

20.03.2023

Junior to counsel for appellant present.

Fazal Shah Mohmand, learned Additional Advocate General for respondents present.

Former made a request for adjournment as senior counsel is busy before the Hon'ble Peshawar High Court, Peshawar.

Adjourned. To come up for arguments on 06.06.2023 before D.B.

Parcha Peshi given to the parties.



(Muhammad Akbar Khan)  
Member (E)

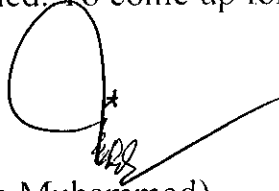


(Rozina Rehman)  
Member (J)

01.11.2022

Learned counsel for the appellant present. Mr. Naseer-ud-Din Shah, Assistant Advocate General for the respondents present.

Learned counsel for the appellant requested for adjournment on the ground that he has not made preparation for arguments. Adjourned. To come up for arguments on 21.12.2022 before the D.B.



(Mian Muhammad)  
Member (E)



(Salah-Ud-Din)  
Member (J)

21<sup>st</sup> Dec, 2022

Learned counsel for the appellant and Mr. Muhammad Jan, District Attorney for the respondents present.

Learned counsel for the appellant seeks adjournment being not prepared for arguments today. To come up for arguments on 20.03.2023 before the D.B.



(Salah Ud Din)  
Member (Judicial)



(Kalim Arshad Khan)  
Chairman

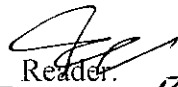

SCANNED  
KPST  
Peshawar

03.03.2022

Due to retirement of the Worthy Chairman, the Tribunal is defunct, therefore, case is adjourned to 08.06.2022 for the same as before.

1/1


8/6/22

*Profrt D.B is an Tawir, therefore the case is adjourned to 22-8-22 for same.*  
Reader.  
  


22.08.2022

Nemo for the appellant. Mr. Asif Masood Ali Shah Deputy District Attorney for the respondents present.

Notice for prosecution of appeal be issued to appellant as well as her counsel for the next date and to come up for arguments on 01.11.2022 before the D.B.

  
(Rozina Rehman)  
Member(J)

  
(Salah-Ud-Din)  
Member(J)

P.S

05.07.2021

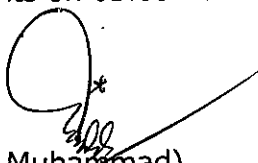
Learned Addl: A.G be reminded about the omission and for submission of Reply/comments within extended time of 10 days.

  
Chairman

10.11.2021

None for the appellant present. Mr. Kabirullah Khattak, Addl: AG alongwith Mr. Jafar Ali, Assistant for respondents present.

Representative of the respondents submitted written reply/comments which is placed on file. Notices be issued to the appellant and his counsel. Adjourned. To come up for arguments on 03.03.2022 before D.B.

  
(Mian Muhammad)  
Member(E)

  
(Rozina Rehman)  
Member(J)

10.02.2021

Appellant present through counsel. Preliminary arguments heard. File perused.

Points raised need consideration. Admitted to regular hearing subject to all legal objections. The appellant is directed to deposit security and process fee within 10 days. Thereafter, notices be issued to respondents for written reply/comments. To come up for written reply/comments on 07.05.2021 before S.B.

Appellant Deposited  
Security & Process Fee  
10/2/21



(Rozina Rehman)  
Member (J)

07.05.2021

Due to demise of the Worthy Chairman the Tribunal is defunct, therefore, case is adjourned to 23.06.2021 for the same as before.



Reader

23.06.2021

Junior to counsel for the appellant and Mr. Kabirullah Khattak, Addl. AG for the respondents present.

*Stipulated period has  
passed and reply  
has not been submitted*

Respondents have not submitted reply/comments. Learned AAG requests for time to contact the respondents and submit reply/comments. Learned AAG is required to contact the respondents for submission of reply/comments in office within 10 days, positively. If the written reply/comments are not submitted within the stipulated time, the office shall submit the file with a report of non-compliance. File to come up for arguments on 10.11.2021 before the D.B.





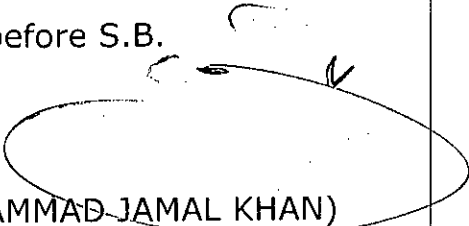
Chairman

Form- A

FORM OF ORDER SHEET

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

Case No.- 11951 /2020

S.No.	Date of order proceedings	Order or other proceedings with signature of judge
1	2	3
1-	13/10/2020	<p>The appeal of Mst. Khalida Begum presented today by Mr. Tajdar Faisal Marwat Advocate may be entered in the Institution Register and put up to the Worthy Chairman for proper order please.</p> <p style="text-align: right;"> REGISTRAR</p>
2-	SCANNED KP Peshawar	<p>This case is entrusted to S. Bench for preliminary hearing to be put up there on <u>23/11/2020</u>.</p> <p style="text-align: right;"> CHAIRMAN</p>
23.11.2020		<p>Learned counsel for appellant is present and requests for adjournment that he has not prepared the brief of the instant appeal. Adjourned to 10.02.2021 on which date file to come up for preliminary hearing before S.B.</p> <p style="text-align: right;"> (MUHAMMAD JAMAL KHAN) MEMBER (JUDICIAL)</p>

BEFORE KHYBER PAKHTUN KHWA, SERVICE TRIABUNAL,  
PESHAWAR

Service Appeal No. 11951 /2020

Mst. Khalida Begum \_\_\_\_\_ Appellant

*Versus*

Govt. of Khyber Pakhtun Khwa through Secretary Health and others  
\_\_\_\_\_ Respondents

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5	Copy of retirement order dated: 25-06-2020	C	10
6	Copy of applications	D	11-13
7	Copy of certificate dated: 17-09-2020	E	14
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Dated: 08/10/2020

Through

Appellant



**TAJDAR FAISAL KHAN**  
**MARWAT**

Advocate High Court, Peshawar:  
0313-8708424

1

BEFORE KHYBER PAKHTUN KHWA, SERVICE TRIBUNAL,  
PESHAWAR

Service Appeal No. \_\_\_\_\_/2020

MST. KHALIDA BEGUM W/O Inayat ullah,  
R/O Mohallah Saeed Khel, Tehsil & District Lakki Marwat:

Appellant

*Versus*

1. Govt. of Khyber Pakhtun Khwa through Secretary Health Department, Civil Secretariat, Peshawar.
2. Director General, Health Services, Health Department, Peshawar.
3. District Health Officer, Lakki Marwat.
4. District Coordinator, Lady Health Worker Program, Khyber Pakhtun Khwa, Lakki Marwat.
5. District Accounts Officer, District Lakki Marwat.

Respondents

SERVICE APPEAL UNDER SECTION-4 OF THE SERVICE TRIBUNAL ACT, 1974 AGAINST THE ACT OF THE RESPONDENT NO. 3 WHO FAILED TO PAY LUMP-SUM PENSION TO THE APPELLANT AND ALSO FAILED TO PAY MONTHLY PENSION TO THE APPELLANT. FURTHER THE RESPONDENTS ARE ALSO FAILED TO COUNT THE CONTRACT PERIOD IN SERVICE OF THE APPELLANT FOR THE PURPOSE OF PENSION AND OTHER FINANCIAL BENEFITS.

**PRAYER IN APPEAL:**

ON ACCEPTANCE OF THIS APPEAL, THE RESPONDENTS MAY KINDLY BE DIRECTED TO PAY LUMP-SUM PENSION TO THE APPELLANT AND ALSO



2

TO PAY MONTHLY PENSION TO THE APPELLANT.  
FURTHER THE RESPONDENTS MAY ALSO BE  
DIRECTED TO COUNT THE CONTRACT PERIOD IN  
SERVICE OF THE APPELLANT FOR THE PURPOSE OF  
PENSION AND OTHER FINANCIAL BENEFITS.

Respectfully Sheweth!

The appellatant most humbly submits as under:-

1. That the present appellatant was appointed as Lady Health Worker in the respondents department vide order dated: 01-05-1997 on contract basis. Needless to mention that the appellatant after appointment, completed her three months training for the said job.

{True copy of certificate is attached, as mark  
Annex-A}

2. That the appellatant ever since her appointment, was working in the Health Department with great zeal and devotion and her services were extra ordinary throughout her career, as no complaint what-so-ever was lodged against her.

3. That the Govt. of Khyber Pakhtun Khwa promulgated "The Khyber Pakhtunkhwa Regulation of Lady Health Workers Program and Employees (Regularization and Standardization) Act, 2014 (Khyber Pakhtunkhwa Act No. XXVI of 2014) vide which services of all staff of Lady Health Workers Program throughout the province were regularized. It would be relevant to state that the services of all the employees have been regularized since 01-07-2012 vide office order dated: 22-09-2014.

{True copy of order dated: 22-09-2014 is  
attached, as mark Annex-B}

4. That the appellatant was performing her duties when all of a sudden, the provincial Govt. enhanced the retirement age from 60 to 63 and in that scenario, the appellatant continued her services till June, 2020 instead of 29-12-2019 (the date of retirement at the age of 60 years). But after the decision of Peshawar High Court, Peshawar reducing the retirement age to

its original position of 60 years, the respondents/department issued office order dated: 25-06-2020 and retired the appellant since 29-12-2019.

**{True copy of office order dated: 25-06-2020  
is attached as Annex-C}**

5. That after retirement, the appellant duly applied to the respondents/department for payment of lump-sum pension as well as monthly pension and other financial benefits to the appellant at the earliest. Needless to mention that the appellant submitted two application i.e. one on 02-07-2020 and second on 20-07-2020 (on judicial stamp paper). But to no avail. Needless to mention that the respondents are not counting the contract period into service of the appellant towards her pension and other benefits, rather they are denying the same.

**{True copy of applications are attached as  
Annex-D}**

6. That it would be of axiomatic importance that the District Coordinator, LHW program, Lakki Marwat issued certificate dated: 17-09-2020 in favor of appellant stating therein that the appellant is performing her duties since 1997 and this fact has also been mentioned in the service book of the appellant.

**{True copy of certificate dated: 17-09-2020 &  
service book are attached as Annex-E & F}**

7. That the appellant was waiting for the outcome of her applications for payment of lump-sum pension as well as monthly pension and other financial benefits. But to no avail.
8. That the appellant being aggrieved and having no other efficacies remedy except to file the instant appeal for the redressal of her grievances before this Hon'ble Tribunal on the following amongst other grounds.

#### **GROUND:**

- A. Because the impugned action and inaction of the respondents is against law, facts and arbitrary.

- B. Because it has now been settled through the judgments of the Apex Court and High Courts of Pakistan that in case of regularization of services, the previous service shall be counted towards pension and other financial benefits.
  
- C. Because the appellant had been made victim of discrimination, demerits, partiality and favoritism without any just and reasonable cause thereby offending the fundamental rights of the appellant as provided by the constitution of 1973, hence the impugned orders detailed above are liable to be set at naught.
  
- D. Because the respondents in utter disregard to the principles of the fairness, merit and transparency, acted in haste and failed to pay pension and other benefits which is the right of the appellant.
  
- E. Because the appellant was very hardworking and punctual in her duty, therefore, no complaint received by the Respondents against the appellant, hence long standing good performance enables the appellant to get the fruit of her services by receiving full pensionary benefits (in lump sum and monthly also).
  
- F. Because the appellant was condemned unheard, her departmental representations were not adjudicated at all.
  
- G. Because the inaction of the respondents to release lump sum pension, monthly pension and counting contract service towards pension is illegal, illogical, against facts, without jurisdiction and suffering from material irregularity, hence they are untenable.
  
- H. The appellant crave for leave of the Hon'ble Tribunal to raise additional grounds at the time of arguments.

IT IS, THEREFORE, MOST RESPECTFULLY PRAYED THAT ON ACCEPTANCE OF THIS APPEAL:

- i. Directions may kindly be given to the respondents to release lump sum pension to the appellant forth with.
- ii. Direct the respondents to pay monthly pension to the appellant, forthwith.
- iii. Direct the respondents to count the contract service of the appellant towards her permanent service for the purpose of calculating pension and other financial benefits.
- iv. Any other relief, though not specifically asked for, deems appropriate to the Hon'ble Tribunal may also be granted.

Dated: 08-10-2020

Through:

Appellant



**TAJDAR FAISAL KHAN  
MARWAT**

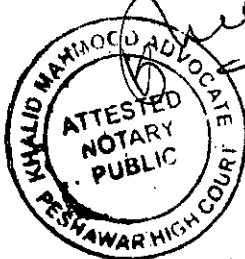
Advocate High Court, Peshawar.

**VERIFICATION:**

It is verified that all the contents of the instant appeal are true and correct and nothing has been concealed intentionally from this Hon'ble Tribunal.

  
Deponent

Note: That no such like petition / Appeal on this subject matter has earlier been filed before this Hon'ble Tribunal.



6

**BEFORE KHYBER PAKHTUN KHWA, SERVICE  
TRIABUNAL, PESHAWAR**

Service Appeal No. \_\_\_\_\_/2020

Mst. Khalida Begum \_\_\_\_\_ Appellant

*Versus*

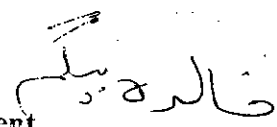
Govt. of Khyber Pakhtun Khwa through Secretary Health and others  
\_\_\_\_\_ Respondents

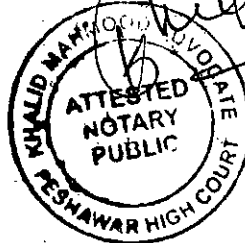
**AFFIDAVIT**

I, Mst. Khalida Begum W/O Inayat ullah R/O Mohallah Saeed Khel, Tehsil & District Lakki Marwat do hereby solemnly affirm and declare upon oath that the contents of the main appeal are true and correct to the best of my knowledge & belief and nothing has been concealed or withheld from this Honourable Tribunal.

Identified By:

  
TAJDAR FAISAL KHAN,  
Advocate High Court, Peshawar.

  
Deponent  
Mst. Khalida Begum  
CNIC: 11281-0360365-8



PRIME MINISTER'S PROGRAMME FOR FAMILY  
PLANNING AND PRIMARY HEALTH CARE  
DISTRICT LAKKI MARWAT (N.W.F.P.)

"A"

7

(7)

A

CERTIFICATE



Certified that Miss KHALIDA BEGUM WID INAYATULLAH

Code #

3 1 3 0 4 1 1 4

has successfully completed her Three Months training as

LADY HEALTH WORKER

held at DHO HOSPITAL LAKKI MARWAT

from 01, MAY, 1997 to 31, JULY, 1997.

*[Signature]*

Dr. FARIA SALEEM KHAN  
DISTRICT CO-ORDINATOR  
(Secretary District P.H.U.)  
LAKKI MARWAT

*[Signature]*

Dr. NAWAZ KHAN  
DISTRICT HEALTH OFFICER  
(Chairman District P.H.U.)  
LAKKI MARWAT  
Date: 01, AUGUST, 1997.

ATTACHED



**OFFICE OF THE DISTRICT HEALTH OFFICER LAKKI MARWAT**

Email: [edohlakki@yahoo.com](mailto:edohlakki@yahoo.com)

Ph#: 0969-538339

Fax#: 0969-538108

No. 984 / NP

Dated: 22 / 09 / 2014

"B" 8

**NOTIFICATION**

In terms of Section 4 (1) read with 1<sup>st</sup> Proviso there under, of the Khyber Pakhtunkhwa Regulation of Lady Health Workers Program and Employees (Regularization and Standardization) Act 2014, services of the following Lady Health Workers Program employees of District Lakki Marwat Khyber Pakhtunkhwa are hereby regularized w.e.f. 1<sup>st</sup> July 2012. Their terms and conditions of service will be governed under the Khyber Pakhtunkhwa Regulation of Lady Health Workers Program and Employees (Regularization and Standardization) Act, 2014 and rules to be made there under.

Sr. No	Name of Community Embedded Employee	Father Name	Husband Name	FLCF	Date of appointment	Name of Catchment Area
1	Unsrin Afsana	Saif Ullah Khan	Aslam Khan	MCH Lakki	1-12-2004	MCH Lakki
2	Tahira Bibi		Abdul Malik	MCH Lakki	1-07-1996	Khuwaidad Khel
3	Zarin Taja		Saad Ullah Jan	MCH Lakki	1-05-1997	Machan Khel
4	Shakila	Sardar Ali		MCH Lakki	1-05-1997	Paido Khel
5	Khalida	Inayat Ullah	Inayat Ullah	MCH Lakki	1-05-1997	Saeed Khel
6	Akhtar Nisa	Muhammad Gul		MCH Lakki	1-01-2000	Saeed Khel
7	Gul Taj	Ahmad Shah		MCH Lakki	1-01-2000	Khuwaidad Khel
8	Shabana	Muhammad Nawaz		MCH Lakki	1-01-2000	Mailsa Mandi
9	Ghazala Shaheen	Yar Muhammad	Shafi Ullah	MCH Lakki	1-01-2000	Moh: Sherukhel
10	Zubeda Khatoon	Matiullah		MCH Lakki	1-07-2004	Muslim Abad
11	Naheed Bibi	Muhammad Zaman		MCH Lakki	1-07-2004	Mela Shahab Khel
12	Farzana	Abdul Hamid		MCH Lakki	1-07-2004	Mela Shahab Khel
13	Ruqayya Bibi	Muhammad Khan		MCH Lakki	1-07-2004	Mela Shahab Khel
14	Farkhanda Janeen	Mashal Khan		MCH Lakki	1-03-2006	Sheru Khel
15	Rukhsana Jabeen	Abdur Rehman		MCH Lakki	1-03-2006	Machan Khel
16	Sartaj Bibi	Shah Alam Khan		MCH Lakki	1-03-2006	Machan Khel
17	Shamshad Bibi	Said Rasool		MCH Lakki	1-05-2007	Khuwaidad Khel
18	Qismat Bibi	Gul Anwar		MCH Lakki	1-05-2007	Saeed Khel
19	Rizwana	Sardar Ali Khan		MCH Lakki	1-07-2009	Moh: Muslim Abad
20	Shahmim Akhtar	Gul Zaman	Salim Nawaz	MCH Lakki	1-07-2009	Railway Station
21	Malaika		Sami Ullah	MCH Lakki	1-07-2009	Machan Khel
22	Nighat Shaheen	Yar Muhammad		MCH Lakki	1-07-2009	Sheru Khel

ATTESTED

*[Signature]*

Sr. No	Name of Community Embedded Employee	Father Name	Husband Name	FLCF	Date of appointment	Name of Catchment Area
23	Rizwana	Iqbal Hussain		MCH Lakki	1-07-2009	Khuwaidad Khel
24	Fazilat	Motabar Khan		MCH Lakki	1-07-2009	Shakeel Abad
25	Shakila	Ghulam Habib		MCH Lakki	1-07-2009	Mela Shahab Khel
26	Asia Bibi	Muhammad Khan		MCH Lakki	1-07-2009	Mela Shahab Khel
27	Zainab Bibi		Muhammad Idrees Khan	MCH Lakki	1-07-2009	Toti Abad
28	Simab Akhtar	Jahagir Khan		MCH Lakki	1-07-2009	Surki Khel
29	Qamar Nisa	Muhammad Noor		MCH Lakki	1-07-2009	Moh: Rajo Khel
30	Khaliq Dad	Muhammad Amir		MCH Lakki	1-05-1997	MCH Lakki

In exercise of powers conferred under sub section (2) of the Section ibid, the above Community Embedded Employees are placed in the following pay scales as mentioned against their respective designations.

Name of Post	Basic Pay Scale
Lady Health Supervisor	7
Lady Health Worker	5
Driver	4

*M. A. W.*  
District Health Officer  
Lakki Marwat

- C.c.
- Provincial Coordinator LHW Program Peshawar
  - District Account Officer
  - Concerned LHW Program Employees
  - Office Record

*[Signature]*  
District Health Officer  
Lakki Marwat

ATTESTED

*[Signature]*





**OFFICE OF THE DISTRICT HEALTH OFFICER LAKKI MARWAT**

Email: [dholakki@yahoo.com](mailto:dholakki@yahoo.com)

Ph#: 0969-510472

Fax#: 0969-510474

**Retirement Sanction:**

Consequent upon the recommendation of Govt: of Khyber Pakhtunkhwa, Establishment & ADMN: Department (Regulation Wing) No. SO(Policy)/E&AD/1-13/2019 Dated: 16-03-2020 and the judgment of the Peshawar High Court, Peshawar Dated: 19-02-2020 in WP No. 5673-P/2019, attaining the age of superannuation viz (60 years) Mst. Khalida Begum W/O Inayat Ullah Khan LHW BPS-05 MCH Center Lakki Marwat is hereby retire from service w.e.f 29-12-2019 (A.N).

He will be entitled to encashment of leave equal to 328 days on full pay as available in his credit, under the Revised Rules 1981.

District Health Officer  
Lakki Marwat.

No. 3296-33<sup>05</sup> /LHW

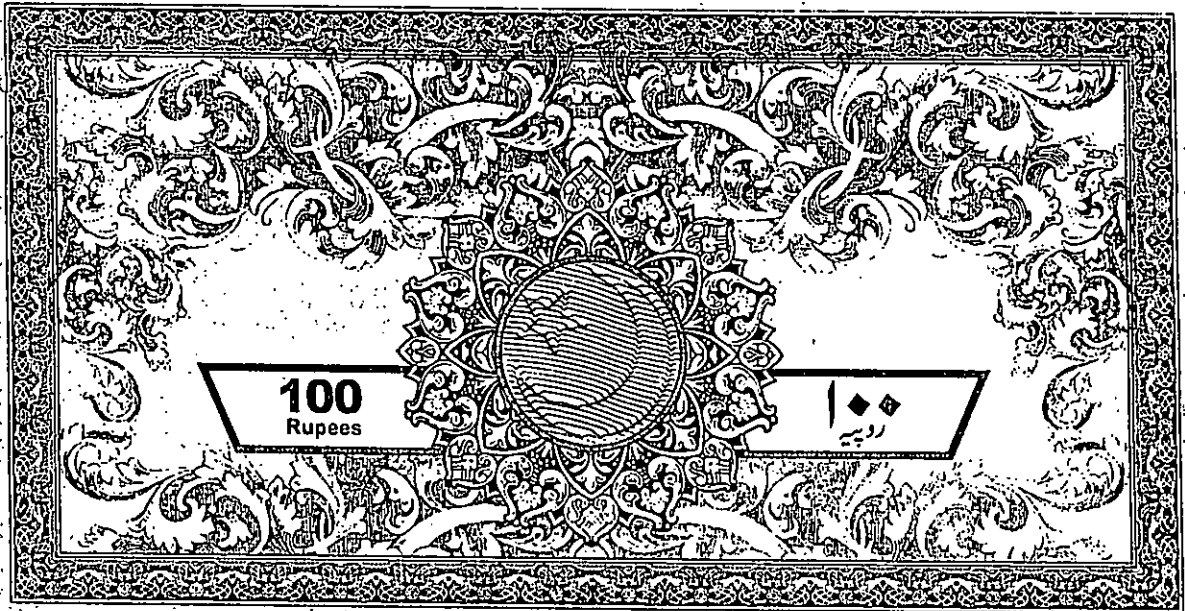
Dated: 25/06/2020.

C.C:

1. I/C MCH Center Lakki Marwat.
2. Coordinator LHW Program Lakki Marwat.
3. District Accounts Officer Lakki Marwat.
4. Accountant DHO Office Lakki Marwat.
5. Official concerned.

District Health Officer  
Lakki Marwat.

ATTENDED



خدمت جناب ۵۰۰۰۰ صاحب مکملہ پبلک ٹریڈ  
درخواست برائے دیپ جانے پیشگی و دیگر مراعات

جناب عالی، سائلہ ذیل عرض کرتی ہے۔

۱۔ کہ سائلہ سال ۱۹۹۶ سے مکملہ پبلک ٹریڈ میں مندرجہ کی بنیاد پر ۱۰۰۰۰۰۰  
بھرتی ہوئی تھی جو کہ سال ۲۰۰۲ میں سائلہ کو منتقل کر دیا گیا تھا۔

۲۔ کہ سائلہ کو ۲۴ سے ۵۰ سالہ عمر کی بنیاد پر دیپ سروس کر دیا گیا ہے۔  
۳۔ کہ بعد ازاں مذکورہ حکم پر سائلہ کی تکمیل سروس ۱۲ جولائی ۲۰۰۹ء کو ہو چکی ہے۔

۴۔ کہ سائلہ کی پیشگی - گریجویٹ - بینووولنٹ نمونہ و دیگر مراعات و دیگر امور  
لکیر انٹراسٹ ہے کہ سائلہ کو پیشگی و دیگر مراعات جلد از جلد دی جائیں۔

۲۰/۷/۲۰۲۰  
سائلہ خالدہ بیگم زوجہ صاحبہ ایم. اے. بی. اے. مکملہ پبلک ٹریڈ

ATTESTED

خالدہ بیگم



**OFFICE OF THE DISTRICT HEALTH OFFICER LAKKI MARWAT**

Email: dholakki@yahoo.com  
Ph#: 0969-510472  
0969-510475  
Fax#: 0969-510474

Dated:- 17-09-2020

**CERTIFICATE**

Certified that Mst. Khalida Begum W/O Inayat Ullah CNIC No. 11201-0360365-8 Mohallah Saeed Khel had been worked as LHW in Health Department attached to MCH Lakki w.e.f. May-1997 to December-2019 (According to CNIC DOB).

**District Coordinator  
LHW Program  
Lakki Marwat**

**ATTESTED**

(For use in Police Department only)

"F" 15

Heirs:

- 1. \_\_\_\_\_
- 2. \_\_\_\_\_
- 3. \_\_\_\_\_

Verification Roll No. \_\_\_\_\_ dated \_\_\_\_\_ received back \_\_\_\_\_

Left Thumb Impression

Qualification	Date	Qualification	Date
English		First Arts	
Pushto		B.L. Or B.A.	
Urdu		Pleadership examiantion	
Plan-drawing		Training School Final examiantion	
Finger Print		Other qualification:—	
Drill Instructing			
Court Duties			
Reserve Duties			

N.B.— Line to be drawn under the qualification possessed.

0361  
7-08

Note:- The entries in this page should be renewed or re-attested at least every five years and the signature to lines 9 and 10 should be dated.

Name: Khalida Begum

Race: Islam

Residence: Moh: Saad Khil P/O Larki Marwat  
Dist: Larki Marwat






Father's name and residence: Inayat Ullah

5. Date of birth by Christian era as nearly as can be ascertained: 5-2 30-12-1959

6. Exact height by measurement: 5-2"

7. Personal marks for identification:

8. Left hand thumb and finger impression of (Non-Gazetted) officer:

Little Finger		Ring Finger	
Middle Finger		Fore Finger	
Thumb			

9. Signature of Government Servant: خالدہ بیگم

10. Signature and designation of the Head of the Office, or other Attesting Officer. District Health Officer  
Lakki Marwat

No of Servant.	9	10	11	12	13		14	15
	Signature and Designation of the head of the office or other attesting officer in attestation of columns 1 to 8	Date of termination or appointment.	Reason of termination such as promotion, transfer, dismissal, etc.)	Signature of the head of the office or other attesting officer.	Leave		Signature of the head of the office or other attesting officer	Reference to any recorded punishment or censure or praise of the Government Servant.
					Nature and duration of leave taken.	Allocation of period of leave on average pay upto four months for which leave salary is debitable to another Government		
Period	Government to which debitable							
					The Official Was Appointed on Contract/Fixed Pay vide Letter No 5117-122/ANW 22/2887 By E.D.G (Health) Lakki Marwat Remained up to 30 June 2014			
30 <sup>th</sup> AN 2012				Service Regularized with effect 1-07-2013 on the Decision of Secretary Health D.P.K. Meeting Held on 18-09-2014 & Order Issued By Health Department K.P.K Vide Letter No 1340 dt: 22-09-2014 and Further FLCF Wise order Issued by the D.H.O Lakki Marwat Vide No. 984/NF Date: 22-09-2014				
							D.H.O Lakki Marwat	
30 <sup>th</sup> AN 2013		Annual increment				Service verified upto		30 <sup>th</sup> AN 2013
			Allowed					
	District Health Officer Lakki Marwat							
30 <sup>th</sup> AN 2014		Annual increment				Service Verified upto		30 <sup>th</sup> AN 2014
			Allowed					
	District Health Officer Lakki Marwat							

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1	2	3	4	5	6	7	8	
Name of post	Whether substantive or officiating and whether permanent or temporary	If officiating, state (i) substantive appointment, or (ii) whether service counts for pension under Art. 371 C.S.R.	Pay in substantive post	Additional Pay for officiating	Other emolument falling under the term "P"	Date of appointment	Signature of Government Servant.	Signature of the holder in actual possession
LHW-BPS-5 5400-260-13200				5400/-		7 1 2012		
- do -				5400/-		12 1 2012		3
- do -				5660/-		12 1 2013		
- do -				5920/-		12 2014		

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Name of Servant.	9	10	11	12	13		14	15	
	Signature and Designation of the head of the office or other attesting officer in attestation of columns 1 to 8	Date of termination or appointment.	Reason of termination such as promotion, transfer, dismissal, etc.)	Signature of the head of the office or other attesting officer.	Nature and duration of leave taken.	Leave		Signature of the head of the office or other attesting officer	Reference to any recorded punishment or censure or praise of the Government Servant.
						Allocation of period of leave on average pay upto four months for which leave salary is debitable to another Government			
					Period	Government to which debitable			
	<i>[Signature]</i> District Health Officer Lakki Marwat								
	<i>[Signature]</i> District Health Officer Lakki Marwat								
	<i>[Signature]</i> District Health Officer Lakki Marwat								
							Service Verified w.e.f. .... to .....		
		30 <sup>11</sup> / <sub>66</sub> AN					Office Copy of pay Roll etc.		
			Annual Increment				District Health Officer Lakki Marwat		
			allowed				Service Verified w.e.f. .... to 30 <sup>11</sup> / <sub>66</sub>		
							Office Copy of pay Roll etc.		
			District Health Officer Lakki Marwat				District Health Officer Lakki Marwat		



1	2	3	4	5	6	7	8	
Name of post	Whether substantive or officiating and whether permanent or temporary	If officiating, state (i) substantive appointment, or (ii) whether service counts for pension under Art. 371 C.S.R.	Pay in substantive post	Additional Pay for officiating	Other emolument falling under the term "p"	Date of appointment	Signature of Government Servant.	Signature of or of
BPS-5 (6985-340-17185				RS 7665		1 <sup>7</sup> / <sub>2</sub> 2015		
do -				RS 8005		1 <sup>12</sup> / <sub>2</sub> 2015		
BPS-5 (8590-420-21190				RS 9850		1 <sup>7</sup> / <sub>2</sub> 2016		
-11-				RS 10270		1 <sup>12</sup> / <sub>2</sub> 2016		

No. of Servant	9	10	11	12	13		14	15
	Signature and Designation of the head of the office or other attesting officer in attestation of columns 1 to 8	Date of termination or appointment.	Reason of termination such as promotion, transfer, dismissal, etc.)	Signature of the head of the office or other attesting officer.	Leave		Signature of the head of the office or other attesting officer	Reference to any recorded punishment or censure or praise of the Government Servant.
					Nature and duration of leave taken.	Allocation of period of leave on average pay upto four months for which leave salary is debit to another Government		
					Period	Government to which debit		
Fal		30/6/17	AN					
					Revised pay fixed in BPS-5 @ Rs 12260/pm vide Govt. of KPK Notification No ED (PRC) 1-1-2017 Dt: 14-07-2017			
					District Health Officer Lakki Marwat			
FN		30/11/17	AN					
			Annual Increment allowed				Service Verified w.e.f. to 30/11/17 Office Copy of pay Roll etc.	
				District Health Officer Lakki Marwat		District Health Officer Lakki Marwat		
					Paid arrears on account of pay & allowances w.e.f 01-07-2012 to 30-11-2015 amounting to Rs. 163,865/-			
					Finance Officer LHW Program K.P.K Pes			
	30/11/2018		Annual Increment Allowed				Service Verified up to 30-11-2018	
				District Health Officer Lakki Marwat		District Health Officer Lakki Marwat		

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1	2	3	4	5	6	7	8
Name of post	Whether substantive or officiating and whether permanent or temporary	If officiating, state (i) substantive appointment, or (ii) whether service counts for pension under Art. 371 C.S.R.	Pay in substantive post	Additional Pay for officiating	Other emolument falling under the term "p"	Date of appointment	Signature of Government Servant.
BPS - 5	(10260 -	500 - 25760)					
			RP = 12760 / PM			01-7-17 Fmr	
-11-			RP = 12760 / PM			01-12-17 FN	
		Office of the Accountant General Khyber Pakhtunkhwa Peshawar Pay Fixed in the Revised Basic Pay Scale					
		B.P.S 8985740 17185 5					
		Pay Fixed @ Rs 7660 w.e. 01-07-2014					
		Pay Fixed @ Rs 9860 w.e. 01-07-2014					
		B.P.S 10260-500 25760 5					
		Pay Fixed @ Rs 12260 w.e. 01-07-2014					
		Date of Next Increment, 01-12-2014					
		Account Office Peshawar					
		7665/15 9858/16 12265/17	8/3/18				
						01-12-2018	30

	9	10	11	12	13		14	15
	Signature and Designation of the head of the office or other attesting officer in attestation of columns 1 to 8	Date of termination or appointment.	Reason of termination such as promotion, transfer, dismissal, etc.)	Signature of the head of the office or other attesting officer.	Leave		Signature of the head of the office or other attesting officer	Reference to any recorded punishment or censure or praise of the Government Servant.
					Nature and duration of leave taken.	Allocation of period of leave on average pay upto four months for which leave salary is debitable to another Government		
of servant.					Period	Government to which debitable		
	30.11.2019		Annual increment Allowed				Service suspended up to 30-11-2019	

~~Distt: Health Officer  
Lakki Marwat.~~

~~Distt: Health Officer  
Lakki Marwat~~

~~Distt: Health Officer  
Lakki Marwat~~

1	2	3	4	5	6	7	8
Name of post	Whether substantive or officiating and whether permanent or temporary	If officiating, state (i) substantive appointment, or (ii) whether service counts for pension under Art. 371 C.S.R.	Pay in substantive post	Additional Pay for officiating	Other emolument falling under the term "p"	Date of appointment	Signature of Government Servant
10260-500	-25/60						
LAW BPS-05					13760/-	12/2019	




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1	2	3	4	5	6	7	8
Name of post	Whether substantive or officiating and whether permanent or temporary	If officiating, state (i) substantive appointment, or (ii) whether service counts for pension under Art. 371 C.S.R.	Pay in substantive post	Additional Pay for officiating	Other emolument falling under the term "p"	Date of appointment	Signature Government Servt.

Signature of the or other in c

50	40335			
ایڈوکیٹ: <u>Taptes Faisal</u>		پشاور بار ایسوسی ایشن، خیبر پختونخواہ		
بار کونسل ایسوسی ایشن نمبر: <u>bc-67-1578</u>				
رابطہ نمبر: <u>0313-8708424</u>				

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بعدالت جناب: خیبر پختونخواہ سروسز سٹریٹ، پشاور

منجانب: <u>ایپلینٹ</u>	دعویٰ:
<u>مسماہ خالدہ بیگم</u>	علت نمبر:
<u>بنام</u>	مورخہ:
<u>حکومت</u>	جرم:
<u>پشاور</u>	تھانہ:

**باعت تحریر آئکہ**

مقدمہ مندرجہ عنوان بالا میں اپنی طرف سے واسطے پیروی و جواب دہی کاروائی متعلقہ  
 این مقام کے لیے انجمن خیرات خاندان بھروٹ کو جیل مقرر کیا  
 کر کے اقرار کیا جاتا ہے کہ صاحب موصوف کو مقدمہ کی کل کاروائی کا کمال اختیار ہوگا، نیز وکیل صاحب کو  
 راضی نامہ کرنے و تقرر ثالث و فیصلہ برحلف دینے جواب دعویٰ اقبال دعویٰ اور درخواست از ہر قسم کی تصدیق  
 ذرائع پر دستخط کرنے کا اختیار ہوگا، نیز بصورت عدم پیروی یا ڈگری کی طرف یا اپیل کی برآمدگی اور منسوخی، نیز  
 دائر کرنے، اپیل گرانی و نظر ثانی و پیروی کرنے کا مختار 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 ہوگا اور صاحب  
 مقرر شدہ کو وہی جملہ مذکورہ اختیارات حاصل ہوں گے اور اس کا ساختہ پر داختم منظور و قبول ہوگا  
 دوران مقدمہ میں جو خرچہ ہر جانب التوائے مقدمہ کے سبب سے ہوگا کوئی تاریخ پیشی مقام دورہ یا حد سے  
 باہر ہو تو وکیل صاحب پابند نہ ہوں گے کہ پیروی مذکورہ کریں، لہذا وکالت نامہ لکھ دیا تاکہ سند رہے  
 المرقوم: مسماہ خالدہ بیگم

**DESHAWAR BAR ASSOCIATION**  
**KHYBER PAKHTUNKHWA**

مقام پشاور کے لیے منظور ہے۔

مسماہ خالدہ بیگم (ایپلینٹ)

Accepted

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

Service Appeal 11951/2020

Mst:Khalida Begum W/O Inyat Ullah R/O Mohala Saeed Khel  
Dist: Lakki Marwat (Appellant)  
VS

Govt: of KPK through Secretary Health Peshawar and others

(Respondents)

**Pera wise comments on behalf of respondents 1,2,3,4&5.**

**Preliminary Objections**

1. That the Appellant has got no cause of action to file the instant appeal.
2. That the Appellant has not come to this honorable Court with clean hands.
3. That the instant service appeal is not maintainable. The Respondents have already fulfilled the codal formalities. The appellant has already been paid all the arrears/incentives as per rules and nothing is outstanding of the appellant against the respondents.
4. The appellant has not rendered qualifying service for pension. The appellant has got not right of pensionary benefit as per law.
5. That the appeal of appellant is badly time barred.
6. This honourable has got no jurisdiction to entertain present appeal.

**Respectfully Sheweth:-**

1. That the Para No. 1 of the Appeal is partly correct. The appellant was appointed as LHW in the Respondents departments on 01-01-2000.
2. Para No.2 of the Appeal is related to the service record of appellant.
3. Para No.3 of the Appeal is correct.
4. Para No. 4 of the Appeal is related to record.



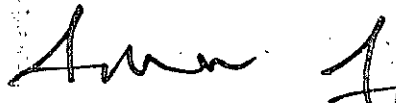
5. Para No.5 of the Appeal is incorrect. Further stated that the appellant has been paid all arrears/benefits including GP fund, Leave Encashment (12 months salary), Gratuity. Benevolent Fund case of the appellant is under process. The appellant has not rendered qualifying service for pension, the benefit of the pension cannot be extended to the appellant under the rules.
6. Para No.6 of the appeal is incorrect.
7. Para NO.7 of the Appeal is incorrect. The appellant has already been paid all the incentives/benefits as per rules.
8. Para NO.8 of the Appeal is also incorrect.


**GROUNDS:-**

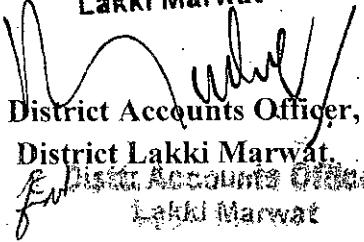
- A. Para No. A is incorrect. Respondents acted as per Law and Rules.
- B. Para No. B is related to the record of the Honorable Courts.
- C. Para No.C of the appeal is incorrect. No discrimination has been committed by the respondents.
- D. Para No. D of the appeal is incorrect already replied in Para A.
- E. No comments however appellant is not entitled for the relief.
- F. Incorrect there is no need of personal hearing in the in fault case.
- G. Para No. Government of the appeal is also incorrect already explained in para-5
- H. Para No. H of the appeal needs no comments.

It is, therefore, most humbly prayed that the service appeal may be dismissed against the Respondent with cost.

Respondents

  
1. Govt: of Khyber Pakhtunkhwa  
through Secretary Health Department  
Civil Secretariat, Peshawar.

  
3. District Health Officer,  
Lakki Marwat  
District Health Officer  
Lakki Marwat

  
5. District Accounts Officer,  
District Lakki Marwat.  
District Accounts Officer  
Lakki Marwat

2. Director General, Health Services,  
Health Department, Peshawar

4. District Coordinator,  
Lady Health Worker Program,  
District Lakki Marwat.  
L.H.W Program Lakki Marwat

DIRECTOR GENERAL  
HEALTH SERVICES  
KHYBER PAKHTUNKHWA  
PESHAWAR