

BEFORE THE KHYBER PAKHTUNKHWA SERVICE TRIBUNAL

PESHAWAR

Khyber Pakhtunkhwa
Service Tribunal

Service appeal No.593/2023

Diary No. 5812

Dated 05-06-23

Faridoon khan

-----Appellant

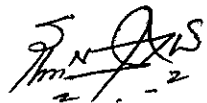
Versus

Govt of Khyber Pakhtunkhwa & Others

-----Respondents

INDEX

S. No	Description of Documents	Annexure	Page No.
01	Affidavit		01
02	Parawise Comments		02-03
03	Copy of Pension payment order	A	04-06
04	Copy of Resignation	B	07
05	Copy of office order	C	08


Deponent



**OFFICE OF THE DISTRICT HEALTH OFFICER
PESHAWAR
Phone No. 091-9225387**

AUTHORITY LETTER

Syed Mastan Ali Shah Litigation Assistant ,Office of DHO Peshawar,
NIC No: 17101-0365818-9 is authorized to submit parawise comments reply in the
case Service appeal NO.593/2023 titled Faridoon Khan Vs Govt of KP in Service
Tribunal ,Peshawar.

*District Health Officer,
Peshawar*

**District Health Officer
Peshawar**

BEFORE THE KHYBER PAKHTUNKHWA SERVICE TRIBUNAL
PESHAWAR

Service Appeal No.593/2022.

Faridoon Khan

Vs Govt: of KP (Health)

-----Petitioner

AFFIDAVIT

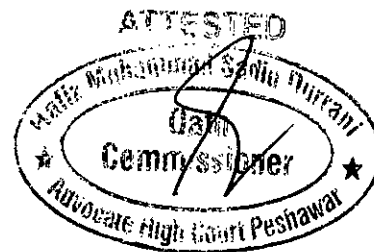
I Dr, Mubarak Zeb khan S/O Mr, Alam Zeb Khan Litigation Officer ,Office of DHO Peshawar, do hereby solemnly affirm and declare on oath that content of the instant replay are true and correct to the best of my knowledge & belief and nothing has been concealed from this honorable Court.

It is further stated on oath that in this appeal the answering respondents have neither been ex-parte nor their defense is struck off.

DEPONENT

[Signature]
Dr, Mubark Zeb
Litigation Officer
Office of DHO Peshawar
NIC No: 17101-6493994-5

02 JUN 2023



BEFORE THE KHYBER PAKHTUNKHWA SERVICE TRIBUNAL
PESHAWAR

Service Appeal No. 593/2023.

Faridoon Khan

-----Appellant

Versus

- 1: Secretary Health, Govt of Khyber Pakhtunkhwa Peshawar
- 2: Director General Health Services Khyber Pakhtunkhwa Peshawar .
- 3: District Health Officer, Peshawar.

-----Respondents

PARAWISE REPLY ON BEHALF OF RESPONDENTS No. 01 to 03.

Respectfully Shewith,
Preliminary Objections:-

1. The appellant has neither cause of action nor locus standi to file the instant appeal.
2. The appellant has not come to the Tribunal with clean hands.
3. The appeal is bad for mis joinder and non joinder of the necessary and proper parties.
4. That the instant appeal is barred by law and limitation.

On facts;

Para No.1 Pertaining to record.

Para No.2 Pertaining to record.

Para No.3 The facts is that the Appellant was inadvertently appointed under the Retired Son's Quota dated 04-06-2022 by the Respondent Department. Soon after the appointment under the Retired Son's Quota during the final scrutiny of documents it was found that the appellant father was the employee of the population Welfare Department (Federal Government of Pakistan) ,not the Health Department (Annexure-A) .So the appellant was informed from his status and in response the appellant submitted his Resignation to the Respondent No.3(Annexure-B).hence he admitted his fault. Therefore the resignation of the appellant was accepted by the Competent Authority which is witnessed by 04 persons amongst is the close relative of the appellant (Hashmat Bibi) whereas thumb impression is present on the appellant resignation application .Soon after the resignation of the appellant duly witnessed by 04 people, his resignation was accepted by the competent Authority (Annexure-C).

Para No.4 Already explained in above para No 3.

Reply on Grounds:-

A: - Already explained .

B: - Already explained.

C: - No objection, it the Honourble Tribunal should verify it from Forensic Lab or whatever necessary .

D: - Incorrect.

In view of the above, it is humbly prayed that the instant petition being devoid of merit, may graciously be dismissed with cost.

Respondent No. 1
Secretary Health
Khyber Pakhtunkhwa Peshawar

Respondent No. 2
Director General Health Services
Khyber Pakhtunkhwa Peshawar
DHO Peshawar

~~*Respondent No. 3*~~
District Health Officer
Peshawar

**PENSION PAYMENT ORDER
PENSIONER'S PORTION**

(5) A
Annexure -

Name of pensioner Younis Khan
 (Designation and Grade) Ex Chowkidar B-2
 His/Her Father's name Qalandar Khan
Husband's
village pc Pishitakhan & Paj
 Permanent address showing
 Village, Tehsil Distt Peshawar
 Identity Card No. -
 Date of birth 02-5-1937
 Date of App't 24-4-1976
 Date of Retirement 01-5-1997
 Length of Qualifying Service 21 years
 Class of Pension Superannuation
 Monthly average emoluments Rs 2235-00
 No. and Date of sanction of pension or letter No Tris off
Report dt 12/03/2007

and Date of the other Audit and Account office authorising the Pension/Gratuity/commutation

Old P.P.O. No. if any CPA/9543-N

Gross pension Rs 1095-15

1/4th surrendered portion Rs -

Commuted portion Rs 547-57

Net pension payable monthly Rs 547-58

Debitable to Govt Central

(Classification)

Major Function	000	General Admn.
Minor Function	020	Fiscal Admn.
Detailed Function	028	Superannuation and Pension
Major Object	600	Transfer Payments
Minor Object	660	Superannuation Allowances and Pension.
Detailed Object	661	Superannuation retiring and Compensatory Pension

District Health
Office Peshawar

Office of the ACMR S/O Peshawar
No CP/SH/13449-N the 19

UNTIL FURTHER NOTICE, and on the expiration of every month please pay to Yousif Khan the sum of Rupees Five hundred & forty (Rs. 547-58) (less income tax) being the amount of PENSION.

as ex co-ordinator of population welfare Peshawar
Upon the production of this order and a receipt in the usual form. The payment should commence from 1-12-2000

Monthly Pension increases

0925/16 273-78
0951/16 41-06 He is also entitled to a temporary increase of
0915/16 129-36 (Rupees) wef 1-12-2006
0938/16 79-34 or until further orders under usual conditions. A sum of
0915/16 107-11 (Rupees) on account of commuted value of pension is also payable.
0915/16 176-73 The commuted value is debit to the head.

Major Object	600	Transfer Payments.
Minor Object	660	Superannuation Allowance and Pension.
Detailed Object	663	Commuted value of pension

- Nature Diff PM Payable
- 0915/16 73-50 1-5-1997 to 30-11-2000
2. As Mr. Yousif Khan has exercised the option admissible under the Pension Rules 1977 a lump-sum/gratuity of Rs. 5-51 (Rupees) in lieu of his pension of Rs. 36 surrendered under the rules is also payable 1-7-2003 to 1-7-2004
 - 0915/16 10-70 1-7-2004 to 01-7-2005
 - 0915/16 14-45 1-7-2005 to 01-7-2006
 - 0915/16 23-73 1-7-2006 to 01-7-2007
- The gratuity is debit to the head:
- | | | |
|-----------------|-----|--------------------------------------|
| Major Object | 600 | Transfer Payments |
| Minor Object | 660 | Superannuation Allowance and Pension |
| Detailed Object | 663 | Gratuity value of Pension |

(Signature) [Signature]
(Designation) Assistant General Pakistan Revenue / Sub Office Peshawar
MB

To
The Treasury Officer/D.A.O.
Manager National Bank of Pakistan.
Saddar Road Branch
Peshawar Cantt.

6

NOTE (1). No Pension shall be liable to seizure, attachment or requestration by process of any court in Pakistan at the instance of a creditor for any demand against the pensioner (section II), Act XXIII of 1871).

NOTE (2). Payment under this order is to be made only to the pensioner in person, with the following exceptions:-

- (a) To person specially exempted by Government.
- (b) To purdah observing ladies and to person unable to appear on account of illness or bodily infirmity.

(Payment in both cases (a) and (b) is made on production of a Life Certificate signed by a responsible officer of Government or other well known and trustworthy person).

- (c) To any person sending a Life Certificate, signed by some person exercising the powers of a Magistrate of any class under the criminal procedure code or by any Registrar or Sub-Registrar under the Registration Act, or by any pensioned Officer who before retirement exercise the powers of a Magistrate or any Gazetted Officer of Government or by a Munsiff or by any person holdig a Government title.

- (d) In all cases referred to in clauses (a), (b) and (c), the Disbursing Officer must, at least once a year, require proof, independent of that furnished by. the Life Certificate of the continued existence of the pensioner.

NOTE (3). On the death of the pensioner this order should be immediately returned by his/her family to the Treasury Office District Account office/ National Bank of Pakistan with a report of the date of his death.

114 = 1357
11/21/57
1/3/57

Record of lump-sum payments on account of Gratuity and Commutation.

Nature of Payment	Vr. No. and Date	Amount
20/4/57		
1/12/57 - 31/3/57		
42/1355		54.20
Cabin		13330
18750/-		
2/10/57		
1/5/57		
2/8/57		
1/3/57		
		5710
		1357

District Health Officer Peshawar

29/7/57

خدمت جناب ڈسٹرکٹ سیکرٹری سولہ آفیس لشارہ
جناب عالی!

عوبدانہ گزارش ہے کہ میں بطور ڈاکٹر اور بھرتی
ہوا تھا۔ لیکن کچھ گھنٹوں پہلے مسائل کی وجہ سے میں
ڈیوٹی کرنے سے تھما ہوں اس لیے میں اس
نوٹس سے بخوش و خواہش استعفیٰ دیتا ہوں۔

لینڈ ایرائز میری خواہش ہے استعفیٰ میری بھرتی

رضی تاربخ سے منظور فرمادیں

گواہ
میں

گواہ
میں

17301-0381608-1

ڈپٹی کمشنر فریڈن خان ولد پونس خان
گواہ

بیان لشارہ

District Health
Officer Peshawar

6354
03/11/2008

Handwritten signature

8

C

Annexure - B



**OFFICE OF THE DISTRICT HEALTH OFFICER
PESHAWAR**

Phone No. 091-9225387

OFFICE ORDER

Resignation tendered by Mr. Faridoon Khan S/O Younas Khan newly appointed as Chowkidar BPS-03 is hereby accepted from the date of appointment.

Sd/xxxxxxx
District Health Officer
Peshawar.

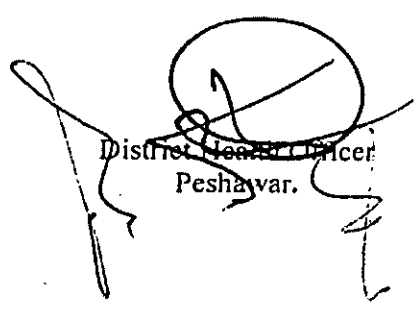
No. 18578-82 /DHO

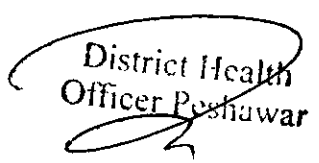
dated Pesh: 03/11/2022

Copy is forwarded to the:

1. Accountant General Khyber Pakhtunkhwa.
2. Director General Health Services Khyber Pakhtunkhwa.
3. Deputy District Health Officer Metropolitan Peshawar.
4. Accounts Section DHO Office Peshawar.
5. Official Concerned.

For information and necessary action.


District Health Officer
Peshawar.


District Health
Officer Peshawar