Health Management	2.2.1962/ Orakzai Agency	2.9.1990	10.9.2009	BS-18	By promotion	EDO(H) Battagram.
69.	Dr.Israrullah s/o Amirullah, MBBS, MPH	14.04.1959 Chitral	2.9.1990	10.9.2009	BS-18	By promotion	MNCII Programme Chitral on deputation basis for 3 years w.c.from 10.09.2009
70.	Dr. Shaheen Afridi D/O Zar Khan, MBBS, MPH	30-07.1966/ Peshawar.	15-5-1991	10.9.2009	BS-18	By promotion	Deputy Chief HSRU Health Department Peshawar 10.9.2009
71.	Dr.Ubaid Hussain s/o Ashiq Hussain, MBBS, MPH	7.10.1964/ Peshawar	9.12.1991	10.9.2009	BS-18	By promotion	D D, TB Control Program DGHS Peshawar 10.9.2009
72.	Dr.Tariq Mehmood s/o Latif Khan, MBBS, DHPM	12.11.1965 Mohmand Ag	9.12.1991	10.9.2009	BS-18	By promotion	Demonstrator Bacha Khan Medical College Mardan. 7/2007
73.	Dr.Muhammad Aurangzeb s/o Saadullah Khan, MBBS, MPH	15.4.1965/ Mardan	9.12.1991	10.9.2009	BS-18	By promotion	Demonstrator, Bacha Medical College Mardan. 29.12.2009
74.	Dr.Muhammad Sa'eed s/o Wazir Dad, MBBS/MPH	12.4.1960/ Mardan	9.12.1991	10.9.2009	BS-18	By promotion	SMO MMC Mardan. 7/2010.
75.	Dr.S.Muhammad Samin s/o S.Muhammad Shafiq, MBBS	8.9.1962/ Kohat	9.12.1991	10.9.2009	BS-18	By promotion	Coordinator EDO(H) Kohat. 02.12.2002

Attested  
and  
Appellant

(21)

To

The Secretary  
Health Department  
Khyber Pakhtunkhwa Peshawar.

Annex-B

Subject: APPLICATION FOR GRANT OF DOCUMENTS.

Respected Sir!

It is most humbly submitted that I was serving as Senior Medical Officer at the relevant time. I was retired from service on 13-11-2017 on attaining the age of Superannuation of 60 years.

I need the following documents so as to seek legal remedy in accordance law:

1. Final Seniority list of members of services BPS-18 (Management Cadre) of the health Department 2012.
2. Notification No.SOH(E-V)4-20/2012-13, dated 06-03-2013.
3. Notification No.SOH(E-V)4-20/2017, dated 10-04-2017.

In view of above, it is requested that I may kindly be provided the above documents as soon as possible. I shall be very thankful of this act of kindness.

Dated: 07-11-2022

Yours obediently

DR. NOOR UL MABOOD  
Cell No.0345-9060272

Attested  
Applicant

Received  
D. NOOR  
2756  
7/11/2022



GOVERNMENT OF KHYBER PAKHTUNKHWA  
HEALTH DEPARTMENT

Diary No. 632/For  
Date: 15/3/13  
Page No. 173/13  
Department of Health  
Chief of Health Department

Dated: Islamabad the March 15, 2013

1993/ET  
6-3-13

22

**NOTIFICATION**

Annex-C

**NO. SOH(E-VI)-20/2012-13** The Competent authority on the recommendations of the Provincial Selection Board, is pleased to promote the following Member of Service of Health Management Cadre from BS-18 to BS-19, on regular basis with immediate effect.

S No	Name of Officer	S No	Name of Officer
1	Dr. Atiq-ur-Rehman	23	Dr. Mubhai Ahmad
2	Dr. Muhammad Aqeel Hussain	24	Dr. Muhammad Khan
3	Dr. Zahid Hussain	25	Dr. Farid Ahmad Khan
4	Dr. Ashraf Ahmad	26	Dr. Saad Khan
5	Dr. Sher Muhammad	27	Dr. Ahmad Akbar
6	Dr. Hishar Iqbal	28	Dr. Muhammad Umar Shah
7	Dr. Abdul Janid	29	Dr. Anwarzeb
8	Dr. Tahir Hashim-ud-Din	30	Dr. Anwar-ul-Rehman
9	Dr. Balqis Khan	31	Dr. Wajid Gaf
10	Dr. Farhat Yasmin	32	Dr. Mubhai-ud-Din
11	Dr. Muhammad Rasool Khan	33	Dr. Ghulam Subhan
12	Dr. Fazl Malik	34	Dr. Saad-ul-Hussain
13	Dr. Zahoor Ahmad	35	Dr. Abdul Wahid
14	Dr. Arshad Amir	36	Dr. Farooq Hussain Khan
15	Dr. Muhammad Daud	37	Dr. Syed Mufida
16	Dr. Muhammad Sheraz	38	Dr. Hameed Khan
17	Dr. Khalid Iqbal	39	Dr. Farhan Ullah
18	Dr. Musharraf	40	Dr. Saad Khan
19	Dr. Anwar Ahmad	41	Dr. Saad Khan
20	Dr. Ghulam Nabi Khan	42	Dr. Saad Khan
21	Dr. Shams-ud-Daq	43	Dr. Saad Khan
22	Dr. Ashraf Khan	44	Dr. Saad Khan
23	Dr. Muhammad Daraz Khan	45	Dr. Saad Khan
24	Dr. Muhammad Riaz	46	Dr. Saad Khan
25	Dr. Farooq Shah	47	Dr. Saad Khan
26	Dr. Saad Khan	48	Dr. Saad Khan
27	Dr. Azam Khan Waza	49	Dr. Saad Khan
28	Dr. Abdur Rehman	50	Dr. Saad Khan
29	Dr. Fazl Hadi	51	Dr. Saad Khan
30	Dr. Nek Nawaz	52	Dr. Saad Khan
31	Dr. Muhammad Ali	53	Dr. Saad Khan
32	Dr. Muhammad Asif	54	Dr. Saad Khan

Noted  
[Signature]  
Approved

2. The officers on promotion shall remain on probation for a period of one year in terms of Section 6 (2) of Khyber Pakhtunkhwa Civil Servants Act, 1973 read with Rule 5 (1) of Khyber Pakhtunkhwa Civil Servants (Appointment, Promotion & Transfer) Rules, 1981





*Annex-D* (23)  
GOVERNMENT OF KHYBER PAKHTUNKHWA  
HEALTH DEPARTMENT

Dated Peshawar the October 21, 2013

**NOTIFICATION**

**NO.SOH(E-V)4-20/2013**

recommendations of the Provincial Selection Board is pleased to promote the following doctors of Health Department (Health Management Cadre) from BS-18 to BS-19, on regular basis with immediate effect:-

The Competent authority, on the Provincial Selection Board is pleased to promote the following doctors of Health Department (Health Management Cadre) from BS-18 to BS-19, on regular basis with immediate effect:-

S.No.	Name of Doctor	S.No	Name of Doctor
1.	Dr.Muhamad Javed s/o Umar Gul Khan	5	Dr.Obaidur Rehman s/o Khlilur Rehman
2.	Dr.Noor-ul- Mabood s/o Sahibzada	6	Dr Muhammad Aurangzeb s/o Sadullah Khan
3.	Dr.Syed Abne Ali s/o Najmul Hassan	7	Dr.Muhammad Saleem Khan s/o Hakim Khan
4.	Dr.Javed Parvez s/o Mast Khan		

2. The officers on promotion shall remain on probation for a period of one year in terms of Section 6 (2) of Khyber Pakhtunkhwa Civil Servants Act, 1973 read with Rule-15 (1) of Khyber Pakhtunkhwa Civil Servants (Appointment, Promotion & Transfer) Rules, 1989.

3. Consequent upon above, the following postings/transfers are hereby ordered, in the public interest:-

*sted*  
*12*  
*opponent*

S#	Name of Doctor	Present Posting	Proposed Posting	Remarks
1.	Dr.Muhamad Javed Member of Service (BS-19)	DMS Maulvi Ameer Shah Hospital Peshawar	Services placed at the disposal of the Chief Executive LRH Peshawar	Against the vacant post of BS-19
2	Dr.Noor-ul- Mabood Member of Service (BS-19)	Deputy Director PECO HMC Peshawar	Deputy Dean PGMI Peshawar	Against the post of BS-19 in the Management
3	Dr.Syed Abne Ali Member of Service (BS-19)	Attached to DHO Hangu	MS DHQ Hospital Karak	Against the post of BS-19 in the Management Cadre vice S.No.8
4	Dr.Javed Parvez Member of Service (BS-19)	Provincial Programme Manager DHIS Khyber Pakhtunkhwa, Peshawar	Deputy Director (Public Health) DGHS Office Peshawar	Against the post of (BS-19) in the Management Cadre vice S.No.9.
5	Dr.Obaidur Rehman Member of Service (BS-19)	Provincial Health Service Academy Peshawar.	At the disposal of Director Provincial Health Service Academy Peshawar.	For further posting against the post of BS-19 in the Management Cadre

24

6	Dr. Aurangzeb Member of Service (BS-19)	Demonstrator Bacha Khan Medical College Mardan	Service placed at the disposal of Chief Executive BMC/MMC Mardan.	For further posting against the post of (BS-19)
7	Dr. Muhammad Saleem Member of Service (BS-19)	Project Director (Health) Afghan Refugees Khyber Pakhtunkhwa	Services placed at the disposal of Director PHSA	Against the post of (BS-19) in the Management Cadre,
8	Dr. Iftikhar Iqbal (BS-19) Management Cadre	Under transfer as MS DHQ Hospital Karak	Retained as DTO Peshawar.	Against the post of BS 19 in the Management Cadre
9	Dr. Syed Ahmad (BS- 19) Management Cadre	Deputy Director Public Health DGHS Office Peshawar.	Service placed at the disposal of Chief Executive LRH Peshawar.	Against the vacant post of BS-19 in the management cadre.

**SECRETARY HEALTH  
Govt. of Khyber Pakhtunkhwa**

**Endst. No. & Date Even**

Copy to the:-

1. Secretary to Governor, Khyber Pakhtunkhwa, Peshawar.
2. Principal Secretary to Chief Minister, Khyber Pakhtunkhwa.
3. Accountant General, Khyber Pakhtunkhwa, Peshawar.
4. Director General, Health Services, Khyber Pakhtunkhwa, Peshawar.
5. Chief Executive, LRH/KTH/HMC, Peshawar/MMC Mardan.
6. Director, P.H.S.A. Peshawar.
7. PSO to Chief Secretary, Khyber Pakhtunkhwa.
8. Medical Superintendent DHQ Hospital, Mardan.
9. Medical Superintendent DHQ Hospital, Karak.
10. Medical Superintendent DHQ, Hospital, Hangu.
11. District Health Officer, Mardan
12. District Health Officer, Karak.
13. District Health Officer Hangu.
14. District Accounts Officer, Mardan
15. District Accounts Officer, Karak
16. District Accounts Officer, Hangu.
17. PS to Secretary Establishment, Department.
18. PS to Minister for Health
19. PS to Secretary Health.
20. Computer Programmer, Health Department.
21. Doctors concerned.

instead  
of  
topcellent

  
(HINA HAFEEZ)  
SECTION OFFICER (E-V)

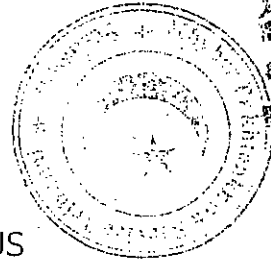
Annex-E

25

BEFORE THE KHYBER PAKHTUNKHWA SERVICE TRIBUNAL,  
PESHAWAR.

Appeal No. 813 /2014

Dr. Noor-ul-Mabood, Deputy Dean,  
PGMI, Peshawar.



APPELLANT

VERSUS

1. The Government of Khyber Pakhtunkhwa through Chief Secretary, Government of Khyber Pakhtunkhwa, Peshawar.
2. The Chief Secretary, Government of Khyber Pakhtunkhwa, Peshawar.
3. The Secretary, Health Department, Government of Khyber Pakhtunkhwa, Civil Secretariat, Peshawar.
4. The Director Health Services, Khyber Pakhtunkhwa, Peshawar.

RESPONDENTS

.....  
APPEAL UNDER SECTION-4 OF THE KHYBER PAKHTUNKHWA, SERVICE TRIBUNAL ACT, 1974 AGAINST THE ORDER DATED 9.4.2014 COMMUNICATED TO THE APPELLANT ON 29.4.2014 WHEREBY THE APPEAL FOR ANTEDATED PROMOTION HAS BEEN REJECTED FOR NO GOOD GROUNDS.  
.....

*[Signature]*  
23/5/14

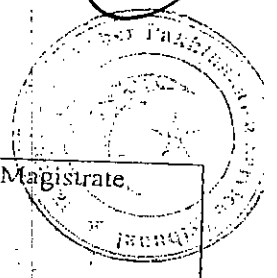
PRAYER:

as submitted to  
and filed,

*[Signature]*  
4/6/14

THAT ON ACCEPTANCE OF THIS APPEAL, THE ORDER DATED 9.4.2014 COMMUNICATED TO THE APPELLANT ON 29.4.2014 MAY BE SET ASIDE WITH FURTHER DIRECTION TO THE RESPONDENTS TO MODIFY THE ORDER DATED

*[Signature]*



Date of order proceedings	Order or other proceedings with signature of judge or Magistrate
28.10.2016	<p style="text-align: center;"><u>KHYBER PAKHTUNKHWA SERVICE TRIBUNAL</u> <u>PESHAWAR.</u></p> <p style="text-align: center;">APPEAL NO. 813/2014 (Dr. Noor-ur-Mabood-vs- Govt: of Khyber Pakhtunkhwa through Chief Secretary, Government of Khyber Pakhtunkhwa, Peshawar, and others).</p> <p style="text-align: center;"><u>JUDGMENT</u></p> <p style="text-align: center;"><u>PIR BAKHSI SHAH, MEMBER:</u></p> <p>Appellant with counsel (Mr. Mohammad Asif Yousafzai, Advocate) and Mr. Kabirullah Khattak, Assistant A.G for respondents present.</p> <p>2. Appointed as Medical Officer in BPS-17 in the year 1987 and promoted to BPS-18 on 03.09.1995, it is not disputed by the respondents that in the cadre of BPS-18 Officers, the appellant was at S.No.4 of the seniority list. For his promotion to BPS-19 his case was placed before PSB meeting held on 14.12.2012 who was superseded on the ground of low efficiency index and on poor performance in the eyes of the Secretary Health. In the next PSB meeting held on 06.03.2013 the appellant was duly promoted to BPS-19 on regular basis vide notification dated 21.10.2013. Aggrieved with the decision of the previous meeting dated 14.12.2012, the appellant lodged departmental appeal for antedation promotion which was rejected vide order dated 09.04.2014 communicated to the appellant on 29.04.2014, hence this appeal under Section-4 of the Khyber Pakhtunkhwa Service Tribunal Act, 1974 with the following prayer:-</p>

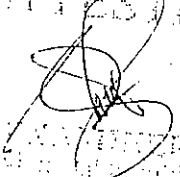
ATTESTED

*[Handwritten signature]*

"That on acceptance of this appeal, the order dated 09.04.2014 communicated to the appellant on 29.04.2014 may be set aside with further direction to the respondents to modify the order dated 21.10.2013 by antedating the promotion of the appellant to BPS-19 from the dated when his juniors were promoted with all back and consequential benefits. Any other remedy, which this Tribunal deems fit and appropriate that may also be awarded in favour of appellant."

3. Arguments heard and record perused.

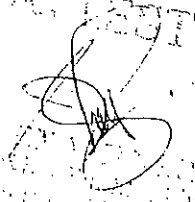
4. Learned counsel for the appellant submitted that one Dr. Tahir Bashir-ud-Din was recommended for promotion in the same meeting with lower efficiency index of 49.03 than the appellant who had efficiency index score of 50.87 but Dr. Tahir Bashir-Ud-Din was promoted and appellant ignored. He urged that the allegations of low efficiency index against the appellant is totally false. He further argued that so for dissatisfaction of the Secretary Health on the performance of the appellant was concerned so the same dissatisfaction was not communicated to appellant in black & white and only verbal or telephone expression of Secretary Health on performance of the appellant is a nullity in the eyes of law and the appellant should not suffer for this reason. He submitted that since juniors of the appellant were promoted and on no score the appellant should have been superseded, therefore his subsequent promotion notification dated 21.10.2013 which makes the appellant promoted to BPS-19 with immediate effect may be antedated to 06.03.2013 on which his juniors were promoted. He also referred to judgment of this Tribunal dated 26.12.2012 in appeal No. 531 of 2012 titled Dr. Mohammad Ali Chohan

ATTESTED  
  
Attester  
Secretary Tribunal

and urged that this appeal is identical with the said appeal for Dr. Mohammad Ali Chohan.

5. This appeal was resisted by Learned Assistant AG on the ground that case of the appellant for promotion was duly considered who was superseded for the above reasons. He also resisted that promotion of the appellant in BPS-19 can be antedated as prayed for.

6. From perusal of minutes of meeting of PSB held on 14.12.2012 it is evident that the Board recommended supersession of the appellant on the following two reasons... (i) that efficiency index of the appellant is below the threshold. In this regard learned counsel for the appellant stated that efficiency index of the appellant is 50.87 which is higher than the efficiency index of one Dr. Tahir Bashir-Ud-Din which is 49.03. Dr. Tahir Bashir-Ud-Din was stated to have been recommended for promotion in the same meeting of PSB despite the fact that his efficiency index was lower than that of the appellant. If the said situation is also supported from the record of the respondent-department so it is evident that the ground of low efficiency index is no more available with the respondent-department and this wise contention of the appellant is correct... (ii) Second reason for supersession of the appellant is dissatisfaction of the Secretary Health on the performance of the appellant. It is the contention of the appellant that there is nothing on record about this dissatisfaction of the Secretary Health. The Tribunal is of the view that the said dissatisfaction should have been duly reduced into writing and duly conveyed to the appellant because his performance up to 2011 according to record does not show any dissatisfaction about his performance and secondly that in the succeeding PSB meeting he was recommended for promotion in the succeeding PSB after few months which would not have been possible if an year prior, his

APPEAL  
  
 Director General  
 Health Services  
 Islamabad

29

performance was poor. This may be as it is, the learned counsel for the appellant relied on judgment of this Tribunal in Service Appeal No.531/12 of Dr. Mohammad Ali Chohan decided on 26.12.2012 and submitted that in identical circumstances, this Tribunal converted his supersession into deferment and granted him promotion as prayed for. We in the stated circumstances, decide that the case of the appellant be remitted to the respondents for consideration of case of the appellant antedation for which purpose it may be placed before PSB in the near future. Appeal decided accordingly. Parties are left to bear their own costs. File be consigned to the record room.

Announced *Self Pir Bakht Sherah*  
 28.10.2016 *Members*

*Handwritten signature*  
 ORIGINAL COPY  
 [Stamp]

*Self - Abdul Latif*  
*Member*

14-4-2017

2000  
 12  
 2  
 14  
 [Signature]  
 14-4-2017  
 14-4-2017



Annex F

Dated Peshawar, the 10<sup>th</sup> April, 2017

**NOTIFICATION**

**NO.SOH(E-V)4-20/2017**

Upon recommendations of Provincial Selection Board, the competent authority (Chief Minister Khyber Pakhtunkhwa) is pleased to promote the following doctors of Management Cadre from BS-19 to BS-20 on regular basis:-

S.#	Name of Doctor	S.#	Name of Doctor
1	Dr. Tariq Masood s/o Hayatullah Khan	11	Dr. Arshid Amer S/O Umar Amir
2	Dr. Muhammad Javed S/O Umar Gul Khan	12	Dr. Muhammad Daud S/O Muhammad Yagooob
3	Dr. Capt. Shad Ali S/O Ahmad Khan	13	Dr. Khalid Iqbal S/O Wak-ud-Din
4	Dr. Ifkhar Iqbal S/O Lalpur Khan	14	Dr. Mushraf S/O Saleem Khan
5	Dr. Abdul Jamil S/O Abdul Aziz	15	Dr. Arshad Ahmad S/O Abdur Rehman
6	Dr. Farhat Yasmin D/O Raza Muhammad Khan	16	Dr. Shamsul Haq S/O Habibul Haq
7	Dr. Javed Pervez S/O Sher Mast Khan	17	Dr. Ashoor Khan S/O Raza Khan
8	Dr. Muhammad Rasool Jan S/O Gakhi Marjan	18	Dr. Muhammad Daraz S/O Hameem Shah
9	Dr. Fazle Malik S/O Fazle Khaliq	19	Dr. Muhammad Riaz S/O Shafeequr Rehman
10	Dr. Zahoor Ahmad S/O Sahibzada Abdul Mutabb		

*Estab.*  
*subst. to all*  
*around.*

2 In term of Rule 6 (3) of Civil Servants Act, 1973 and Rule 15 (1) of Appointment, Promotion and Transfer Rules, 1989, they will be on probation for a period of one year extendable for another year

*D.H.*  
*17/4/17*  
*18/4*

3 The postings/transfers of the above named doctors shall be notified later on

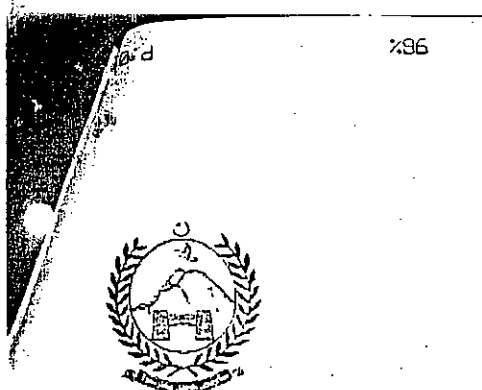
**SECRETARY HEALTH**  
**Govt. of Khyber Pakhtunkhwa**

Attested  
*[Signature]*  
Appellant



31

attention: Keyvez Sahib



GOVERNMENT OF KHYBER PAKHTUNKHWA

HEALTH DEPARTMENT

Dated Peshawar the 2<sup>nd</sup> March, 2017

Annex. G

NOTIFICATION

NO.SOH(E-V)1-132/2007 In terms of provisions of Rule-20 of the Khyber Pakhtunkhwa Civil Servants Revised Leave Rules 1981 and instructions there under issued from time to time, sanction is hereby accorded to the grant of 365 days leave encashment in lieu of L.P.R in respect of Dr. Noorul Mabood s/o Sahib Zada (BS-19) attached to Hayatabad Medical Complex Peshawar.

2. In terms of Section-13 of the Khyber Pakhtunkhwa Civil Servants Act 1973, the officer will retire from service on 13/11/2017 on attaining the age of superannuation.

**SECRETARY HEALTH**  
**Govt. of Khyber Pakhtunkhwa**

Endst. No. & Date even.

Copy to:-

1. Accountant General Khyber Pakhtunkhwa.
2. Director General Health Services Khyber Peshawar
3. Hospital Director Hayatabad Medical Complex Peshawar.
4. Medical Director Hayatabad Medical Complex Peshawar.
5. DHS Cell DGHS Office, Peshawar.
6. Computer Programmer Health Department.
7. PS to Minister for Health Khyber Pakhtunkhwa.
8. PS to Secretary Health Department
9. PS to Special Secretary Health Department.
10. Doctor concerned.

*Itesbd*  
*ad*  
*Appellant*

*(Signature)*  
**(MUHAMMAD ARSHID)**  
**SECTION OFFICER(E-V)**



GOVERNMENT OF KHYBER PAKHTUNKHWA  
HEALTH DEPARTMENT

32

Annex - H

Dated: Peshawar the 13<sup>th</sup> October, 2022

**NOTIFICATION**

**NO.SOH (E-V)/4-4/2022** In pursuance of the Khyber Pakhtunkhwa Services Tribunal judgment dated 28.10.2016 in Service Appeal No. 813/2014 and Order Sheet dated 20.10.2021 in Execution Petition No. 63/17, the Competent Authority (Chief Minister Khyber Pakhtunkhwa) is pleased to promote Dr. Noor Ul Mabood, Management Cadre (BS-19) with antedated promotion in BS-19 (Already retired on 13.11.2017 on attaining the age of superannuation) w.e.f 14.12.2012 (With crucial date), from the date of his erstwhile juniors promoted, instead of 07.08.2013, conditionally, subject to final outcome of CPLA, already filed in the apex court.

**SECRETARY TO GOVT: OF KHYBER PAKHTUNKHWA  
HEALTH DEPARTMENT**

No. 4134-42 / Notification of even No. & dated:

Copies forwarded to the:-

1. Accountant General, Khyber Pakhtunkhwa Peshawar.
2. Director General Health Services, Khyber Pakhtunkhwa.
3. Registrar, Khyber Pakhtunkhwa, Services Tribunal.
4. Hospital/ Medical Directors, MTI/ HMC Peshawar.
5. PS to Secretary Health Department Khyber Pakhtunkhwa.
6. Deputy Director (IT), Health Department, Peshawar.
7. Doctor concerned.
8. Personal file of the doctor concerned.

  
13-10-22  
(NADIR NAZAR)  
SECTION OFFICER (E-V)

14<sup>th</sup> Oct. 2022

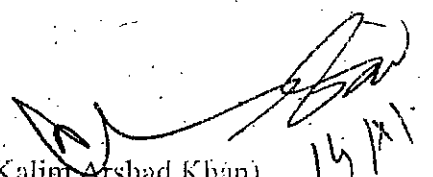
1. Petitioner in person present, Muhammad Adcel Butt. Addl: AG alongwith Mr. Tufial; SO for respondents present.

2. Learned AAG produced notification No. SOII(I-V)/4-4/2022 dated 13.10.2022, whereby in compliance of the judgment of the Tribunal, the grievance of the petitioner has been redressed. Since the order of the Tribunal has been complied with, therefore, the instant execution petition is disposed off in the above terms.

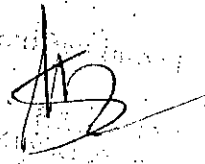
3. In view of the implementation of the judgment, the Accountant General, Khyber Pakhtunkhwa is directed to release salaries of the respondents forthwith. Consign.

4. Pronounced in open court in Peshawar and given under my hand and seal of the Tribunal on this 14<sup>th</sup> day of October, 2022.

SCANNED  
KPST  
Peshawar

  
(Kalim Arshad Khan)  
Chairman 14/10/22

800  
10/11/22  
4/11/22  
14/11/22

10/11/22  
  
10/11/22  
10/11/22

D. No. 1545

Annex-J

To

one  
11/11/22

**THE WORTHY CHIEF MINISTER,  
KHYBER PAKHTUNKHWA PROVINCE,  
PESHAWAR.**

Subject: - **DEPARTMENTAL APPEAL FOR GRANT OF  
ANTEDATED PROMOTION IN BPS-20 FROM THE  
DATE WHEN HIS JUNIORS WERE PROMOTED  
THROUGH NOTIFICATION NO. SOH(E-V)4-  
20/2017 DATED 10-04-2017 MENTIONED AT  
SERIAL NO. 4, 5, 6, 8, 9, AND 11 RESPECTIVELY.**

**PRAYER IN APPEAL**

By accepting this appeal, the appellant may graciously be granted antedated promotion in BPS-20 from the date on which his erstwhile juniors were elevated through notification dated 10-04-2017.

**RESPECTED SIR,**

The appellant respectfully submits the departmental appeal inter-alia on the following grounds: -

1. That the appellant was serving as Deputy Dean (B-18) in Post Graduate Medical Institute, Peshawar at the relevant time. He was placed in seniority list at S. No. 4 among the members of services (B-18) of the Health Department.
2. That the case of appellant including others was placed before the Provincial Selection Board for promotion in BPS-19 on 14-12-2012. But he was deprived of his legitimate promotion on

Copy of seniority list is appended as Annex-A.

Attested  
Appellant

the pretext of supersession and his juniors were promoted vide notification dated 06-03-2013. Nonetheless, in next meeting of the Provincial Selection Board held on 06-03-2013, the appellant was duly promoted in BPS-19 on regular basis vide Notification dated 21-10-2013.

(Copy of notifications are appended as Annex-B and C respectively.)

3. That the appellant felt aggrieved with the aforesaid decision of the previous meeting of PSB dated 14-12-2012, filed a departmental appeal for antedated promotion in BPS-19 but the same was rejected on 09-04-2014. Thereafter, he invoked the jurisdiction of Khyber Pakhtunkhwa Service Tribunal by way of filing Service Appeal No. 813/2014 which was disposed of with the following observations vide judgment dated 28-10-2016: -

The learned counsel of the appellant  
relied on judgment of this Tribunal  
in Service Appeal No. 531 /12 of  
Dr. Mohammad Ali Chohan decided  
on 26-12-2012 and submitted that in  
identical circumstances, this  
Tribunal converted his supersession  
into deferment and granted him  
promotion as prayed for. We in the  
stated circumstances, decided that  
the case of the appellant be remitted  
to the respondents for consideration  
of case of the appellant antedation  
for which purpose it may be placed  
before PSB in the near future.  
Appeal decided accordingly.

Attested  
by  
Appellant

(Copy of judgment is appended as Annex-D.)

4. That the appellant after obtaining certified copy of judgment, requested for its implementation but his efforts didn't yield any result. Consequently, he was constrained to yet again invoke the jurisdiction of Khyber Pakhtunkhwa Service Tribunal by filing Execution Petition No. 63/2017.
5. That during the pendency of execution petition, his erstwhile juniors were promoted in BPS-20 vide Notification dated 10-04-2017. Moreover, the appellant also retired from service w. e. f. 13-11-2017 on attaining the age of superannuation of 60 years vide Notification dated 02-03-2017.

**Copy of notifications of promotion and retirement are appended as Annex-E and F respectively.**

6. That ultimately, the Competent Authority, complied with the judgment of the Khyber Pakhtunkhwa Service Tribunal dated 28-10-2016 and order sheet dated 20-10-2021 respectively, and as such granted antedated promotion to the appellant in BPS-19 from the date wherefrom his erstwhile juniors were promoted instead of 07-08-2013 vide Notification dated 13-10-2022. Resultantly, the execution petition was disposed of with the following terms: -

“Learned AAG produced Notification No. SOII(I-V)4-4/2022 dated 13-10-2022, whereby in compliance of judgment of this Tribunal, the grievance of the petitioner has been redressed. Since the order of the Tribunal has been complied with therefore, the instant

Attested  
Appellant

execution petition is disposed off in  
the above terms.”

(Copy of Notification  
and orders of Tribunal  
are appended as Annex-  
G, H & I)

7. That since the erstwhile juniors of appellant were promoted in BPS-20 vide Notification dated 10-04-2017, therefore, appellant was also legally entitled to be considered for promotion in the said grade from the same date so as to secure the ends of justice.

In view of the above narrated facts, it is, therefore, humbly requested that the case of appellant for antedated promotion in BPS-20 may graciously be placed before the PSB for promotion and he may be saved from the agonies of trials after retirement on attaining the age of superannuation.

Yours obediently,



Dated: 11-11-2022

**Dr. Noor ul Mabood**  
**(Deputy Dean PGMI),**  
**H. No.248 Street No. 1 Sector**  
**J-4 Phase-2, Hayatabad,**  
**Peshawar**  
**0345-906-0272**

Attested  
Appellant

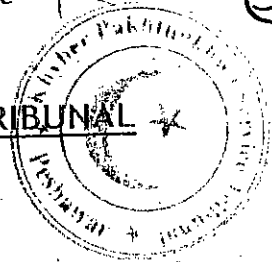
(1)

Amnec-K

(38)

BEFORE THE KHYBER PAKHTUNKHWA SERVICES TRIBUNAL

PESHAWAR



Implementation Petition 63 /2017

In service Appeal No. 813/2014

Decided on 28/10/2016

290

19.4.17

Dr. Noor-Ul-Mabood, Deputy Dean, PGMI, Peshawar.

... APPELLANT

VERSUS

1. The Government of Khyber Pakhtunkhwa, through Chief Secretary, Government of Khyber Pakhtunkhwa, Peshawar.
2. The Chief Secretary, Government of Khyber Pakhtunkhwa, Peshawar.
3. The Secretary Health Services, Government of Khyber Pakhtunkhwa, Peshawar.

... RESPONDENTS

APPLICATION FOR IMPLEMENTATION OF THE  
ORDER AND JUDGMENT DATED 28/10/2016 OF  
THIS HONORUABLE TRIBUNAL ACCORDING TO  
ITS TRUE LETTER AND SPIRIT:

Respectfully Sheweth,

1. That the above noted services appeal was pending for adjudication before this Honourable Tribunal, which was

ATTEST  
  
Dr. Noor-Ul-Mabood  
Deputy Dean, PGMI, Peshawar

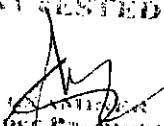


EP 63/17

20.10.2021:

Petitioner in person and Mr. Muhammad Adeel Butt, Addl. AG for the respondents present.

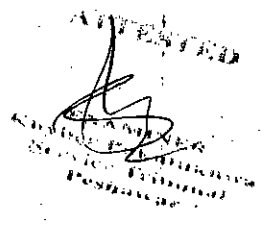
It is a matter of fact that the petitioner was one among the panelist officers who were considered in PSB meeting held on 14.12.2012 and the PSB had recommended his supersession. However, in a subsequent meeting of PSB held on 07.08.2013, the petitioner was again included in the panelist officers for consideration and he was considered and recommended for promotion to BPS-19 on regular basis; and vide notification dated 21.10.2013, he was promoted with immediate effect. The petitioner challenged his supersession recommended by the PSB in its meeting held on 14.12.2012 and his service appeal No. 813/2014 was yet filed before the Tribunal which later on was filed and accepted vide judgment dated 28.10.2016 presently under implementation. According to the spirit of the judgment, the supersession of the petitioner was converted into deferment on the basis of precedent of the case of Dr. Muhammad Ali Chohan decided on 26.12.2012. The implementation of the judgment at credit of the petitioner is so far awaited mainly for the reason of miscomprehension of the operative part of judgment. Therefore, it is clarified that the judgment under implementation is meant to undo the

ATTESTED  
  
DIRECTOR  
National Public Health Services Tribunal  
Islamabad

40

recommendations of supersession of the petitioner by PSB in its meeting held on 14.12.2012 and it operates for conversion of the recommendation from supersession into deferment of promotion. Accordingly, the petitioner is deemed to be deferred for promotion on 14.12.2012. When the petitioner was promoted in view of the recommendations of PSB made on 06.03.2013, the present judgment was not in field and this judgment has been passed on 28.10.2016 for conversion of the supersession of the petitioner for promotion into deferment of his promotion, therefore, there is need for issuance of corrigendum of the order dated 21.10.2013 to antedate the promotion of the petitioner from 14.12.2012. The respondents are directed to issue the necessary corrigendum in the light of given observations without further delay. Copy of this order be sent to the respondents. Learned AAG shall also take the respondents on board for compliance of this order. Case to come up 18.11.2021 before S.B.

  
Chairman

  
State Bar Association  
Mysore

1

41

BEFORE THE KHYBER PAKHTUNKHWA SERVICES TRIBUNAL  
PESHAWAR

Implementation Petition 63 /2017

In service Appeal No. 813/2014

Decided on 28/10/2016



2910  
19-9-1

Dr. Noor-Ul-Mabood, Deputy Dean, PGMI, Peshawar

... APPELLANT

VERSUS

1. The Government of Khyber Pakhtunkhwa, through Chief Secretary, Government of Khyber Pakhtunkhwa, Peshawar.
2. The Chief Secretary, Government of Khyber Pakhtunkhwa, Peshawar.
3. The Secretary Health Services, Government of Khyber Pakhtunkhwa, Peshawar.

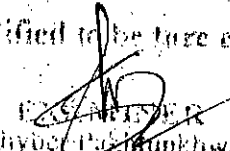
... RESPONDENTS

APPLICATION FOR IMPLEMENTATION OF THE  
ORDER AND JUDGMENT DATED 28/10/2016 OF  
THIS HONORUABLE TRIBUNAL ACCORDING TO  
ITS TRUE LETTER AND SPIRIT

Respectfully Sheweth,

1. That the above noted services appeal was pending for adjudication before this Honourable Tribunal, which was

Certified to be true copy

  
EXAMINER  
Khyber Pakhtunkhwa  
Service Tribunal,  
Peshawar

25<sup>th</sup> July, 2022

Learned counsel for the petitioner present. Mr. Muhammad Adeel Butt, Addl: AG along with Mr. Tufail Khan. SO for respondents present.



The Focal Person, Safiullah present on the previous date who had assured implementation of the judgment of the Tribunal within a month is present before the Court nor any implementation report has been produced, therefore, let the salaries of the judgment debtors are attached and Secretary Health be directed to appear in person alongwith implementation report on the next date. The Accountant General Khyber Pakhtunkhwa is directed to attach the salaries of the respondents not to release the same till further order by this Tribunal.

Last chance is given to the respondents to implement the judgment and submit compliance report on 22.09.2022 before S.B.

Q

(Kalim Arshad Khan)  
Chairman

Certified to be true copy  
*[Signature]*  
EXAMINER  
Khyber Pakhtunkhwa  
Service Tribunal  
Peshawar

Date of Deposition of *[Signature]* 01-8-22

Number of Words 800

Copying Fee 10/-

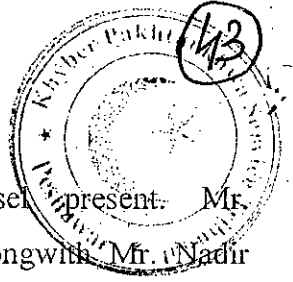
Amount -

Sum 10/-

Amount of Copy Fee -

Date of Completion of Copy 06/8/22

Date of Deposition of Copy 06/8/22



6<sup>th</sup> Oct, 2022

Petitioner alongwith his counsel present. Mr. Kabirullah Khattak, Addl: AG alongwith Mr. Nadir Nazar, SO for respondents present.

Representative of the respondents submits that the implementation under execution is under process and will be finalized soon. Despite repeated directions including attachment of salary, respondents are using delaying tactics to implement the judgment. Respondents are directed to appear in person alongwith implementation report failing which further coercive measure would be taken against them. To come up on 07.10.2022 before S.B.

(Kalim Arshad Khan)  
Chairman

7<sup>th</sup> Oct, 2022

Petitioner in person present. Mr. Kabirullah Khattak, Addl: AG alongwith Safiullah, Focal Person for respondents present.

Representative of the respondents submitted application for adjournment wherein he stated that the implementation under execution is under process and will be submitted on the next date. Application is placed on file. Last chance is given to the respondents to submit progress report/compliance report on the next date. To come up for implementation report on 14.10.2022 before S.B.

Date of Presentation of Application: 10-10-22  
 Number of Words: 800  
 Copying Fee: 10/-  
 Page: 4/7  
 Total: 13/-  
 Name of Applicant: \_\_\_\_\_  
 Name of Employer: \_\_\_\_\_  
 Date of Completion of Cop: 10-10-22  
 Date of receipt of copy: 10-10-22

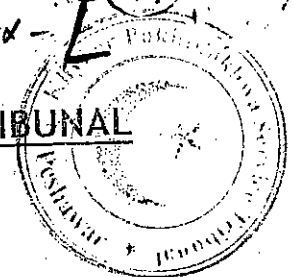
Certified to be true copy  
  
KALIM ARSHAD KHAN  
Khyber Pakhtunkhwa  
Service Tribunal  
Chairman

(Kalim Arshad Khan)  
Chairman

(4)

Annex - L

(44)



BEFORE THE KHYBER PAKHTUNKHWA SERVICES TRIBUNAL  
PESHAWAR

Implementation Petition 63 /2017

In service Appeal No. 813/2014

Decided on 28/10/2016

290  
14-4-17

Dr. Noor-Ul-Mabood, Deputy Dean, PGMI, Peshawar.

... APPELLANT

VERSUS

1. The Government of Khyber Pakhtunkhwa, through Chief Secretary, Government of Khyber Pakhtunkhwa, Peshawar.
2. The Chief Secretary, Government of Khyber Pakhtunkhwa, Peshawar.
3. The Secretary Health Services, Government of Khyber Pakhtunkhwa, Peshawar.

... RESPONDENTS

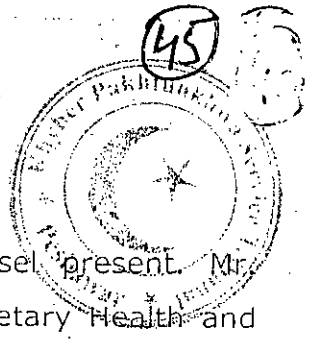
APPLICATION FOR IMPLEMENTATION OF THE  
ORDER AND JUDGMENT DATED 28/10/2016 OF  
THIS HONORUABLE TRIBUNAL ACCORDING TO  
ITS TRUE LETTER AND SPIRIT

Respectfully Sheweth,

Certified to be true copy  
EXAMINER  
Khyber Pakhtunkhwa  
Service Tribunal  
Peshawar

1. That the above noted services appeal was pending for adjudication before this Honourable Tribunal, which was

E.P. No. 63/217  
Dr. Noorul Mabood



22.09.2022

Petitioner alongwith his counsel present Mr. Atta-ur-Rehman Khalil, Special Secretary Health and Mr. Safiullah, Focal Person alongwith Mr. Muhammad Adeel Butt, Additional Advocate General for the respondents present.

Vide previous order, directions were issued for personal appearance of Secretary Health, however he is stated to have proceeded to august Peshawar High Court, Peshawar for appearance in a case. Special Secretary Health submitted in writing that the order dated 20.10.2021, passed in the instant execution petition has been challenged through filing of CPLA before worthy Apex court, however summary for conditional implementation of the directions given in order dated 20.10.2021 shall be submitted to the competent Authority.

The execution petition in hand is pending adjudication since the year 2017, therefore, respondents shall positively submit implementation report on 06.10.2022 before the S.B.

(Salah-Ud-Din)  
Member (J)

Certificate to be true copy  
EXAMINER  
Khyber Pakhtunkhwa  
Service Tribunal  
Peshawar

Date of Presentation of Application 28/9/22  
Number of Ward 800  
Copying Fee 10/-  
Urgent 19/12  
Total 19/12  
Name of Applicant  
Date of Completion of Copy 28/9/22  
Date of Delivery of Copy 28/9/22

Before the Honble Chairman, KPK Service Tribunal, Peshawar.

بجدرالت



(Appellant) 2023 پنجاب

نام Dr. Noor-ul-Mabood

VS

Chief Minister, KPK Through  
Principal Secretary and others  
باعث تحریر آگے

موزعہ

مقدمہ

دعویٰ

جزم

مقدمہ مندرجہ عنوان بالا میں اپنی طرف سے واسطے پیروی و جواب دہی وکل کاروائی متعلقہ  
آن مقام Peshawar کے لیے Rizwanullah Advocate

مقرر کر کے اقرار کیا جاتا ہے۔ کہ صاحب موصوف کو مقدمہ کی کل کاروائی کا کامل اختیار ہوگا۔ نیز  
دیکل صاحب کو رضی نامہ کرنے و تقرر ثالثہ فیصلہ برحلف دیئے جواب دہی اور اقبال دعویٰ اور  
بصورت ڈگری کرنے اجراء اور وصولی چیک و روپیہ اور عرضی دعویٰ اور درخواست ہر قسم کی تصدیق  
زرائیں پر دستخط کرانے کا اختیار ہوگا۔ نیز صورت عدم پیروی یا ڈگری یا کیلٹرفہ 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 کسی دہی جملہ مذکورہ باختیارات حاصل ہوں گے اور اس کا ساختہ  
پرواخذہ منظور قبول ہوگا۔ دوران مقدمہ میں جو خرچہ ہر جا ضالتوائے مقدمہ کے سبب سے ہوگا۔  
کوئی تاریخ پیشی مقام دورہ پر ہو یا حد سے باہر ہو تو وکیل صاحب پابند ہوں گے۔ کہ پیروی  
مذکور کریں۔ لہذا وکالت نامہ لکھ دیا کہ سند ہے۔

Appellant

المرقوم 2nd March 2023

واہ العی

Attested & accepted  
Adv.

Peshawar only  
0300596584  
advocate.rizwanullah@gmail.com  
bc-09-0050

مقام