


17.05.2023

Husband of the appellant present. Mr. Safiullah, Focal Person alongwith Mr. Asif Masood Ali Shah, Deputy District Attorney for the respondents present.

On the previous date, last chance was granted to the respondents for submission of reply/comments, however representative of the respondents is again seeking adjournment for submission of reply/comments. Allowed subject to payment of cost of Rs. 3000/-. To come up for reply/comments as well as cost of Rs. 3000/- and preliminary hearing on 02.06.2023 before the S.B. Parcha Peshi given to the parties.


SCANNED
BY
Peshi

Naeem Amin


(Salah-Ud-Din)
Member (J)

2nd June, 2023

1. Learned counsel for the appellant present.
2. Against the impugned order dated 06.12.2022, the appellant filed departmental appeal on 08.12.2022, which was not responded within 90 days, thereafter, the appellant filed the instant service appeal on 14.02.2023, which is within time. Thus admitted to full hearing subject to all just and legal objections by the other side. The respondents were already put on pre-admission notice and were granted last opportunity twice, even chance was given with imposition of cost of Rs. 3000/-, but till date they have not filed comments. They are thus given 10 days time to file comments, failing which their right for comments shall be deemed as struck of. Appellant is directed to deposit security fee within 10 days. Respondents shall be summoned through TCS the expenses of which be deposited by the appellant within 3 days. Adjourned. To come up for arguments on 16.06.2023 before D.B. P.P given to the appellant.


(Kalim Arshad Khan)
Chairman

Service Appeal No.581/2023 titled "Shagufta Mehtab Vs. Government of Khyber Pakhtunkhwa through Chief Secretary, Civil Secretariat Peshawar, and others".

ORDER

16.06.2023

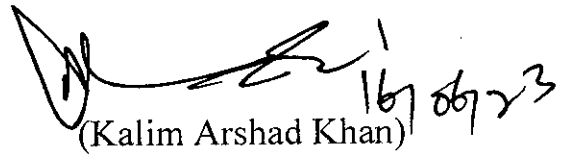
1. Learned counsel for appellant present. Mr. Fazal Shah Mohmand, Additional Advocate General alongwith Mr. Safi Ullah, focal Person for respondents present.

2. Learned counsel for the appellant submitted that the appellant was transferred vide Notification of transfer dated 06.12.2022 and posted at DHQ Hospital, Batkhela, but when she approached there, the Medical Superintendent DHQ Hospital Batkhela vide letter No.15867-70 dated 14.12.2022 informed the Director General Health Services, Khyber Pakhtunkhwa that 18 Charge Nurses, in BPS-16, from different hospitals were transferred to the DHQ Hospital Batkhela, but there was no post of Charge Nurse (BPS-16) lying vacant in the DHQ Hospital, Batkhela. There is no reply in writing on behalf of the respondents, however, the representative of the Secretary Health (Mr. Safi Ullah), though, stated at the bar that the matter pertained to the DG Health Services Khyber Pakhtunkhwa yet he submitted that the appellant ought to have been given some posting, therefore, while disposing of this appeal, we direct the Director General Health Services, Khyber Pakhtunkhwa to give appropriate posting to the appellant so that she could draw her salary and perform duty. Consign.

3. *Pronounced in open Court at Peshawar and given under our hands and seal of the Tribunal on this 16th of June, 2023.*



(Rashida Bano)
Member (J)



(Kalim Arshad Khan)
Chairman