BEFORE THE KHYBER PAKHTUNKHWA SERVICES TRIBUNAL PESHAWAR.

Service Appeal No. 777/2018

Date of Institution ... 05.06.2018

Date of Decision... 02.03.2023

Molvi Muhammad Nazir S.A.T, G.H.S Kunj Katlang, Mardan. R/O Gaju Khan Road, Mardan. ... (Appellant)

VERSUS

Government of Khyber Pakhtunkhwa Secretary Elementary & Secondary Education, Civil Secretariat, Peshawar and 02 others.

(Respondents)

MR. AMJAD ALI,

Advocate --- For appellant.

MR. MUHAMMAD JAN,

District Attorney --- For respondents.

MR. SALAH-UD-DIN --- MEMBER (JUDICIAL)

MS. ROZINA REHMAN --- MEMBER (JUDICIAL)

MS. FAREEHA PAUL --- MEMBER (EXECUTIVE)

JUDGMENT:

SALAH-UD-DIN, MEMBER:- Precise facts forming the background of the instant service appeal are that the appellant while serving as Senior Arabic Teacher, was transferred from Government High School Sikandaray District Mardan to Government High School Kunj Tehsil Katlang District Mardan vide order dated 14.02.2018 on administrative grounds. The appellant challenged the same through filing of departmental

appeal on 15.02.2018, which was not responded within the statutory period, hence the instant service.

- 2. Notices were issued to the respondents, who submitted their comments, wherein they refuted the assertions raised by the appellant in his appeal.
- The instant Service Appeal was heard by a Division Bench on 10.04.2019 of this Tribunal comprising of Mr. Muhammad Amin Khan Kundi, the then Member Judicial and Mr. Ahmad Hassan, the then Member Executive, however they rendered dissenting judgments in the matter, therefore, the appeal was referred to Larger Bench for its decision.
- 4. Notices were issued to the respondents, who submitted their comments, wherein they refuted the assertions raised by the appellant in his appeal.
- 5. Learned counsel for the appellant has addressed his arguments supporting the grounds agitated by the appellant in his service appeal. On the other hand, learned District Attorney has controverted the arguments of learned counsel for the appellant and has supported the comments submitted by the respondents.
- 6. During the course of arguments, learned counsel for the appellant requested that as the departmental appeal of the appellant remained un-responded, therefore, the appellant would

be satisfied if the appellate Authority is directed to first decide the departmental appeal of the appellant. Keeping in view the facts and circumstances of the case, it deemed appropriate that the appellate Authority shall first decide the departmental appeal of the appellant through a speaking order.

7. In view of the above, the departmental appeal of the appellant is remitted to the appellate Authority with the directions to decide the same through a speaking order strictly in accordance with relevant law/rules within a period of 60 days of receipt of copy of this judgment. Needless to mention that the appellant shall be afforded an opportunity of personal hearing by the appellate Authority. In case of any grievance of the appellant against the outcome of his departmental appeal, he would be at liberty to challenge the same by way of filing service appeal before this Tribunal. Parties are left to bear their own costs. File be consigned to the record room.

<u>ANNOUNCED</u> 02.03.2023

(SALAH-UD-DIN) MEMBER (JUDICIAL)

(ROZIMA REHMAN) MEMBER (JUDICIAL)

> (FAREEHA PAUL) MEMBER (EXECUTIVE)

ORDER 02.03.2023 Appellant alongwith his counsel present. Mr. Muhammad Jan,
District Attorney for the respondents present. Arguments heard and
record perused.

Vide our detailed judgment of today, separately placed on file, the departmental appeal of the appellant is remitted to the appellate Authority with the directions to decide the same through a speaking order strictly in accordance with relevant law/rules within a period of 60 days of receipt of copy of this judgment. Needless to mention that the appellant shall be afforded an opportunity of personal hearing by the appellate Authority. In case of any grievance of the appellant against the outcome of his departmental appeal, he would be at liberty to challenge the same by way of filing service appeal before this Tribunal. Parties are left to bear their own costs. File be consigned to the record room.

ANNOUNCED 02.03.2023

(Rozina Rehman)
Member (Judicial)

(Salah-Ud-Din) Member (Judicial)

Member (Executive)

Due to Incomplete Bench the cale is adjourned. To come up for the Same as before on 02-03-2023

Reader

2nd Mar, 2023 Since Mian Muhammad has been repatriated, therefore, the larger bench is reconstituted as under:

- 1. Mr. Salah Ud Din, Learned Member(Judicial)
- 2. Ms. Rozina Rehman, Learned Member(Judicial)
- 3. Mr. Muhammad Akbar Khan, Learned Member(Executive)

(Kalim Arshad Khan)

Chairman

Additional Adeel Butt. learned Muhammad Advocate General for respondents present.

Arguments on the application heard. Record perused.

Perusal of record would reveal that appeal No. 777/2018 was dismissed in default for non-prosecution vide order dated 29.06.2021. It was argued that absence of learned counsel on the date fixed was not intentional but due to reason that he was busy before august Supreme Court of Pakistan at Islamabad due to which he did not appear before this Tribunal.

In this view of the matter, this application for restoration of appeal is allowed. Appeal stands restored on cost of Rs.5000/- to its original number. Both the parties be put on notice for the date fixed. The case file be put up before learned Chairman with a request for constitution of larger bench for the disposal of main appeal. Parties are directed to appear before the learned Chairman on 25/01/2023.

(Mian Muhahammad) Member (E)

(Rozina Rehman)

Member (J)

Itu

eeha Paul) Member (E)

Counsel for the appellant present.

Asif Masood Ali Shah learned Deputy District Attorney for the respondents present.

Instant application is for restoration of service appeal No. 777/18 which was dismissed in default on 29.06.2021 by the larger bench. It would be proper to place the appeal before Hon'ble Chairman for further appropriate orders. Parties are directed to appear before the said court on 06.12.2022.

SC NNED

(Fareeha Paul) Member (E)

(Rozina Rehman) Member (J)

06th Dec, 2022

This case received from the learned D.B-II with the observation that the matter was dismissed in default by a larger bench, therefore, it would be appropriate to fix the case before the larger bench. Therefore, larger bench comprising Ms. Rozina Rehman, Learned Member (Judicial, Mian Muhammad, Learned Member (Executive) and Ms. Fareeha Paul, learned Member(Executive) is constituted and the parties are directed to appear before the said bench.

(Kalim Arshad Khan) Chairman 28.02.2022

Due to retirement of the Worthy Chairman, the Tribunal is defunct, therefore, case is adjourned to 02.06.2022 for the same as before.

Proper DB not available the is adjourned to 16-8 2022

Our to summer vadation Realer Texcurse is adjourned to 21-10-22

21.10.2022

Appellant in person present. Mr. Asif Masood Ali Shah,

Deputy District Attorney for the respondents present.

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Appellant requested for adjournment on the ground that his counsel is not available today due to strike of lawyers. Adjourned. To come up for reply as well as arguments on

restoration application before the D.B on 08.11.2022.

(Mian Muhammad) Member (E)

(Salah-ud-Din) Member (J)

Form-A

FORM OF ORDER SHEET

Court of	,			
Appeal's Resto	ration Application N	0.136	/2020	

S.No.	Date of order Proceedings	Order or other proceedings with signature of judge
1 .	2	3
1	26.07.2021	The application for restoration of appeal No. 777/2018
	• , •	submitted by Mr. Amjid Ali Khan Mardan Advocate may be entered in the relevant register and put up to the Court for
		proper order please.
		REGISTRAR
2 .		This restoration application is entrusted to D. Bench to be
,	٠	put up there on 17-11-2021
		CHARMAN
17.11.20	21	Nemo for the petitioner. Notices be issued to bot
•	the	parties for 28.02.2022 before the D.B.
		(*
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		(Mian Muhammad) Member (E)
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SCANNED KPST Peshawar

ORDER 29.06.2021 None present for the appellant. Mr. Muhammad Rasheed, Deputy District Attorney for the respondents present.

The appeal in hand was called on for hearing after various interval, however neither the appellant nor anyone else appeared on his behalf till the closing time, therefore, the appeal in hand stands dismissed in default. Parties to bear their own costs. File be consigned to the record room.

ANNOUNCED 29.06.2021

(ROZINA REHMAN) MEMBER (JUDICIAL) (SALAH-UD-DIN)
MEMBER (JUDICIAL)

(ATIQ-UR-REHMAN WAZIR) MEMBER (EXECUTIVE) 09.03.2021

Junior to counsel for the appellant and Muhammad Rashid, DDA for respondents present.

Former requests for adjournment as learned senior counsel for the appellant is engaged before the Honourable High Court today in various cases. Adjourned to 29.06.2021 for hearing before the Larger Bench.

Chairman

Atiq-ur-Rehman Wazir) Member(E)

(Mian Muhammad)

Member(E)



Appellant present in person.

Usman Ghani learned District Attorney for respondents present.

Lawyers are on general strike, therefore, case is adjourned to 11.02.2021 for arguments, before Larger Bench.

(Rozina Rehman) Member (J)

(Muhammad Jamal Khan) Member (J)

(Mian Muhammad) Member (E)

11.02.2021

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

Learned counsel for the appellant is not available today, therefore, a request for adjournment is made. Adjourned to 09.03.2021 before the Larger Bench.

Chairman

(Rozina Rehman) Member(J)

> (Atiq-ur-Rehman Wazir) Member(E)

Nemo for appellant.

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

Due to general strike of the bar, the case is adjourned to 02.09.2020 before Larger Bench.

(Mian Muhammad) Member (E) (Rozina Rehman) Member (J)

02.09.2020

Nemo for the appellant. Mr. Usman Ghani District Attorney for the respondents present.

Notices be issued to appellant/learned counsel for hearing on 12.11.2020 before the Larger Bench.

(Rozina Rehman) Member(J) Chairman

(Mian Muhammad) Member(12) 07.02.2020

Counsel for the appellant and Mr. Muhammad Jan, DDA for the respondents present.

Due to incomplete Bench, the matter is adjourned to 15.04.2020 for arguments before the Larger Bench.

(Hussain Shah) Member (Muhammad Hamid Mughal) Member

15.04.2020

Due to public holidays on account of Covid-19, the case is adjourned. To come up for the same on 15.07.2020 before Larger Bench.

15.07.2020

Bench is incomplete. Therefore, the case is adjourned to 23-7-20 for the same, as before.

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08.11.2019

Counsel for the appellant and Mr. Kabirullah Khattak learned Additional Advocate General for the respondents present.

To come up alongwith Appeal No.474/2017 for orders regarding application for formation of Bench comprising all the Members and Chairman of the Tribunal, on 12.12.2019 before Larger Bench.

CHAIRMAN

(Mr. Hamid Mughal) Member

(Hussain Shah)
Member

12.12.2019

Appellant in person and Mr. Riaz Paindakhel learned Assistant Advocate General Dr. In Mr. Surraz Foad Gristae for the respondents present.

Vide our detailed order of even date in service appeal No. 474/17, the objection regarding constitution of Bench is over ruled and the appeal is posted before a Bench already constituted.

A request for adjournment is made due to non availability of learned counsel for the appellant, owing to general strike of the bar. Adjourned to 07.02.2020 before Larger Bench.

(M. Hamid Mughal)
Member

CHAIRMAN

Hussain Shah) Member 23/04/2019

Be laid before a larger bench minus the Hon'ble members heaving difference of opnion. 11-07-2019

\"\...\\ Chairman

11.07.2019

Learned counsel for the appellant and Mr. Kabir Ullah Khattak learned Additional Advocate General present. Due to engagement of Member of this Tribunal (Mr. Hussain Shah) at Camp Court Abbottabad, the instant matter is adjourned to 29.08.2019 before Larger Bench

(Muhammad Hamid Mughal) Member

Chairman

29.08.2019

Learned counsel for the appellant present. Mr. Usman Ghani learned District Attorney for the respondents present. Learned counsel for the appellant seeks adjournment. adjourned to 08.11.2019 for arguments before Larger Bench.

(Muhammad Hamid Mughal)

Member

Chairman

(Hussain Shah) Member

BEFORE THE KHYBER PAKHTUNKHWA SERVICE TRIBUNAL, PESHAWAR

SERVICE APPEAL NO. 777/2018

Date of institution ... 05.06.2018 Date of judgment ... 10.04.2019

Molvi Muhammad Nazir Senior Arabic Teacher, G.H.S Junj Katlang, Mardan R/o Gaju Khan Road, Mardan

(Appellant)

VERSUS

1. Government of Khyber Pakhtunkhwa Secretary Elementary & Secondary Education, Civil Secretariat, Peshawar and two others.

MUHAMMAD AMIN KHAN KUNDI, MEMBER: -

DISSENTING JUDGMENT

record reveals that the appellant was serving as Senior Arabic Teacher in Education Department. He was transferred from Government High School Sikandaray District Mardan to Government High School Kunj Tehsil Katlang District Mardan on administrative ground vide order dated 14.02.2018. The appellant filed departmental appeal on 15.02.2018 but the same was not responded hence, the present service appeal. When the appellant was confronted as to whether he has completed his normal tenure of posting in Government High School Sikandaray, he stated that he has already competed his normal tenure of posting in Government High School Sikandaray but he has challenged transfer order dated 14.02.2018 was transferred complaint/administrative ground. Fact finding inquiry was conducted but he was not associated in the inquiry proceeding. Moreover, the wife of the appellant is seriously ill In this respect medical prescription is also available on the record therefore, also prayed for acceptance of appeal also on humanitarian ground.

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2. Admittedly the appellant is a civil servant and under section 10 of the Khyber Pakhtunkhwa Civil Servants Act the competent authority is empowered to transfer a civil servant to a place where his/her services were mostly required and the civil servant has no right to demand station of his/her own choice it is within the competence of the authorities to transfer a civil servant from one place or post to another to meet the exigencies of service or administration, provided terms and conditions of service are not adversely affected and the civil servant has not vested right to claim posting or transfer to any particular place of his choice nor he has any right to continue to hold a particular post at a particular place. In this respect 2004 PLC (C.S) page 705 Supreme Court of Pakistan is cited for advantages wherein it was held

(b) Punjab Civil Servants Act (VIII of 1974)---

3. The record also reveals that the appellant was transferred on complaint/administrative ground and fact finding inquiry was also conducted wherein it

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was recommended that the appellant to be transferred from the said school. Meaning thereby that he was creating hurdle/problem in the ordinary function of the department therefore, Cancellation of his transfer order would be amounted to interference in the smooth working of government. In this regard 2005 SCMR Page 13 is cited for advantages. Wherein it was held

Punjab Civil Servants Act (VIII of 1974)---

---S. 9---Constitution of Pakistan (1973), Art. 212(3)---Transfer order, cancellation of ---Civil Servant was transferred not only due to application but there were lot of complaints against him which were thoroughly probed in and finally it was found that the civil servant was not working according to the settled principles of good governance and was creating hurdles in the ordinary function of the department---Appeal filed by civil servant was dismissed by the authorities as well as by the Service Tribunal---Validity---Request of civil servant seeking cancellation of transfer orders amounted to interference in the smooth working of Government and the civil servant as a right could not claim to be posted at one place, rather the civil servant was required to serve anywhere against the post to which he was transferred---Order of authorities as well as the judgment of Service Tribunal were in consonance with the law---Judgment passed by Service Tribunal was well-reasoned and was result of proper appreciation of available material and the provisions of law, which did not call for any interference by Supreme Court---No substantial question of law of general public importance as envisaged under Art. 212(3) of the Constitution was involved in the case---Leave to appeal was refused.

Monny 10 4.2019

4. The record also reveals that the appellant was transferred after completion of his normal tenure vide order dated 14.02.2018 the appellant has already complied with the order of transfer and relinquished the charge and has assumed the new posting. As such, his claim regarding cancellation of transfer order has become infructuous. In this regard 2005 SCMR page 442 [Supreme Court of Pakistan] titled Muhammad Alam Jan Versus Government of N.W.F.P through Secretary, Home and Tribal Affairs, Peshawar and three others is cited for advantages where it was held that

North-West Frontier Province Civil Servants Act (XVIII of 1973_---

----S. 10----North West Frontier Province Tribunal Act (1 of

1974), S.4--- Constitution of Pakistan (1973), Art. 212(3)---Transfer and posting of civil servant---Principles---Service Tribunal, jurisdiction of ---Civil servant assailed his transfer order before Service Tribunal but his appeal was dismissed---Plea raised by the civil servant was that by such transfer he had been disturbed and inconvenience had been caused to him---Validity--- Principles of posting and transfer were based upon the criteria that it was within the domain of Government to utilize services of a civil servant anywhere it deemed fit in the public interest---Right of posting, under Civil Servants Act, 1973, vested in the exclusive jurisdiction of competent authority--- Posting could not be challenged unless it was against the law and rules or mala fide --- Civil servant was transferred on administrative ground by competent authority within the same office alongwith other officials, thus question of inconvenience or disturbance did not arise---Civil servant had already complied with the order

M. 4-2019

of transfer and had relinquished his charge and had assumed the new posting as such his claim had become infructuous--Judgment passed by Service Tribunal did not suffer from any legal infirmity which was maintained by the Supreme Court--Leave to appeal was refused.

5. Perusal of the record further reveals that the appellant was transferred vide order dated 14.02.2018 from Government High School Sikandaray District Mardan to Government High School Kunj Katlang District Mardan while on the same day through same order one Hussain Ahmad Ayaz Senior Arabic Teacher was transferred from Government High School Kunj Katlang to Government High School Sakandaray at the place of appellant and the appellant was transferred at the place of Hussain Ahmad Ayaz therefore, the appellant was required to implead the said Hussain Ahmad Ayaz in the panel of respondents because if the appeal of the appellant is accepted the transfer order of Hussain Ahmad Ayaz from Government High School Kunj to Government High School Sikandaray will be automatically cancelled and it is well settled law that no one should be condemned unheard therefore, the appeal is also liable to be dismissed on the ground of non-joiners of necessary party. As such, the appeal has no force which is hereby dismissed.

ANNOUNCED 10.04.2019

Muhammad Amin Khan Kundi) MEMBER

(AHMAD HASSAN)

MEMBER

(Not agreed dissenting judgment is attached)

BEFORE THE KHYBER PAKHTUNKHWA SERVICE TRIBUAL, PESHAWAR.

Appeal No. 777/2018

Date of Institution ... 05.06.2018

Date of Decision ... 10.04.2019

Molvi Muhammad Nazir S.A.T, GHS Kunj Katlang, Mardan, R/o Gaju Khan Road, Mardan. ... (Appellant)

VERSUS

Govt: of Khyber Pakhtunkhwa Secretary Elementary and Secondary, Civil Secretariat, Peshawar and two others.

... (Respondents)

MR. AMJAD ALI,

Advocate

-- For appellant.

MR. USMAN GHANI,

District Attorney

--- For respondents.

MR. AHMAD HASSAN,

- MEMBER(Executive)

MR. MUHAMMAD AMIN KHAN KUNDI

MEMBER(Judicial)

JUDGMENT

AHMAD HASSAN, MEMBER.- Arguments of the learned counsel for the parties heard and record perused.

ARGUMENTS

2. Learned counsel for the appellant argued that he was serving as Senior Arabic Teacher at Government High School Sikandaray. However, vide impugned order dated 14.02.2018, he was transferred to government High School, Kunj, Tehsil, Katlang, Maradan on administrative grounds. Prior to his transfer a fact finding enquiry was conducted by the respondents, whereby transfer of two other teachers Iftikhar Hussain, Qari and Amraiz Khan, SST was also proposed. However, they were no dislocated and only the appellant was transferred. It also

amounts to discrimination. Moreover, the appellant was not associated with the enquiry proceedings and condemned unheard. Feeling aggrieved, he filed departmental appeal on 15.02.2018, which remained un-answered, hence, the present service appeal. Transfer was not mentioned in the list of penalties given in Rule-4 of E&D Rules 2011. Moreover, his wife is a cancer patient and needs timely treatment and round the clock care. Even on humanitarian grounds his transfer to the previous station of duty was justified.

3. On the other hand learned Deputy District Attorney argued that a fact fining enquiry was conducted in which it was established that the appellant was polluting the congenial utmostphare of the school. He was also accused of indulging in activity pre-judicial to good office discipline. Based on the findings of the enquiry, the appellant was transferred.

CONCLUSION

ordered by the respondents. The enquiry committee recommended transfer of the appellant, Iftikhar Hussain, Qari and Amraiz Khan, SST. Subsequently, vide impugned order dated 14.02.2018, the appellant was transferred, whereas others were left to continue serve at their respective stations. It amounts to discrimination, as enshrined in Article-25 of the Constitution. Transfer on administrative grounds is not permissible under the rules nor it is included in the list of penalties contained in Rules-4 of E&D Rules 2011. Moreover, the appellant was not associated with the enquiry proceedings. Only version of the respondents was available on record. Its veracity could only be ascertained, if opportunity of

hearing had been provided to the appellant. Charges leveled against the appellant in the enquiry report tantamount to misconduct and the remedy available was to proceed against him under E&D Rules 2011. Reliance was placed on case law 2015 PLC (CS) 1035 and 2012 PLC (CS) 187 and judgment of this Tribunal dated 25.07.2018 passed in service appeal no. 658/2017.

5. As a sequel to above, the appeal is accepted and impugned order dated 14.02.2018 is set aside. Parties are left to bear their own costs. File be consigned to the record room.

(HMAD HASSAN) MEMBER

(MUHAMMAD AMIN KHAN KUNDI)

MEMBER

Not agreed descending note is attached

ANNOUNCED 10.04.2019

Additional Advocate General present. Due to general strike of the bar, the case is adjourned. To come up for arguments on 10.04.2019 before D.B

Member

Member

10.04.2019

Appellant with counsel present. Mr. Usman Ghani, District Attorney alongwith Mr. Sajid Khan, ADO for respondents present. Arguments heard and record perused.

The appeal was heard on 10.04.2019, however, after hearing members of the Divisional Bench failed to arrive at a consensus judgment. Separate judgments written by us be placed before the worthy Chairman for appropriate orders.

Announced: 10.04.2019

(Ahmad Hassan) Member

(Muhammad Amin Khan Kundi) Member

Be fixed before a larger Bench comprising the Chairman and How'lle Manles M/s
the Chairman and How'lle Manles M/s
Mohammad Hamid Kurphal and Hamain Shah.

Jui 22/4/18

28.08.2018

Appellant in person present. Mr. Kabirullah Khattak, AAG for the respondents also present. Written reply not submitted. Learned AAG seeks adjournment. Adjourned. To come up for written reply/comments on 27.09.2018 before S.B.

(Muhammad Amin Kundi) Member

27.09.2018

Appellant Molvi Muhammad Nazir in person present. Mr. Kabirullah Khattak, Addl. AG for the respondents present. Written reply not submitted and learned AAG made a request for adjournment. Granted. To come up for written reply/comments on 15.11.2018 before S.B.

14,11.2018

Due to retirement of Hon'ble Chairman, the Chairman is defunct. Therefore, the case is adjourned. To come up on 03.01.2019. Written reply received on behalf of respondents by Mr. Sajid AD litigation and placed on file.

Reader

03.01.2019

Appellant in person present. Mr. Muhammad Riaz Paindakhel, Asst: AG alongwith Mr. M. Sajid, ADO for respondents present. Appellant seeks adjournment. Granted. Case to come up for arguments on 01.03.2019 before D.B.

Member

13.07.2018

Trestri

Appellant in person present. Mr. Kabirullah Khattak, AAG for the respondents also present. Written reply adjournment. Adjourned To come up for preliminary

To hearing on 23,07,2018 before S.B.

(Muhammad Amin Kundi) Member

Transport Communication Commun

23.07.2018

Learned counsel for the appellant present. Preliminary arguments heard.

The appellant is aggrieved against the order dated 14.02.2018 whereby he was transferred from GHS sikdandari to GHS Kunj Katlang on administrative grounds.

Points raised need consideration. The present appeal is admitted for regular hearing subject to all just legal objections. The appellant is directed to deposit security and process fee within 10 days. Thereafter notices be issued to the respondents for written reply/comments. To come up for written reply/comments on 28.08.2018 before S.B.

Annexed with the main is an application for interim relief. Notice of the said application be also given to the respondents for the date fixed. To also come up for reply and arguments on the said application on the date fixed.

Member

Appellant Deposited Security & Process Fee

Form- A

FORM OF ORDER SHEET

Court of	1 1 4	•	A	
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ase No.		777 /2	018	

. ••	Case No	777/2018
S.No.	Date of order proceedings	Order or other proceedings with signature of judge
1	. 2.	3
	in the state of	
1-	05/06/2018	The appeal of Molve Muhammad Nazir, presented today by
1-	,	Mr. Amjid Ali Advocate may be entered in the Institution Register
		and put up to the Worthy Chairman for proper order please.
		REGISTRAR 5/6/19
<u>-</u>		This case is entrusted to S. Bench for preliminary hearing to
	* * *	be put up there on 20/6/18
	• ,	
		CHAIRMAN
	,	
	20.06.2018	None present on behalf of the appellant. Notice l
ŧ		issued to appellant and his counsel for preliminary hearing
		for 13.07.2018 before S.B.
		MA
		(Muhammad Amin Khan Kundi)
		Member `
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BEFORE THE KHYBER PAKHTUNKHWA SERVICE TRIBUNAL, PESHAWAR

Service Appeal No. 777 /2018

Molvi Muhammad NazirAppellant

VERSUS

Govt. of Khyber Pakhtunkhwa Secretary E&SE and others.....Respondents

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	dated 15.02.2018		
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Appellant

Through

Amjad AW

Advocate Court

Supreme Court of Pakistan

ardan)

Cell: 0321-9882434

Dated: 5/6/2018

BEFORE THE KHYBER PAKHTUNKHWA SERVICE TRIBUNAL PESHAWAR

Khyber Pakhtukhwa Service Tribunal

Diary No. 1032

Dated 05-6-2018

Service Appeal No. 777 /2018

Molvi Muhammad Nazir S.A.T G.H.S Kunj Katlang, Mardan R/o Gaju Khan Road, Mardan ..

.Appellant

VERSUS

- 1. Govt. of Khyber Pakhtunkhwa Secretary Elementary and Secondary, Civil Secretariat, Peshawar.
- 2. Director of Education, Near Govt. Higher Secondary School, G.T Road, Peshawar.
- 3. District Education Officer, District Mardan.

.....Respondents

Filedto-day
Registrat

SERVICE APPEAL U/S 4 OF SERVICE TRIBUNAL ACT, *1974.* **AGAINST** ORIGINAL TRANSFER ORDER 14.02.2018, WHEREBY APPELLANT IS TRANSFERRED FROM GHSS, SIKANDARI **GHS** KUNJ KATLANG PUNISHMENT ON THE BASIS OF INQUIRY REPORT AND DEPARTMENTAL APPEAL DATED 15.02.2018 UNRESPONDED EVEN AFTER 90 DAYS IS ILLEGAL, AGAINST LAW AND FACTS

On acceptance of this appeal, Inquiry report dated 06.02.2018 and based on the same Transfer order dated 14.02.2018 may please be set-aside and appellant may please be permitted to continue service in GHS Sikandari Mardan.

OR

In alternative appellant may please be posted to nearest school, near to his residence as his wife is suffering from Cancer and needs special attention of appellant as no one else is available in the family.

Any other relief, deemed fit in the circumstances of the case and not specifically asked for may also be graciously granted.

Sir;

Appellant humbly submits as under

- That appellant is serving as Senior Arabic Teacher in respondent/ department in District Mardan to the entire satisfaction of superior officers.
- 2) That there is no complaint against appellant.

- 4) That vide transfer order dated 14.02.2018, appellant is transferred from GHS Sikandaray, District Mardan to GHS KUNJ, Tehsil Katlang as per recommendation of inquiry report, which is illegal against law and facts. (Copy of Transfer order dated 14.02.2018 is Annex "B")
- That after serious efforts through R.T.I Inquiry report and proceedings were given to appellant vide letter dated 25.04.2018. (Copy of report is Annex "C")
- 6) That appellant filed department appeal dated 15.02.2018, but in vain. (Copy of departmental appeal dated 15.02.2018 is Annex "D")
- 7) That appellant filed multiple applications/ appeals, but in vain. (Copy of applications are Annex"E")
- 8) That wife of appellant is suffering from Cancer as evident from Lab reports/ Medical prescriptions and known to respondents and everyone. (Copy of Medical record is Annex "F")
- 9) That appellant approaches this Hon'ble Court on the following grounds:-

GROUNDS.

A. Because the very inquiry is illegal as neither anyone has been examined in presence of

appellant, nor any opportunity of cross-

- B. Because transfer cannot be issued as a punishment.
- Because the inquiry is arbitrary capricious, illegal, whimsical and not based on any evidence.
- D. Because transfer cannot be issued as a punishment.
- E. Because the inquiry has also been not implemented in tot as other Teachers mentioned in inquiry has not been transferred.
- F. Because the finding of Inquiry Officer that appellant is psychotic patient is without any basis.
- G. Because no head has been given to allegations of petitioner, which are for the betterment of school and students alongwith proof.
- H. Because, appellant deserves to be posted to nearby station to his residence as his wife is cancer patient.
- I. Because impugned order is against law and facts.
- J. Because the inquiry report is illegal, without lawful authority and of no legal basis.

It is therefore, humbly prayed that, on acceptance of this appeal, Inquiry report dated 06.02.2018 and based on the same Transfer order

dated 14.02.2018 may please be set-aside and appellant may please be permitted to continue service in GHS Sikandari Mardan.

OR

In alternative appellant may please be posted to nearest school, near to his residence as his wife is suffering from Cancer and needs special attention of appellant as no one else is available in the family.

Any other relief, deemed fit in the circumstances of the case and not specifically asked for may also be graciously granted.

Appellant

Through

Amjad Ali (Mardan) Advocate Supreme Court

<u>AFFIDAVIT</u>

I, do hereby affirm and declare on oath that the contents of the appeal are true and correct to the best of my knowledge and belief and nothing material has been concealed from this hon'ble Tribunal.

Deponent

BEFORE THE KHYBER PAKHTUNKHWA SERVICE TRIBUNAL PESHAWAR

Service Appeal No/2018	
Molvi Muhammad Nazir	Appellant
<u>VERSUS</u>	
Govt. of Khyber Pakhtunkhwa	1 1 1 1 1 1 1 1 1 1 1 1 1 1 1 1 1 1 1
Secretary E&SE and others	Respondents

APPLICATION FOR SUSPENSION OF OPERATION OF IMPUGNED TRANSFER ORDER AS HIS WIFE IS "CANCER" PATIENT

Respectfully Sheweth:

- 1) That the above titled appeal is being filed before this Hon'ble Tribunal alongwith instant application.
- 2) That the grounds of main appeal may kindly also be considered as part and parcel of this application.
- 3) That the appellant is having a good prima-facie case in his favour and is also sanguine about its success.
- 4) That balance of convenience also lies in favour of appellant.
- 5) That if the relief as prayed for in the heading of this application is not granted, the very purpose of titled appeal will become infructuous.

It is, therefore, prayed that till the final decision of titled appeal, the operation of impugned transfer order may graciously be suspended/ stayed.

Appellant

Through

Amjad Ali (Mardan)
Advocate Supreme Court

AFFIDAVIT

I, do hereby affirm and declare on oath that the contents of the Application are true and correct to the best of my knowledge and belief and nothing material has been concealed from this hon'ble Tribunal.

Deponent

BEFORE THE KHYBER PAKHTUNKHWA SERVICE TRIBUNAL PESHAWAR

MEMO OF ADDRESSE	S
Secretary E&SE and others	Respondents
Govt. of Khyber Pakhtunkhwa	
<u>VERSUS</u>	
Molvi Muhammad Nazir	Appellant
Service Appeal No/2018	

APPELLANT

Molvi Muhammad Nazir S.A.T G.H.S Kunj Katlang, Mardan R/o Gaju Khan Road, Mardan

RESPONDENTS

- 1. Govt. of Khyber Pakhtunkhwa Secretary Elementary and Secondary, Civil Secretariat, Peshawar.
- 2. Director of Education, Near Govt. Higher Secondary School, G.T Road, Peshawar.
- 3. District Education Officer, District Mardan.

Appellant

Through

Amjad (Mardan)

Advocate Supreme Court



FICE OF THE DISTRICT EDUCATION OFFICER (MALE) MARDAN.

OFFCIE ORDER.

Consequent upon the recommendation of the Enquiry committees the following transfer are hereby ordered on their own pay and grade with immediate effect:

	S.No	Name & Designation	Place of Duty	Transfer to	Remarks
	1	Muhammad Nazeer	GHS Sikandari	GHS Kunj Katlang	On administrative
		SAT			ground Vice S.No.02
ele	2 :	Hussain-Ahmad-Ayaz	GHS Kunj	GHS Sikandari	Vice S. No.01
		SAT			PERSONAL SIA AND AND AND AND AND AND AND AND AND AN

Note: -

Charge report should be submitted to all concerned.

No TA/DA is allowed.

Fransfer File/AT.SAT

DISTRICT EDUCATION OFFICER · (MALE) MARDAN.

マンシーの 小海連維維持機能 ほっか

Copy forwarded to the:-

- Headmaster GHS Sikandari Marda, with the remarks that the teacher concerned may be The relieved citonices
 - Headmaster GHS Kunj Katlang, with the remarks that the under transfer teacher i-e Mr. 2. Muhammad Nazeer SAT may be kept under observation & his duty performance certificate may be furnished to this office regularly on monthly basis.
 - District Accounts Officer Mardan. 3.
 - Official Concerned.
 - Master/Gen:File.

DISTRICT DUCATION OFFICER

(MALE) MARDAN

OFFICE OF THE DISTRICT EDUCATION OFFICER
(MALE) MARDAN

No. $\frac{3.574}{V:I/Enquiry}$ File/AT.SAT

Dated $\frac{1}{2} \frac{1}{2} - \frac{1}{2} \frac{1}{2018}$.

Дo,

Mr. Muhammad Nazir SAT, GHS Kunj Katlang Mardan.

Subject:

PROVISION OF ENQUIRY REPORT UNDER RTI ACT.

Memo:

Reference your request for the above cited subject.

The enquiry report copy is enclosed herewith for your kind information.

DISTRICT ED CATION OFFICER (MALE) MARDAN

انکوائری دلورط درباره طالب کم سیمریار مدس کی اور عدران کی اور عدران کی در ال مردان کی مردان کی مردان کی شرول کندری وردان کی در در ال

ا ندائری کیشی:-مخرجا دار فال برس که ۱۹۵۸ میلط شیم فردال

روران عردال عردال عردال عردال عردال عردال عردال عردال عردال الله الله الله الله على عردال

 $20-1-2018 - \frac{2}{2}$ 22-1-2018 27-1-2018 1-2-2018

مرحمرے : - کرس کھ کے باہ کے طاب کی طاب کی سرویار صرس کے کے بارے جس سرل بیٹر ماکٹر جعب کو کر بری شکا دیا ۔ سیسے بر افعرقی برسٹ کی تر ہر جس م

کی روز نام کا نسی آرڈور (M) کو دوالی المحتی عز الم کا کوروں کانوں کا کوروں کا کوروں

ونعد کیں کہ طالعم سٹھریار کولدس انہ کو سالانہ رقی ان مک سکول نہ ريا جائز آسين کھي اس سے منفق سول کيونگريه سکول کا ا فلاقي مسرا الركاني يلى ره ميزين بطور بيو ٢٠٠٠ كو موالم كئ -

كَفْسَيْشَ :- رس جنن مِن مَعْمِقْي مِهِرِتُ عَالَ عِنْ رَكِ لِمِ كَفْسِيْنَ عَالَمُعَارُ

Facts And Findings with

ن سرس ۱۱۸ کے فارم ماکم امراز کی SCT کے این اور کریماں بیال دیائیں کہ ہے کے کھرس کے طلب و کھی ہے کہ اس سلسلہ میں سکایٹ کی ہے۔ کو زمن نے کہا کہ میں۔ کمدس کے کئی کچی طالب علم نے اب رکر مجع تیونکس با که خدل خدل طالعظم میاری کلدس ص ؟ کر سیس منگ ر تيس ار سيس کا نو سن کا ميزين ديم س

ع عد ستم كم مترزه بالج طلب كالسف م عنمال المره مس ادر حس سے زبانی اور کرایری بیان سائیں لیول ژن بالنے طلب کے متحوراً ر حدس من من من من من من من الدوه حو دفعه عدر م كلرس مس اكريس -الله دفعه لوط الوكريس للالم اور دومری دفعہ اپنے آجی زاد کھائی ایس بال پوائن کے لیے۔ واقعے رہے کہ کول ١٤٥٤ كره كرس مع ظهر كى عاز كي لي حِنْ رُكُوم يَ بين ـ تُوقائه م

موزکی وج سے دُس آئر کون جی بہت میں بوٹ آنارے کی ۔ ثو اس سے یہ عامل مبون ہے کہ نزیر جہد SAT کی طرف سے مرام کام و دی گئ الریم ن شکامت اور اس فر تبری سکامت بم چوره اس نزه ک تُوشِي اور خود كي نزير جيب كي اين ريور الح عام بريني يم مني يم الد هو لول ملهه با ـ

(ع) اعمل میں یہ لا نیزی شیاب فرر طلب نے بیش مکی ج سلم ور فیرعبی mosom ع مجد ندام SAT كى بىنى يى كلولاي - ادر أس بر الن با الله طلمادك نام كلي

آورلقول طلب وصبى عمد تدبير جمعه ني بها درس طر2 لولو . أور الر

علی - تم میں کہن میں مانے تو میں تحقیل یہ رہا روں گا اور آ سے کا فران نیاں کو میں کھیں یہ رہا روں گا اور آ سے کی کر رہے ہیں اور کے فور فاظمر ہیں کر ہم کی کر رہے ہیں ۔

(13) اور دی رحمد کی کر وربے ہیں ۔

(3) طابعتم مشھریار کورس نئم سے زبان اور کر دیرں دیان میں آب کھول اُس کے میں

علامیم مشھریار کرس بنم سے زبان اور کر برای بیان بی بی ۔ لیکول اُس کے حین حق حق مقد کر میں بلاک کے کم و میں کی بول۔ اید دفعہ لوط بلنے کے لیے اور دوکھری دفعہ اپنے بچی زاد کھائی سے بن لینے کے لیے ۔ اور میں نے کہی کو کچھ کھی بیس دیا

ک نفول طلعاء جی عث سنتم نعال طامع علی صدی کلا نے اپنے کھائی عثمان کو چیزی ہر کھا۔ تو کھر نعی ل کو چیزی ہر کھا۔ تو کھر نعی ل کو کھون کے کھی ہر کھا۔ تو کھر نعی ل کے کھی نے دان والیس کے دان والیس لوں کی تو کھر نام کا کہ دوں چیزیں کے دان والیس کو دیا ہی تو دیا ہی کو دیا ہی کھون سے میں اور ساتھ عی فورا دلورٹ کئی تھو دیا اور اپنی طوف سے رکھ نہائی گھولی .

بیموں یہ تمر حقول میر میروی رکفی ۔

8 طابعہ نمیان میرس 48 سے زبانی اور کر ہیں بیان بی سی لول اُس ر و و ۔

میں جیس لا بیسی بوش لینے کہ لیا کو اور کر ہیں بیان بی سی کو نزام معت کو اُل
کفا میں نہ جو وہ میں ویش لین کہ لیا کی کری میں تی تو نزام میں نے دو وہ میں میں کو د
گفا میں نہ جو وہ میں ویش میں لینے کہ لیا کی کو نزام میں یا می اور کے بیکھا آئے کا دو میں اور کھے لیس دی ۔ اور کھو ہم الزام کی یا می اور کھے لیس دی ۔ اور کھو ہم الزام کی یا می اور کے بیکھا آئے

م . اور میس 6th اس طالاعلی کو فور مارا (14) @ ww 1920 30 / / / / / / / (of 1 / gu- (3) 557 (4) كان أو رأي أو رأي) راً لا ہے . تو تفول كرا مد الله عبد ستوريار أللتر كمدس مع غير حاجمر بو كا با - بيرهاكي مين د كيسي بين با . نا لا كل با . كين كثلف طر لو سے آس توسمها نے کی کوسٹس کرتا ہوں۔ @ جن چوده اس تنه ن گریمی شکامیت یم دستی و کرے به ملی بع مه در فواست معتقت پر مبنی ہے اور نظروں کا موقف درست ہے۔ اُن سے بو جھا کی کراہے نے تخفیری کی تھی کر واقعی شعریار کنٹی رہے۔ اور یہ جیمزیں رئیس نے کوں کودی کئی تو رانبوں زکن کر سمس حوارم نیس سم نے لو ع رمی رفتی رک کینے بر دی و این میں . قریور آب دائد ن نے ماندی سرم ارکے این کرزا كس بويز ك - ال جوده رسائزه س كل زيد ٥٥٠ ، أمريز خان ٥٤٦ SAT, IT, Ex Lewy PET closas dix18, CT, Existy TAS الله سير ٥٦٦ فقيل راكال طماء مين شكامل مين ، ون توكول في كوني كحفيثي نين كن اور ولي بى طالب كى برناى الم دانى المركفير لى الله كالع ال سكول يمر ما مرط جعب نه الني تريم يمان سي بن عديد دافعه 1102-11-11 ماع -ادرساف کی طرف سے مجھے 101-11 کو موجس بیرا - یہ داعداست رافیا کی م ن مکھا ہے اور عمم میں ف نے اس ہم دستی طریع میں · حریفہ 2017-12-12 کوسٹ ف طالب على سنهوي ركو سكول سع عارض طور بي لك لد- ادر أس كر والدكو سايا عدمة 1100-11-12 و مين في طالب على كو نكالي كر الني والمركو سكول 11 ك لا كا - معام 1702-12-12 كو كالله ميمار الله ميمار بع ورم مرما کی کھنیوں کے لیم اکے می درجة 18 10 - العده كو شور باركى والد شرقد وادك شكل من سكول من عم س ف سه ما ف کان کر مدای معن 2018 -1-3 كو سي ير بزرليم بر رور بك بر (4) عام سي ف سي الوادى

11.5

مشورہ مانگ ۔ عام من ف کے مشورہ لیم مشوراً رکے والم کوسکول میں ا ورطور حین هند سا محقیوں اور طاب کی حوجوداً حین حمانی مالی اور طابریم مدر بارکو ملع رو بنرار روسه به شال رومام کن اور فالدعام کو سکول بازی اوی ز دیای ۔ اور می مامیم نیرا ۔

- ا محد زیر مع غذای شرایت اور این ربور ط ی نوٹو کالی رائے س سی لولوں کو دیل اور سائی سائی یا نوٹو کا کی (M) DEO را من میں کے کرادی۔ عالمنکہ أسى الهم سكول برو ما مركة يوس يا - برزنو كال في نديم ١٩٦٦ يورى -1013 B - Dr was 10-10 8
- (13) محد نذایم AT قد این فریم اور زمای آس و وف اعتی رس با که زمر من ای رس مرن در ما مر سازیاره بارنر با - اور نافره ادر نوم فرا ن بو می در 557 ه رور المرك الم ك عد التم ك طالبعد المويار اور مدام بالمفاق طباء کی کم بیرستی کر رہا ہے۔ س ف دوم میں بیٹول تعالى كر کھے اور دولار ك اس کرد کو گالیال دی ،س سرل کا افی را مع کیس سرد کس مع -في المدائم عدد المراق المراق المراق المراق المراق المراق المراف ك تولو کابی ہے ۔ دفیر س کے س ع اور س س بولوں کو دما ہے کواس نائل كردى - اور صب بوجهائل مرا - غير كبول كى ؟ ثو أس كا الورب يه الى كم العرام فال رقع الله على المعالى ويل اور شف مدم میں رہن کے کا دیا ہے۔

قد ند مر معد ك كن مر طابع على المويار اور في عث سنسم ي يا لج طن و سے دور رہ زبانی اور کڑیم ک سی ن سی س

ال النول سلوبار فالباع دوجه 102-1-24 كو في نديم جنب غافج ك بمريع مين مجع سبن كالم كوراي سرع مام - مرع والدين اوريث کے بارے میں یو چھ اور سرے باتوں کے لیم مرس کو شام کرمس کے باتوں کو رکی رو کی ہے۔ اور معلی ٹی م جوں کو جہزیں جم نے مش دی کھی اور نه مین دی کو میر مین دی - اس کا مطلب به نمان با رم میرس

1380-186: 111/2 260/13 80-10, 0/3/201 (38) Ebilimebining sign ob wyger sels sale of こいらいいいからないかからかからからりょう रास्ति है। ही ना के न मार अपि न - वि न महिरास सम्मित 9 Willia Edd 1 haby gu 18722 la & Wyler TA 23 46 & dy TS, UNIQU II IL ENDID 601 TI ODED できるいいいのいかのかりなー いいでからできていれるとれるのりもうかりのうか かいるかりは、しいかいには一くとしるかいんからい es bibdus on you en itelled sought in your cat wife or wo wall & why suffer sille way will ili y je dus ma se dumb i sample lette ein uy wy in

illin le Edre de dans dans das Edini いりきべいしいりりというといいらいらいられていり」 3,722 bde 21320-1240 Ugu 2 2040 KU 2940 Ryde sty Mill matthered to the land only ob

20 19(4. 28-14 2/4 3 00) (4) 4 dis dis 20 6 (20 - (20) Jam 5A7 LU (1) LU LY Es 2 Ob W JA TAZ WED (1) 14/01/18/18/20 20 85/47/10/19/20-18/18/20)

سين اس ك من ك لعيل - أس بر دوي تديم قيم عدف بويل ؟ بگولم بر کے ایک ایک ایک اور کن کہ طلبیء کو عثم ز رکھنڈ کن یا مالیا - 25 2 Croon sout in in Et & the is is in

دوس عن المراع درهم المام المراع در المراع ال المبلى سے سے سکول آئے کے ۔ اور شی قد روع میں بہتے تھے۔ عب بہلی تروع مبوئی تو لعِفْ اسانزه بابر ای که نیس یه دونوں حقررت بی راور کھ دلم لیم ہے۔ اور طینء کے سامنے کھے ی طب رئے ہوڑ کی کہ اعبی صن که منظ باقی برس . صب موری ندیم نه ترجم سنروع کی تو عول کا ناظره سے سط کر کا منظ تک جمرف یہ کلی بردها اور رو کول سے کھی بردورا ا مر حین بیاه ی مگری مول اللم کی شیط ن مردور سے . اور اس کا اس ره ميم المرف تفا- اور کھے تا منٹ تک شیطانی سے بار کرت راع - دوران تدمير بترهم عالمي ميرون مين بين را در دس من ف روم أن اور اس كارا عمين نازيل الفاظ دستها كي ادر گاليل دين برس درال س ف روم میں جند اس کرہ حوجود کا - عن ص حربوں ندم کا رک قرسی سابق کی طاہر CT کھی کھا۔ 'رس نے کھے ست عُمر میں جورے ریا تسن من و حود الدام بر مركول من الى لاع اور مذكع دور ع اسادره ير. اور مهم عياس سول سي نه ديك تبي بين (ه) حدادی فرندیر SAT اور آمریزفان رجی SST درلول نه اس ماشکا فدداعتراف من دونول که درون ورفاش روفور نیم اور بهمرد فنگ کافا مرت سے جاری ہے۔ اور اس میں روز بروز رجن فر ہے کا میں في كا بي الله الله عدادة الله وي من ددنول على على الله الله عدادة الله وي الله على الله الله على الله الوسام ين بد اور دوكر ، اس لكره فه كان دونون رس داره عدومان اللي اور تفق اور عناد كا اظهار تدانع . اور دونون كه دروسان فالم لوق

كافراسك على بركن ي

Conclusion جاءت ششم کے مذکورہ باج طلباء کی شف کی عثمانی صبیب ، گزہ اور حتی کے دو دفر از ایم ادر زبان سال سے یہ بات فات ہوئی کہ فی مد ہے کا مالانکے مستى ستريار نان كوكان يس كاكوئى عبر بين دائد - يس في دريا م سے ہم وا فرعلی m is نان یا کی طلب کی طرف سے برگر مامل کو کر ہماں شک مث کھی اور دیرے اس ترونے اُس کر نیراں شکا میٹ دم دسمنے کر کے لفہ لی کی ہے۔ ام ي شُمَا مِنْ مُعْمِقْتُ إلى فين كِل اور فود في الأيم AT كوى ريك دلورك رس بارے میں سم عامر کو کھی ہے בשל לוכות צמו מילוב ונטונים עו לפת לו מון הבא מון הבל טונים عُي م مِنْ ير منى ير منى اور فعوط يا - اور معموم . كون كو افلا فى كاظ ميم برن رن كى كوسترس ع - أور سكول يو بُهر زُمن عاهول اور فف كو كنبره كرن كى دانسك کو شش کا در حد کرے کے افرار اور طین کے دالین کو کھی ہے لیس میں ایک دوران س الرون كي ومشقى با- كرايد اداره برنام برماير-دراصلی طامعت سلوی ر کمدس لهم زند مر تیمز ا در تیمرارتی بطر ماع - (در اسمامره رُس من تنگ بین -ادر اس نه سی اس تو بینسانه کی کوششس را با در بیسارا فحدرا في رس الم رصامات ع ـ آثره بر را و ادر فریس شاید جو و به کسن اس کره و دین برسول کیس کے طاب کا در دس کر ہ سے حاتی مائلے ہم کیبورس اور سی کے ستار وہ کا کی کا ملا ہے۔ کوبھ دافع کونا کا کی ملا ہے۔ مر ندیم محد قد معلی و بیری شکانک اور رابورط بیر کالم ویدی را س قَبْلِ بِورِي رِكْسِي أَمِن لَ وَرُ كَالِي رَأَلِي- ادر كُو رَمْرِيمْ فَالْ sste كَاسَانَ وَيُرْا رے علیم مری املی حسن کی بیشت بن می پریه موٹوسٹ ربورط پوس كونسل كروس من من من المركب من المركب من من من من الم رودی - عادمک راور ط کور - کسی برای کرائے ماس برای یا - کویا را ربورط ی حدار را سے بیل نوٹو کی ک روان اور کورس DEO(m) کی روان ا ور كونسلران كو دين انع كوديد سع بم ديارتي سن ع - جدر ر اس كه ونعب س

در اعمل اس ادرر عمي دو اس آره كر الم لين فير الر ليم عدم SAT اور افخار همين عمل ا 19) عارى السي بين فرادار م كولي منظرت اور سائل بيم الرائح بين اور طلب يد در ميان مريكن بيم أريم مين اور من في صون كهي روب منزيال بيم الريا يس. اكريم فان مهم 2557 ساتي ژان كي كان در ت سے صفاتي ماري ورس عاد عليظ كالمال ولا يسى أن عام اور ك وج س طلاءك لعلیم و نثر بیت اور لعلی ادار یک محمومی جورث عال بیری طرح می نثر ہوں ہے لیدا جمردرے اس امرک ہے کہ ال بیتوں اس کرن سے لمان اور لیلی ادار ماکه عظمی دا دریا جار

ئى ندام جى SAT مى لفسى أن درلفى يا مرونت دو كل ع كو سى بری ہے۔ مدن اس آن کی م ش رکی اور کرنے کے میں ہو کا بع اور لیر میں کیں ہے کہ میں نے مخصاری ما شیں رک رو کی میں ، اس طر 2 اليم أكر أعلاوه دولم ع اس أمن الدر طلق كو تعي لفسائي مرلفي س غ رسم میں۔ اور لی طلب ء کر کدرس میں رہے میں کر حین محصل الم دی دول کا در کر کے فائدال شاہ ہم ما گیں گے۔

ال جی عمیان کی وج سے رس لعلی ادارے حیں شاؤ (در Tension) جورث عالی به اور اس مورث عالی میں تعلیم و ترمیث اور درس · شرای ما حمن ع - اور به لای ۱ ۱۱ره دی بی ی طرف عارلج بع. لبرا ادر یا کو کیان اور رس س کرداری سرکر دیال جاری رکس فرور رفت اور حداری کا مشرکر دور داری بع به مثنول اس نده کنبگار سی اور منزا که وستی سی

سفارتن _ ا کر ند مر جامعہ SAT الله لفس أن مرافقر على اس كو اس ادار، الع كلي ا در الراسة ل كو الله راوات الراسم كل جاء ادر أس ك الرى الرال ا ك في أن كر على عامد وب مرس أدر الركفريق ستم إسمار ریے میں او کیر compulsory طرز ہم رس کر ریا جا کر۔ ٧ ﴿ اِفْكَارِكِسِ ثَارِي مِن عَمِينَ لِي آهِ وَ كَاثَرَ بِي سَاعُقُ لُورِ بِمِهِ ازْعِ لِهِمَا رس کو کھی اور ے میں مہر مل کروں جائے۔ تا مر جا کروے میں ل میں انہ ا ﴿ أَوْرِ لِمْ قَالَ فِهِ - رَجِمْ 557 كَلَّى رَسَ سَاءِ لَا حَمَا لَمْ مِنْ شَاطِي لِمْ . وه كفي مسائل سر ار سی سی دسی دسی دس دور می گرانسورس ما رُ (يه شنول اس نده آنگ آنگ سكولول كو شرع) ر ديم عاش (10 N) 10 /2 المراكزي المسر بم الدائرى دادر ف مرداى كاردائي كي الإ (m) DEO (m) من فيلم حردان لونتش ك ماك يا لتي برا-6-2-2018 - 6,6

1102 Mg 6.2.2018

PRINCIPAL G. H. 8. No. 2, B/G Mardan (Sing: Medi)

(10)

Director of Edulation Elementary and Secondary, Civil Secretariat, Peshawar.

Anx-D

Subject:

DEPARTMENTAL APPEAL **AGAINST** ORIGINAL TRANSFER **ORDER** DATED 14.02.2018, WHEREBY APPELLANT TRANSFERRED FROM GHSS, SIKANDARI TO GHS KUNJ KATLANG AS A PUNISHMENT ON THE BASIS OF INQUIRY REPORT IS ILLEGAL, AGAINST LAW AND FACTS

Sir:

Appellant humbly submits as under

- That appellant is serving as Senior Arabic Teacher in 1) respondent/ department in District Mardan to the entire satisfaction of superior officers.
- 2) That there is no complaint against appellant.
- That appellant has got his residence at روتمان کله Mardan. 3)
- That vide transfer order dated 14.02.2018, appellant is 4) transferred from GHS Sikandaray, District Mardan to GHS KUNJ, Tehsil Katlang as per recommendation of inquiry report, which is illegal against law and facts.
- That after serious efforts through R.T.I Inquiry report and 5) proceedings were given to appellant vide letter dated 25.04.2018.
- That wife of appellant is suffering from Cancer as evident from 6) Lab reports/ Medical prescriptions and known to respondents and everyone.
- That appellant now approaches your honor on the following 7) grounds:-

GROUNDS.

- Because the very inquiry is illegal as neither anyone has been A. examined in presence of appellant, nor any opportunity of cross-examination has been given to appellant.
- Because transfer cannot be issued as a punishment. B.

- C. Because the inquiry is arbitrary capricious, illegal, whimsical and not based on any evidence.
- D. Because transfer cannot be issued as a punishment.
- E. Because the inquiry has also been not implemented in tot as other Teachers mentioned in inquiry has not been transferred.
- F. Because the finding of Inquiry Officer that appellant is psychotic patient is without any basis.
- G. Because no head has been given to allegations of petitioner, which are for the betterment of school and students alongwith proof.
- H. Because, appellant deserves to be posted to nearby station to his residence as his wife is cancer patient.
- I. Because impugned order is against law and facts.
- J. Because the inquiry report is illegal, without lawful authority and of no legal basis.

It is therefore, humbly prayed that, on acceptance of this departmental appeal, Inquiry report dated 06.02.2018 and based on the same Transfer order dated 14.02.2018 may please be set-aside and appellant may please be permitted to continue service in GHS Sikandari Mardan.

OR

In alternative appellant may please be posted to nearest school, near to his residence as his wife is suffering from Cancer and needs special attention of appellant as no one else is available in the family.

Dated: 15.02.2018

Appellant 15-2-2018

Molvi Muhammad Nazir S.A.T G.H.S Kunj Katlang, Mardan R/o Gaju Khan Road, Mardan

حما۔ وسٹرٹ الجول العمل (رود) م مزار ہے۔ بہترہ ایک کول تج شہرہ کا لمال 5AT Leme 4 ELES 4/3/ 6/23. مروی موی کستری سفور الفری عدم طری ہے۔ المی سرو کو گھر سے دور والفری الحام دھی ک كوسينظر كفكر - إلى عمروى كي جا طر - گولات ما الل مول مار روز روان کو شارله که اوکامات مادرومار سکورو طوی کول و کارج کو آی کول سی () 1 () 1 () 2 سری تمریانی ہوگی۔ میں ناظر دعالور سے آیا۔

عميم عناب دُ سطركط الجوكش أفسر (عردانه) مردان ا مناحب عالى! درواست عمرار تبار لس مودیات گذارس سے۔کہ سرہ بائی سکول کنج کا لگا سین AT کد یوسٹ پر ڈیونی سرانجا) د اوریا ہے۔ برره کی بروی کستر کی مستقل مربعت علاج حاری ہے۔ اسلنے بررہ کو گھو سے ‹ور فراکش کے انجا) < عی میں - というとうじいかん لمعذا أي حاصان سے التماس سے- كربنده كی فجنوری که مه نظر رکه انسان عمرردی ی فاطر گورنس یای سکول لضير كل حردان كو نتياد لدك ا فكامات صادر فرماكر سنكورو ماول برف سربای بوگی بنره تامیات دیاگو رسے لا۔ forwarded and recommended to DEO (M) Mardon (P) with remarks that Mr. Qati Ahmed Ali is under transfer to GHSS Mayar. Thurspay it is requested BATMING
that Mr. Muhammad Nativ(SAT) many please SATMING be fransfered against the SAF post likely lill & John Steward by Mr- Ratio Ahmed Lill & Col & Colonia An: state the applicant's wife is 02-03-2018 Suffering from lancer and she needs his PRINCIPAL 02/03/2018

Gov. Higher Secondary School
Nascer Killi, Mardan Close attachment.

	Anre
TEACHERS TRANSSER ARRUGA	
TEACHERS TRANSFER APPLICA	TION FORM (25
Name	MUHAMMAD NAZIR
Designation	CS A.T
Present School	GHS KUNJ KATLANG
D/O Taking Over Charge in the Present school	14-02-2018
Total Tenure in the present school	20 days
Name of school where to be transferred?	GHSS NASIR KELLY
Date of Retirement/Whether expected his promotion in the near future	12-09-2027
Total enrolment of the Present schools	The majorine we represent the first for the desire the second district the second dist
Total enrolment of desired school	A BOOM NO LEAST TO A COMPLETE OF THE SECOND CONTRACTOR OF THE SECOND CO
Total Teaching strength/vacant posts of the present school.	The second secon
Total Teaching strength/vacant posts of the desired school.	. The state of the
Distance from the Residence of the teacher of the present school	23 k.M
Reasons of Transfer	Wifer Cancer Patient
Remarks of the Principal/Headmaster/SDEO.	No. Objection No. Objection Marian Meridan

Note:- Heads of Institutions are required not to process the applications of NTS,/School based Teachers.

	,	V
	Applicant Signature	153
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Sianature of He	ead of the Institution/ASDEO	(SDEO)

المان در جوست المراد تبادلم 5 SAT CM SAT CO 2 15 p 7 11 - 2 riel y Jan 8 min 6 50 18 80 16 (3) 16/2 jelle 2/2/2000 10/200 5,330000 - - Julia Chole 7 lind من منظر کھار۔ الممانی محراردی کی جا طر۔ گوئین منسل مائل مولی مکر روان کو شارلی کے احکامات en Constant on To Siroling مرى ترانى مولى - مره ناغر د عالور ترا. 12 -02 - 2018

درواسف بمراد تبادله -مؤدبانہ گذارش سے۔ کہ بندہ یائی سکول سے کاٹلنگ میں A T کے پوسٹ پرڈ ہوئی سرانجا کے ریا ہے۔ بندہ کی بہوی کسنری مستقل مربضہ سے علاج جاری ہے۔ اسلیج بنده کو گفرسے دورفرائش کے انجاً دھی میں بہ بربشانی آڑے آریک ہے۔ لهذا آب صاحبان سے التماس سے کہ بندہ کی بجبوری کو مد نظر رکھکر انسانی عمدری کی خاطر- خالی پوسٹ گورفنگ ى M كانك بايا كو تباد لدى احكامات صادر فرماكر مشكور فرماوس برای میربانی بیوگی- بنده تا میات دعا گورید گا-The Substitute of Substitute of Substitute of the Substitute of th

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Phone: 72067

ZEESHAN MEDICAL LABORATORY

و بیان میڈ یکل لیبارٹری نیس ارکٹ بالقابل ڈی کی میتال، مشیروڈمروان

28/

NAME: SAID BIBI

SEX: FEMALE

AGE: 45 YEARS

SPECIMEN: BREAST LUMP

TEST REQUIRED : HISTOPATHOLOGY

DATE: 11/03/2003

TIME: 16:47:28

REPORT # : 69

REFERED BY: FSAW MARDAN

RESULT

Gross Description

SRCO, a fibrofatty measuring 7 x 7 x 2cm. On cut section it is firm. Two sections taken & passed in two blocks.

Microscopic Description

Sections show malignant neoplastic growth involving breast. The malignant cells are pleomorphic with hyperchromatic neuclei. The tumour cells are lying in groups, sheets & form glandular pattern.

The malignant cells are infiltrating into the surrounding stroma.

Opinion:

BREAST LUMP: INVASIVE DUCTAL CARCINOMA.

Mislogathology Capathology

TECHNALOGISTE

SIGNATURI

IMMUNOASSAY AUTOMATION ELISA (MEIA & FPIA) FACILITIES ARE ALSO PROVIDED FOR DIAGNOSIS.



I aborat

G. 75, 76, 77, Augaf Plaza, Dabgari Garden, PESHAWAR.

AGE

Lab Code



DR. NIZAM UDDIN KHAN

MBBS, F.C.P.S. Ph. D (Histopathology) Consultant Histopathologist / Cytopathologist

DR. LIAQAT ALI

MBBS, DCP, M. PHIL (Microbiology) Consultant Microbiologist/Immunologist

DR. FAZAL-UR-REHMAN

MBBS, DCP, M. PHIL Consultant Hematologist Clinical Pathologist

A. LATIF MALIK

M. T. (ASCP), CLS (NCA) MT (SFH) U.S.A.

MAME SAID BIBL . SEX

PEMALE

30317868

DATE

BIOPSY NO 701-0703 2054 28/03/2003

REFERED BY KTH

HISTOPATHOLOGY REPORT

('Can NOT be used for Medicolegal purpose')

GROSS EXAMINATION: .

SRCO nipple bearing skin ellipse with mammary tissue and axillary tail measuring 14x12x8cm. The cut surface revealed a cavity (old operation site).

MICROSCOPIC EXAMINATION:

Sections taken from the cavity margins show haemrrhage, congestion, mixed inflammatory cell infiltrate, foreign body giant cell reaction (suture granulomas) fat necrosis and fibrosis. No residual tumour seen. The surrounding breast shows features of fibroadenosis. Sections from the nipple and skin donot show any evidence of malignancy. All right lymph nodes examined show reactive changes only.

OPENDONÉ

NO RESIDUAL JUMOUR SEEN.

(SITE OF BIOPSY : BREAST + AXILLARY LYMPH NODES)

COMMENTS /NOTE:

PLEASE CORRELATE WITH THE PREVIOUS BIOPSY REPORTS.

This report is based on the specimen, history provided and

slides examined. Please always corelate with the clinical data.

in case of any clinical doubt ask for reveiw or second opinion

HISTORÁTHOLOGIST

indiamuota khan

M.B.8.S. F.C.P.S.

Phio (U.K.)

Pakistan Atomic Energy Commission

Institute of Radiotherapy & Nuclear Medicine (IRNUM)

University Campus Peshawar - Pakistan.

Tel: 091 - 9216114 - 17 Fax: 091 - 9216119

Date: __

N	UCLEAR MEDICINE DIVISION	
Name: Said Bi	Age: 3547. Sex: P. Rec. No. 2795/	/. _{0.3}
	Study whole body bone seen.	
Procedure: >>~ Talo	(3 m ci)	-

Interpretation:

Further Suggestions:

DR. AAKIF ULLAH KHAN Consultant Muclear Physician Institute of Radiotherphy & Nuclear Medicine (IRNUM) Puen. Nuclear Physician

<u>Director</u> Dr. Ayub Khan

Nuclear Physicians Dr. Aakifullah Khan Nuclear Physician Dr. Shoaib Shah

Dr. Irfanullah Marwat Dr. Muhammad Rauf Dr. Asghar H. Asghar

Scientists

Mr. A. Manan Khan Mr. Gul Nawab Mr. Abdus Saeed Shah **Technologists**

Mr. Ihsan-ul-Haq Mr. M. Siddique Mr. Abdur Rehman



PAKISTAN ATOMIC ENERGY COMMISSION INSTITUTE OF RADIOTHERAPY & NUCLEAR MEDICINE (IRNUM) UNIVERSITY CAMPUS, PESHAWAR (PAKISTAN)

Gram:	IRNUM PESI
Phone:	9216114-17
Fax No:	9216119

Gram: IRNUM PESH Phone: 9216114-17 Fax No: 9216119 E-mail: irnum@paknet.com.pk	in/o proham	mach Nazir		
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JUNAID MEDICINE STORE

18. Sheim Ohar Medicine Market, Under Pass, Near Imum Hospital.
University Road, Peshawar, Ph:B54043

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O 3 ACIRIABNA 200 50 50 co.

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PAKISTAN ATOMIC ENERGY COMMISSION INSTITUTE OF RADIOTHER PY & NUCLEAR MEDICINE (IRNUM) UNIVERSITY CAMPUS, PESHAWAR (PAKISTAN)

W/o motionmed Nazir

Phone: 9216114-17 Fax No: 9216119

5 NO

E-mail: irnum@paknet.com.pk

Qty 1 Rytrid Minut

4 Decocleron Ing

6 Takotere 20mg

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PAKISTAN ATOMIC ENERGY COMMISSION INSTITUTE OF RADIOTHERAPY & NUCLEAR MEDICINE (IRNUM) UNIVERSITY CAMPUS, PESHAWAR (PAKISTAN)

34/

Gram:	IRNUM PESH
Phone:	9216114-17
Fax No:	9216119
E-mail:	irnum@pakr

W/O mohol Nazir

iet.com.pk Ref No SNO KyTril runt Decocleroning (2) Takolere 20 mg 3 (h) ActRiAbLastina Song (E) Aciriab Lastina Song 6 mado can long 0 Decodron Tab Obber looce centoLa 22a 4 Syramses loce 1) 2 Novermal sholon lovoci Soci

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Date 19/5/03



PAKISTAN ATOMIC ENERGY COMMISSION INSTITUTE OF RADIOTHERAPY & NUCLEAR MEDICINE (IRNUM) UNIVERSITY CAMPUS, PESHAWAR (PAKISTAN)

w/o mechanimad Nazir

Gram: IRNUM PESH Phone: 9216114-17 Fax No: 9216119

E-mail: irnum@paknet.com.pk

Date 9/6/03 Ref No. 1 Ky Tril Junit SNO. Oly Decocliron Ing Garyile 3 paritrovalezoy Takolere 20mg AclRiab Lastina Song 371 Dinge Poroce Actriab Lastina Song @ 2 syr Maxocan 48 Decodron Tab Chber lock 9 cenola 22 a 9 14 Syranges locc D 2 Noermal Sholon loodessace



Ref No.

PAKISTAN ATOMIC ENERGY COMMISSION INSTITUTE OF RADIOTHERAPY & NUCLEAR MEDICINE (IRNUM) UNIVERSITY CAMPUS, PESHAWAR (PAKISTAN)

36)

Gram: IRNUM PES Phone: 9216114-17 Fax No: 9216119

E-mail: irnum@paknet.com.pk

c-man. mnum@pakner.com.pk

W/o Mothammud Nazir

10, QTy

(2) 4 Decoclivors Ing (3) 1 Granyito (3) 6 Takotere 20mg (2) Ans paret roralizary Actriab Lasting Song (3) Dinge 1000(c)

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PAKISTAN ATOMIC ENERGY COMMISSION INSTITUTE OF RADIOTHERAPY & NUCLEAR MEDICINE

UNIVERSITY CAMPUS, PESHAWAR. (PAKISATAN)

Gram: "IRNUM PESH" Phone: 9216114-17 Fax No: 9216119

E-mail: irnum@paknet.com.pk

Age:

Referring Physician

Sex:

Date:

IRNUM No:

Address:

Clinical Information

	LOOD COUNT			<u> </u>	I
TEST	Normal Range	Result	TEST	Normal Range	Result
Нь.	. M 14-18 F 12- 16	11.8	HCT (PCV)	M40-45 F35-47	%
Red Cells	M 4.5-4.6 F 3.9 5.6	M/cmm	MCV Ad.	76-96 Ch. 80-105	fl
W.B.C.	4000-11000	6200 /cmm	MCH Ad.	27-32 Ch. 24-31	Pg/ceil
Differential Cou	nţ		MCHC Ad.	30-35 Ch.28-34	A/di RBC
Neutrophils	40-75	6/ %			
Lymphocytes	20-45	38 %	Bleeding Time	Upto 9 min	/
Eosinophils	1-6	/%	Clotting Time	Upto 11 min	
Monocytes	6-10	/ %	Malarial Parasites	, :	, /
Basophils	0-1	%	Retic Count	0.5-2%	
Premature Cells). %	ESR-Westergren		mm/1*hr
Platelets Count 15	0.000 to 400.000	180,000 cmm		1	. 0

Director:

Dr. Ayub Khan Nuclear Pnysician

Clinical Haematologist: Dr. Abid Sohail Taj

MBBS, Ph.D.(London) MRC Path(London)

Tegnnologist: Bazzaq Ahmed Nazir-ul-Haq Fazal khaliq M.Ismail Shoukat Ullah



PAKISTAN ATOMIC ENERGY COMMISSION INSTITUTE OF RADIOTHERAPY & NUCLEAR MEDICINE

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Gram: "IRNUM PESH" Phone: 9216114-17

Fax No: 9216119

E-mail: irnum@paknet.com.pk

Name: Said Brus

Referring Physician

Sex:

Date: 19/5

IRNUM N&12/3/03

Address:

Clinical Information

TEST	LOOD COUNT Normal Range		. \	TEST			Normal Range	Result	
	M 14-18 F 12- 16	124	,	HCT (PC)	/ <u>}</u>	м	40-45 F35-47		%
Red Cells	M 4.5-4.6 F 3.9 5.6		M/cmm	MCV	Ad.	76-96	Ch. 80-105	<u>//_</u>	R
W.B.C.	4000-11000	5100	Jemm	мсн	Ad.	27-32	Ch. 24-31	<u> </u>	Pg/œil
Differential Cou	ınt .		·	мснс	Ad.	30-35	Ch.28-34	1	g/di RBC
Neutrophils	40-75	6	%		,	<u>. </u>	·	11_	
Lymphocytes	20-45	3:	7 · %	Bleeding	Tlme		Upto 9 mln	$\perp \lambda$	
Eosinophils	1-6		%	Clotting	Time		Upto 11 mln		<u> </u>
Monocytes	6-10		94	Maiarlal	Parasite	s			. \
Basophils	0-	· ·	. %	Retic Co	ount		0.5-2%	.	·. _
Premature Cell	<u> </u>	· .	9/	ESR W	stergre	n		<u> </u>	
<u> </u>	150.000 to 400.000	160	- Comp	<u> </u>					

Director: Dr. Ayub Khan Nuclear Physician Clinical Haematologist: Dr.Abid Sohail Taj MBBS, Ph.D.(London) MRC Path(London) Technologist:
Raztaq Ahmed
Nazir ut Haq
Pazal khaliq
M.Ismail
Shoukat Ullah



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Name: Sarol

IRNUM No: 12/3

Referring Physician:

Sex:

Date:

Address:

Clinical Information:

COMPLETE BLOOD COUNT

TEST.	Normal Range	Result	TEST Normal Range	Result
Hb.	M 14-18 F 12-16	// o g/dl	HCT (PCV) M 40-45 F 35-47	%
	4.5-4.6 F 3.9 5.6	M/cmm	MCV Ad. 76-96 Ch. 80-105	<u>fl</u>
W.B.C.	4000-11000	6100 /cmm	MCH Ad. 27-32 Ch. 24-31	pg/cell
Differential Cou	ent ·		MCHC Ad. 30-35 Ch. 28-34	g/til RBC
Neutrophils	40-75	60%		
Lymphocytes	20-45	7 9 %	Bleeding Time Ivy upto 9 min	
Eosinophils	1-6	- %	Clotting Time upto 11 min	
Monocytes	6-10.	0.1.%	Malarial Parasites	
Basophils	0-1	/ %	Retic Count 0.5-2 %	
Premature Cells	3	%	ESR Westergren	mm/1 st hr.
Platelets Count	150,000 to 400,000	29000 cmm	1	

Director: Dr. Ayub Khan

Nuclear Physician

Clinical Haematologist: Dr. Abid Sohail Taj

MBBS, Ph.D.(London),

MRCPath(London)

Technologist: Mr. Nisar Ahmad

Mr. Razzaq Ahmad

Mr. Mohammad Naseem

Mr. Mohammad Ismail



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Gram: "IRNUM PESH" Phone: 9216114-17 Fax No: 9216119

E-mail: irnum@paknet.com.pk

Name: Said Bob

Referring Physician

Sex:

Date: 3 ((

Address:

IRNUM No:

Clinical Information

COMPLETE BLOOD COUNT

TEST	Normal Range	Result	TEST	Normal Range	Result
НЬ	M 14-18.F 12- 16	11.2	HCT (PCV) №	140-45 F35-47	8
Red Cells	-M 4.5-4.6 F 3.9 S.6	M/cmm	MCV Ad. 76-96	Ch. 80-105	fi
W.B.C.	4000-11000	5/00 /1cmm	MCH Ad. 27-32	Ch. 24-31/	Pg/œll
Differential Cou	int		MCHC Ad. 30-35	Ch.28-34	g/di RBC
Neutrophils	40-75	(9 %			
Lymphocytes	20-45	40.4	Bleeding Time	Upto 9 min	
Eosinophils	1-6	.%	Clotting Time	Upto 11 min	
Monocytes	. 6-10	· () (%	Malarial Parastres		
Basophils .	0-1	. %	Retic Count	0.5-2%	
Premature Cells		%	ESR Westergren		mm(1*hr
Platelets Count 1.	50.000 to 100.000	19 cc si contin		•)

Director: Dr. Ayub Khan Nuclear Physician

Clinical Haematologist: Dr.Abid Sohail Taj MBBS, Ph.D.(London) MRC Path(London) Technologist:
Razzaq Ahmed
Naztr-ul-Haq
Fazal khaliq
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Referring Physician

Sex:

Date:

IRNUM No: Address:

Clinical Information

COMPLETE BLOOD COUNT

TEST	. Normal Range	Result		TEST .			Normal Range	Result		
Нь.	M 14-18 F 1216	9.4	1 30	HCT (PC	V)	. 1	440-45 F35-47			6
Red Cells	M 4.5-4.6 F 3.9 5.6		M/cmm	MCV	Ad.	76-96	Ch. 80-105	,		n
W.B.C.	4000-11000	5/00	/cmm	мсн.	Ad.	27-32	Ch. 24-31		Pg/ge	-11)
Differential Coun	ι	-		мснс і	, Ad.	30-35	Ch.28-34		g/dJ RB(c
Neutrophils	40-75	58	2 %		• .	•			. /	
Lymphocytes	20-45	4	/ %	Bleeding	Time		Upto 9 min			
Eosinophils	. 1-6	::- <u> </u>	%	Clotting	Time		Upto 11 mln	-		
Monocytes	6-10	: 0/	. %	Malarial	Parașites	2				
Basophils	0-1		/ %	Retic Co	unt	•	0.5-2%			
Premature Cells	· · · · · · · · · · · · · · · · · · ·		96	ESR We	itergien	•			mm/1*h	hr
Platelets Count 150	.000 to 400.000	1800	2/0 cmm	٠.					7	

Director: Dr. Ayub Khan Nuclear Physician

Clinical Haematologist: Dr. Abid Sohail Taj MBBS, Ph.D.(London) MRC Path(London)

Technologist: Razzag Ahmed Nazirul-Haq Pazal khaliq M.Ismail Shoukat Ullah



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Referring Physician

Sex:

Address:

IRNUM No:

Clinical Information

COMPLETE BLOOD COUNT

TEST	Normal Range	Result	TEST	Normal Range	Result
Нь.	M 14-18 F 12- 16	98	HCT (PCV)	M40-45 F35-47	_ %
Red Cells	M 4.5-4.6 F 3.9 5.6	M/cmm	MCV Ad.	76-96 Ch. 80-105	fi fi
W.B.C.	4000-11000	5900 1cmm	MCH Ad.	27-32 Ch. 24-31	Pg/cell
Differential Coun	t :		MCHC Ad.	30-35 Ch.28-34	g/dl RBC
Neutrophils	40-75	58 %			
Lymphocytes	20-45	41 %	Bleeding Time	Upto 9 min	
Eosinophils	1-6	- %	Clotting Time	Upto 11 min	
Monocytes	6-10	0 %	Malarial Parasites		
Basophils	0-1	/ %	Retic Count	0.5-2%	
Premature Cells		7 %	ESR Westergren	:	mm/ i*hr
Platelets Count 150	.000 to 400,000	19000 cmm			

Director: Dr.Ayud Khan Nuclear Physician

Clinical Haematologist: Dr.Abid Sohail Taj MBBS, Ph.D.(London) MRC Path(London)

Technologist: Razzaq Ahmed Nazir-ul-Haq Fazal khaliq M.Ismail Shoukat Ullah



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Name: Said Perton

Sex:

IRNUM No: 12/3/03

Referring Physician:

Date: 18

Address:

Clinical Information:

COMPLETE BLOOD COUNT

TEST	Normal Range	Result	TEST	Normal Range	Re	sult
Hb.	M 14-18 F 12-16	10-6 g/di	HCT (PCV) M 4	0-45 F 35-47		%
Red Cells	M 4.5-4.6 F 3.9-5.6	M/cmm	MCV Ad. 76-96	Ch. 80-105		fl
W.B.C.	4000-11000	6 000 /cmm	MCH Ad. 27-3	2 Ch. 24-31		pg/cell
Differential Co	unt	Ĵ	MCHC Ad. 30-35	Ch. 28-34	 	l RBC
Neutrophils	40-75	52 %				• •
Lymphocytes	20-45	42 %	Bleeding Time Ivy	upto 9 min		
Eosinophils	1-6	- %	Clotting Time	upto 11 min	- 	
Monocytes	6-10	0) %	Malarial Parasites			<u>· </u>
Basophils	0-1	/ %	Retic Count	0.5-2 %		
Premature Cells		%	ESR Westergren		וווו	/L ^{si} hr
Platelets Count	150,000 to 400,000	190 000 cmm			-	

Director:

Dr. Ayub Khan Nuclear Physician Clinical Haematologist:

Dr. Abid Sohail Taj MBBS, Ph.D.(London), MRCPath(London)

Technologist:

Mr. Nisar Ahmad Mr. Razzaq Ahmad

Mr. Mohammad Naseer

Mr. Mohammad Ismail



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Name: 5c, d 875!
IRNUM No: 1213/03

IRNUM No:

Referring Physician

Date: 2-9/8

Address:

Clinical Information

COMPLETE BLOOD COUNT

COMILEE IE D	POOD COOKT			<u> </u>
TEST	Normal Range	Result	TEST Norma	l Range Result
НЬ	M 14-18 F 12- 16	1/2	HCT (PCV) M40-45	F35-47
Red Cells	M 4.5-4.6 F 3.9 5.6	M/çmm	MCV Ad. 76-96 Ch.	80-105
W.B.C.	4000-11000	9000 Jam	MCH Ad. 27-32 C	n. 24-31 Pg/cell
Differential Cou	ni		MCHC Ad. 30-35 C	h.28-34 g/dl RBC
Neutrophils	40-75	68 %		
Lymphocytes	20-45	30:%	Bleeding Time Up	to 9 min
Eosinophils	1-6	96	Clotting Time Upto	0.11 min
Monocytes	6-10	02 %	Malariai Parasites	,
Basophils	0-1	. %	Retic Count	0.5-2%
Premature Cells			ESR Westergren	nm/t*hr
Platelets Count 15	0.000 to 400.000 .	170,000 mm		

Director: Dr. Ayub Khan Nuclear Physician Clinical Haematologist: Dr.Abid Sohail Taj MBBS, Ph.D.(London) MRC Path(London)

Technologist: Rhazan Ahmed Nagir-ul-Hag Fazal khaliq M.Ismail Shoukat Ullah



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Age:

Sex:

IRNUM No:

Referring Physician:

Date:

Address:

Clinical Information:

COMPLETE BLOOD COUNT

TEST	Normal Range	<u> </u>		· · · · · · · · · · · · · · · · · · ·	T
· · · · · · · · · · · · · · · · · · ·	Normal Kange	Result	TEST	Normal Range	Result
Hb.	M 14-18 F 12-16	1/ 0 g/dl	HCT (PCV) M	40-45 F 35-47	9/
Red Cells . M	4.5-4.6 F 3.9 ⁻ 5.6	M/cmm	MCV Ad 76-	96 Ch. 80-105	t
W.B.C.	4000-11000	Com /cmm	MCH Ad 27	-32 Ch. 24-31	pg/cell
Differential Count			MCHC Ad. 30-	35 Ch. 28-34	g/dl R/BC
Neutrophils	40-75	60 %			. /
Lymphocytes	20-45	94%	Bleeding Time Ivy	upto 9 min	
Eosinophils	· 1-6.	04 %	Clotting Time	upto II min	
Monocytes	s 36-10	02%	Malarial Parasites		
Basophils	0-1	/ %	Retic Count	0.5-2 %	/
Premature Cells		%	ESR Westergren	<i> </i>	mn/{s hr.
Platelets Count 150.	000,004 ot 000.	S Per com	-		

Director: Dr. Ayub Khan Nuclear Physician Clinical Haematologist: Dr. Abid Sohail Taj MBBS, Ph.D.(London), MRCPath(London)

Technologist:

Vir. Nisar Ahmad Mr. Razzag Ahmad

Mr. Mohammad Naseem

Mr. Mohammad Ismail



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Gram: "IRNUM PESH" Phone: 9216114-17 Fax No: 9216119

E-mail: irnum@paknet.com.pk

Name:

IRNUM No:

Address:

Clinical Information

Age:

Referring Physician

Sex:

Date:

TEST	Normal Range	Result	TEST	. N	ormal Range	Result	
НЪ.	M 14-18 F 12- 16	8-4	HCT (PCV)	M4	O-45 F35-47	^	%
Red Cells	M 4.5-4.6 F 3.9 5.6	M/cmm	MCV Ad.	76-96	Ch. 80-105		. fi
W.B.C.	4000-11000	5 000/cmm	MCH Ad.	27-32	Ch. 24-31		Pr/cell
Differential Cour	it ,		MCHC Ad.	30-35	Ch.28-34		g/di RBC
Neutrophils	40-75	5/%	,;				
Lymphocytes	20-45	44 %	Bleeding Time		Upto 9 mln		\
Eosinophils	1-6	02 %	Clotting Time		Upto 11 min		
Monocytes	6-10	82 %	Malarial Parasites				
Basophils	0-1	/ %	Retic Count	;	0.5-2%	-/	
Premature Cells		94	ESR Westergren			,	mm/1*h
Platelets Count 15	0.000 to 400.000	160000 cmm	1			,	

Director: Dr. Ayub Khan

Nuclear Physician

Clinical Haematologist: Dr.Abid Sohail Taj MBBS, Ph.D.(London) MRC Path(London)

Technologist: Razzaq Ahmed Nazir-ul-Haq Fazal khaliq M.Ismail Shoukat Ullah



Pakistan Atomic Energy Commission

Institute of Radiotherapy & Nuclear Medicine (IRNUM

University Campus

	Pes	shawar - Pakistai	Tel: 09 F.a.	91 - 9216114 - 1 x : 091 - 921611
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Name:)Age	Sex:	_ Rec. No	
	Study			. •
Procedure:	\mathcal{C}	a Ces)	_	
Interpretation:	pary	Ulin	im	
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Conclusion:				
Further Suggestion	15:		_	Nuclear Pl
<u>Director</u> Dr. Ayub Khan Nuclear Physician	Nuclear Physicians Dr. Aakifullah Khan Dr. Shoaib Shah Dr. Irfanullah Marwat Dr. Muhammad Rauf Dr. Asebar H. Asghar		d)	Technologists Mr. Ihsan-ul-F Mr. M. Siddiq Mr. Abdur Re
(Dr. Asghar H. Asghar		1	

IV

PAKISTAN ATOMIC ENERGY COMMISSION IRNUM – PESHAWAR

(av2 /2 br (48)

marrale Tab Mobiles

FOR BLOOD BANK USE ONLY

(Stamp)

Blood Group

Rh. Factor:

Paid/Unpaid...

Blood deposit No

Blood Group !....

Date Of deposit

A.C.D. bag charges.....

Blood issue No Blood group issued.....

Blood deposit No.

Blood Group...... Date Of deposit ...

A.C.D. dag charge Blood issue No....

Blood group issue

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JRNUM PESHAWAR

X - RAY EXAMINATION FORM



Record No	Sul 1) Pate 2 12/8/03	RT
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Patient Name		lo
Age & Sex	Disease	;
Purpose of Examination:	- 03	I
Examination Required:	Il Imfaire Blood	
		
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	about	<u>!</u>
P.T.O	Consultant / M.OI/C Case	
	Division	Signa

LOK BLOOD BUILT 025 CHILL

al Offi

Phone No. 9216114-17 I PESHAWAR

(REQUISITION FOR BLOOD)

	Name	Wo Bobal Naza
Name of Patient Said R	Father s/Husband 3 value	
in block letters)	Ward <i>OPD</i> Bed No	Isolation Ward
SexAge3_\$_	WardOPDBed No	General Ward
Diagnosis Ca bil	Date of Admission	
Diagnosio	7	
Previous Transfusion: (a) Nu	mber and date	
(p) He	-actions if any pe of Re-action	
1 1 1 1 1 1 1 1 1 1 1 1 1 1 1 1 1 1 1		
(d) No	th dates due to Re-action	
<u> </u>		
If woman (a) Pi	egnanclesill Birth/Miscarriages	
n.	adicata serial number)	
(a)	aundiced New Born Bables	e per of bood
(1)	ndicate serial number)Ot	a pul of our
Quantity Required (Blood Packs)		,
Class: (a) Regular	(b) Emergency	
Transfusion Required at Date	Time	
(ransiusion requires of a second		
·	donor A.C.D bag on	Free A.C.D
Required on	basis Payment	bag
donor basis		
<u> </u>	no donor Basis/free A.C.D. bags.	
Full Justification for requisition	on no donor Basis/free A.C.D. bags.	- Fac
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	Sign	nature of DR SAROS MAR DISCUSSIONS
Signature of Consultant Inch	ogical C	ILICOL LICIOL BATTER TO THE PROPERTY OF THE PR
(Stamp)		(Stamp) Fellowship Transporters (Paus) Manthography (Paus) Consultant Transporters (Paus)
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• .	II	_
	Blood deposit No	Blood deposit No
	Blood Group.	Blood Group
Blood Group	Date Of deposit	Date Of deposit
	A.C.D. bag charges	A.C.D. dag charges
Rh. Factor	Blood issue No	1 RICOG ISSUE NO
Paid/Unpaid		Blood Group, 1890 Blood Group
Falayonpa	Result Ot cross match	Kezdit Ot Closs thoron.
Date	Date Of issue	Date Of Issue
	Cross match fee charged	Cross match fee charged
Signature Tech	Sign, Tech	Sign, Tech
	olgin izan	IV
	TIT	IV
Remarks.		Blood deposit No
	Blood deposit No	
	Blood Group	``. \
	Date Of deposit	·
	A.C.D. bag charges	Blood issue No
	Blood issue No	
	Blood group issued	
	Result Of cross match	1
	Date Of issue	
	Cross match fee charged	
	Sign. Tech	Sign. lection.

Phone No. 9216114-17

[AWA]

ON FOR BLOOD) Father's/Husband's Name_ Name of Patient (in block letters) Isolation Ward General Ward Date of Admission Diagnosis, Number and date (a) Previous Transfusion: Re-actions if any Type of Re-action (c) Number of abandoned Transfusions, (d) With dates due to Re-action Pregnancies (a) If woman Still Birth/Miscarriages (b) (indicate serial number) Jaundiced New Born Bables (indicate serial number) Quantity Required (Blood Packs) Emergency Class: (a) Regular 6.10.03 Transfusion Required at Date Free A.C.D A.C.D bag on no donor Required on **Payment** basis donor basis Full Justification for requisition on no donor Basis/free A.C.D. bags. Signature of Signature of Consultant Incharge Medical Officer Incharge (Stamp). (Stamp) FOR BLOOD BANK USE ONLY II Blood deposit No Blood deposit No Blood Group..... Blood Group.*.... Blood Group B. Auf. Date Of deposit Date Of deposit A.C.D. dag charges..... A.C.D. bag charges..... Rh. Factor.... Blood'issue No Blood issue No Blood group issued..... Paid/Unpaid..... Blood group issued..... Result Of cross match..... Result Of cross match..... Date 6-10-03 Date Of issue..... Date Of Issue..... Cross match fee charged...... Cross match fee charged..... Signature Tech Sign. Tech..... Sign, Tech..... IVRemarks. Blood deposit No Blood deposit No Blood Group..... Blood Group..... Date Of deposit Date Of deposit A.C.D. bag charges..... A.C.D. bag charges.... Blood issue No Blood issue No Blood group issued..... Blood group issued..... Result Of cross match..... Result Of cross match..... Date Of issue..... Date Of issue Cross match fee charged....... Cross match fee charged..... Sign. Tech.....

14(Ja) 3;4/57,
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KHYBER TEACHING HOSPKIAL, PESHAWAR.

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YBER TEACHING HOSPITAL, PESHAWAR

CONTINUATION CHART

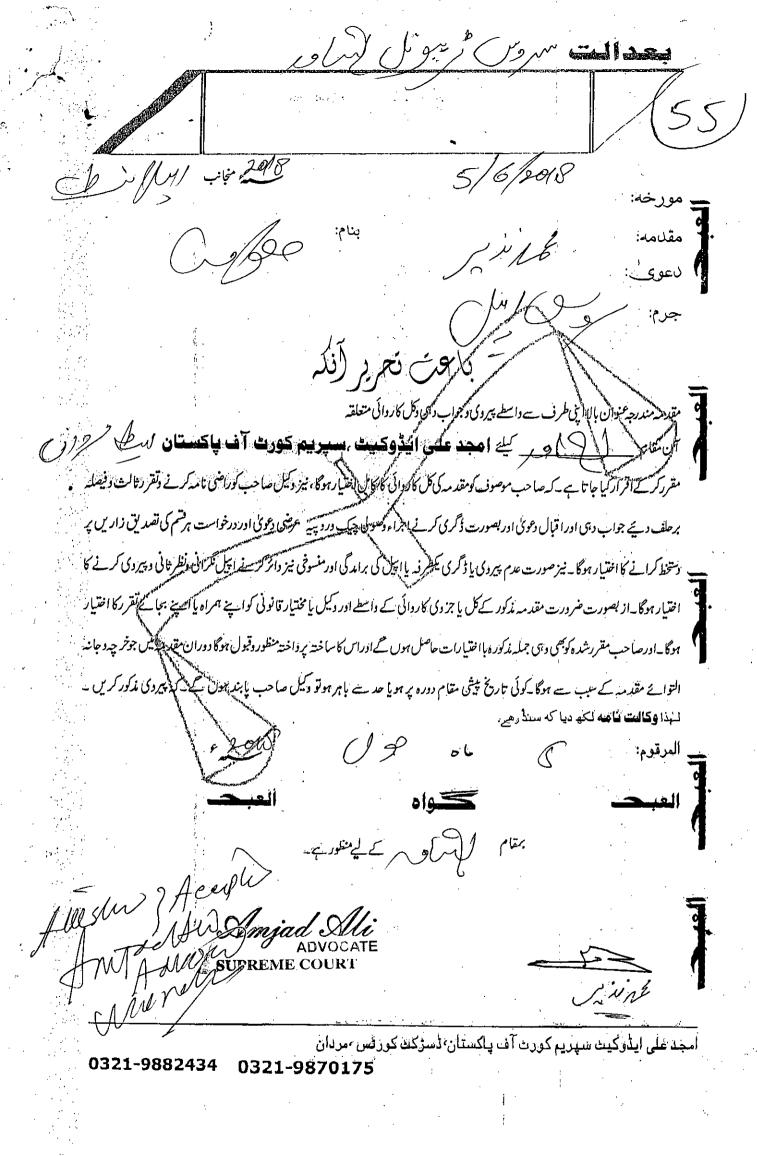
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ER TEACHING HOSPITAL, PESHAWAR

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>	PATIENT'S CASE SHEET (54)
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	U SAWI
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	didn't relieved



BEFORE THE KHYBER PAKHTUNKHWA SERVICE TRIBUNAL PESHAWAR



Service Appeal No: 777/2018

Molvi Muhammad Nazir SAT GHS Kunj Katlang M	
MardanVersus	
Govt of Khyber Pukhtunkhwa Secretary Element	ary & Secondary Education Civil
secretariat Peshawar and Others	Respondents

INDEX

S.NO	DESCRIPTION OF DOCUMENTS	ANNEXURE	PAGES	
1.	Para wise comments along with affidavit and Application	•	01	05
2.	Copy of enquiry report	"A"	06	16

Respondents No 1 to 3

District Education Officer

(Male) Mardan

Dated: _____

BEFORE THE KHYBER PAKHTUNKHWA SERVICE TRIBUNAL PESHAWAR

Service Appeal No: 777/2018

Para Wise Comments on Behalf of Respondents No 1 to 3

Respectfully Sheweth,

PRELIMINARY OBJECTIONS:

- 1. That the appellant has got no cause of action as well as locus standi to file the instant appeal.
- 2. That the instant appeal is incompetent in its present form, hence liable to be dismissed.
- 3. That the instant appeal is badly time barred.
- 4. That the appeal is not maintainable in its present form.
- 5. That the appellant has not come to this Honorable Tribunal with clean hands.
- 6. That the appellant is estopped by his own conduct.
- 7. That the appellant has concealed the material facts from this Honorable Tribunal hence liable to be dismissed.
- 8. That the instant appeal is based on malafide intention, hence liable to be dismissed.
- 9. That the instant appeal is against the prevailing law and rules.

ON FACT:

- 1. Para No 1 pertains to record, however the appellant did not served to the entire satisfaction of the superior officers, hence need no comments.
- 2. Para No 2 is incorrect, baseless as an enquiry was conducted against the appellant vide No 3574 Dated 25-4-2018 because the appellant was disturbing the discipline and atmosphere of the school and instigate the students against the school teachers, similarly the appellant was creating a dangerous situation

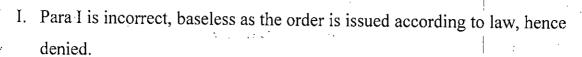


in the school and also involving political influence in the school's interior matters due to which the appellant was transferred from the school on the basis of enquiry recommendations for the public interest, hence need no comments. (Copy of the enquiry report is as Annexed "A").

- 3. Para No 3 Pertains to record, hence need no comments.
- 4. Para No 4 is incorrect, baseless as the answering respondent being responsible government officer acted in accordance with law and issued the transfer order after maintaining of the proper enquiry, hence denied.
- 5. Para No 5 pertains to record, hence need no comments.
- 6. Para No 6 pertains to record, hence need no comments.
- 7. Para No 7 pertains to record, hence need no comments.
- 8. Para No 8 pertains to personal matter, hence need no comments.
- 9. The detail replies of the grounds are as under.

GROUNDS:

- A. Para A is incorrect, baseless, against fact & law, as the answering respondents maintained proper enquiry after fulfillment of all codal formalities, and the appellant is not condemned unheard hence denied.
- B. Para B is incorrect, baseless as the transfer's penalty can be issued in the public interest, hence denied.
- C. Para C is incorrect, baseless as the answering respondent conducted the enquiry according to the law and justice, hence denied.
- D. Para D is incorrect, baseless as the transfer's penalty can be issued in the public interest, hence denied.
- E. Para E is incorrect, baseless as the enquiry officer recommended that the appellant is a physic and was strictly observed due to which the appellant was transferred, hence denied.
- F. Para F is incorrect, baseless, against facts as the appellant is physic on the base of the character, attitude and activities of the appellant, hence denied.
- G. Para G is incorrect, baseless as the statement of the students proved against the appellant, hence denied.
- H. Para H is incorrect, baseless as the appellant is not deserving to be posted nearby station due to his activities, hence denied.



J. Para J is incorrect as the enquiry report is legal and issued under lawful authority, hence denied.

It is therefore humbly prayed that in the light of above facts, the appeal may please be dismissed with cost.

Respondents No 1 to 3

District Education Officer
(Male) Mardan

The Larector,

E & S E, Peshawar

Secretary,

E & S E, Peshawar

BEFORE THE KHYBER PAKHTUNKHWA SERVICE TRIBUNAL PESHAWAR



Service Appeal No: 777/2018

Reply of the Application for suspension operation of transfer order as his wife is a cancer patient.

Respectfully Sheweth:

- 1. Para No 1 pertains to record, hence need no comments.
- 2. Para No 2 pertains to record, hence need no comments.
- 3. Para No 3 is incorrect and denial, position is already explained in the reply/comments of the service Appeal.
- 4. Para No 4 is incorrect and denial, position is already explained in the reply/comments of the service Appeal.
- 5. Para No 5 is incorrect and denial, position is already explained in the reply/comments of the service Appeal.

It is therefore humbly prayed that in the light of above facts, the application may please be dismissed with cost.

Respondents No 1 to 3
Through,

District Education Officer

(Male) Mardan

BEFORE THE KHYBER PAKHTUNKHWA SERVICE TRIBUNAL PESHAWAR

AFFIDAVIT

I, Mr. Sajid Khan Legal Advisor Education Department Mardan do hereby solemnly affirm and declare that the contents of Para Wise Comments submitted by Respondents No 1 to 5 are true to the best of my knowledge and belief and nothing has been concealed from this Honorable Court.

Deponent

Sajid Khan

16101-6005318-5



<u>OFFICE OF THE DISTRICT EDUCATION OFFFICER (MALE) MARDAN</u>

OFFICE ORDER.

Mr. Muhammad Javed Khan Principal GHS Bickat Gunj No.2 Mardan is hereby nominated as Inquiry Officer to conduct the inquiry against Shehriyar Students of 9th class GHS Sikandari Mardan and detail report should be submitted to this Office

(Photo Copy of complaint against the student concerned lodged by the students of 9th class GHS Sikandari Mardon.

> (IJAZ ALI KHAN) DISTRICT EDUCATION OFFICER (MALE) MARDAN

2196-97

Dated 19/0/ /2018

Copy forwarded to the:-

· 1.Principal GHS Bickat Gunj No.2 Mardan.

2.Headmaster GHS Sikandari Mardan with the remarks to be present in the school at the date and time fixed by the Inquiry Officer.

DISTRICT EDUCATION OFFICER
(MALE) MARDAN

3

انگوائری دلرداط درباره طالب استهربار کندس لهم اور انگردار کاردان که اور ان سکوری کردان که در ان سکول کندری وردان کی در در در ان سکول کندری وردان

ا دار اگری کعیش:-خرجا دار هال

المرب عرف دام ملط الله وردال

1170 CIN -1 PW -1 PW CHS NO 2

 $\frac{20-1-2018}{22-1-2018} = \frac{-120}{100}$ $\frac{27-1-2018}{1-2-2018}$

مرجوع: - کیس 46 کے پایخ طلباء کا طالبطلم ستویار کس لیم کے بارے جیں سرل بیٹر ماکٹر جعب کو کڑ بری شکا دیث سیسلے بر اخدی برسٹ کی تد ہم جمعہ کہ تد ہم جمعہ کے انہا

کی روز ان انگوائری کرائی جاتی ہے۔ اور انگوائری کرائی جاتی ہے۔ اور انگوائری کرائی جاتی ہے۔

(12)

Facts And Findings نالته

بوزی وج سے دُس رکی ہی ہے۔ میں بوٹے آن رے ہے۔
تو اس سے یہ کامل میوں ہے کہ غد نزیر عبد 5AT کی طرف سے میرا ملم
و دی گئ گریم می شکامیٹ اور دُس کر بیری سکامیٹ بیم چورہ اس آنرہ کی
تو شکی اور فود کی نزیر عبد کی ابنی راور ط عام بر منتی ہم منی ہے۔
اور فور لی ملنہہ ہے۔

علی میں یہ کر نیزی کشیارے فور طلب زیش مکی ہے ملکہ ور فیرعبی SDM کے علیہ ور فیرعبی SDM کے کی فیل کے ملک کے ملک کے ملک کے ملک میں ایس کی ملک کے ملک کا میں میں ایس کی ملک کے ملک ک

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ک مدس ۱۹۶۱ نوام مامم کرامت الله جمعه ۴۵ می کی زبانی لوم کریس بیبان بی گیر، که مشهوی ر به یک مدس مین به . اس که مشکلی به یک کس را در بع . از میمول رامت رامه جهد مشهوی ر آمتر کسس می غیر حاجمهر بو کا بع - بیرهای مین دلمیسی میس بع . نامدتی بع . کسین مختلف طرافی میر

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الدس ال المسل الم

مرشوره ما لگی ۔ تمام س ف کے مسورہ لیر مشوریار کے والد توسلول بہایا اور طرس حین عین سا کھیوں اور طلبء کی حوجود کی حین حمانی مازی اور طابر علی مسلوبار کو سلخ رمکر بہرار ردبیہ بسینل رماستر کیں ۔ اور طابر علی کو سکول ہے کی این زے

دیای دامکر بنرار ردبیر بیشل فرما دیرای مداور حما ملم طهی منبوا -

کو در کا کی در کا کی کا در این داور این داور الی کو کو کا کی کر کا دی می کولوں کے کو در کا کا کا دی میں کولوں کو در کا کا در میں کو کا دی میں کولوں کا در سابق سابق سابق یہ فوٹو کا پی (M) DEO ہم در کا کا دی میں کے کا دی میں نگر کا دی میں کا میں کا میں کا دری ما میکو کی میں کا میں میکو کی میں کا میں میکو کی میں کا میں میکو کی میں میں کا میں میں کا دری میں کا میکو کا دی میں میں کا دری میں کا میکو کا دی میں میں کا دری میں میں کا دری میں کا دری میں میں کا دری میں میں کا دری کاری کا دری کا

(ا) لبقول سلوبار طالبوسی کدره، 2016-1-24 کو فی زندبیم جمله نے فی فی میمریق میں فیم سبق کے لیے کو ایس میمریق میں فیم سبق کے لیے کو ایس میمریق میں میں ہوجی اور میر ، میران کے لیم کورس کو بی کا در میر ، میران کو رک کو جی اور میر ، میلوں کے لیم کورس کو جی کو رک کو جی اور میں کا اور میں کو می

ال آمریزخال دهی 557 سے کر بیری ادر زبانی بیال بین و بھولی اس کے میں اور زبانی بیال بین و بھولی اس کے میں کا می میں مربع اور زبانی بیال بین از میں میں مربع دور میں اور زبانی میں مربع دور کا بعد میں مربع دور کا میں کا م

(13)

میں نائیں کی خام کی تعمیل ک - اُس ہر مولوں ندیم میں عفر فر ہوا ہے۔ اور کا کا ایک میں میں میں میں میں میں میں ا بگولم مرد کیا ۔ فجعے لبرا بھولم میں ۔ اور کی کہ طلبیء کو عثم زر تصفت کی ہے جا اور کی کے طلبیء کو ۔ جس نے درا کا کو کی میں میں میں در معمد کیے کئے ۔

جاءت ششم کے مذکورہ باج طاب و کی شف کی عثمان صبیب ، گزہ اور طن کے دور ال میں ادر رہانی میں ان سے یہ بات فاحث بھوئی کے وہ میں کم ارسان سے یہ بات فاحد المرائی کے وہ میں کم ارسان کے مستی ستویار ناآن کو کان میں کا کوئی عمر بینی دی ہے۔ بین کی ندیم AT ر سے ہم وا ور علی som نے اُن ماری طاف کی طرف سے بر کا مام کو کر ہماں شرک میں کمهادر درس اس کنون اس کریم شکامت به رسی و که لفه لی یا د ار یا شامات معنون بر مین ال اور فود کی المی SAT را اور فود کی المی الورط

عَيْمُ لِم مِنْ يُم مِن الله الدر تعول على ادر معدم بلون كو اعلاقى كاظ ميم برن مريد كى كوستشن ع - أور سكول كيهر أمن ما حول اور فيف كو منهره كرن كى دانسك کو منتشن کا . اور حمار کرد افرار اور طلب که دالرمن کو کلی الیس میں ایک دورا سے الرائے کی کومشش ہے۔ " کاریم ادارہ برنام ہو جائے

دراصلی طابعت سلوم ر عدین لنم رید بر تیمز ا در شهرار آلی در این این در این این ا سی می تیک بین -اور کسی نه سی اس کو مینسانه کی کوششس را به اور میسارا فحدام رس الخ رجامات يا -

آمرهم يرورك ادر كريس شفايت جو ك ي . يس اس بره و اين بهسول إسر مامر في ما معلى منسوي رك فلرف ركتن س ع . " س كو والريوسكول ساد کلی گیا اور دس ملم خی رویا یا فیورش دافع کا کا می ملا با یا ۔ کلی گیا اور حدا ملم خی رویا یا ۔ تو کھ ربورش دافع کرنا کا کی ملا ہا ۔ ا عد ندایم محمد در اور ایراط به مامل وست را در ایراط به مامل وست را به قَبْلِ جُورِي جُسِيمُ مِن مَن فَرَدُ كَالِي رَأَى - ادر كِو أَمر لِيمْ عَالَ (SSTE) يَسَانَ وَيُورُا رے کالمبر "مری انتی رحمین کی لیشت بنامی پر یہ فوٹوسٹیٹ راپورط پوش تونسل کرنس کونسلر صفرات ادر لیم میں رسم DEO رس میں میں ج رودی - عادیک راج را فرواس کسی بهر کار کے باس برای ہے - کویں رپورٹ کی صالم رئے سے بیلے نوٹو کالی روان اور کورm) Eo(m) من میں کم ران ا ور کو نسلرال کو دین اینے لودر سے مر دیارش میں یا - جزرر "اس کے منف سے موادد "اس کے منف سے

بین ۔ اور اب اس جیگؤے میں طلبیء اور در کرے اس اندہ کو ش و ار الے اس . ایک میں ایک رائے میں . ایک در کر میں بن شیطان سے یا دکر یہ بس ایک در کے در کر وحم میں طلبیء کر در کر میں میں کر کی در کر میں ایک در کر میں ایک در کر میں ایک کورس کے اور کر وحم میں طلبیء کی در کر میں ایک کیرم وہ میں اور کر کی در کر میں ایک میرم وہ میں اور کر کی در کر ایس اور کر کی کر این مینوں اس آئر میں طلبیء اور کیورک میں اور کے وہ کی دا در لیکمی اور کے وہ کو کر این مینوں اس آئر میں طلبیء کر در کر لیکمی اور کے وہ کو گھی دا ولدیا ہی ڈ۔

جیر ند ایم جس اور اس آنره کی با شرس رکی در کرنے کے حکر حس بو آبا اور لیم باری با کہ اس میں رکی در کرے کے حکر حس بو آبا ہے۔
اور لیم دس این ہے مرحس نے محکاری با شی دلی در کہ کہ ہیں ، اس کمر 2
ایم آئی کے علاوہ دو کو برے اس آندن اور طلب کی محص لفری آئی مرلف بان آ
دیس سے اور کعی طلب کر کورس میں کیتے ہیں کہ حین محصل بر دیا دول کی اور کی طلب کر کورس میں کیس کی میں بر دیا دول کی اور کی طلب کر کورس میں کیل کی دول کی کورس کی کی گئی گئی گئی گئی گئی گئی گئی گئی کی کورس کی کورس کی کھی کی کارور کا کے کارور کی کورس کی

٧٠٠ کر ندم جوند SAT أمد لفس أن درلفس ع . اس كو اس ادار، ام اس أ ك ف أن كروع ل عامد ورب د كرس - أدر الركفرين سكم إمراك رای میر از کو و compulsory طرید ایم ردن کر را جا کر . ا ﴿ افْقُ رَكِسِ مَارِي عَن خَرَدَ لِم TAZ مَا تَرْبِي سَاكُقُ أُورِ سِمراز لِع النما رس کو کھی اور کے میں کمریل رویا ہائے۔ تام مریم گروے منریال بیمرانہ ا ﴿ أَوْرِ لِمَ فَالْ فِهِ- رَامِ 557 كُنْ رُسْ سَارِ يَ حَمَا لِمَ مِسْ شَاطِي لِي . وه كفي سائع بمر ارك س "اس و يعي اس ١١١١ ع سے دراندو كى مار -(یا سینوں اس تنه الله الله الله سکولوں کو شرع) رویع جا ش مر ف دا فان إ ملوالري المسم ع AHS NO 2 ملك مم حردان یم انگرانگری دلور م مردری کا درائی که در (m) DEO (m) میل خردان كويتش ك ماك يا -22 - 75 6-2-2018 - 6,0 בי או באון באול שי צנייני באוני

BEFORE THE KHYBER PAKHTUNKHWA SERVICE TRIBUNAL, PESHAWAR

In re; Service Appeal No 777/2018

Molvi Muhammad NazirAppellant

VERSUS

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The second

Appellant

through

Amjad Ali (Mardan)

Advocate

Supreme Court of Pakistan

Cell: 0321-9882434

BEFORE THE KHYBER PAKHTUNKHWA SERVICE TRIBUNAL, PESHAWAR

In re; Service Appeal No.777/2018

Molvi Muhammad NazirAppellant

VERSUS

Govt. of Khyber Pakhtunkhwa through Secretary E&SE and othersRespondents

APPLICATION FOR RESTORATION OF THE ABOVE APPEAL AND ITS DECISION ON MERITS.

Respectfully Submitted:

- 1. That the above titled appeal was fixed for hearing on 29-6-2021, and was dismissed in default for non-prosecution.
- That absence of counsel for the appellant on the date fixed was neither intentional nor deliberate, but due to the reason that, counsel was busy before the august Supreme Court of Pakistan at Islamabad in case cases, due to which he didn't appear before this hon'ble Tribunal, moreover, the appellant
- That valuable rights of appellant are involved in the case in hand, which requires decision on merit.
- 4. That superior Courts of the country has time and again held that the cases should be decided on merit rather on the basis of technicalities



(2)

It is, therefore, prayed that on acceptance of this application the titled appeal may kindly be restored.

Appella Through

ADVOCA
PREME COURT

Amjid Ali (Mardan)

Advocate, Supreme Court

AFFIDAVIT

I, do hereby affirm and declare as per information furnished by my client that the contents of the instant **Application for Restoration** are true and correct and nothing has been concealed from this Hon'ble Court.

Deponent

BEFORE THE KHYBER PAKHTUNKHWA SERVICE TRIBUNAL PESHAWAR

Service Appeal No. 777 /2018

hyber Pa /gung!

Molvi Muhammad Nazir S.A.T G.H.S Kunj Katlang, Mardan R/o Gaju Khan Road, MardanAppellant

VERSUS

- Khyber Pakhtunkhwa Secretary Govt. of Elementary and Secondary, Civil Secretariat, Peshawar.
- Director of Education, Near Govt. 2. Secondary School, G.T Road, Peshawar.
- District Education Officer, District Mardan. 3.

....Respondents

SERVICE APPEAL U/S 4 OF SERVICE 1974. **AGAINST** ACT, TRIBUNAL ORIGINAL TRANSFER ORDER 14.02.2018, WHEREBY APPELLANT TRANSFERRED FROM GHSS, SIKANDARI KUNJ KATLANG PUNISHMENT ON THE BASIS OF INQUIRY REPORT AND DEPARTMENTAL APPEAL DATED 15.02.2018 UNRESPONDED EVEN AFTER 90 DAYS IS ILLEGAL, AGAINST LAW AND FACTS

Certified to be ture copy

The State and Annie of Contraction of The State and Stat - 15° , 2021 19/7/2021 CM NO miss finis (de عوی کار مرد کار کار دائی مرد کار دائی متعلقہ میرون دجواب دی دکل کاروائی متعلقہ میرون دجواب دی دکل کاروائی متعلقہ ن عام الما و الما الما وكيت المعربيم تورية آف باكستان البط الله مقرر کڑکے اقرار کیا جاتا ہے۔ کہصاحب موصوف کومفد سرکی کئن کاروائی کا کامل فقیار ہوگا ، نیز دکیل صاحب کوراعنی نامہ کرنے وتقرر دالث وفیصلہ برحلف دیئے جواب دہی اورا قبال دعویٰ اوربصورت ڈگری کرنے اجراء دھو لی چیک ور آپئیے عرضی دعویٰ اور درخواست ہرقتم کی تقیدیق زاریں پر و ستخط کرانے کا اختیار ہوگا۔ نیز صورت عدم بیروی یا ڈگری بیطرِ ف یا بیل کی برامدگی اور منسوخی نیز دائر کر سنے ایپل نگرانی ونظیر ڈائر کا ویپروی کرنے کا اختیار ہوگا۔از بصورت ضرورت مقدمہ مذکور کے کل یا جزوی کاروائی کے واسطے اور وکیل یا مختیار قانونی کواپیے ہمراہ یا اکھیے بجامع تقرر کا اختیار ہوگا۔اورصاحب مقررشدہ کوبھی وہی جملہ مذکورہ باا ختیارات حاصل ہوں گےادراس کاساختہ پرواختہ منظور وقبول ہوگا دوران مقد پریکیش جوخر چہ وجانہ التوائے مقدمہ کے سبب سے ہوگا۔کوئی تاریخ پیشی مقام دورہ پر ہویا حدسے باہر ہوتو وکیل صاحب پابند ہوں کے کہ پیروی مذکور کریں ۔ (30) g بمقام کے لیے مظور ہے۔ Jeasted? امجد على ايدوكيت سيريم كورث آف باكستان أستركت كورئس مردان C /055 0321-9882434 0321-9870175