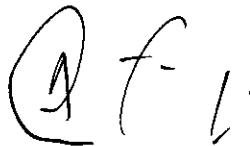


S.No	Date of order proceedings	Order or other proceedings with signature of judge or Magistrate
1	2	3
	02.08.2016	<p style="text-align: center;"><u>KHYBER PAKHTUNKHWA SERVICE TRIBUNAL,</u> <u>PESHAWAR.</u></p> <p style="text-align: center;">APPEAL NO. 1287/2015</p> <p style="text-align: center;">(Khaman Gul-vs- Director Health Services, Directorate of Health and Population Welfare FATA Secretariat, Peshawar and others).</p> <p><u>JUDGMENT</u></p> <p><u>PIR BAKHSH SHAH , MEMBER:</u></p> <p>Counsel for the appellant (Mr. Gohar Ali Ksheshgi, Advocate), Mr. Muhammad Atif, Senior Auditor alongwith Mr. Ziaullah, GP for respondents present.</p> <p>2. The appellant was stated to be from F.R Kohat. He was appointed as Dispenser/Medical Technician in the Health Department. After serving for some years, he was transferred from C.H.C Ghariba, F.R Kohat to R.H.C F.R Peshawar vide order dated 4.08.2015. This order was reviewed vide order dated 08.09.2015 vide which his transfer to F.R Peshawar was cancelled and he was left to work at Ghariba. But the matter did not end up there and vide impugned order dated 28.10.2015 the said order of 08.09.2015 was recalled, hence this appeal-under section-4 of the Khyber Pakhtunkhwa Service Tribunal Act, 1974.</p> <p>3. Contention of learned counsel for the appellant is that once when transfer order of the appellant dated 04.08.2015 to F.R Kohat was undone vide order dated 08.09.2015, this latter order could not be cancelled by way of the impugned order without any reason. He further submitted that minor son of the appellant is suffering from leukemia, therefore, the department was required to have taken notice of the same on humanitarian ground which ground was also highlighted to</p>

the respondents by the Hon'able High Court, Peshawar in a writ petition of the appellant decided on 02.07.2013. He further submitted that frequent posting transfer orders are violation of the rules and transfer policy of the Government. He urged that impugned order may be set aside.

4. This appeal was resisted by learned Government Pleader who submitted that the appellant had passed sufficient long time at C.H.C Ghariba and he was transferred from this station to F.R Peshawar in the public interest. He submitted that the appeal may be dismissed.

5. After hearing pro & contra arguments at length, the Tribunal concluded that impugned order dated 28.10.2015 is a non-speaking order without giving any reason as to why order dated 08.09.2015 was cancelled. This being so it was also found that the departmental authority could consider transfer case of the appellant on humanitarian ground as well and could place him in a reasonable place in FR Kohat. Hence without going into further discussion, we decide to refer the matter to the respondents to re-examine transfer case of the appellant with the remarks that the appellant being a low paid employee, he hails from F.R Kohat therefore, his transfer case may be decide in accordance with rules in the light of the above remarks within a period of one month after receipt of this judgment failing which impugned order dated 28.10.2015 be deemed to have been set aside by this Tribunal. The appeal is disposed of in the above terms. Parties are left to bear their own cost. File be consigned to the record room.



(ABDUL LATIF)  
MEMBER



(PIR BAKHSH SHAH)  
MEMBER

ANNOUNCED  
02.08.2016

Appeal No. 1287/2015  
Khuram Gul vs Govt

27.04.2016

Appellant in person and Mr. Ansar Ahmed, AAO alongwith Mr. Muhammad Adeel Butt, AAG for respondents present. Rejoinder submitted. Due to general strike of the Bar learned counsel for the appellant is not in attendance. Adjourned for arguments to 25.05.2016 before D.B. The restraint order shall continue.




Member



Chairman

25.05.2016

Appellant with counsel and Mr. Muhammad Jan, GP for respondents present. Learned counsel for the appellant requested for adjournment. Adjourned for arguments to 30/6/16 before D.B. The restraint order shall continue.



Member



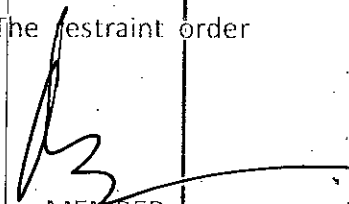
Member

30.06.2016

Appellant alongwith counsel and Assistant AG for the respondents present. At the very outset learned counsel for the appellant submitted before the court that respondents have stated that the appellant has been transferred to Peshawar and during that period he has been send on detainment to FR Kohat, however, the said order is not available on record, therefore, the respondents directed to produce the relevant record on the next date. Since the transfer order referred above is not available on record, therefore, Assistant AG is directed to make available the transfer letter of the appellant referred above alongwith other relevant record. To come up for arguments on 02.08.2016 before D.B. The restraint order shall continue.



MEMBER



MEMBER

27.1.2016

Appellant with counsel, M/S. Muhammad Maaz Madni, Assistant Litigation Officer and Ansar Ahmad, AAO alongwith Assistant A.G for official respondents No.1 to 5 and private respondent No.6 in person present. Requested for adjournment. To come up for written reply/comments on 25.2.016 before S.B. Status-quo be maintained.

  
Chairman

25.02.2016

Appellant with counsel and Maaz Madni, Assistant Litigation Officer alongwith Addl: A.G for official respondents No. 1 to 5 present. Private respondent No. 6 was present on the previous date but absent today. Proceeded ex-parte. Written reply on behalf of respondents No. 1 to 3 submitted. Notice served on respondent No. 5 has been returned on the ground that the matter pertains to the jurisdiction of FR Peshawar/AGPR as such fresh notice be issued to respondent No. 5. To come up for written reply/comments on behalf of respondents No. 4 and 5 on 31.3.2016 before S.B. Status-quo be maintained.

  
Member

31.03.2016

Appellant with counsel, Mr. Ansar Ahmad, AAO for Accountant General present. Comments submitted. According to which controversy pertains to administrative department. Written reply on behalf of respondents No. 1 to 3 have already been submitted. The learned Addl. AG relies on the subject reply on behalf of respondents No. 4 & 5. While respondent No. 6 has already been proceeded ex-parte. The appeal is assigned to D.B for rejoinder and final hearing for 27.04.2016. The restrain order shall continue.

  
Chairman

26.11.2015

Counsel for the present. Learned counsel for the appellant argued that the appellant was serving as Dispenser at CHC Ghariba FR Kohat when transferred vide impugned order dated 4.8.2015 to RHC Kohj FR Peshawar where against he preferred departmental appeal on 19.8.2015 which was accepted by Director Health Services FATA and appellant grievances redressed by cancelling the impugned order. Despite the said order appellant was not allowed to serve at CHC Ghariba and ultimately the appellate authority unilaterally recalled his earlier order vide impugned order dated 28.10.2015 and hence the instant service appeal on 18.11.2015.

That the appellant is entitled to serve as Dispenser at CHC Ghariba FR Kohat and that the impugned order recalling the earlier decision by the Director is without any lawful authority. That the appellant is serving at CHC Ghariba till date.

Points urged need consideration. Admit. Subject to deposit of security and process fee within 10 days, notices be issued to the respondents for written reply/comments for 23.12.2015 before S.B. Notice of stay application be also issued for the date fixed. Status-quo be maintained.

  
Chairman

23.12.2015

Appellant in person and Mr. Dilawar Khan, Senior Auditor for respondents No. 4 and Mr. Maaz, Supdt: for respondents No. 1 to 3 alongwith Addl: AG for official respondent present. None present on behalf of respondents No. 5 and 6. Notice be issued to them. To come up for written reply of all respondents on 27.1.2016. Status-quo be maintained. *tie date*

  
Member

Appellant Deposited  
Security & Process Fee



Form- A

FORM OF ORDER SHEET

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

Case No. 1287/2015

S.No.	Date of order Proceedings	Order or other proceedings with signature of judge or Magistrate
1	2	3
1	18.11.2015	<p>The appeal of Mr. Khaman Gul presented today by Mr. Gohar Ali Advocate may be entered in the Institution register and put up to the Worthy Chairman for proper order.</p> <p style="text-align: right;"><i>[Signature]</i> REGISTRAR</p>
2		<p>This case is entrusted to S. Bench for preliminary hearing to be put up thereon <u>26-11-15</u>.</p> <p style="text-align: right;"><i>[Signature]</i> CHAIRMAN</p>



Office of the  
**Accountant General**  
Fort Road, Khyber Pakhtunkhwa  
Peshawar Pakistan  
Phone: 091 9211250-54

No. Lit/S.A.No. 1287/2015/Khaman Gul/732

Dated: 12.02.2016

To,

The Registrar,  
Khyber Pakhtunkhwa Service Tribunal, Peshawar.

Subject: **Service Appeal No. 1287/2015 Titled Khaman Gul Vs Director Health Services, FATA Secretariat Peshawar and others.**

Please find enclosed herewith the above quoted Service Appeal in original, received in this office.

The appellant is an employee of the FATA Secretariat, which falls under the audit jurisdiction of Accountant General Pakistan Revenues (Sub office) Peshawar. Besides, the appellant has raised no grievances against this office.

It is requested that the concerned Accounts Office may please be directed in the matter.

  
Accounts Officer  
(Lit)

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

~~From~~ Service Appeal No. 1287 /2015

Khaman Gul .....(Appellant)


**VERSUS**

Director Health Services, Directorate of Health and Population  
Welfare FATA Secretariat, Peshawar.

And others.....(Respondents)


**I I N D E X**

<b>S.No</b>	<b>Description of Documents</b>	<b>Annex</b>	<b>Pages</b>
1.	Service Appeal with affidavit		1-8
2.	Addresses of the parties		9
3.	Application with affidavit		10-11
4.	Copy of appointment letter	A	12-15
5.	Copy of the Writ Petition, Order, Appellant Appeal and seniority list	B,C,D&E	16-24
6.	Copies of impugned orders, appellant appeal and policy	F,G,H	25-38
7.	Copy of Posting of the appellant	I	39
8.	Copy of report/ complaint to Respondent No. 1	J	40
9.	Copy of the impugned order of the cancellation of the previous posting	K	41
10.	Wakalat Nama		42

Appellant 

Through

Dated: 17/11/2015

  
**Gohar Ali Khesghi**  
Cell No. 0345-9082942

&

**Muhammad Jamal Afridi**  
Advocates High Court,  
Peshawar.



1

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

Service Appeal No. 1287/2015

**W.P. Province**  
**Service Tribunal**  
**Diary No. 1363**  
**Date 18-11-2015**

Khaman Gul S/o Khana Gul R/o Paya Jawaki, Gul Abad, FR  
Kohat.....(Appellant)

**VERSUS**

1. Director Health Services, Directorate of Health and Population Welfare FATA Secretariat, Peshawar.
2. Agency Surgeon FR Kohat, Flat No. A-4, A-5, Malik Plaza Opposite Gulshan Rehman Colony, Kohat Road, Peshawar.
3. Agency Surgeon Officer, FR, Peshawar Malik Plaza Opposite Gulsham Rehman Colony, Kohat Road, Peshawar.
4. District Accounts Officer, Kohat.
5. District Accounts Officer, FR, Peshawar.
- ⑥ Nowshad Medical Technician at Community Health Center (CHC), Ghariba, F.R, Kohat.....(Respondents)

*EX-part 2  
25-2-2016*

**APPEAL U/S 4 OF KHYBER**  
**PAKHTUNKHWA SERVICE TRIBUNAL ACT,**  
**1974, AGAINST THE IMPUGNED ORDER NO.**  
**22414-20/DHS/FATA/ADMIN DATED**  
**28/10/2015 WHO CANCELLED THE POSTING**  
**ORDER OF THE APPELLANT DATED**  
**08/09/2015 ANNEXURE "I" IS THE OUTPUT**  
**OF DEPARTMENTAL APPEAL OF THE**  
**APPELLANT AGAINST THE ORDER NO. 149/1-**  
**10/AS/FR/KOHAT DATED 18/06/2015 AND**  
**THE IMPUGNED ORDER NO. 50612-**  
**15/AS/FR/PESH/ADMIN DATED PESHAWAR**  
**THE 04/08/2015 BEING ILLEGAL, AGAINST**

*Filed to the  
Registrar*

**THE LAW, MALAFIDE, WITHOUT JURISDICTION, AGAINST THE FACTS AND POLITICALLY MOTIVATION AND RESTORE THE ORDER NO. 19483-87/DHS/FATA/Admin DATED 08/09/2015.**

**Prayer:**

On acceptance of this Appeal, the impugned order No. 22414-20/DHS/FATA/Admin dated 28/10/2015 (annexure "K") by which the previous posting order of the appellant (annexure "I") was cancelled also against the order No. 149/1-10/AS/FR/KOHAT dated 18/06/2015 and the impugned order No. 50612-15/AS/FR/PESH/Admin dated Peshawar the 04/08/2015 may kindly be set aside, the same may kindly be declared as illegal, null and void, based on discrimination, politically motivation, without any reasons, in violation of law and the same is liable to be cancelled.

**Respectfully Sheweth:**

Brief facts leading to the instant appeal are as under:

1. That the appellant was appointed as Pharmacy Technician/ Dispenser (M.T) vide order No. 2052-55/E-14 dated 17/04/1993, since then the petitioner is working with full zeal and commitment. (Copy of appointment letter is annexed as annexure "A").

2. That the petitioner was serving as per the instruction of his higher ups without any complaint, the appellant moved Hon'ble Peshawar High Court through Writ Petition No. 2260-P/2012 the Peshawar High Court, the Peshawar High Court decided the same vide order dated 02/07/2013, the appellant then moved a departmental appeal by mentioning all the facts on 10/07/2013 but the respondents have failed to decided the same. Moreover the respondents have issued seniority list on 17/03/2009 wherein the name of appellant is available at serial No. 1285 but still the respondents have issued impugned posting order and this fact is sufficient to declare the impugned order as illegal. (Copies of the Writ Petition, order, appellant appeal and seniority list are annexed as annexure "B", "C", "D" & "E" respectively).
3. That the respondents have failed to performed their duties in accordance with law and malafidely issued the impugned order dated 18/06/2015 and even without deciding the appellant appeal against this order, respondents issued impugned transfer order dated 04/08/2015 against the transfer and posting policy.

(Copies of impugned orders, appellant appeal and policy are annexed as annexure "F", "G" & "H" respectively).

4. That as even departmental appeal dated 19/08/2015 was decided and ordered the posting of the appellant at C.H.C Ghariba bearing No. 19483-87/DHS/FATA/Admin dated 08/09/2015 (annexure "I") then appellant reported and prayed for salary, the appellant reported for duty but respondent No. 2 refused to comply the order and pay salary to the appellant, then appellant submitted appeal to the respondent No. 1 (annexure "J") dated 08/10/2015 as the result of which the appellant previous order was cancelled as dated 28/10/2015 (annexure "K") herein impugned.
  
5. That respondent No. 6 was posted at CHC Ghariba in place of the appellant under No. 152/1-10/AS/FR Kohat dated Peshawar 04/08/2015. (Copy of which is not provided).
  
6. That as stated above the respondent No. 1 yet decided the appellant appeal and the grievances were redressed by the respondents and just after one month with malafidey intention, the respondents issued the

impugned order of cancellation (Annexure "K") hence being aggrieved from the illegal and politically motivated transfer order of appellant, appellant approaches this Hon'ble Court/ Tribunal on the following amongst other grounds:

**GROUND:**

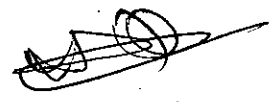
- A. That the respondents have not treated the appellant in accordance with law and all the actions/ orders against the appellant are against the law, policy and politically motivated.
- B. That the impugned orders are not sustainable in the eye of law as due to enmity of the appellant at new place of posting.
- C. That the transfer order dated 04/08/2015 as well as impugned order dated 18/06/2015 are against the law and against the settled principles of law and justice.
- D. That according to the norms of justice transfer orders cannot be issued on the basis of political pressure or transfer cannot be termed as punishment.

- E. That the appellant has performed his services in health department for more than 22 long years and the respondents, without any just cause due to political pressure passed transfer order which is illegal, against the law, malafide and is liable to be cancelled accordingly, the respondents are annoyed from the appellant due to his filling of Writ Petition, therefore they are against the appellant due to malafide.
- F. That the appellant is discriminated on the matter of transfer and as per 2010 PLC (C.S) 701 "Policy of pick and choose on the part of state functionaries was an anathema to the right of equal treatment and non discrimination: guaranteed to the citizens under the Constitution"., hence the impugned order is based on discrimination and illegal.
- G. That the impugned orders are illegal, malafide, without jurisdiction, without lawful authority and are liable to be set aside as frequent and subsequent posting orders within one month are illegal.

- H. That the impugned act of the respondents is based on discrimination, against the law on the subject, malafide and is ineffective upon the appellant rights.
  
- I. That the son of the appellant is suffering from a disease of Major Thelisimia needs blood transfusion on each 15 to 20 days and that facility is not available at the new place of duty, so on this humanitarian ground the impugned order needs to be cancelled. (Medical Documents will be produce at the time of arguments)
  
- J. That other grounds would be raised at the time of arguments.

It is, therefore, requested that on acceptance of this appeal, the impugned order No. 22414-20/DHS/FATA/Admin dated 28/10/2015 and No. 149/1-10/AS/FR/KOHAT dated 18/06/2015 and the impugned order No. 5062-15/AS/FR/PESH/ADMIN dated Peshawar 04/08/2015 may kindly be set aside, the same may kindly be declared as illegal, null and void based on discrimination, politically motivated, without any reason, in violation of law and the same is liable to

be cancelled and any other relief deemed proper by this Hon'ble Court may also be granted.

Appellant 

Through   
**Gohar Ali Khesghi**

Dated: 17/11/2015

&  
**Muhammad Jamal Afridi**  
Advocates High Court,  
Peshawar.

**AFFIDAVIT:**

I, Khaman Gul S/o Khana Gul R/o Paya Jawaki, Gul Abad, FR Kohat, do hereby solemnly affirm and declare, that the contents of the accompanying ~~Amended~~ **Service Appeal** are true and correct to the best of my knowledge and belief and nothing has been concealed from this Hon'ble Tribunal.

**ATTESTED**



**DEPONENT**



C-22401-8557557-1



9

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

~~Amre~~ Service Appeal No. \_\_\_\_\_/2015

Khaman Gul .....(Appellant)

**VERSUS**

Director Health Services, Directorate of Health and Population  
Welfare FATA Secretariat, Peshawar.

And others.....(Respondents)

**ADDRESSES OF THE PARTIES**

**APPELLANT:**

Khaman Gul S/o Khana Gul R/o Paya Jawaki, Gul Abad, FR  
Kohat.

**RESPONDENTS:**

1. Director Health Services, Directorate of Health and  
Population Welfare FATA Secretariat, Peshawar.
2. Agency Surgeon FR Kohat, Flat No. A-4, A-5, Malik Plaza  
Opposite Gulshan Rehman Colony, Kohat Road, Peshawar.
3. Agency Surgeon Officer, FR, Peshawar Malik Plaza Opposite  
Gulsham Rehman Colony, Kohat Road, Peshawar.
4. District Accounts Officer, Kohat.
5. District Accounts Officer, FR, Peshawar.
6. Nowshad Medical Technician at Community Health Center  
(CHC), Ghariba, F.R, Kohat.

Appellant 

Through

Dated: 17/11/2015

  
**Gohar Ali Khesghi**

&

**Muhammad Jamal Afridi**  
Advocates High Court,  
Peshawar.

10

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

C.M. No. \_\_\_\_\_/2015

In

~~Amended~~ Service Appeal No. \_\_\_\_\_/2015

Khaman Gul .....(Appellant)

**VERSUS**

Director Health Services, Directorate of Health and Population  
Welfare FATA Secretariat, Peshawar.

And others.....(Respondents)

**APPLICATION FOR THE GRANT OF INTERIM**  
**INJUNCTION TO THE EFFECT THAT THE**  
**OPERATION OF THE IMPUGNED ORDER NO.**  
**22414-20/DHS/FATA/ADMIN DATED**  
**28/10/2015 AND NO. 50612-15/AS/**  
**FR/PESH/ADMIN DATED PESHAWAR THE**  
**04/08/2015 MAY KINDLY BE SUSPENDED**  
**AND THE PREVIOUS ORDER DATED**  
**08/09/2015 (ANNEXURE "I") BE RESTORED**  
**AND RESPONDENTS BE RESTRAINED FROM**  
**TAKING ANY ADVERSE ACTION ON THE**  
**BASES OF IMPUGNED ORDERS AGAINST**  
**APPELLANT IN ANY MANNER WHATSOEVER**  
**TILL FINAL DECISION OF THE APPEAL.**

**Respectfully Sheweth:**

1. That appellant/ petitioner has filed the accompanying appeal wherein no date has yet been fixed.

- 11
2. That appellant/ petitioner has a very prima facie case and there is every likelihood of success of his case.
  3. That balance of convenience is also in the favour of petitioner.
  4. That if interim relief as prayed for is not granted appellant/ petitioner would suffer irreparable loss.

It is, therefore, humbly prayed that on acceptance of this petition, relief as prayed for in the heading of the petition may kindly be granted in favour of the petitioner.

  
Appellant

Through

Dated: 17/11/2015

  
**Gohar Ali Khesghi**

&

**Muhammad Jamal Afridi**  
Advocates High Court,  
Peshawar.

**AFFIDAVIT:**

I, Khaman Gul S/o Khana Gul R/o Paya Jawaki, Gul Abad, FR Kohat, do hereby solemnly affirm and declare, that the contents of the accompanying **Application** are true and correct to the best of my knowledge and belief and nothing has been concealed from this Hon'ble Tribunal.



  
**DEPONENT**

N.G.C-22401-8557557-1

OFFICE OF THE DIVISIONAL DIRECTOR  
HEALTH SERVICES KOHAT DIVISION KOHAT.

OFFICE ORDER.

As selected by the departmental selection committee  
Divisional Health Directorate interview held on 20-2-93, on waiting list and  
also recommended by Malik Mohammad Raza Khan BNA FR Kohat and Malik Noor Sher  
Sanator Mr. Khaman Gul S/O Khana Gul Afridi FR Kohat is hereby offered a post  
of Dispenser in APS-6 (Rs. 1065-54-1875) plus usual allowances sanctioned by  
the Government from time to time. Terms and conditions of his appointment  
will be as under.

- 1- he is domiciled of Kohat Division, NWFP.
- 2- Declared medically fit for Govt. Service.
- 3- He would be Governed by such Rules and orders/Regulations as may be issued by the Govt. for category of Govt. service to which he belong to.
- ✓ 4- his appointment is purely on temporary basis and can be terminated any time without notice, but in case he resigns the post of Dispenser, he will serve the Health Department with 15 days notice or deposit/forfeited 15 days pay in lieu 15 notice period.
- 5- He will serve anywhere in Kohat Division / NWFP.
- 6- No TA/DA will be paid to resume his duty on his first appointment.

If he accept this offer, he should report for duty to the District Health Officer Kohat for further posting in FR Kohat against the vacant post within Ten (10) days from the receipt of this order, failing this offer will be treated UNACCEPTED.

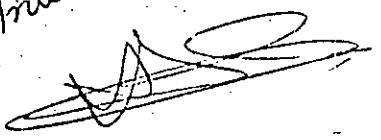
SD/-  
Divisional Director  
Health Services Kohat Division  
Kohat.

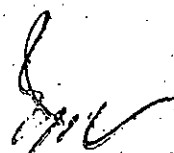
No. 2052-55 /K-14 Dated 17/4 1993. at Kohat the

Copy forwarded for information and n/action to the following:-

- 1- District Health Officer Kohat.
- 2- District Accounts Officer Kohat.
- 3- J.T. Officer Divl. Health Directorate Kohat.
- 4- Mr. Khaman Gul S/O Khana Gul Afridi Village Jawaki FR Kohat for Compliance.

*Attested to be true copy*



  
Divisional Director  
Health Services Kohat Division  
Kohat.

**ATTESTED**

13

(D/A)

~~(D/A)~~

BETTER COPY

OFFICE OF THE DIVISIONAL DIRECTOR  
HEALTH SERVICES KOHAT DIVISION KOHAT

Better Copy

OFFICE ORDER

As selected by the departmental selection committee Divisional Health Directorate interview held on 20.2.93, on waiting list and also recommended by Malik Mohammad Aalam Khan MNA FR Kohat and Malik Noor Sher Senator Mr. Khaman Gul S/o Khana Gul Afride FR, Kohat is hereby offered a post of Dispenser in BPS-6 ( Rs. 1065-54-1875 ) plus usual allowances sanctioned by the Government from time to time. Terms and conditions of this appointment will be as under.


1. He is domiciled of Kohat Division, NWFP
2. Declared Medically fit for Govt. Service.
3. He could be Governed by such Rules and orders/ regulations as may be issued by the Govt. for category of Govt. services to which he belong to.
4. his appointment is purely on temporary basis and can be terminated any time without notice, but in case he resign the post of dispenser, he will serve the Health Department with 15 days notice or despite/ forfeited 15 days pay in lieu 15 notice period
5. He will serve anywhere in Kohat Division / NWFP.
6. No TA/DA will be paid to resume his duty on his first appointment.

If he accept this offer, he should report for duty to District Health officer Kohat for further posting in FR Kohat against the vacant post within Ten ( 10 ) days from the receipt of this order, failing this offer will be treated is CANCELLED.

SD

Divisional Director

No. 2052-55/E-14 Dated Kohat the 17/4/1993

Attested  
true  
copy  


**ATTESTED**

OFFICE OF THE EXECUTIVE DISTRICT OFFICER (HEALTH) KOHAT.

OFFICE ORDER.

As recommended by the Enquiry Officer, Mr. Khoman Gul Disp; BHU, Paya Jawaki, FR, Kohat is hereby directed to report to newly constructed QHC, Gharaoba, FH, Kohat.

He is further directed to take over charge of instruments/equipment.

D/-xxxx  
EXECUTIVE DISTRICT OFFICER,  
(HEALTH) KOHAT.

NO. 252-56/E-14, Dated Kohat the 15/8/2005.

Copy to:-

- 1) D.H.U, FATA, NWFP, Peshawar.
- 2) A.P.A, FR, Kohat.
- 3) Acctt. Branch, EDC(H) Office, Kohat.
- 4) Mr. Khoman Gul Disp;

EXECUTIVE DISTRICT OFFICER,  
(HEALTH) KOHAT.

Attested to be true  
COPY

*[Signature]*

ATTESTED

15

11/11

78

BETTER COPY

OFFICE OF THE EXECUTIVE DISTRICT OFFICER (HEALTH) KOHAT

OFFICE ORDER

As recommended by the Enquiry Officer, Mr. Khaman Gul Disp; BHU Paya Jawaki, FR, Kohat is hereby directed to report to newly constructed CHC, Ghariba, FR, Kohat.

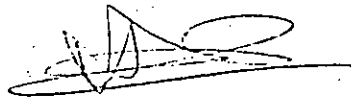
He is further directed to taken over charge of instruments / equipment.

Sd

EXECUTIVE DISTRICT OFFICER  
(HEALTH) KOHAT

No. 252-56/E-14, Dated Kohat the 15/8/2005

Attested to be  
True copy



ATTESTED

BEFORE THE PESHAWAR HIGH COURT, PESHAWAR

ANNEXURE

W.P.No. 2260-P of 2012



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B

Kheman Gul S/o Khana Gul Afridi R/o Paya Jawanki, FR Kohat

Petitioner

Versus



1. Director Health Services, Directorate of Health & Population  
FATA Secretariat Warsak Road Peshawar
2. Agency Surgeon FR Kohat-Plate No. A-4, A-5 Malak Plaza Opposite  
Gulshan-e-Rehman Colony Kohat Road Peshawar.
3. Divisional Director Health Services Kohat Division near DCO Office  
KDA Kohat
4. The District Accounts Officer Kohat.
5. Mr. Abdul Haseeb Medical Technician presently working in Civil  
Dispensary Khasta Hussain Dra Adam Khel ..... Respondents

**WRIT PETITION UNDER ARTICLE 199 OF THE  
CONSTITUTION OF ISLAMIC REPUBLIC OF  
PAKISTAN, 1973**

Respectfully Sheweth:

1. That petitioner has been appointed as Dispenser vide office order bearing No. 2052-55/E-14 Dated Kohat the 17/04/1993. ( Copy attached as Annexure "A")
2. That petitioner has been transferred from BHU Paya Jawaki, FR, Kohat to a newly constructed CHC Ghariba, FR, Kohat vide office order bearing 252-56/E-14 Dated Kohat the 15/08/2005 to perform General Duty and accordingly petitioner reported to his new place of posting on 22/08/2005. ( Copies attached as Annexure "B" )
3. That on 24/08/2005 petitioner has been transferred to Grakzai Agency but the same order has been cancelled by respondent No. 1 vide office order bearing No. 18298-18302/FATA/Disp Dated 01/10/2005. ( Copy attached as Annexure "C" )

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ANNEXURE

# PESHAWAR HIGH COURT, PESHAWAR

## FORM OF ORDER SHEET

(C)

Court of.....

Case No.....of.....

Serial No. of Order of Proceedings	Date of Order of Proceedings	Order or other Proceedings with Signature of Judge.
1	2	3
	<p><b>ORDER</b> 02.07.2013</p>	<p><u>Writ Petition No.2260-P/2013 with Interim Relief.</u></p> <p>Present: Mr. Shahid Qayyum Khattak, Advocate, for Kheman Gul, petitioner.</p> <p>Mr. Obaid Razzaq, Addl. AG, for the respondents.</p> <p>*****</p> <p><b><u>MAZHAR ALAM KHAN MIANKHEL J.-</u></b></p> <p>Kheman Gul, petitioner herein, through the instant constitutional petition, has asked for the issuance of an appropriate writ declaring that the order dated 27.03.2012 of respondent No.2, whereby, respondent No.5 has been posted / absorbed at CHC Ghariba, FR Kohat, being nullity in the eye of law, is of no effect whatsoever. He has also asked for the issuance of an appropriate writ directing the respondents to absorb him on regular post at CHC, Ghariba FR, Kohat.</p> <p>2. The learned counsel appearing on behalf of the</p>

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petitioner contended that when the respondents assured the petitioner that he would be accommodated after creation of new post at CHC, Ghariba FR, Kohat, how respondent No.5 could be absorbed by ignoring the petitioner against the newly created post, ignoring the fact that the latter being the permanent resident of the said area was performing his duties with zeal and zest.

3. As against that the learned Additional Advocate General appearing on behalf of the respondents by opposing the contentions, so raised by the learned counsel for the petitioner, vehemently argued that since the petitioner is a civil servant, under Section 10 of the Khyber Pakhtunkhwa Civil Servants Act, 1973, he is liable to serve anywhere without any reluctance and hesitation by complying the orders of the competent authority. He further argued that under Rule 10(3) of the N.W.F.P (now KPK) Civil Servants (Appointment, Promotion and Transfer) Rules, 1989, petitioner can't claim his absorption as of right, therefore, this petition is liable to be dismissed.

4. We have gone through the available record carefully and considered the submissions made by the

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learned counsel for both the parties.

5. It is not disputed before us that the petitioner is a civil servant. It is also not disputed that he was performing his duties at the place, where respondent No.5 has been posted against the newly created post. It is also not disputed that the petitioner is claiming absorption against the aforesaid post on the ground of assurance of the respondents. When so, he can't claim posting of his own choice as of fundamental right rather under Section 10 of the Khyber Pakhtunkhwa Civil Servants Act, 1973, he is liable to serve anywhere within or outside the province, on any post under the Federal Government, or any Provincial Government or Local Authority, or a Corporation or Body set-up or establishment by any such Government. In this view of the matter, we don't think the petitioner has succeeded in making out a case for the interference of this Court, notwithstanding, bar contained in Article 212 of the Constitution of Islamic Republic of Pakistan, 1973 for the assumption of jurisdiction by this Court. However, by keeping in view the anxiety of the petitioner, we direct the respondents to reconsider the case of the petitioner qua absorption against the newly created post at CHC, Ghariba, ER.

**ATTESTED**



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Kohat not on merit but on compassionate ground. This writ petition is disposed of in the above terms.

Announced.  
02.07.2013

*Sh. Nazim Khan*  
*Sh. Musabbat Hildali*

*Office 4/7/13*  
*A*

CERTIFIED TO BE TRUE COPY

Examiner  
Peshawar High Court Peshawar  
Authorised Under Article 27 of  
The Qanun-e-Shahadat Order 1984

*[Signature]*  
09-7-13  
04-7-13

347  
No. of Pages *58*  
Copying fee \_\_\_\_\_  
Exhibit Fee \_\_\_\_\_  
Total *10.00*  
Date of Preparation of Copy *09-7-13*  
Date Given For Delivery *09-7-13*  
Date of Delivery of Copy *09-7-13*  
Attested By *M. Bour*

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1

بخدمت جناب ڈائریکٹر ہیلتھ سروسز  
ڈائریکٹوریٹ آف ہیلتھ اینڈ پاپولیشن فائٹا سیکرٹریٹ پشاور

### ﴿ذی پارٹمنٹل اپیل﴾

جناب عالی! سائل حسب ذیل عرض رساں ہے۔

- (1) یہ کہ سائل محکمہ ہیلتھ میں بطور Dispenser سال 1993ء سے تعینات ہے۔
- (2) یہ کہ بروئے انگریزی چٹھی نمبر 14-E-56/252 مورخہ 15.08.2005 کو جناب ای ڈی او (ہیلتھ) کو ہاٹ نے سائل کی تقرری CHC غربیہ کی گئی تھی۔ (نقل لف ہے)
- (3) یہ کہ سائل اسی دن سے مذکورہ بالا سنٹر پر اپنی فرائض منصبی احسن طریقے سے نبھاتا چلا آ رہا ہے۔ اور سائل کے خلاف افسران بالا کو کسی قسم کی شکایت کا موقع فراہم نہیں کیا گیا۔
- (4) یہ کہ مذکورہ بالا سنٹر میں جب ریگولر آسامی پیدا کی گئی تو سائل نے جنرل ڈیوٹی سے اپنے کیڈر کی ڈیوٹی سرانجام دینے کے لئے مذکورہ بالا آسامی پر ریگولر ہونے کی درخواست مورخہ 15.03.2012 جناب ایجنسی سرجن صاحب FR پشاور کی خدمت میں پیش کی۔ (نقل درخواست لف ہے)
- (5) یہ کہ جناب ایجنسی سرجن FR پشاور نے نئی آسامی پر سائل کو کام کرنے کی بجائے سائل کو CHC غربیہ سے CHC اکبر حسین تبادلہ کر دیا۔ جو کہ سراسر بددیانتی پر مبنی ہے۔
- (6) یہ کہ مذکورہ بالا تبادلہ کے خلاف سائل نے درخواست جناب عالی کی خدمت میں دائر کی جو کہ بحوالہ چٹھی انگریزی نمبر 6793-97/DHS/FATA مورخہ 23.04.2012 کو جناب نے منظور کرتے ہوئے سائل کو اپنی جگہ CHC غربیہ FR کو ہاٹ میں کام کرنے کی اجازت دی۔ اور سائل کا تبادلہ آرڈر منسوک کیا۔ (نقل چٹھی انگریزی لف ہے)

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(7) یہ کہ سائل اس مغالطے میں رہا کہ بروئے حکم مورخہ 23.04.2012 سائل کار ریگولر آسامی پر حکم ہوا ہے۔ لیکن اب مورخہ 26.06.2012 کو سائل کو معلوم ہوا کہ مورخہ 27.03.2012 بروئے انگریزی چٹھی نمبر 1404-08/AS/FR Kohat مسمیٰ عبدالحسید کی تعیناتی بطور میڈیکل ٹیکنیشن ہو چکی ہے۔ یہاں یہ بات قابل وضاحت ہے کہ سائل افران بالا کے وعدوں اور بار بار یقین دہانیوں کی وجہ سے مذکورہ بالا سنٹر پر کئی سالوں سے اس وجہ سے ڈیوٹی سرانجام دے رہا تھا کہ جب بھی اس میں کوئی ریگولر آسامی پیدا ہوگی تو سائل کو اس میں کھپایا جائے گا۔ لیکن اب ایک غیر مقامی شخص کی تعیناتی سائل کے حق پر ڈاکہ ڈالنے کے مترادف ہے۔ (نقل چٹھی انگریزی لف ہے)

(8) یہ کہ سائل نے پشاور ہائی میں ایک رٹ پٹیشن نمبر 2260/12 دائر کیا جس پر فاضل ججوں نے مورخہ 02.07.2013 کے آرڈر میں واضح طور پر کہا ہے کہ سائل کے اپیل پر دوبارہ نظر ثانی کریں۔ (کاپی فیصلہ ہائی کورٹ لف ہے)

لہذا استدعا ہے کہ ڈیپارٹمنٹل اپیل پر نظر ثانی کریں سائل دعا گو رہے گا۔

مورخہ 10.07.2013

نoman گل (ڈپنسر) ولد خانہ گل

سکنہ پایا جوا کی ایف آر کوہاٹ

موبائل نمبر: 0346-5584971

AMESTER

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ANNEXURE

'E'

DIRECTORATE GENERAL HEALTH SERVICES NWFP, PESHAWAR.

No. 11197 - 297/AE.VII

Dated 17/03/2009.

To

- 01. All Medical Supdts: District/Agency HQ: Hospitals in NWFP.
- 02. All EDO's (H) in N.W.F.P.
- 03. All Agency Surgeons in in NWFP.
- 04. Medical Supdtt: KTH/LRH/HMC, Peshawar.
- 05. Medical Supdtt: A.M.C. Abbottabad.
- 06. Principal, KMC/KCD, Peshawar.
- 07. Director Health Services (FATA) in NWFP, Peshawar

SUBJECT: PROVISIONAL SENIORITY LIST OF JUNIOR CLINICAL TECHNICIAN (PHARMACY) BPS-09, in THE HEALTH DEPTT: NWFP, PESHAWAR.

Memo:

In pursuance of the Govt. of NWFP, Health Department Notification No. SOH-III/8-60/2009 (PARAMEDICS) DATED 17/01/2009, the provisional Seniority list of Junior Clinical Tech (Pharmacy) BPS-09 in the Health Department NWFP prepared by this Directorate is enclosed with the request that it should be brought into the notice of each and every Junior Clinical Tech (Pharmacy) BPS-09 appointed on regular basis and working under your control. Observations if any thereto may be intimated within one month of the issuance of this list, after which no excuse will be accepted and final seniority list will be issued.

The Provisional Seniority list shall be deemed to have effect from the date prior to 15/01/2009 in light of the Govt. Notification mentioned above.

*[Signature]*  
 DIRECTORATE GENERAL HEALTH SERVICES NWFP, PESHAWAR.

~~No. 11197 - 297/AE.VII~~  
~~Copy forwarded to the~~

- 01. Secretary to Govt. of NWFP, Peshawar
  - 02. President, Provincial Paramedical Association
  - 03. P.A. to DGHS, NWFP, Peshawar
- for information.

*[Signature]*  
 DIRECTORATE GENERAL HEALTH SERVICES NWFP, PESHAWAR.

ATTESTED

1271.	Sabir Hussain S/O Hussain Ghulam	Dispenser BPS 06	10.03.1993	Jr. clinical Tech: (Pharmacy) BPS-09	25.08.2006	AS Parachinar	K. Agency 06.08.1964	05.08.2007
1272.	Aman Ali S/O Gulab Hussain	Dispenser BPS 06	11.03.1993	Jr. clinical Tech: (Pharmacy) BPS-09	25.08.2006	AS Parachinar	K. Agency 19.03.1967	18.03.2007
1273.	Shoaib Hussain S/O Miramat Khan	Dispenser BPS 06	11.03.1993	Jr. clinical Tech: (Pharmacy) BPS-09	25.08.2006	AS Parachinar	K. Agency 03.04.1969	07.04.2007
1274.	Aman Ullah S/O Shawar Gul	Dispenser BPS 06	14.03.1993	Jr. clinical Tech: (Pharmacy) BPS-09	25.08.2006	BHU Gabat: Kohat	Karak 12.06.1969	11.06.2007
1275.	Muhammad Rehman S/O Mr Muhammad	Dispenser BPS 06	14.03.1993	Jr. clinical Tech: (Pharmacy) BPS-09	25.08.2006	AS Parachinar	K. Agency 20.05.1972	19.05.2007
1276.	Zabid Ali S/O Abid Ali	Dispenser BPS 06	29.03.1993	Jr. clinical Tech: (Pharmacy) BPS-09	25.08.2006	Police H Kohat	Hangu 15.12.1967	14.12.2007
1277.	Zia Ul Hassan S/O Lal Hassan	Dispenser BPS 06	01.04.1993	Jr. clinical Tech: (Pharmacy) BPS-09	25.08.2006	BHU Dow: O. Agency	O. Agency 08.01.1970	07.01.2008
1278.	Hadi Hussain S/O Asbar Hussain	Dispenser BPS 06	01.04.1993	Jr. clinical Tech: (Pharmacy) BPS-09	25.08.2006	BHU Char: O. Agency	O. Agency 03.02.1970	02.02.2008
1279.	Noor Hussain S/O Aman Hussain	Dispenser BPS 06	01.04.1993	Jr. clinical Tech: (Pharmacy) BPS-09	25.08.2006	RHC Kure: O. Agency	O. Agency 29.10.1970	28.10.2008
1280.	Noorshad Ali S/O Abdul Hussain	Dispenser BPS 06	01.04.1993	Jr. clinical Tech: (Pharmacy) BPS-09	25.08.2006	BHU Karg: O. Agency	O. Agency 17.04.1971	16.04.2008
1281.	Khialmin Gul S/O Halim Gul	Dispenser BPS 06	01.04.1993	Jr. clinical Tech: (Pharmacy) BPS-09	25.08.2006	BHU Hala: O. Agency	O. Agency 08.05.1971	07.05.2008
1282.	Haibat Ali S/O Hikmat Ali	Dispenser BPS 06	01.04.1993	Jr. clinical Tech: (Pharmacy) BPS-09	25.08.2006	BHU Hala: O. Agency	O. Agency 26.02.1974	25.02.2008
1283.	Sajan Ali S/O Abbas Ali	Dispenser BPS 06	01.04.1993	Jr. clinical Tech: (Pharmacy) EPS-09	25.08.2006	BHU Zara O. Agency	C. Agency 02.03.1966	01.03.2008
1284.	Shafiq Hussain S/O Ishaq Hussain	Dispenser BPS 06	07.04.1993	Jr. clinical Tech: (Pharmacy) EPS-09	25.08.2006	AS Parachinar	K. Agency 12.04.1972	11.04.2008
1285.	Kheman Gul S/O Khana Gula	Dispenser BPS 06	17.04.1993	Jr. clinical Tech: (Pharmacy) EPS-09	25.08.2006	BHU Paya J Kohat	FR Kohat 15.03.1970	14.03.2008
1286.	Naib Hussain S/O Sa'id Lal Jafar	Dispenser BPS 06	22.04.1993	Jr. clinical Tech: (Pharmacy) BPS-09	25.08.2006	BHU Chor: O. Agency	C. Agency 20.01.1967	19.01.2008
1287.	M. Didar S/O Daulat Khan	Dispenser BPS 06	11.05.1993	Jr. clinical Tech: (Pharmacy) EPS-09	25.08.2006	AS Parachinar	K. Agency 10.04.1971	09.04.2008
1288.	Nasir Hussain S/O Zaman Ali	Dispenser BPS 06	18.05.1993	Jr. clinical Tech: (Pharmacy) BPS-09	25.08.2006	AMQH Parachinar	K. Agency	


  
**ATTESTED**





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# OFFICE OF THE AGENCY SURGEON FR KOHAT

Opposite Gulshan-e-Rehman Colony, Peshawar Malik Plaza Kohat Road.

Phone #: 091-2322466

## OFFICE ORDER:

In the light of directives issued by the Director Health Services FATA and consequent to the induction of newly recruited Medical Technicians, the following postings of Health staff is hereby announced to be followed in letter and spirit.

S-No	Health Facility	Medical Officer	Medical Technician	LHV	DAI
1.	CD Dalil Khel		Mr.M.Haseeb		Noor Jehan
2.	CD Chappri Waziran		Mr.Saeed Ullah		Nasreen
3	CD Akhurwal		Mr.M.Ismail		Meraj Begum
4.	CD Khaista Hussain		Mr.Syed Ayaz		Ashora Jan
5.	CD Darra (Dr.Nasim)		Haji Shah Jehan		Meher Angez
6.	CD Kchiwal		Muhammad Asif		Jan Basa
7	CD Attariwal		Muhammad Shafi		Zeba Bibi
8.	CD Samandi Mela		Mr.Nadeem		Bibi Zahira
9	BHU Sneen Dand	Dr.Nasim-ul-Haq	Mr.Noor Aslam Khan Abbas	Kausar Shahnaz	Agnas Rani
10	BHU Akhurwal	Vacant	Khalid Farooq Haji Hameed	Wajida Bibi Shazia	Noor Pari
11	BHU Toor Chappar	Dr.M.Hayat	Noor Fazal Shah	Hameeda	Shanira
12	BHU Arra Khel	Vacant	Mr.Safeer Mr.Shah Zaman	Umaz Fatima	Anwar Taj
13	BHU Sheraki	--do--	Mr.Abu Bakr	-----	Hasanat Bibi
14	BHU Sunni Khel	--do--	Muhammad Jamil	Parveen Begam (at Darra Bazar)	Parshad Bibi
15	BHU Bosti Khel	--do--	Baghi Gul	Uzma	Waheeda Fahim
16	BHU Turk Ismail Khel	--do--	Mr.Nasir Farooq		
17	BHU Paya Jawaki	--do--	Mr.Adil Khan Naushad		Shamshad
18	CHC Ghariba	No Post	Mr.Khirman Gul Mr.Said Hanan	Shazia Ghulam Sarwar	Mintullah Jan

Proper handing/taking of charge may be furnished to this office immediately.

--sd--

AGENCY SURGEON  
FR KOHAT

ATTESTED

NO.149/1-10/AS/FR/Kohat

dated: Peshawar the 18/06/2015

Copy forwarded to the:

1. Incharge Concerned Health Facilities, FR Kohat.
2. Official Concerned.

(Dr.Jamal Abdul Nasir)  
AGENCY SURGEON  
FR KOHAT

19 June 2015

23

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2

AGENCY

Opposite Gulshan-e-Rehman Colony, Peshawar Malik Plaza Kohat Road.

Phone #: 091-2322466

\*\*\*\*\*

OFFICE ORDER

Mr. Kheman Gul Medical Technician working general duty at CHC Ghariba FR Kohat is hereby directed to report to the in charge RHC Kohi FR Peshawar for duty without any further delay with immediate effect in the best interest of public services

Sd/xxxx  
Agency Surgeon  
FR Peshawar

No 50612-15/AS/FR/Pesh/Admin, dated Peshawar the 04/08/2015  
Copy forwarded to the

- The In charge RHC Kohi FR Peshawar for information
- The Agency Surgeon FR Kohat and he is requested to relieve the said official please
- The official Concerned

Agency Surgeon  
FR Peshawar

ATTESTED

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2/6

23/A

The Director Health Services,  
FATA Secretariat.

Subject: APPEAL FOR CANCELLATION OF TRANSFER

Respectfully, it is stated that I was transferred from FR Kohat to FR Peshawar. I am local of FR kohat and my son has medical problems for which my stay in FR kohat is must. FR kohat is convenient to me.

I humbly request you to cancel my transfer to FR Peshawar vide order No.50612-  
IS/AS/FR/Pesh/Admin.dated 04-08-2015.

Yours Sincerely,



Kheman Gul,  
Technician.

dt - 19/8/2015

بجنور جناب ڈائریکٹر پیپرو سٹریٹنگ سز فائنا خیر تختو نخواستہ پشاور

## ڈیپارٹمنٹل آپیل

بادبار سائل کو اپنے حق سے محروم کیا جا رہا ہے  
اسی سلسلے میں انکو انٹری کے احکامات صادر فرمائیں۔

جناب والد ڈپنسر خان گل آفریدی ولد خان گل درجہ ذیل جملے کا شاید قابل  
نہ ہو مگر دعویٰ دار منور ہے کہ وہ سنبھالی پرجم کا غلام اور اپنے قدردان محکم  
صحت کا تابع اور اپنے علاقے کے غریب عوام کے جہاں پر ڈیوٹی سرانجام  
دے رہا ہو ایک خادم ہو۔

### چند گزارشات عرفہ کرنا چاہتا ہوں۔

- ① یہ کہ سائل محکم صحت میں بطور ڈپنسر مورف 1993-17-04 سے آج تک  
تعمینات ہے۔ مختصر مگر جامعہ تفصیل کچھ یوں ہیں۔  
روہ سائل کا فرسٹ اپوائنٹمنٹ بی۔ ایچ۔ یو طور کی اسماعیل خیل ایف آر کوہاٹ  
میں بحوالہ چٹھی نمبر 55/E14-2052 مورف 1993-17-04 ہوا ہے (نقل لف درخواست ہے)
- (ب) یہ کہ انگریزی چٹھی نمبر 56/E14-252 مورف 2005-08-15 کو جناب ای۔ ڈی۔ او  
پہاڑ کوہاٹ نے سائل کی تقرری C.H.C غریب ایف آر کوہاٹ کی گئی تھی۔  
د نقل لف درخواست ہے) اور اسی دن سے مذکورہ بالا سنٹر پر اپنی فرائض  
منجہبی احسن طریقے سے نبھاتا چلا آ رہا ہے اور سائل کے خلاف آفسران بال  
کو کسی قسم کی شکایت کا موقع فراہم نہیں کیا گیا ہے بلکہ بعض موقعوں پر  
سائل کو اچھے کارکردگی پر داد میں دی گئی ہے (نقل لف درخواست ہے)
- (د) یہ کہ جب C.H.C غریب ایف آر کوہاٹ میں ریگولر آساہی پیدا کی  
گئی تو سائل نے جنرل ڈیوٹی سے اپنے کیڈر کی ڈیوٹی سرانجام دینے

دکھ

ATTESTED

کے لیے مذکورہ بالا آسامی ریگولر سونے کی درخواست مورخہ 15-03-2012  
کو جناب ایجنسی سرجن ایف آر کوفاٹ / ایف آر لیٹا اور کی خدمت میں  
پیش کی (نقل لف درخواست ہے) (29)

ایجنسی سرجن ایف آر لیٹا اور نے نئی آسامی پر کام کرنے کی بجائے  
سائل کو C.H.C غریب سے اکبر حسین تبادلہ کر دیا جو کہ سر اسر  
بدلتی پر مبنی ہے۔ (نقل لف درخواست ہے)

یہ کہ مذکورہ بالا تبادلہ کے خلاف سائل نے جناب ڈائریکٹر فاطا کی خدمت

درخواست پیش کی۔ جس پر جناب محکم نے منظور کرتے ہوئے سائل کو  
اپنی جگہ C.H.C غریب ایف آر کوفاٹ میں دوبارہ ڈپوٹی سر انجام  
دینے کی اجازت دی گئی۔ بحوالہ چھٹی نمبر DHS/FATA/97-6793 مورخہ

23-04-2012 تو اس طرح سے سائل کا تبادلہ آرڈر منسوخ کیا گیا (نقل لف درخواست ہے)

یہ کہ سائل اسے مخالف میں رہا کہ بحوالہ چھٹی نمبر DHS/FATA/97-6793

مورخہ 23-04-2012 سائل کا ریگولر آسامی پر حکم ہوا ہے۔ لیکن مورخہ

26-06-2012 کو سائل کو معلوم ہوا کہ مورخہ 27-03-2012 بروٹ انٹرنیٹ

چھٹی نمبر AS/FR Kohra/08-1404 صہمی عبد الحسیب کی تعیناتی بطور میٹرنگل  
ٹیکنیشن ہو چکی ہے۔

میں یہ بات قابل وضاحت ہے کہ آفسران بالا کے وعدوں اور بار بار یقین

دہانیوں کی وجہ سے مذکورہ بالا سنٹر C.H.C غریب ایف آر کوفاٹ پر

کئی سالوں سے اس وجہ سے ڈپوٹی سر انجام دے رہا تھا کہ جب بھی  
C.H.C غریب میں کوئی ریگولر آسامی پیدا ہوگی تو سائل کو اس میں کھایا  
جائیگا۔

یہ کہ سائل نے اس ریگولر آسامی میں ریگولر سونے کے لیے C.H.C

غریب ایف آر کوفاٹ میں انتہائی کھٹن حالات میں اپنا ڈپوٹی

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(۵)



سراجیام دے رہا تھا یہاں تک کہ جھاڑو لگا کر ایک سو پندرہ گیلے کا بندھن ہوا  
 سڑکی مفاہمی کرنا چلا آ رہا تھا۔ اور سڑک میں پینے کے لیے پانی کا بندھن  
 خود کرنا تھا اور کئی کئی بار پانی نہ ہونے کی صورت رمضان المبارک  
 کے مہینے کے بغیر کئی کئی دنوں تک روزہ ہوا کرتا تھا۔ لیکن ایک  
 امید تھی کہ یہ عارضی بھوکہ اور پیاسی دن اور کھٹن حالات کے بعد ایک  
 خوشی آئی کرنے ضرور آئیگی کہ سائل کو ریگولر آسامی میں لپکا کر ایک  
 ریگولر آسامی کی تصنیاتی کی حکم ہونے کا موقع آئیگا۔

۵) یہ کہ صوبی عہد المحاسب چورے سے آیا اور سائل کے تمام  
 تمام امیدوں پر پانی پھر دیا یعنی پٹی نمبر AS/FRKohst/08-04 کے ذریعے  
 بہت سے حق پر ڈاکہ ڈالنے کے قابل بنا دیا۔ جو کہ سراسر زیادتی ہے اور  
 غیر آئینی ہے۔

یہاں یہ بات قابل ذکر ہے کہ بغیر کوئی اختیار یا انٹرویو کے بغیر  
 ایک نئے اور فرسٹ آسامی پر بھرتی کیا گیا۔ اس بھرتی کے متعلق  
 کسی کی کاٹے تک خبر نہیں ہوئی اور ایک چور دروازے سے  
 محکمہ صحت میں داخل ہو چکا ہے۔ اس غیر قانونی طریقہ کار کا  
 سختی سے انکوائری کرنے کی گزارشیں کیجاتی ہیں تاکہ سمجھ لیا  
 پورا پورا حق مل جائے۔

۶) یہ کہ سائل نے اس غیر قانونی طریقہ کار کو چیلنج کرتے ہوئے لیسٹا اور  
 پائی کورٹ میں ایک رٹ پٹیشن نمبر 2013/1260 دائر کیا جس پر  
 فاضل ججوں نے مورخہ 2013-07-08 کے آرڈر کی روشنی میں محکمہ  
 صحت کو ہدایت دی ہے کہ سائل کیسے انصاف ہو  
 جائے (نقل لف درخواست ہے)

سائل نے مورخہ 2013-07-10 کو دوبارہ ڈیپارٹمنٹل آپیل دائر کر چکا ہے

31) مکالمہ سائل کو اپنا پورا پورا حق مل جائے اور سائل دل لگنے سے خدمات دے سکے۔

7) جناب والد مورخہ 2015-07-02 کو سائل نے معافی مانگ لی اور پی۔ ڈی کی رپورٹ جمع کرتے ہوئے منسلک ہوا کہ جناب ایجنسی سرپرست صاحب ایف آر کو ہاٹ

نے ایف آر کو ہاٹ کے مختلف جی۔ ایچ۔ یوز میں نئے سرے سے نئے

بہتر تیار اور تیار کر کے رکھے ہیں اور مہر سے سائل کو نظر انداز کر کے

اپنے حق سے محروم کر چکے ہیں۔ بیمار سے اپنے ہی گاؤں کے جی۔ ایچ۔ یوز

پارہا ہو گئی کے ذمہ حالی آسامیوں پر ہوتی اور تیار کر چکے ہیں ایک

حالی آسامی پر عادل نامی لڑکے کو بطور میں نقل ٹیکسٹس بھرتی کر چکا ہے

اور دفتر آسامی پر ایک جو ٹیکسٹ بند کے کو نوٹس نامی میں نقل

ٹیکسٹس کو اور کڑی ایجنسی سے (یا کوئی دفتر ایجنسی سے) ٹیکسٹس

کر چکے ہیں جبکہ سائل اسی عہدے ایف آر کو ہاٹ میں کئی سالوں

سے جنرل ڈیوٹی کے فرائض سرانجام دے رہے ہیں۔

8) جناب والد سائل نے ایک مہدوم نقل حاصل کرنے کے لیے مورخہ

2015-07-09 کو ایجنسی سرپرست صاحب ایف آر کو ہاٹ کی خدمت میں

ایک درخواست منگوا کر چکا ہے۔ (نقل درخواست ہے اور اسی

سلسلے میں مورخہ 2015-07-16 کو نقل حاصل کرنے کے لیے دفتر گیا مگر

متعلقہ فلک موجد نہ ہونے کی صورت میں ان سے ٹیلیفونک

رابطہ ہوا تو انہوں نے کہا کہ عید کے بعد نقل دے دوں گا۔ مگر

جب سائل عید الفطر کے بعد مورخہ 2015-07-24 کو دفتر حاضر

ہوا اور متعلقہ فلک سے نقل حاصل کرنے کے لیے ان سے ملاقات کی تو انہوں نے ذمہ ٹوک اور صاف لفظوں میں نقل دینے سے انکار کیا اور ساتھ ہی جناب ایجنسی سرپرست کی حکم سناتے ہوئے کہا کہ تو یہ کوئی نہیں کہ نقل کے لیے درخواست دے چکے ہو۔ (4)

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9 جناب والہ اس حکم نامے یا عہد نامے کے متعلق جسمیں بھرتیاں اور تبادلوں  
 کر چکے ہیں علقے میں انکی قسم کی افواہیں گردش کر رہی ہیں کہ یہ  
 آرڈر کئی صیف میں ہو چکی ہے اور ایک سازش اور ایک سوچے  
 سمجھے منصوبے کے تحت جو فیہ رکھا گیا ہے کہ اسکا قانونی صحت پورا  
 ہو سکے اور کوئی بھی اُمیدوار یا کوئی بھی شہری آسانی سے پہنچے اور  
 جائز طریقہ کار کے راستے کو اختیار کرتے ہوئے عدالت کی دروازے  
 پر دستک نہ دے سکے۔ اسکے علاوہ انٹرویو میں متاثر اُمیدواروں  
 پولیس کلب پشاور کے سامنے ایک احتجاجی مظاہرہ بھی کر چکے ہیں۔  
 کہ ان حالیہ بھرتیوں اور تبادلوں میں ہیرٹھ کا کوئی خیال نہیں رکھا  
 گیا ہے۔ ( پولیس ریپورٹ لفی در خواست ہے )

10 جناب والہ متعلقہ ملک کی نقل دینے سے انکار بھی اس طرف ایک  
 قوی امکان کو ظاہر کر رہا ہے کہ یہ شک ان بھرتیوں اور تبادلوں  
 میں ہیرٹھ کا اور سینارٹھی کا کوئی لحاظ نہیں رکھا گیا ہے اور اپنے من  
 پسندوں کو بھرتی کیا ہے۔

یہاں یہ بات قابل ذکر ہے کہ ایک غیر مصدقہ عہد نامے کے حوالے سے  
 ان بھرتیوں اور تبادلوں میں ایک اور سوچے سمجھے منصوبے کے تحت  
 دوسری قسم کی سازش کی گئی۔ سی۔ ایچ۔ سی۔ غیر ایف آر کو سٹاٹ میں  
 جن آسامیوں کو ظاہر کیا ہے وہ سٹاف سرے سے موجود نہیں ہیں اور  
 نہ آج تک کسی کو دیکھا ہے۔ اور جو سٹاف موجود ہے اور اینٹا ڈیوٹی کر  
 رہا ہے انکو ایک سازش کے تحت گول مول کر کے جارح کر چکے ہیں۔

(A) عبدالحسیب کی جگہ مسٹر سید صنان کو ظاہر کیا گیا ہے۔

(B) ای۔ پی۔ آئی ٹیکنیشن محمد شاہ کو غائب کر دیا گیا ہے تاکہ آئی  
 والے وقتوں میں ایک نئے سرے سے ایک دوسری سنگین مسئلہ پیدا ہو سکے۔



بیان قابل وضاحت بات یہ ہے کہ باقاعدگی اور سختی کیساتھ ہم ہمیشہ سے  
 ای۔ پی۔ آئی ٹیکنیشن کی ویلکس وغیرہ کی ماہانہ رپورٹ میں حساب  
 کتاب دفتر میں جمع ہوتا رہتا ہے پھر ای۔ پی۔ آئی ٹیکنیشن محمد شاکر  
 کو چھٹی میں کوئی حوالہ نہیں دیا ہے بلکہ غائب کر چکا ہے (نقل لف درخواست)

11

جناب والہ سائل ایک انتہائی غریب خاندان سے جبکہ ایک خدمتگار  
 پینٹ ڈسٹنر سے تعلق رکھتا ہے اور سائل کے پاس روٹے اور فریاد  
 کرنے کے سوا کوئی توفیق نہیں ہے۔ ایک اچھے شہری اور ایک سچے  
 محب وطن کو ہاتھ میں بندھوا اٹھانے کی ضرورت کہیں نہیں پڑتی ہے  
 بلکہ مزہ ہمیشہ سے اپنے اعلیٰ حکمرانوں کے سامنے چیلج کر رہے  
 لگتا ہے اور کہتے ہیں اپنی مظلومیت ثابت کر سکتی ہے اور انکی  
 یہ چیلج کر رہنا گولہ بارود سے زیادہ بلکہ کہی گنا زیادہ مؤثر ثابت  
 ہو سکتی ہے اور سائل کی بھی آپ صاحبان سے گزارش ہے کہ آپ  
 صاحبان بھی ہمارے حاکم ہیں اور ہمارے جیسے مظلوموں کی ضرورت مدد کرنی  
 تاکہ مجھ سے چھین لی گئی حق مجھے دوبارہ مجھے مل سکے۔

12

جناب والہ درخواست کے ابتداء میں سائل نے ایک جملہ تحریر کر چکا ہے  
 کہ میرے سینی بلالی برہم کاغلم ہوں۔ ایک اچھے شہری اور ایک سچے  
 محب وطن ہونے کی اناطے میرا فریضہ بنتا ہے کہ صورت پاکستان حضرت  
 علامہ محمد اقبال رح اور بابائے قوم حضرت قائد اعظم محمد علی جناح اور  
 انکے ساتھ جدوجہد میں شریک ساتھیوں کے بنائے ہوئے پاکستان اور  
 شہیدوں کی پاک خون سے دھوئے ہوئے پاک سرزمین ہمارے ملک  
 پاکستان کے پاک آئین اور پاک قوانین کے عین مطابق آپ  
 صاحبان سے اپنا جائز اور حق باجانب فریاد کر سکوں کہ اگر کار میں  
 ہیں ایک سچے پاکستانی ہوں اور ملک کے برہم اور فحشٹی میں دوسرے  
 محب وطنوں کی طرح برابر کے شریک ہوں۔ کوئی مہاجر کارڈ کا حامل  
 نہیں ہوں اگر میرے ساتھ ہر طرف سے امتیازی سلوک کیوں  
 روا رکھا ہے۔

13 جناب والہ ڈیپارٹمنٹل آپیل پہلے بھی کر چکا ہوں۔ مگر آج تک

کوئی شنوائی نہ ہو سکی (نقل لفی در خواست ہے) سائل

قدر دان محکم عدالت کی ایک کلاس فور سے لیکر اپنے اعلیٰ آفسران کی

دل کی گہرائیوں سے عزت کرتا چلا آ رہا ہوں اور خاتم کر جب اپنے آفسران

بالائے سامنے بیٹھتا ہوں تو بڑی ادب و احترام کیساتھ پیش ہوتا ہوں۔

تاکہ وہ مجھ سے راضی ہو سکے کیونکہ میں انکا ماتحت ہوں اور نہ آج

تک شکایت کا کوئی موقع دیا ہے۔ اس کے باوجود میرے امتیازی سلوک

کیا جا رہا ہے۔

14 جناب والہ میں سو ضررہد بلکہ ایک سو بیس فیصد کے دعوے کیساتھ

تخلی کر رہا ہوں کہ سی۔ ایچ۔ سی غریب ایف آر کو ہاٹ ایک ایسا سٹریٹ ہے

کہ جب بھی کوئی غیر قانونی طریقہ کار سے کوئی بندہ بھرتی کرتا ہو تو اس سٹریٹ میں

بھرتی کیا جاتا ہے اور اپنی مدت پورا کر کے دوسرے سٹیٹس کو تبادلہ

کیا جاتا ہے۔ اور صرف اور صرف مجھے نظر انداز کیا جا رہا ہے جو کہ میرے

اور میرے خاندان والوں کیساتھ ایک بڑی زیادتی ہے۔

15 جناب والہ آپ صاحبان سے نہایت ہی ہمدردانہ اور عاجزانہ آپیل

کیجاتی ہے کہ پچھلے مہینوں میں ایجنسی سرچنا صاحبان نے پی۔ ایچ۔ سی۔ یو۔ پارا ہوا کی

اور سی۔ ایچ۔ سی غریب میں یعنی ایف آر کو ہاٹ میں جو بھرتیاں اور تبادلے

کر چکے ہیں انکو منسوخ کرنے کے احکامات صادر فرمائیں اور ساتھ میں انکواری

یونٹ کی حکم صادر فرمائیں تاکہ صحیح حقدار کو اپنا پورا پورا حق مل جائے

اور واضح واضح حقائق سامنے آسکے۔

سائل تاحیات دعا گو رہے گا۔  
مورخہ 27 July - 2015

عین نواز شاہ ہوگئی  
العارف

اپ صاحبان کا فرمانبرداری ڈسٹنسز جہاں مل آفریدی ولد خان گل

انچارج سی۔ ایچ۔ سی غریب ایف آر کو ہاٹ

شناختی کارڈ نمبر 1-8557557-82401  
فون نمبر 0346 5584971

ATTESTED

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ANNEXURE H

COPY OF LETTER NO:GOR-I (FRAD) 1-1/85 (Vol:II), DATED 15.02.2003, FROM GOVERNMENT OF NWFP, ESTABLISHMENT AND ADMINISTRATION DEPARTMENT, PESHAWAR ADDRESSED TO ALL HEADS OF ATTACHED DEPARTMENTS IN N.W.F.P AND OFFICES.

SUBJECT: - POSTING/TRANSFER POLICY OF THE PROVINCIAL GOVERNMENT

Dear Sir,  
I am directed to refer to the subject noted above and say that in supersession of all policy instructions issued in this behalf, the competent authority has approved the following Posting/transfer policy: -

- i) All the postings/transfers shall be strictly in public interest and shall not be abused/misused to victimize the Govt Servants.
- ii) All Government servants are prohibited to exert political, Administrative or any other pressures upon the posting/transfer authorities for seeking posting/transfers of their choice, and against the public interest.
- iii) All contract Government employees, appointed against specific posts cannot be posted against any other post.
- iv) The normal tenure of posting shall be three years, subject to the condition that for the officers/officials posted in un-attractive areas, the tenure shall be two years and for the hard areas the tenure shall be one year. The unattractive, and hard areas will be notified by the Government.
- v) Months of March and July are fixed for posting/transfer of all Officers/officials excluding the Officers in B-19 and above in the Province. Posting/transfer in Education and Health Department shall be made in March while the remaining Department shall make posting/transfers in July. There shall be a ban on posting/transfers throughout the year excluding the aforesaid two months. However, there shall be no restriction in cases where posting/transfers of Government employees become inevitable in other months due to promotion/retirement/creation of new posts/return from long leave/involvement in disciplinary proceedings and adjustment of surplus staff for which specific relaxation shall be obtained from the Chief Minister.
- vi) While making posting/transfers from settled areas to TATA and vice-versa specific approval of the Governor, NWFP needs to be obtained.
- vii) Officers may be posted on executive/administrative posts in the Districts of their domicile except District Coordination Officers (DCOs) and Superintendent of Police (SP). Similarly Deputy Superintendent of Police (DSP) shall not be posted at a place where the Police Station (Thana) of his area/residence is situated.
- viii) No postings/transfers of the Officers/officials on detailemen basis shall be made.
- ix) Regarding the posting of husband/wife, both in Provincial serv efforts where possible would be made to post such persons at one station and this will be subject to the public interest.

Contd: p..2.....

*Ullah Khan*  
*20/01/2015*

*Posting / Transfer*

*for file*  
*E-6*

**ATTACHED**

20/2/36

- x) All the posting/transferring authorities may facilitate the postings/transfers of the unmarried female Government Servant at the station of the residence of their parents.
- xi) Officers/Officials except DCOs and SPs who are due to retire within one year may be posted on their option, on posts in the Districts of their domicile and be allowed to serve there till the retirement.
- xii) In terms of Rule-17(I) and (2) read with Schedule-III of the Government of NWFP Rules of Business 1985, transfer of officers shown in the column I of the following table shall be made by the authorities shown against each officers in column 2 thereof:-

I OUTSIDE THE SECRETARIAT	2
1. Officers of the all Pakistan Unified Group i.e. DMG, PSF including Provincial Police Officers in BPS:18 and above.	Chief Secretary in consultation with the Establishment Department and the Department concerned with the approval of the Chief Minister.
2. Other officers in BPS:17 and above to be posted against scheduled posts or posts normally held by the APUG, PCS(EG) and PCS(SG).	-do-
3. Head of Attached Departments and other Officers in B-19 & above in all the Departments.	-do-
<u>IN THE SECRETARIAT:-</u>	
4. Secretaries	Chief Secretary with the approval of the Chief Minister.
5. Other Officers of an above the rank of Section Officer:-	
(a) Within the same Department	Secretary of the Department Concerned.
(b) Within the Secretariat from one Department to another.	Chief Secretary/Secretary Establishment.
6. Officials upto the rank of Superintendent:-	
(a) Within the same Department	Secretary of the Department concerned.
(b) To and from an Attached Department.	Secretary of the Department in consultation with Head of Attached Department concerned.
(c) Within the Secretariat from one Department to another.	Secretary (Establishment).

Contd: p. 3

*cle*  
*20/01/2015*

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(iii) While considering postings/transfers proposals of all the concerned authorities shall keep in mind the following:-

- a) To ensure the posting of proper persons on proper post, the annual confidential reports, past and present record of service, performance on post held presently and in past and general reputation with focus on the integrity of the concerned officers/officials be considered.
  - b) Tenure on present post shall also be taken into consideration and the posting/transfers shall be in the best public interest.
- xiv) Govt.s servants including Distt Govt. employees feeling aggrieved due to the orders of posting/transfers may seek remedy through an appeal to be submitted within seven days of the receipt of such orders. Such appeal shall be disposed of within fifteen days. The option of appeal against posting/transfer orders could be exercised only in the following cases:-
- i) Pre-mature posting/transfer or posting/transfer in violation of the provisions of this policy.
  - ii) Serious and grave personal (humanitarian) grounds.

2- To streamline the postings/transfers in the Distt. Govt. and remove any irritant/confusions in this regard the provision of Rule of the NWFP Distt. Govt. Rules of Business 2001 read with schedule thereof is referred. As per schedule-IV the posting/transfer authorities for the Officers/Officials shown against each are as under:-

S.No.	Officers	Authority
1-	Posting of Distt: Coordination Officer and Executive District Officer in a Distt:	Provincial Government
2-	Posting of Distt: Police Officer	Provincial Government
3-	Other Officer in BPS-17 and above posted in the District.	Provincial Government
4-	Official in BPS-16 & above, below	Executive Distt: Office consultation with Distr Coordination Officer,

3- As per Rule-25(2) of the Rules mentioned above the Distt Coordination Department shall consult the Govt. if it is proposed:

- (a) transfer the holder of a tenure post before the completion of his tenure or extend the period of his tenure, and
- (b) require an officer to hold charge of more than one post for a period exceeding two months.

4- I am directed further directed to request that the above noted policy may be strictly observed/implemented.

Yours faithfully,  
 Sd/- ~~XXXXXXXXXX~~  
 (GHULAM JILANI ASIF)  
 ADDL: SECRETARY (REG)

CONTD:p...4...

*Handwritten:*  
 A. Ullah Khan  
 20/07/2015

ATTACHED

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37 38

OFFICE OF THE DIRECTOR GENERAL HEALTH SERVICES, NWFP, PESHAWAR

No. 1844-568 /Admn; Dated Peshawar the 21 /02/2003-

Copy of the above is forwarded to the:-

- 1-All Sub-Offices of Health Services in NWFP
- 2-All Officers/officials working in Directorate General Health Services, NWFP, Peshawar

for information and necessary action.

*[Signature]*  
FOR DIRECTOR GENERAL HEALTH SERVICES, NWFP, PESHAWAR

No. 1969 /Admn;

Copy (endst:) only forwarded to the Section Officer (Reg: I), Govt. of NWFP, Establishment and Administration Department, Peshawar for information.

*[Signature]*  
FOR DIRECTOR GENERAL HEALTH SERVICES, NWFP, PESHAWAR

*CTD*  
*Ullah Khan*  
*20/07/2013*

*[Signature]*  
*20/7/13*

I  
P-39

DIRECTORATE OF HEALTH SERVICES FATA  
FATA SECRETARIAT WARSACK ROAD PESHAWAR.

OFFICE ORDER

The following posting / transfer of the Dispensers are hereby ordered in the interest of public service with immediate effect.

S#	Name	From	To	Remarks
1	Mr. Muhammad Iqbal, Dispenser	Agency Surgeon FR Kohat	Agency Surgeon FR Peshawar	Vice No.2 below
2	Mr. Khaman Gul, Dispenser	Agency Surgeon FR Peshawar	Agency Surgeon FR Kohat at CHC Ghariba	Vice No.1 above.


Sd/-----  
Director Health Services,  
FATA Peshawar

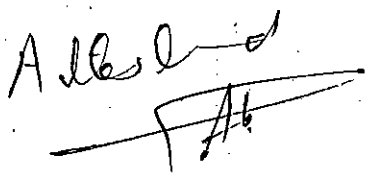
No. 19483-87 /DHS /FATA/Admin

Dated 8 /09 /2015

Copy forwarded to the: ✓

1. Agency Surgeons FR Peshawar & FR Kohat.
2. District Accounts Officers Peshawar and Kohat.
3. Officials concerned.

  
Director Health Services,  
FATA Peshawar

  
A. Khaman Gul

بمقام جناب ڈائریکٹر ہیلتھ سروسز فائنا سیکیورٹیز پشاور۔

درخواست برآمد تہیٰ خواہ بہ عہدہ ڈپٹی سیکرٹری (میڈیکل سٹیشن) از ایف آر پشاور  
تا ایف آر کوہاٹ بحق مسیٰ خان گل ڈپٹی ایف آر کوہاٹ سی ایچ سی غریبہ  
ایف آر کوہاٹ برائے لیٹر نمبر 87-19483 مورخہ 08/09/2015/DHS/  
فائنا ایڈمن۔ نقل منسلک۔

جناب عالی! سائل حسب ذیل عرض رساں ہے۔

(۱) یہ کہ سائل سی ایچ سی غریبہ ایف آر کوہاٹ میں ڈپٹی ایف آر پشاور اور سی ایف آر پشاور  
کو تبدیل کیا گیا تھا۔ ذکر بعد میں مذکورہ ٹرانسفر آرڈر کو منسوخ واپس سی ایچ سی غریبہ  
ایف آر کوہاٹ رہنے دیا۔

(۲) یہ کہ برائے حکم ڈائریکٹر ہیلتھ فائنا خیبر پختون خوا ٹرانسفر آرڈر منسوخ کیا گیا اور سائل  
کو اس جگہ غریبہ میں رہنے دیا لیکن خواہ اب بھی ایف آر پشاور سے ٹرانسفر نہیں کیا گیا  
کیونکہ حکم جناب کی مذکورہ ایڈمنسٹریٹو سرجن ایف آر کوہاٹ عدولی کر کے انکار کیا ہے۔

(۳) یہ کہ حسب قانون اگر سائل کی تبدیلی جس جگہ ہوئی ہے خواہ بھی وہی سے لینے کا حقدار  
ہوگا۔

لہذا استدعا ہے کہ سائل کی خواہ ایف آر کوہاٹ سے جاری کرنے کا حکم صادر فرمایا جائے کیونکہ سائل ڈیوٹی بھی  
حسب حکم مذکورہ بالا سی ایچ سی غریبہ ایف آر کوہاٹ میں سرانجام دے رہا ہے۔

مورخہ 08/10/2015

رضی رضا

سائل مسیٰ خان گل ڈپٹی ایف آر کوہاٹ سی ایچ سی غریبہ ایف آر کوہاٹ۔  
2015-10-08

9/10/15

Allah  
F.A.



K  
P-41

**DIRECTORATE OF HEALTH SERVICES FATA  
FATA SECRETARIAT WARSAK ROAD PESHAWAR.**

**OFFICE ORDER**


The office order issued by this Directorate bearing No. 19483-87/ DHS/ FATA/ Admn dated 08.09.2015 is hereby cancelled with immediate effect.

...Sd.....  
Director Health Services,  
FATA, Peshawar.

NO. 22414-20 /DHS/FATA/Admn Dated 20 / 10 / 2015

Copy forwarded to the:-

1. Agency Surgeons FR Peshawar & FR Kohat.
2. District Accounts Officers Peshawar & Kohat.
3. Officials concerned for information. They are directed to report their original place of duties.

  
28/10/15  
Director Health Services,  
FATA, Peshawar

Attested  
S. At


10 روپے



PESHAWAR BAR ASSOCIATION  
PBA



13246

ایڈووکیٹ/دستخط:   
بارکوسل ابار ایسوسی ایشن نمبر: 805  
رابطہ نمبر: 03459082942

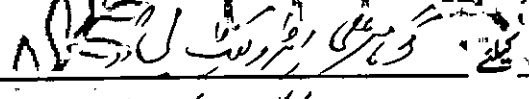
پشاور بار ایسوسی ایشن، خیبر پختونخواہ

بعدالت جناب:

منجانب:  و نہ خانہ کل	دعوی:
اسلام آباد	مکتبہ نمبر:
بنام	مورثہ:
حاجی محمد علی صاحب	جرم:
و دیگر	تھانہ:

**باعت تحریروانکہ**

مقدم مندرجہ عنوان بالا میں اپنی طرف سے واسطے پیروی و جواب دہی کاروائی متعلقہ

ان مقام کے درمیان  کو وکیل مقرر کر کے اقرار کیا جاتا ہے کہ صاحب موصوف کو مقدمہ کی کل کاروائی کا کامل اختیار ہوگا، نیز وکیل صاحب کو راضی نامہ کرنے و تقرر جانالت و فیصلہ برصن دینے جواب دعوی اقبال دعوی اور درخواست از ہر قسم کی تصدیق و زریں پر مدخلہ کرنے کا اختیار ہوگا، نیز بصورت عدم پیروی یا تاڈگری یا کٹرفہ یا اپیل کی پر آمدگی اور منسوخی، نیز دائر کرنے اپیل نگرانی و نظر جانی و پیروی کرنے کا اختیار ہوگا اور بصورت ضرورت مقدمہ مذکورہ کے کل یا جزوی کاروائی کے واسطے اور وکیل یا مختار قانونی کو اپنے ہمراہ یا اپنے بجائے تقرر کا اختیار ہو گا اور صاحب مقرر شدہ کو بھی وہی جملہ مذکورہ اختیارات حاصل ہوں گے اور اس کا ساختہ پر داخستہ منظور و قبول ہوگا دوران مقدمہ میں جو خرچہ ہر جانہ التوائے مقدمہ کے سبب سے ہوگا وہ وکیل موصوف و منوں کرنے کا اختیار ہوگا کوئی تاریخ پیشی مقام دورہ یا حد سے باہر ہو تو وکیل صاحب پابند نہ ہوں گے کہ پیروی مذکورہ کریں، لہذا ادکالت نامہ لکھ دیا تاکہ مندر ہے۔

المرقوم: 27-8-2015

بند  واہ شد

مقام کے درمیان  کے لئے منظور ہے۔

نوٹ: اس کا کاپی ڈوکمانی قابل قبول ہوگی

Accepted