



16.11.2022

Appellant alongwith counsel present.

Muhammad Riaz Khan Paindakhel learned Assistant Advocate General for respondents present.

Learned counsel for appellant made a request for adjournment as he has not made preparation of the brief. To come up for arguments on 10.01.2023 before D.B.

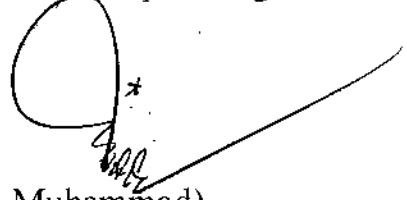

(Fareeha Paul)
Member (E)



(Rozina Rehman)
Member (J)

10.01.2023

Appellant alongwith his counsel present. Mr. Hashmatullah, Superintendent alongwith Mr. Muhammad Jan, District Attorney 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 15.03.2023 before D.B.


(Mian Muhammad)
Member (E)


(Salah-ud-Din)
Member (J)

SCANNED
KPST
Peshawar

SCANNED
KPST
Peshawar

10.10.2022

Appellant in person present. Mr. Kabir Ullah Khattak,

Additional Advocate General for respondents present.

Appellant requests for adjournment due to engagement of his learned counsel before the Hon'ble High Court. To come up for arguments on 11.12.2022 before D.B.

(Farceha Paul) (Kalim Arshad Khan)
Member (E) Chairman

Late Diary
10th Oct. 2022

Despite direction for fixation of the cases for the shortest possible dates, the office has fixed this case for a longer date. The Reader of the court is warned to be careful in future. The date fixed in this case is accelerated to 16 / 11 / 2022. Notices be issued to the parties and their counsel for the date fixed.

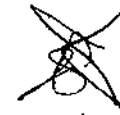
(Farceha Paul)
Member (E)

(Kalim Arshad Khan)
Chairman

Appellant was
informed by
telephone on 11/11/22

23.11.2021

Proper D.B is not available, therefore, case is adjourned to 1 / 3 / 2022 for the same as before.



Reader

1-3-22

Due to Retirement of the Hon, ble Chairman the case is adjourned to come up for the same as before on 14-3-22


Reader

14-3-22

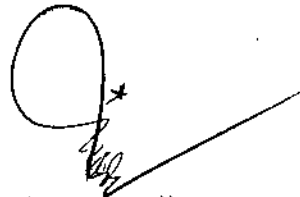
Due to Retirement of the Hon, ble Chairman the case is adjourned to come up for the same as before on 17-6-22


Reader

17.06.2022

Junior of learned counsel for the appellant present. Mr. Kabirullah Khattak, Additional Advocate General for the respondents present.

Junior of learned counsel for the appellant sought adjournment on the ground that learned counsel for the appellant is busy in the august Peshawar High Court, Peshawar. Adjourned. To come up for arguments on 18.08.2022 before the D.B.



(Mian Muhammad)
Member (E)



(Salah-ud-Din)
Member (J)

18.8.22

Due to summer vacation the case is adjourned to 10.10.22 for the same.



15.09.2021

Stipulated period passed reply not submitted.

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


Chairman

02.07.2021

Counsel for the appellant present. Preliminary arguments heard.

Points raised need consideration. The appeal is admitted to regular hearing, subject to all just and legal objections including limitation. The appellant is directed to deposit security and process fee within 10 days. Thereafter, notices be issued to the respondents for submission of written reply/comments in office within 10 days after receipt of notices, 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 23.11.2021 before the D.B.

Appellant Deposited
Security & Process Fee

02/11/21


Chairman

04.02.2021

Appellant in person and Addl. AG alongwith Faisal Farhad, Senior Clerk for respondent No. 7 present.

The representative of respondent No. 7 has submitted authority letter on behalf of Director Finance, Hayatabad Medical Complex Peshawar and states that the notification regarding retirement of appellant was supposed to be issued by respondent No. 2, which is yet to be done. After the issuance of requisite notification, further process would be taken up by the said respondent.

The respondent No. 2, in view of the above, shall be issued notice for production of requisite record on 26.05.2021 before S.B.



Chairman

29.03.2021

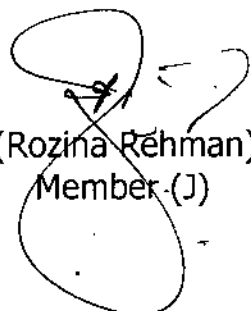
This case was fixed for 26.05.2021 but was requisitioned on the written request of learned counsel for appellant to the learned Chairman.

Appellant present through counsel.

Kabir Ullah Khattak learned Additional Advocate General alongwith Salim Javid Litigation Officer for respondents present.

Representative of the respondents produced office order dated 12.03.2021, whereby, sanction was accorded to the grant of (365) days encashment in lieu of L.P.R in favor of the present appellant and he was accordingly retired from Government service w.e.f 22.03.2015.

In view of the above mentioned office order, a request for adjournment was made by the learned counsel for appellant; granted. To come up for further proceedings on 02/07/2021 before S.B.



(Rozina Rehman)
Member (J)

17.09.2020

Counsel for the appellant present.

Notices be issued to respondents No. 1 & 2 for production of record pertaining to retirement from service case of appellant, more particularly, any order issued after 24.12.2018.

Adjourned to 19.11.2020 before S.B.


Chairman

19.11.2020

Appellant in person and Addl; AG alongwith Saleem Javed, Litigation Officer for respondents present.

The representative of respondents has produced certain documents which ^{are} ~~is~~ made part of the record. The respondents No.7 shall be issued notice for production of record regarding retirement case of the appellant.

Adjourned to 04.02.2021 before S.B.


Chairman

04.03.2020

Clerk of counsel for the appellant present and seeks adjournment on the ground that learned counsel for the appellant is not available today. Adjourned to 20.04.2020 before S.B.


(MUHAMMAD AMIN KHAN KUNDI)
MEMBER

20.04.2020

Due to public holiday on account of COVID-19, the case is adjourned to 15.07.2020 for the same. To come up for the same as before S.B.

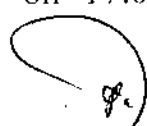

Reader

15.07.2020

Nemo for appellant.

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

Record shows that case was adjourned on Reader's note, therefore, notice be issued to appellant and his counsel with direction to bring on record those documents which were requested to be produced as per order dated 29.11.2019. To come up on 17.09.2020 before S.B.


Member (J)

14.10.2019

Appellant alongwith counsel present.

Learned counsel requests for adjournment in order to enable the appellant in seeking from the respondents his order of retirement, if any, passed in pursuance to letter dated 24.12.2018 sent by Hospital Director Hayatabad Medical Complex to the respondent No. 2 (copy placed on record as annexure-F).

Adjourned to 29.11.2019 before S.B.

Chairman



SCANNED
KPST
Peshawar

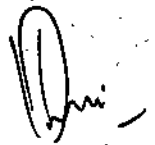
29.11.2019

Counsel for the appellant present.

The appellant has submitted an application for permission to place on record additional documents. The application is allowed and the documents appended therewith are made part of the record. Learned counsel also requests for time to bring on record some more documents other than those already brought on record which are ^{statedly} ~~very~~ important for just conclusion of the matter.

The needful shall be ~~done~~ positively done on or before next date of hearing. Adjourned to 04.02.2020 before S.B.

Chairman



04.02.2020

Appellant in person present and requested for adjournment on the ground that his counsel is not available today due to general strike of Khyber Pakhtunkhwa Bar Council. Adjourned to 04.03.2020 before S.B.

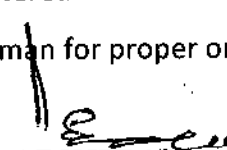

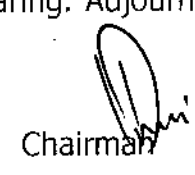
(MUHAMMAD AMIN KHAN KUNDI)

MEMBER



Form- A
FORM OF ORDER SHEET

Court of _____
Case No. 936/19


S.No.	Date of order Proceedings	Order or other proceedings with signature of judge or Magistrate
1	2	3
1	19/07/2019 SCANNED KPS Peshawar	<p>The appeal of Mr. Hamid Shah resubmitted today by Adnan Khattak Advocate may be entered in the Institution register and put up to the Worthy Chairman for proper order.</p> <p style="text-align: right;"> REGISTRAR</p>
2	22/07/19	<p>This case is entrusted to SB for preliminary hearing to be put up there on <u>28/08/19</u>.</p> <p style="text-align: right;"> CHAIRMAN</p>
	28.08.2019	<p>Counsel for the appellant present.</p> <p>Learned counsel requests for further time to document the appeal by bringing on record the copies of Civil Suit submitted by the appellant in respect of correction/change in his date of birth.</p> <p>May do so on or before next date of hearing. Adjourned to 14.10.2019 before S.B.</p> <p style="text-align: right;"> Chairman</p>

The appeal Hamid Shah S/O Arman Shah, received today, i.e. on 17-07-2019 is incomplete on the following score, which is returned to the counsel for the appellant for completion and resubmission within 15 days.

- 1- Four copies/sets of the appeal along with annexures i.e. complete in all respect may also be submitted.

No. 1227 /S.T,

Dt. 19-7- /2019.


**REGISTRAR
SERVICE TRIBUNAL
KHYBER PAKHTUNKHWA
PESHAWAR.**

Mr. Adnan Khattak, Advocate.

*Resubmitted
19/7/19*

BEFORE THE KHYBER PAKHTUNKHWA SERVICES TRIBUNAL

PESHAWAR

S.A.No. 936/2019

Hamid ShahAppellant

Versus

Secretary Health, KPK Civil Secretariat, Peshawar and others

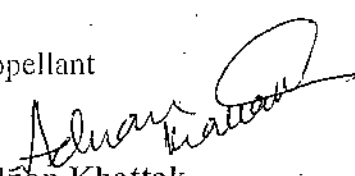
..... Respondents

INDEX

S.No.	Description of documents.	Annexure	Pages.
1)	Memo of appeal.		1-5
2)	Affidavit.		6
3)	Addresses of the parties.		7
4)	Application for suspension of impugned letter/ order with affidavit		7/A-7/B
5)	Application for condonation of delay with affidavit.		7/C-7/D
6)	Copy of the notification dated 14.10.1990	A	8
7)	Copy of notification dated 07.09.1991	B	9
8)	Copy of application	C	10
9)	Copy of letter	D	11
10)	Copies of the attendance sheets	E	12-31
11)	Copy of impugned letter No.18209-18/HMC/Post RCT dated 24.12.2018 and writ petition along with order sheet	F-G	32-39
12)	Copy of appeal is attached.	H	41-41
13)	Wakalatnama.		42

Appellant

Through


Adnan Khattak

Advocate, Peshawar.

BEFORE THE KHYBER PAKHTUNKHWA SERVICES TRIBUNAL,
PESHAWAR

S.A.No. 936/2019

Hamid Shah s/o Arman Shah
R/o Village Esak Chountra
Tehsil and District Karak.....Appellant

Versus

- 1) Secretary Health, Khyber Pakhtunkhwa Civil Secretariat, Peshawar.
- 2) Director General Health, Khyber Pakhtunkhwa Civil Secretariat, Peshawar.
- 3) Secretary Finance, Khyber Pakhtunkhwa, Civil Secretariat, Peshawar
- 4) Medical Superintendent Hayatabad Medical Complex, Peshawar.
- 5) Medical Superintendent, Lady Reading Hospital, Peshawar.
- 6) Accountant General, Khyber Pakhtunkhwa Peshawar.
- 7) Accounts Officer, Hayatabad Medical Complex, Peshawar
- 8) Accounts officer, Lady Reading Hospital, Peshawar
- 9) Administrative Coordinator, Hayatabad, Medical Complex, Peshawar.....Respondents

SERVICE APPEAL U/S 4 OF THE KHYBER
PAKHTUNKHWA SERVICE TRIBUNAL ACT,
1974 AGAINST OFFICE ORDER NO.18209-18
DATED 24.12.2018 WHEREBY THE
APPELLANT WAS STOOD GOT RETIRED
WITH EFFECT FROM 22.03.2015 AND
RECOVERY OF RS.19,53,033.80 WAS
SOUGHT FROM HIS PENSION BENEFITS.

Respectfully Sheweth;

- 1) That the appellant before your honour is a law abiding citizen of Pakistan

- 2) That the appellant was initially appointed as Ward Orderly BPS-02 vide notification No.19308-11 dated 14.10.1990 by the office of MS (LRH) respondent No.5. (Copy of the notification dated 14.10.1990 is attached as Annexure "A").
- 3) That later on, the appellant acquired/ appointed on the post of Dispenser BPS-06 vide notification No.17712-16 dated 07.09.1991 by the office of the MS (LRH) respondent No.5. (Copy of notification dated 07.09.1991 is attached as Annexure "B").
- 4) That the appellant performed his duties with respondent No.5 upto 07 years and later on shifted/ transferred to HMC respondent No.4, still performed his duties happily.
- 5) That the appellant applied for his pension as per the procedure of Govt. to the respondent No.4 on attaining the age of superannuation i.e. 60 days but respondents No.4 and 7 refused to do so because the date of birth of the appellant was incorporated as 23.05.1966 instead of 23.03.1955 in the service book of the appellant. (Copy of application is attached as Annexure "C").
- 6) That the appellant approached to respondents for correction of the date of birth but his request was turned down and was asked to approach the civil court for the correction of the same and in the meanwhile respondent No.4 send letter No.2729 dated 24.12.2015 to respondent No.5 for necessary correction in date of birth but no action was taken by respondent No.5. (Copy of letter is Annexure "D").
- 7) That the appellant filed civil suit on the directions of the respondent No.4 and during the pendency of the suit the petitioner was compelled to perform his duty as per law. (Copies of the attendance sheets are attached as Annexure "E").

- 8) That during the pendency of the civil suit the salary of the appellant was stopped on the legal opinion given by their counsel and later on the civil suit was dismissed in default.
- 9) That thereafter the appellant was stood retired from service vide impugned letter No.18029-18/HMC/Post RCT dated 24.12.2018 in which the recovery of amount was mentioned, against which the appellant filed departmental representation and meanwhile the appellant filed writ petition No. 2120 2019 which was withdrawn on the directions of the hon'ble court. (Copy of impugned letter No.18209-18/HMC/Post RCT dated 24.12.2018 is attached as Annexure "F" and writ petition along with order sheet is Annexure "G").
- 10) That thereafter the petitioner filed a departmental appeal before the respondent No.2 which ~~is~~^{is} still pending. (Copy of appeal is attached as Annexure "H"). Hence this service appeal for the relief, inter alia on following grounds:

GROUND:

- a. That impugned letter 18209-18/HMC/Post RCT dated 24.12.2018 is against the law, being illegal and ineffective on the rights of the appellant.
- b. That the appellant already submitted an application for preparation of pension papers before the authority on attaining the age of superannuation (60 days) as per his age in the CNIC but no fruitful result was received by appellant from the authority thus slackness on the part of the respondent.
- c. That the service book was prepared by the respondent No.5 after the appointment and remained in the custody of the respondent No.5, thus mentioning of incorrect date of birth in the service book was not on the part of appellant thus committed illegality by respondent No.5.

- (d.) That the appellant with bonafide intention approached the authority on attaining the age of superannuation (60 days) according to CNIC and SSC certificate by presenting the application, thus the respondents were legally duty bound to correct the same within time and to get the appellant retire in time but the respondent No.4 compelled the appellant to perform his duty.
- e. That the recovery sought in the impugned letter is totally illegal because the appellant performed the duty for which he withdrawn the salary and now the recovery mentioned in the impugned letter is against the fundamental rights of the appellant.
- f. That the appellant performed his duty to the best of his abilities and no complaint whatsoever is against him but now astonishingly the recovery sought in the impugned letter is against the norms of natural justice and comes under the ambit of forced labour.
- g. That the salary is always drawn in lieu of the duty/ services which the appellant performed for the respondents and now the respondents are depriving the appellant from his rights and respondents have announced sought of punishment in the impugned letter for the fault not on the part of appellant.
- h. That the appellant presented his CNIC and all other academic certificates at the time of appointment but the respondents have incorrectly incorporated the wrong date of birth in the service book in which the appellant had no fault and never given for consultation/ examination, thus the respondents have committed illegality.

It is, therefore, most humbly prayed that on acceptance of this appeal:

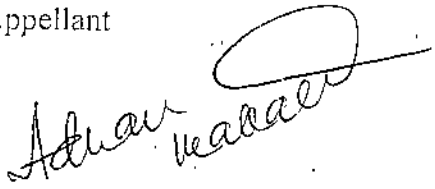
- 1) Declare the impugned letter No.18209-18/HMC/ post dated 24.12.2018 as illegal, unlawful and ineffective upon the rights of appellant and may kindly be set aside.

- 2) Declare the recovery of arrears/ salaries being unlawful, incorrect because appellant performed duties in respect of salaries received and no recovery can be made from the appellant.
- 3) Respondents may be further directed to release the pension of the appellant from the date of his retirement i.e. 22.03.2015/ entitlement.

Any other remedy deems fit in the circumstances of the case and not specifically asked for may kindly also be granted.

Appellant

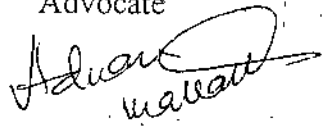
Through


Adnan Khattak
Advocate, Peshawar.

CERTIFICATE:

It is certify as per information furnished by my client that no such like appeal has earlier been filed by the appellant in this Hon'ble Tribunal.

Advocate



BEFORE THE KHYBER PAKHTUNKHWA SERVICES TRIBUNAL
PESHAWAR

S.A.No. _____/2019

Hamid ShahAppellant

Versus

Secretary Health, KPK Civil Secretariat, Peshawar and others

..... Respondents

AFFIDAVIT

I, Hamid Shah s/o Arman Shah R/o Village Esak, Chountra Tehsil and District Karak (appellant), do hereby affirm and declare that the contents of the accompanying **Appeal** are true and correct to the best of my knowledge and belief and nothing has been concealed from this hon'ble court.

Deponent

BEFORE THE KHYBER PAKHTUNKHWA SERVICES TRIBUNAL,PESHAWAR

S.A.No: _____/2019

Hamid ShahAppellant

Versus

Secretary Health, KPK Civil Secretariat, Peshawar and others

..... Respondents

ADDRESSES OF THE PARTIESAPPELLANT:

Hamid Shah s/o Arman Shah

R/o Village Esak Chountra Tehsil and District Karak

RESPONDENTS:

- 1) Secretary Health, Khyber Pakhtunkhwa Civil Secretariat, Peshawar.
- 2) Director General Health, Khyber Pakhtunkhwa Civil Secretariat, Peshawar.
- 3) Secretary Finance, Khyber Pakhtunkhwa, Civil Secretariat, Peshawar
- 4) Medical Superintendent Hayatabad Medical Complex, Peshawar.
- 5) Medical Superintendent, Lady Reading Hospital, Peshawar.
- 6) Accountant General, Khyber Pakhtunkhwa Peshawar.
- 7) Accounts Officer, Hayatabad Medical Complex, Peshawar
- 8) Accounts officer, Lady Reading Hospital, Peshawar
- 9) Administrative Coördinator, Hayatabad, Medical Coimplex, Peshawar

Appellant

Through

Adnan Khattak

Advocate, Peshawar.

BEFORE THE KHYBER PAKHTUNKHWA SERVICES TRIBUNAL
PESHAWAR

S.A.No. _____/2019

Hamid ShahAppellant

Versus

Secretary Health, KPK Civil Secretariat, Peshawar & others.. Respondents

APPLICATION FOR SUSPENSION OF THE
OPERATION OF IMPUGNED ORDER/
LETTER DATED 24.12.2018 TILL FINAL
DISPOSAL OF ABOVE TITLED APPEAL.

Respectfully Sheweth;

- 1) That the above appeal is being filed before this Hon'ble Tribunal in which next date is yet to be fixed.
- 2) That grounds of appeal may be read as part and parcel of this application.
- 3) That prima facie arguable case exists in favour of petitioner/ appellant and is sanguine about its success.
- 4) That balance of convenience also lies in favour of petitioner/ appellant.
- 5) That if the operation of impugned letter/ order dated 24.12.2018 is not suspended, the petitioner/ appellant will suffer irreparable loss.

It is, therefore, prayed that on acceptance of this application, operation of the impugned letter/ order dated 24.12.2019 may graciously be suspended till the decision of appeal.

Appellant

Through

Adnan Khattak
Adnan Khattak
Advocate, Peshawar.

7-B

BEFORE THE KHYBER PAKHTUNKHWA SERVICES TRIBUNAL
PESHAWAR

S.A.No. _____/2019

Hamid ShahAppellant

Versus

Secretary Health, KPK Civil Secretariat, Peshawar & others.. Respondents

AFFIDAVIT

I, Hamid Shah s/o Arman Shah R/o Village Esak Chountra Tehsil and District Karak do hereby affirm and declare on oath 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 Court.

Deponent.

7-c

BEFORE THE KHYBER PAKHTUNKHWA SERVICES TRIBUNAL,
PESHAWAR

S.A:No. _____/2019

Hamid ShahAppellant

Versus


Secretary Health, KPK Civil Secretariat, Peshawar & others.. Respondents

APPLICATION FOR CONDONATION OF DELAY

Respectfully Sheweth;

- 1) That the above appeal is being filed before this Hon'ble Tribunal in which next date is yet to be fixed.
- 2) That the impugned order was not communicated to the applicant in time, due to which the delay caused in filing of the departmental appeal.
- 3) That the appeal of the applicant may kindly be decided on merits rather on technicalities.

It is, therefore, prayed that on acceptance of this application, appeal of the applicant may kindly be decided on merits rather on technicalities.

Appellant
Through 
Adnan Khattak
Advocate, Peshawar.

7-D

BEFORE THE KHYBER PAKHTUNKHWA SERVICES TRIBUNAL
PESHAWAR

S.A.No. _____/2019

Hamid ShahAppellant

Versus

Secretary Health, KPK Civil Secretariat, Peshawar & others.. Respondents

AFFIDAVIT

I, Hamid Shah s/o Arman Shah R/o Village Esak Chountra Tehsil and District Karak do hereby affirm and declare on oath 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 Court.

Deponent

OFFICE ORDER

8 A

Mr. Hamid Shah S/O Mr. Arman Shah
is hereby appointed as Ward Orderly, BPS -2

No. 625-16522, 945/- plus usual allowances as when appointed to him
under the Rules of Government regarding Hospital, Peshawar

His appointment is purely on temporary basis and liable to termination at any time without assigning any reason.

His appointment is subject to production of 100/- of
F.M. as contribution.

He will be governed by all such rules and orders relating to pay, P.A., leave and Medical Charges etc. as are issued by the Government from time to time for category of Govt. Servants.

He will be liable to transfer to corresponding post anywhere in the BPS.

He will be on probation for a period of Two years.

If he wishes to resign from service, he will have to give one month notice in advance and will continue to work for Government till the acceptance of his resignation by the competent Authority and commencing to work in writing or with one month's notice. Pay in lieu of notice.

If he accepts the offer on the terms and conditions mentioned above, he should report for duty to the undersigned within 10 days of the receipt of this offer failing which the offer will be considered as withdrawn.

ADMINISTRATOR
GOVT. LADY RENDERS HOSPITAL
PESHAWAR

No. 19308-11 /dtg Dated 16/11/56

Copy forwarded to:-

- 1- Medical Superintendent
- 2- Accounts Officer
- 3- Head of Class-IV
- 4- Hamid Shah S/O
- 5- Dabgari garden, Peshawar

For information and action.

OFFICE OF THE ADMINISTRATOR GOVT. LADY READING HOSPITAL

OFFICE ORDER.

Mr. Hamid shah S/o Arman Shah
Is hereby appointed as WARD ORDERLY, in BPS -2 Rs. 625-16-18 945 plus usual allowances as admissible to him on the rules at Govt lady reading Hospital Peshawar.

His appointment is purely on temporary basis and is liable to termination at any time without assigning any reason.

His appointment is subject to production of Medical Fitness certificate.

He will be governed by all such rules and orders etc relating to pay, T.A Leave and Medical Charge etc as may issued by the government from time to time for category of Govt servants to which he belongs.

He will be liable to transfer to corresponding post any where in the NWFP.

He will be on probation for a period of two years.

If he wishes to resign from service he will have to give one months' notice in advance and will continue to serve the Government till the acceptance of his resignation by the competent Authority and communication to her in writing or will deposit one month pay in lieu thereof.

If he accepts the offer on the terms and conditions mentioned above he should report for duty to the undersigned within 10 days of the receipt of this offer failing which the office will be considered as withdrawn.

Administrator
Govt Lady Reading Hospital
Peshawar

No. 19307-11LRH, dated 14.10.1990

Copy forwarded to the:-

1. Dy Medical Supdt Peshawar.
2. Accounts Officer.
3. Head of Class IV.
4. Hamid shah S/o
5. Dabgari Garden Peshawar

For information and / action.

Govt Lady Reading Hospital
Peshawar

- CSA and rules made / framed thereunder
are not applicable to the appellant.
- He is not a civil servant
- CA is not maintainable for want of
jurisdiction

B

DR. H. SHAH

Mr. Hamid Shah S/O Arman Shah

is hereby appointed as Dispenser in BPS -6
Rs. 10550-18750 with usual allowances as admissible to him at
the rates at Govt. Lady Reading Hospital, Peshawar.

His appointment is purely on temporary basis
and is liable to termination at any time without assigning any
reason.

His appointment is subject to production of Medical
Fitness Certificate.

He will be governed by all such rules and orders etc
relating to pay, P.A., leave and medical charge etc as may issued
by the Government from time to time for category of Govt. servants
to which he belongs.

He will be liable to transfer to corresponding post
any where in the NWFP.

He will be on probation for a period of two years.

If he wishes to resign from services, he will have
to give one month's notice in advance and will continue to serve
the Government till the acceptance of his resignation by the
competent Authority and communication to him in writing or will
deposit one month pay in lieu thereof.

If he accepts the offer on the terms and conditions
mentioned above, he should report for duty to the undersigned within
10 days of the receipt of this offer failing which the offer will
be considered as withdrawn.

NO. 17712/16 /1991, Dated 7 /9/1991

GOVT. LADY READING HOSPITAL
PESHAWAR

- Copy forwarded to the :-
- 1- Director Health Services, NWFP, Peshawar.
 - 1- Dy. Medical Superintendent, Peshawar.
 - 2- Accounts Officer.
 - 1- Head Dispensary.

Hamid Shah S/O Arman Shah, Ward Officer, RGH,

For information and action.

ADJUTANT GENERAL
GOVT. LADY READING HOSPITAL

OFFICE OF THE ADMINISTRATOR GOVT. LADY READING HOSPITAL

OFFICE ORDER.

Mr. Hamid shah S/o Arman Shah
Is hereby appointed as Dispensar in BPS -6 Rs. 1065-54-1875/- plus usual allowances
as admissible to him on the rules at Govt lady reading Hospital Peshawar.

His appointment is purely on temporary basis and is liable to termination at any
time without assigning any reason.

His appointment is subject to production of Medical Fitness certificate.

He will governed by all such rules and orders etc relating to pay, T.A Leave and
Medical Charge etc as may issued by the government from time to time for category of
Govt servants to which he belongs.

He will be liable to transfer to corresponding post any where in the NWFP.

He will be on probation for a period of two years.

If he wishes to resign from service he will have to give one months notice in
advance and will continue to serve the Government till the acceptance of his
resignation by the competent Authority and communication to her in writing or will
deposit one month pay in lieu thereof.

If he accepts the offer on the terms and conditions mentioned above he should
report for duty to the undersigned within 10 days of the receipt of this offer failing
which the office will considered as withdrawn.

Administrator
Govt Lady Reading Hospital
Peshawar

No. 17712-16 LRH, dated 7.9.1994

Copy forwarded to the:-

1. Director Health Services, NWFP, Peshawar.
2. Dy Medical Supdt Peshawar.
3. Accounts Officer.
4. Head Dispenser.
5. Hamid shah S/o Arman Shah Ward orderly LRH

For information and / action.

Govt Lady Reading Hospital,
Peshawar

30th Jan. 2015

THE MEDICAL SUPERINTENDANT
Hayatabad Medical Complex,
Peshawar

SUBJECT:- YEARS SERVICE / AGE OF SUPERANNUATION.

Memo:

With due respect and humbly it is stated that my date of birth is 23/3/1955 and will reach to age of superannuation (60 years) on 22/3/2015.

In this regard it is requested that necessary workup may kindly be carried out to prepare my pension papers. I hereby opt for to avail leave encashment.

Yours Faithfully

HAMEED SHAH
S/O Arman Shah
JCT (Pharmacy) HMC
Peshawar

forwarded to MS-HMC

Muhammad Farooq Khan
MBBS, DCPS, MCPS, FCPS
Senior Registrar Ophthalmology
Ayub Girls Medical College
Hayatabad Medical Complex, Peshawar



19
63 D

HAYATABAD MEDICAL COMPLEX
PESHAWAR

NO. 2729 /MS/HMC DATED: 24/2/2015

To

Medical Superintendent,
Lady Reading Hospital,
Peshawar.

Subject: NECESSARY CORRECTION IN DATE OF BIRTH.

It is intimation for your kind information that an incumbent Mr. Hamid Shah (Junior Clinical Tech: Pharmacy) was transferred to this institution on 01-06-1998. He was initially recruited in at LRH (14-10-1990). In the service book imposed by the LRH Establishment of the said office, "the date of Birth was recorded as 23-05-1966" while in the SSC certificate, as well as in the CNIC actual & correct is date of Birth 23-03-1955. According to the SSC certificate, he is going to attain the age of superannuation on 22-03-2015 and will stand retired on 23-03-2015.

The original service the official is sent to your office for necessary correction so that further action could be taken by this office end.

ok
Medical Superintendent
Hayatabad Medical Complex
Peshawar

1. copy to official concerned

original service book
Retained
Hamid

24-2-2015

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E

Government of Khyber Pakhtunkhwa, Health Department
 Monthly Detailed Report (Apr 2015)

S#	Name	BPS	ID	Date	01	02	03	04	05	06	07	08	09	10	11	12	13	14	15	16	17	18	19	20	21	22	23	24	25	26	27	28	29	30	P	A	L	Leave
1	Hamid Shah	9	9378	IN	Wed 08:02	Thu 08:08	Fri 07:50	Sat Off	Sun Off	Mon 08:15	Tue 08:04	Wed 07:40	Thu 08:10	Fri 08:11	Sat 07:13	Sun Off	Mon 08:12	Tue 07:49	Wed 08:00	Thu 07:52	Fri 07:35	Sat 07:34	Sun Off	Mon 08:02	Tue 07:34	Wed 08:00	Thu 08:14	Fri 07:45	Sat 07:43	Sun Off	Mon 07:14	Tue 07:46	Wed 07:05	Thu 07:36	25	10	0	0

(Handwritten signature)

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Government of Khyber Pakhtunkhwa, Health Department
 Monthly Detailed Report (May 2015)

S#	Name	BPS	ID	Date	01	02	03	04	05	06	07	08	09	10	11	12	13	14	15	16	17	18	19	20	21	22	23	24	25	26	27	28	29	30	31	P	A	L	Leave
1	Hamid Shah	9	9378	IN	Fri	Sat	Sun	Mon	Tue	Wed	Thu	Fri	Sat	Sun	Mon	Tue	Wed	Thu	Fri	Sat	Sun	Mon	Tue	Wed	Thu	Fri	Sat	Sun	Mon	Tue	Wed	Thu	Fri	Sat	Sun				
				Out	Off	08:06	Off	07:58	07:37	08:03	08:10	07:38	08:25	Off	07:56	07:46	14:00	07:18	07:57	06:37	Off	08:06	07:58	07:49	07:17	07:31	L	Off	07:58	07:19	07:48	07:22	07:17	Off	Off	23	0	10	1
								13:58	13:57	14:02	13:01	12:11	--		13:21	14:13	--	13:59	12:05	13:05		13:21	13:31	14:00	13:59	12:03		13:39	13:40	14:00	--	12:43							

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Government of Khyber Pakhtunkhwa, Health Department
Monthly Detailed Report (Jun 2015)

Emp ID	Date	01	02	03	04	05	06	07	08	09	10	11	12	13	14	15	16	17	18	19	20	21	22	23	24	25	26	27	28	29	30
		Mon	Tue	Wed	Thu	Fri	Sat	Sun	Mon	Tue	Wed	Thu	Fri	Sat	Sun	Mon	Tue	Wed	Thu	Fri	Sat	Sun	Mon	Tue	Wed	Thu	Fri	Sat	Sun	Mon	Tue

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Government of Khyber Pakhtunkhwa, Health Department
 Monthly Detailed Report (Jul 2015)

Name	RPS	ID	Date	01	02	03	04	05	06	07	08	09	10	11	12	13	14	15	16	17	18	19	20	21	22	23	24	25	26	27	28	29	30	31
				Wed	Thu	Fri	Sat	Sun	Mon	Tue	Wed	Thu	Fri	Sat	Sun	Mon	Tue	Wed	Thu	Fri	Sat	Sun	Mon	Tue	Wed	Thu	Fri	Sat	Sun	Mon	Tue	Wed	Thu	Fri
Hamid		9375	IN	07:59	13:05	07:24	07:27	Off	07:10	06:57	07:14	07:16	07:52	07:18	Off	07:44	07:47	07:37	07:41	Off	Off	Off	Off	Off	08:05	07:14	07:18	07:47	Off	07:22	07:59			
Shah			Our	12:28		12:09			13:19	15:15	17:20	15:13	12:03	13:33		17:10	14:55	13:05							13:15	13:11	11:50	13:39	Off	13:05		Off	Off	Off

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Government of Khyber Pakhtunkhwa, Health Department

Monthly Detailed Report (Aug 2015)

S#	Name	BPS	ID	Date	01	02	03	04	05	06	07	08	09	10	11	12	13	14	15	16	17	18	19	20	21	22	23	24	25	26	27	28	29	30	31	P	A/L	Leave
1	Hamid	9	9378	IN	Sat 07:11	Sun 07:26	Mon 07:26	Tue 07:22	Wed 07:52	Thu 07:39	Fri 07:24	Sat Off	Sun Off	Mon 07:39	Tue 07:13	Wed 07:34	Thu 07:38	Fri Off	Sat 07:29	Sun Off	Mon 07:33	Tue 07:33	Wed 07:25	Thu 07:36	Fri 07:36	Sat 07:51	Sun Off	Mon 08:00	Tue 07:13	Wed 07:13	Thu 07:19	Fri 07:36	Sat 07:33	Sun Off	Mon 07:51	24	0	0
	Shah			Out	13:07	Off	12:58	13:22	13:32	13:22	12:08	Off	Off	13:19	13:08	13:10	13:11	Off	13:14	Off	13:17	13:13	13:03	16:03	13:31	12:56	Off	16:21	13:22	13:29	Off	14:01	Off	13:37				

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Government of Khyber Pakhtunkhwa, Health Department

Monthly Detailed Report (Sep 2015)

Sr	Name	EPS ID	Date	01	02	03	04	05	06	07	08	09	10	11	12	13	14	15	16	17	18	19	20	21	22	23	24	25	26	27	28	29	30	F	A.T.	Leave	
1	Hamid	9378	07:15	Tue	Wed	Thu	Fri	Sat	Sun	Mon	Tue	Wed	Thu	Fri	Sat	Sun	Mon	Tue	Wed	Thu	Fri	Sat	Sun	Mon	Tue	Wed	Thu	Fri	Sat	Sun	Mon	Tue	Wed	07:34	23	0	0
	Shah		07:22	13:22	13:11	17:49	13:30	Off	13:26	13:26	13:26	13:20	16:32	13:28	13:03	Off	17:20	16:01	15:54	13:13	12:05	13:25	Off	07:37	07:39	07:29	Off	Off	Off	Off	13:20	13:25	13:25				

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Government of Khyber Pakhtunkhwa, Health Department

Monthly Detailed Report (Oct 2015)

Hamid Shah	9	9378	IN	07:13	07:30	07:33	08:34	07:19	07:13	07:13	07:24	07:16	08:18	07:02	07:32	07:18	07:16	07:32	07:33	07:21	07:11	09:06	07:40	07:25	07:21	07:30	07:29	240	0
			Out	13:30	12:49	13:34	16:02	13:25	14:29	14:42	13:57	12:44	15:27	14:03	14:06	13:31	13:12	14:30	13:49	13:54	13:14	13:37	14:03	3:42	16:12	11:50	11:52		

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Government of Khyber Pakhtunkhwa, Health Department

Monthly Detailed Report (Dec 2015)

Emp ID	Name	Day	In	Out	In	Out	In	Out	In	Out	In	Out	In	Out	In	Out	In	Out	In	Out	Total	Days																									
9	Hamid Shah		07:40	13:56	07:45	14:36	07:51	13:53	07:19	13:24	07:38	14:11	07:30	13:18	07:37	13:44	08:17	13:42	07:29	12:00	07:39	12:43	08:25	13:28	07:46	13:57	07:57	12:08	07:42	13:31	07:44	14:08	07:48	13:46	07:47	13:05	08:45	13:54	07:27	13:49	07:44	13:27	07:37	13:44	23	0	1

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Government of Khyber Pakhtunkhwa, Health Department
Monthly Detailed Report (Jan 2016)

S#	Name	RPS ID	Date	01	02	03	04	05	06	07	08	09	10	11	12	13	14	15	16	17	18	19	20	21	22	23	24	25	26	27	28	29	30	31	P	A	L	Leave
1	Hamid Shah	9378	IN	Fri 07:40	Sat 07:31	Sun OFF	Mon 07:36	Tue 07:27	Wed 07:53	Thu 07:51	Fri 07:37	Sat 07:30	Sun OFF	Mon 08:59	Tue 07:44	Wed 07:55	Thu 07:47	Fri 07:39	Sat 07:42	Sun OFF	Mon 09:15	Tue 07:46	Wed 07:53	Thu 07:36	Fri 07:50	Sat 07:25	Sun OFF	Mon 09:06	Tue 07:30	Wed 07:58	Thu 07:45	Fri 07:23	Sat 07:34	Sun OFF	26	0	0	0
			Out	12:28	13:00		13:42	14:54		13:59	12:34	12:48		14:13	13:05	13:24	13:51	12:03	13:27		13:42	13:16	13:55	13:28	12:56	12:18		14:19	14:16	--	13:43	12:35	13:14					

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Government of Khyber Pakhtunkhwa, Health Department
Monthly Detailed Report (Feb 2016)

S#	Name	BPS	ID	Date	01	02	03	04	05	06	07	08	09	10	11	12	13	14	15	16	17	18	19	20	21	22	23	24	25	26	27	28	29	P	A	L	Leave	
					Mon	Tue	Wed	Thu	Fri	Sat	Sun	Mon	Tue	Wed	Thu	Fri	Sat	Sun	Mon	Tue	Wed	Thu	Fri	Sat	Sun	Mon	Tue	Wed	Thu	Fri	Sat	Sun	Mon					
1	Hamid Shah	9	9378		08:58 13:50	07:39 14:00	07:46 13:39	07:42 13:43	Off	07:34 14:37	Off	07:27 14:41	07:22 14:00	07:32 13:32	07:19 14:06	07:35 12:54	07:33 12:50	Off	08:46 14:11	07:28 13:29	07:25 13:33	07:16 13:44	Off	07:37 11:54	07:42 11:54	Off	08:51 14:03	07:12 13:40	07:37 14:13	07:49 14:19	07:38 12:16	07:40 13:28	Off	07:42 14:05	24	0	0	0

Government of Khyber Pakhtunkhwa, Health Department
Employee Yearly Report (2016)

27

Name: Hamid Shah, Gender: Male, Father Name:
Facility / Place: Hayatabad Medical Complex (1000 Beds), Designation: Junior Clinical Technician (Pharmacy),
BPS: 9, Department: Eye OPD, Biometric 9378

Month	Date	01	02	03	04	05	06	07	08	09	10	11	12	13	14	15	16	17	18	19	20	21	22	23	24	25	26	27	28	29	30	
Mar	IN	07:45	07:38	07:24	07:44	07:18	Off	08:35	07:54	07:35	07:37	07:39	07:26	Off	08:06	07:34	07:27	07:32	07:09	07:25	Off	07:22	07:36	Off	07:45	07:28	07:42	Off	08:06	07:40	07:23	07
	Out	13:40	12:49	12:54	12:53	12:24		13:44	13:10	14:11	13:28	12:49	12:40		14:03	13:50	14:06	13:01	14:05	13:35		14:07	14:18		14:38	12:35	12:12		14:27		13:45	
Aug	IN	07:25	07:16	07:29	07:24	07:17	07:41	Off	07:25	07:11	07:20	07:14	07:17	07:31	Off	07:44	07:13	07:27	07:15	07:26	07:12	Off	Off	07:11	07:21	07:20	07:13	07:26	Off	07:44	07:24	07
	Out	13:56	14:37	12:47	15:35	15:36	12:51		14:03	15:39	14:16	13:59	13:55	12:4		14:09	13:57	14:03	13:41	16:06	12:18	Off	Off	13:52	13:58	14:05	12:41	13:21	Off	14:19	13:44	13
Sep	IN	07:27	07:22	07:08	Off	08:11	08:26	07:51	07:29	07:54	07:41	Off	Off	Off	Off	Off	08:16	07:10	Off	07:17	07:52	07:49	07:12	06:51	Off	Off	Off	Off	Off	Off	Off	Off
	Out	13:58	14:35	12:54		13:35	13:41	13:40	13:21	13:26	12:16	Off	Off	Off	Off	Off	13:28	13:36		17:56	13:37	13:32	13:13	12:22	Off	Off	Off	Off	Off	Off	Off	Off

3 Months (Mar, Aug, Sep) 2016

MRNO	NAME	DESIGNATION	DUTY_DATE	ORIGINAL_TIME_IN	ORIGINAL_TIME_OUT
1	K017000000469	HAMEED SHAH	Jr Clinical Tech (Pharmacy)	21-Apr-2017	7:49:16 AM 12:49:02 PM
2	K017000000469	HAMEED SHAH	Jr Clinical Tech (Pharmacy)	22-Apr-2017	8:01:03 AM 8 01:03 AM
3	K017000000469	HAMEED SHAH	Jr Clinical Tech (Pharmacy)	01-Jun-2017	7:58:24 AM 1:29:40 PM
4	K017000000469	HAMEED SHAH	Jr Clinical Tech (Pharmacy)	02-Jun-2017	7:49:00 AM 12:05:53 PM
5	K017000000469	HAMEED SHAH	Jr Clinical Tech (Pharmacy)	03-Jun-2017	7:47:45 AM 1:39:12 PM
6	K017000000469	HAMEED SHAH	Jr Clinical Tech (Pharmacy)	05-Jun-2017	7:34:19 AM 1:29:25 PM
7	K017000000469	HAMEED SHAH	Jr Clinical Tech (Pharmacy)	06-Jun-2017	8:00:40 AM 12:55:50 PM
8	K017000000469	HAMEED SHAH	Jr Clinical Tech (Pharmacy)	07-Jun-2017	7:46:57 AM 1:01:52 PM
9	K017000000469	HAMEED SHAH	Jr Clinical Tech (Pharmacy)	08-Jun-2017	8:15:59 AM 2:30 02 PM
10	K017000000469	HAMEED SHAH	Jr Clinical Tech (Pharmacy)	09-Jun-2017	7:53:58 AM 12:25:45 PM
11	K017000000469	HAMEED SHAH	Jr Clinical Tech (Pharmacy)	10-Jun-2017	7:36:51 AM 1:58:07 PM
12	K017000000469	HAMEED SHAH	Jr Clinical Tech (Pharmacy)	12-Jun-2017	7:37:46 AM 1:23:27 PM
13	K017000000469	HAMEED SHAH	Jr Clinical Tech (Pharmacy)	13-Jun-2017	7:39:22 AM 1:11:50 PM
14	K017000000469	HAMEED SHAH	Jr Clinical Tech (Pharmacy)	14-Jun-2017	7:48:33 AM 1:06:09 PM
15	K017000000469	HAMEED SHAH	Jr Clinical Tech (Pharmacy)	15-Jun-2017	7:41:57 AM 1:26:05 PM
16	K017000000469	HAMEED SHAH	Jr Clinical Tech (Pharmacy)	16-Jun-2017	7:52:59 AM 12:22:12 PM
17	K017000000469	HAMEED SHAH	Jr Clinical Tech (Pharmacy)	17-Jun-2017	8:06:22 AM 1:39:18 PM
18	K017000000469	HAMEED SHAH	Jr Clinical Tech (Pharmacy)	19-Jun-2017	7:47:24 AM 1:28:05 PM
19	K017000000469	HAMEED SHAH	Jr Clinical Tech (Pharmacy)	21-Jun-2017	8:02:58 AM 4:21:02 PM
20	K017000000469	HAMEED SHAH	Jr Clinical Tech (Pharmacy)	22-Jun-2017	7:53:37 AM 1:35:44 PM
21	K017000000469	HAMEED SHAH	Jr Clinical Tech (Pharmacy)	23-Jun-2017	7:31:54 AM 1:29:57 PM
22	K017000000469	HAMEED SHAH	Jr Clinical Tech (Pharmacy)	24-Jun-2017	7:23:37 AM 1:06:28 PM
23	K017000000469	HAMEED SHAH	Jr Clinical Tech (Pharmacy)	29-Jun-2017	7:31:39 AM 1:10:47 PM
24	K017000000469	HAMEED SHAH	Jr Clinical Tech (Pharmacy)	30-Jun-2017	7:51:40 AM 12:08:18 PM
25	K017000000469	HAMEED SHAH	Jr Clinical Tech (Pharmacy)	01-Jul-2017	7:36:37 AM 1:16:15 PM
26	K017000000469	HAMEED SHAH	Jr Clinical Tech (Pharmacy)	03-Jul-2017	8:02:40 AM 1:02:28 PM
27	K017000000469	HAMEED SHAH	Jr Clinical Tech (Pharmacy)	04-Jul-2017	8:00:28 AM 2:01:25 PM
28	K017000000469	HAMEED SHAH	Jr Clinical Tech (Pharmacy)	05-Jul-2017	7:44:22 AM 1:29:27 PM
29	K017000000469	HAMEED SHAH	Jr Clinical Tech (Pharmacy)	06-Jul-2017	8:01:02 AM 1:06:06 PM
30	K017000000469	HAMEED SHAH	Jr Clinical Tech (Pharmacy)	07-Jul-2017	8:00:54 AM 11:50:06 AM
31	K017000000469	HAMEED SHAH	Jr Clinical Tech (Pharmacy)	08-Jul-2017	8:53:51 AM 1:46:47 PM
32	K017000000469	HAMEED SHAH	Jr Clinical Tech (Pharmacy)	10-Jul-2017	7:50:23 AM 1:09:14 PM
33	K017000000469	HAMEED SHAH	Jr Clinical Tech (Pharmacy)	11-Jul-2017	7:48:25 AM 1:23:47 PM
34	K017000000469	HAMEED SHAH	Jr Clinical Tech (Pharmacy)	12-Jul-2017	7:54:51 AM 1:47:53 PM
35	K017000000469	HAMEED SHAH	Jr Clinical Tech (Pharmacy)	13-Jul-2017	7:53:04 AM 2:05:06 PM
36	K017000000469	HAMEED SHAH	Jr Clinical Tech (Pharmacy)	14-Jul-2017	7:58:52 AM 12:14:19 PM
37	K017000000469	HAMEED SHAH	Jr Clinical Tech (Pharmacy)	15-Jul-2017	7:46:32 AM 3:00:20 PM
38	K017000000469	HAMEED SHAH	Jr Clinical Tech (Pharmacy)	17-Jul-2017	6:47:41 AM 1:39:25 PM
39	K017000000469	HAMEED SHAH	Jr Clinical Tech (Pharmacy)	18-Jul-2017	7:53:10 AM 1:20:41 PM
40	K017000000469	HAMEED SHAH	Jr Clinical Tech (Pharmacy)	19-Jul-2017	7:57:13 AM 1:26:00 PM
41	K017000000469	HAMEED SHAH	Jr Clinical Tech (Pharmacy)	20-Jul-2017	7:58:58 AM 1:31:31 PM
42	K017000000469	HAMEED SHAH	Jr Clinical Tech (Pharmacy)	24-Jul-2017	7:51:22 AM 1:04:01 PM
43	K017000000469	HAMEED SHAH	Jr Clinical Tech (Pharmacy)	21-Sep-2017	7:58:48 AM 7:58:48 AM
44	K017000000469	HAMEED SHAH	Jr Clinical Tech (Pharmacy)	28-Sep-2017	7:43:01 AM 1:40:04 PM
45	K017000000469	HAMEED SHAH	Jr Clinical Tech (Pharmacy)	29-Sep-2017	7:47:46 AM 11:52:02 AM
46	K017000000469	HAMEED SHAH	Jr Clinical Tech (Pharmacy)	02-Oct-2017	8:30:15 AM 1:31:37 PM
47	K017000000469	HAMEED SHAH	Jr Clinical Tech (Pharmacy)	03-Oct-2017	8:06:43 AM 1:28:39 PM
48	K017000000469	HAMEED SHAH	Jr Clinical Tech (Pharmacy)	04-Oct-2017	7:37:45 AM 1:02:34 PM
49	K017000000469	HAMEED SHAH	Jr Clinical Tech (Pharmacy)	05-Oct-2017	7:48:26 AM 1:21:54 PM
50	K017000000469	HAMEED SHAH	Jr Clinical Tech (Pharmacy)	06-Oct-2017	8:11:03 AM 2:39:23 PM
51	K017000000469	HAMEED SHAH	Jr Clinical Tech (Pharmacy)	07-Oct-2017	7:41:28 AM 12:50:53 PM
52	K017000000469	HAMEED SHAH	Jr Clinical Tech (Pharmacy)	09-Oct-2017	8:49:17 AM 1:46:56 PM
53	K017000000469	HAMEED SHAH	Jr Clinical Tech (Pharmacy)	10-Oct-2017	7:43:15 AM 1:47:36 PM
54	K017000000469	HAMEED SHAH	Jr Clinical Tech (Pharmacy)	11-Oct-2017	7:20:03 AM 1:43:57 PM
55	K017000000469	HAMEED SHAH	Jr Clinical Tech (Pharmacy)	12-Oct-2017	7:10:47 AM 4:59:29 PM
56	K017000000469	HAMEED SHAH	Jr Clinical Tech (Pharmacy)	13-Oct-2017	7:39:16 AM 12:00:11 PM
57	K017000000469	HAMEED SHAH	Jr Clinical Tech (Pharmacy)	14-Oct-2017	7:21:52 AM 1:26:32 PM
58	K017000000469	HAMEED SHAH	Jr Clinical Tech (Pharmacy)	16-Oct-2017	8:27:36 AM 1:33:13 PM
59	K017000000469	HAMEED SHAH	Jr Clinical Tech (Pharmacy)	17-Oct-2017	7:12:44 AM 1:58:17 PM
60	K017000000469	HAMEED SHAH	Jr Clinical Tech (Pharmacy)	18-Oct-2017	7:40:08 AM 1:38:05 PM

41	K017000000469	HAMEED SHAH	Jr Clinical Tech (Pharmacy)	19-Oct-2017	7:40:17 AM	1:56:24 PM
42	K017000000469	HAMEED SHAH	Jr Clinical Tech (Pharmacy)	20-Oct-2017	7:46:47 AM	1:27:34 PM
43	K017000000469	HAMEED SHAH	Jr Clinical Tech (Pharmacy)	21-Oct-2017	7:33:32 AM	12:55:34 PM
44	K017000000469	HAMEED SHAH	Jr Clinical Tech (Pharmacy)	23-Oct-2017	8:49:48 AM	2:05:27 PM
45	K017000000469	HAMEED SHAH	Jr Clinical Tech (Pharmacy)	24-Oct-2017	7:41:29 AM	1:49:44 PM
46	K017000000469	HAMEED SHAH	Jr Clinical Tech (Pharmacy)	25-Oct-2017	7:28:37 AM	1:16:07 PM
47	K017000000469	HAMEED SHAH	Jr Clinical Tech (Pharmacy)	26-Oct-2017	7:32:17 AM	1:44:54 PM
48	K017000000469	HAMEED SHAH	Jr Clinical Tech (Pharmacy)	27-Oct-2017	8:15:46 AM	1:38:40 PM
49	K017000000469	HAMEED SHAH	Jr Clinical Tech (Pharmacy)	28-Oct-2017	7:55:05 AM	12:37:47 PM
50	K017000000469	HAMEED SHAH	Jr Clinical Tech (Pharmacy)	30-Oct-2017	8:31:38 AM	1:38:53 PM
51	K017000000469	HAMEED SHAH	Jr Clinical Tech (Pharmacy)	31-Oct-2017	7:48:38 AM	1:48:40 PM
52	K017000000469	HAMEED SHAH	Jr Clinical Tech (Pharmacy)	01-Nov-2017	7:35:46 AM	1:39:15 PM
53	K017000000469	HAMEED SHAH	Jr Clinical Tech (Pharmacy)	02-Nov-2017	7:50:38 AM	1:38:03 PM
54	K017000000469	HAMEED SHAH	Jr Clinical Tech (Pharmacy)	03-Nov-2017	7:53:18 AM	1:30:15 PM
55	K017000000469	HAMEED SHAH	Jr Clinical Tech (Pharmacy)	04-Nov-2017	7:29:57 AM	12:42:10 PM
56	K017000000469	HAMEED SHAH	Jr Clinical Tech (Pharmacy)	06-Nov-2017	8:49:07 AM	1:48:33 PM
57	K017000000469	HAMEED SHAH	Jr Clinical Tech (Pharmacy)	07-Nov-2017	8:01:25 AM	1:54:03 PM
58	K017000000469	HAMEED SHAH	Jr Clinical Tech (Pharmacy)	08-Nov-2017	7:38:10 AM	1:09:59 PM
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60	K017000000469	HAMEED SHAH	Jr Clinical Tech (Pharmacy)	10-Nov-2017	7:47:44 AM	1:54:12 PM
61	K017000000469	HAMEED SHAH	Jr Clinical Tech (Pharmacy)	11-Nov-2017	7:44:13 AM	12:33:44 PM
62	K017000000469	HAMEED SHAH	Jr Clinical Tech (Pharmacy)	13-Nov-2017	9:36:28 AM	1:49:44 PM
63	K017000000469	HAMEED SHAH	Jr Clinical Tech (Pharmacy)	14-Nov-2017	7:51:57 AM	1:51:04 PM
64	K017000000469	HAMEED SHAH	Jr Clinical Tech (Pharmacy)	15-Nov-2017	8:04:07 AM	1:40:07 PM
65	K017000000469	HAMEED SHAH	Jr Clinical Tech (Pharmacy)	16-Nov-2017	7:31:13 AM	1:39:14 PM
66	K017000000469	HAMEED SHAH	Jr Clinical Tech (Pharmacy)	17-Nov-2017	7:48:16 AM	12:39:27 PM
67	K017000000469	HAMEED SHAH	Jr Clinical Tech (Pharmacy)	18-Nov-2017	7:58:17 AM	12:57:33 PM
68	K017000000469	HAMEED SHAH	Jr Clinical Tech (Pharmacy)	20-Nov-2017	1:42:05 PM	1:42:05 PM
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70	K017000000469	HAMEED SHAH	Jr Clinical Tech (Pharmacy)	22-Nov-2017	7:42:58 AM	7:42:58 AM
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72	K017000000469	HAMEED SHAH	Jr Clinical Tech (Pharmacy)	24-Nov-2017	1:45:08 PM	1:45:08 PM
73	K017000000469	HAMEED SHAH	Jr Clinical Tech (Pharmacy)	28-Nov-2017	7:30:19 AM	7:30:19 AM
74	K017000000469	HAMEED SHAH	Jr Clinical Tech (Pharmacy)	29-Nov-2017	7:44:26 AM	1:50:27 PM
75	K017000000469	HAMEED SHAH	Jr Clinical Tech (Pharmacy)	30-Nov-2017	1:34:18 PM	1:34:18 PM
76	K017000000469	HAMEED SHAH	Jr Clinical Tech (Pharmacy)	05-Dec-2017	1:52:40 PM	1:52:40 PM
77	K017000000469	HAMEED SHAH	Jr Clinical Tech (Pharmacy)	11-Dec-2017	9:46:47 AM	9:46:47 AM
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86	K017000000469	HAMEED SHAH	Jr Clinical Tech (Pharmacy)	04-Jan-2018	8:01:10 AM	1:37:18 PM
87	K017000000469	HAMEED SHAH	Jr Clinical Tech (Pharmacy)	05-Jan-2018	8:02:22 AM	1:34:22 PM
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92	K017000000469	HAMEED SHAH	Jr Clinical Tech (Pharmacy)	11-Jan-2018	8:27:42 AM	1:33:40 PM
93	K017000000469	HAMEED SHAH	Jr Clinical Tech (Pharmacy)	12-Jan-2018	8:18:45 AM	12:20:44 PM
94	K017000000469	HAMEED SHAH	Jr Clinical Tech (Pharmacy)	13-Jan-2018	8:08:39 AM	12:18:16 PM
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98	K017000000469	HAMEED SHAH	Jr Clinical Tech (Pharmacy)	18-Jan-2018	8:18:57 AM	1:35:32 PM
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126	K0170000000469	HAMEED SHAH	Jr Clinical Tech (Pharmacy)	27-Jan-2018	7:28:46 AM	12:32:52 PM
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160	K0170000000469	HAMEED SHAH	Jr Clinical Tech (Pharmacy)	07-Apr-2018	7:57:41 AM	12:28:09 PM
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163	K0170000000469	HAMEED SHAH	Jr Clinical Tech (Pharmacy)	11-Apr-2018	7:11:24 AM	1:03:04 PM
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165	K0170000000469	HAMEED SHAH	Jr Clinical Tech (Pharmacy)	13-Apr-2018	7:52:09 AM	12:10:21 PM
166	K0170000000469	HAMEED SHAH	Jr Clinical Tech (Pharmacy)	14-Apr-2018	7:23:44 AM	12:53:17 PM
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176	K0170000000469	HAMEED SHAH	Jr Clinical Tech (Pharmacy)	26-Apr-2018	8:06:37 AM	1:28:19 PM
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178	K0170000000469	HAMEED SHAH	Jr Clinical Tech (Pharmacy)	28-Apr-2018	7:45:04 AM	12:46:25 PM
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191	K017000000469	HAMEED SHAH	Jr Clinical Tech (Pharmacy)	29-Sep-2018	7:16:58 AM	12:49:33 PM
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212	K017000000469	HAMEED SHAH	Jr Clinical Tech (Pharmacy)	24-Oct-2018	8:06:16 AM	11:33:52 AM
213	K017000000469	HAMEED SHAH	Jr Clinical Tech (Pharmacy)	25-Oct-2018	7:51:06 AM	12:58:36 PM
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233	K017000000469	HAMEED SHAH	Jr Clinical Tech (Pharmacy)	17-Nov-2018	7:51:50 AM	12:51:10 PM



To

The Director General,
Health Service, Khyber Pakhtunkhwa Peshawar

Subject: **RETIREMENT FROM SERVICE**
Sir,

It is submitted that **Mr. Hamid Shah s/o Mr. Arman Shah** who previously worked as **Junior Clinical Technician Pharmacy** under control of LRH, Peshawar and later his services were placed at the disposal of the office of undersigned in the year 1998.

This office approached the Administration of Lady Reading Hospital, Peshawar for correction of his date of birth, where his date of birth in SSC and CNIC same i.e. 23/03/1955 and thus according these credential his retirement was due on 23/03/2015.

However, as per official record i.e. service book provided by LRH Administration had been incorporated as 23/05/1966.

In this regard the Administration of LRH was approached for correction of date of birth in his service book vide this office letter No. 2729/HMC/MS dated: 24/02/2015 but no response by LRH Administration till date.

Since the official has filled a legal suit in the court of law and case is regularly heard by the concerned court as per schedule; however after due consultation with legal Advisor HMC, his salary has been stopped in the month of October, 2018. He has been paid since **March, 2015 to October, 2018** and the amount comes to **Rs. 19,53,033-80** and recovery of overpayment will be made out his pension benefits.

It is therefore requested that his case may be considered for retirement with effect from 22/03/2015.

sd/-xxx
HOSPITAL DIRECTOR
HAYATABAD MEDICAL COMPLEX
PESHAWAR

No. 18209-18/HMC/Post Rect Dated: 24/12/2018

Copy forwarded to the:-

1. Hospital Director, MTI-HMC.
2. Hospital Director, MTI-LRH for information and necessary action with letter referred to above.
3. Incharge Ophthalmology department MTI-HMC with request to stop him working immediately.
4. Senior Manager HR, MTI-HMC.
5. Chief Finance Officer MTI-HMC for necessary action.
6. Internal Auditor, MTI-HMC.
7. Litigation Officer, MTI-HMC.
8. Office Superintendent HR, MTI-HMC.
9. Supervisor (HRMIS), MTI-HMC.
10. Official Concerned.

ADMINISTRATIVE COORDINATOR
HAYATABAD MEDICAL COMPLEX
PESHAWAR

(33) 106

BEFORE THE PESHAWAR HIGH COURT, PESHAWAR

2/2019
W.P.No. _____/2019



Hamid Shah s/o Arman Shah

R/o Village Esak Chountra

Tehsil and District Karak.....Petitioner

Versus

- 1) Secretary Health, KPK Civil Secretariat, Peshawar.
- 2) Secretary Finance, KPK, Civil Secretariat, Peshawar
- 3) Medical Superintendent, Lady Reading Hospital, Peshawar.
- 4) Medical Superintendent Hayatabad Medical Complex, Peshawar.
- 5) Accountant General, KPK Peshawar.
- 6) Accounts officer, Lady Reading Hospital, Peshawar.
- 7) Account Office, Hayatabad Medical Complex,
Peshawar.....Respondents

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

Respectfully Sheweth;

- 1) That the petitioner before your honour is a law abiding citizen of Pakistan
- 2) That the petitioner was initially appointed as Ward Orderly BPS-02 vide notification No.19308-11 dated 14.10.1990 by the office of MS (LRH) respondent No.3. (Copy of the notification dated 14.10.1990 is attached as Annexure "A").

FILED TODAY

Deputy Registrar

15 MAR 2019

ATTESTED
EXAMINER
Peshawar High Court

- 3) That later on, the petitioner acquired/ appointed on the post of Dispenser BPS-06 vide notification No.17712-16 dated 07.09.1991 by the office of the MS (LRH) respondent No.3. (Copy of notification dated 07.09.1991 is attached as Annexure "B").
- 4) That the petitioner performed his duties with respondent No.3 upto 07 years and later on shifted/ transferred to HMC respondent No.4, still performed his duties happily.
- 5) That the petitioner applied for his pension as per the procedure of Govt. to the respondent No.2 on attaining the age of superannuation i.e. 60 days but respondents No.4 and 7 refused to do so because the date of birth of the petitioner was incorporated as 23.05.1966 instead of 23.03.1955 in the service book of the petitioner. (Copy of application is attached as Annexure "C").
- 6) That the petitioner approached to respondents for correction of the date of birth but his request was turned down and was asked to approach the civil court for the correction of the same and in the meanwhile respondent No.4 send letter No.2729 dated 24.12.2015 to respondent No.3 for necessary correction in date of birth but no action was taken by respondent No.3. (Copy of letter is Annexure "D").
- 7) That the petitioner filed civil suit, which is still pending before competent court of law and during the pendency of suit, the petitioner was compelled to perform his duty as per law.
- 8) That during the pendency of the suit the salary of the petitioner was stop on the legal opinion given by their counsel.
- 9) That thereafter the petitioner was got retired from the service vide impugned letter dated 18209-18/HMC/Post RCT dated 24.12.2018 in which the recovery of amount was mentioned, thus the petitioner being aggrieved from the impugned letter No.18209-18/HMC/Post RCT dated 24.12.2018 approaches this Hon'ble Court, inter alia on the following grounds: (Copy of impugned letter is Annexure "E")

FILED TODAY
 Deputy Registrar
 15 MAR 2019

ATTESTED
 EXAMINER
 Peshawar High Court

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GROUNDS:

- a. That impugned letter 18209-18/HMC/Post RCT dated 24.12.2018 is against the law, being illegal and ineffective on the rights of the petitioner.
- b. That the petitioner already submitted an application for preparation of pension papers before the authority on attaining the age of superannuation (60 days) as per his age in the CNIC but no fruitful result was received by petitioner from the authority thus slackness on the part of the respondent.
- c. That the service book was prepared by the respondent after the appointment and remained in the custody of the respondent, thus mentioning of incorrect date of birth in the service book was not on the part of petitioner thus committed illegality by respondent No.3.
- d. That the petitioner with bonafide intention approached the authority on attaining the age of superannuation (60 days) according to CNIC and SSC certificate by presenting the application, thus the respondents were legally duty bound to correct the same within time and to get the petitioner retire in time but the respondent No.4 compelled the petitioner to perform his duty.
- e. That the recovery sought in the impugned letter is totally illegal because the petitioner performed the duty for which he withdrawn the salary and now the recovery mentioned in the impugned letter is against the fundamental rights of the petitioner.
- f. That the petitioner performed his duty to the best of his abilities and no complaint whatsoever is against him but now astonishingly the recovery sought in the impugned letter is against the norms of natural justice and comes under the ambit of forced labour.
- g. That the salary is always drawn in lieu of the duty/ services which the petitioner performed for the respondents and now the respondents are depriving the petitioner from his rights and

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ATTESTED
EXAMINER
Peshawar High Court

respondents have announced sought of punishment in the impugned letter for the fault not on the part of petitioner.

- h. That the petitioner presented his CNIC and all other academic certificates at the time of appointment but the respondents have incorrectly incorporated the wrong date of birth in the service book in which the petitioner had no fault and never given for consultation/ examination, thus the respondents have committed illegality.

It is, therefore, most humbly prayed that on acceptance of this writ petition:

- 1) Declare the impugned letter No:18209-18/HMC/ post dated 24.12.2018 as illegal, unlawful and ineffective upon the rights of petitioner.
- 2) Declare the recovery of arrears/ salaries being unlawful, incorrect because petitioner performed duties in respect of salaries received.
- 3) Restrain the respondent permanently from the recovery of arrears/ salaries received by petitioner.
- 4) Respondents may be further directed to release the pension of the petitioner from the date of his retirement i.e. 22.03.2015/ entitlement.

Any other remedy deems fit in the circumstances of the case and not specifically asked for may kindly also be granted.

INTERIM RELIEF:

Meanwhile the impugned letter No.18209-18/HMC/post dated 24.12.2018 may kindly be suspended till the final disposal of the writ petition.

Petitioner
 Through *Adnan Khattak*
 Adnan Khattak
 Advocate, Peshawar.

CERTIFICATE:

It is certify that, no such like writ petition has earlier been filed by the petitioner(s) in this Hon'ble Court. Further stated that being writ petition on the score that since there is no adequate and alternate legal remedy is available or previously avail or approach lower forum, thus this case may be fixed before the Worthy Division Bench (D.B) of this Hon'ble Court.

LIST OF BOOKS:

- 1) Constitution of Islamic Republic of Pakistan, 1973.
- 2) Any other law book as per need.

Adnan Khattak
 Advocate
FILED TODAY ATTESTED
 EXAMINER
 Peshawar High Court
 Deputy Registrar

BEFORE THE PESHAWAR HIGH COURT, PESHAWAR

W.P.No. 213 of P /2019

Hamid ShahPetitioner

Versus

Khyber Medical University (KMU) through Controller of Examination
(KMU) and others..... Respondents

AFFIDAVIT

I, Hamid Shah s/o Arman Shah R/o Village Esak Chountra Tehsil and District Karak (petitioner), do hereby affirm and declare that the contents of the accompanying **Writ Petition** are true and correct to the best of my knowledge and belief and nothing has been concealed from this hon'ble court.

Identified by:

Hamid
Deponent

CNIC No.14202-7318253-3
Cell: 0345-5272769

Adnan Khattak
Adnan Khattak
Advocate, Peshawar

No:.....	<i>18060</i>
Certified that the above was verified on solemnly affirmation before me in office, this.....	
day of.....	<i>30th</i>
s/o.....	<i>Hamid Shah</i>
who was introduced by.....	<i>Arman Shah</i>
Who is personally known to me:	
<i>Adnan Khattak</i>	
Oath Commissioner	
Peshawar High Court, Peshawar	
<i>30/01/2019</i>	

ATTESTED
EXAMINER
Peshawar High Court

FILED TODAY
Deputy Registrar
15 MAR 2019

38

BEFORE THE PESHAWAR HIGH COURT, PESHAWAR

W.P.No. _____/2019

Hamid ShahPetitioner

Versus

Secretary Health, KPK Civil Secretariat, Peshawar and others

..... Respondents

ADDRESSES OF THE PARTIES

PETITIONERS:

Hamid Shah s/o Arman Shah

R/o Village Esak Chountra Tehsil and District Karak

RESPONDENTS:

- 1) Secretary Health, KPK Civil Secretariat, Peshawar.
- 2) Secretary Finance, KPK, Civil Secretariat, Peshawar
- 3) Medical Superintendent, Lady Reading Hospital, Peshawar.
- 4) Medical Superintendent Hayatabad Medical Complex, Peshawar.
- 5) Accountant General, KPK Peshawar.
- 6) Accounts officer, Lady Reading Hospital, Peshawar.
- 7) Account Office, Hayatabad Medical Complex, Peshawar

ATTESTED
EXAMINER
Peshawar High Court

Petitioner

Through

Adnan Khattak

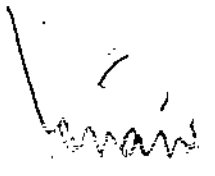
Adnan Khattak
Advocate, Peshawar.

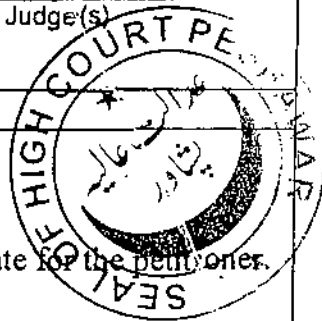
FILED TODAY
Deputy Registrar

39

IN THE PESHAWAR HIGH COURT, PESHAWAR

FORM OF ORDER SHEET

Date of order or proceedings.	Order or other proceedings with signature (s) of Judge(s)
(1)	(2)
22.05.2019	<p><u>W.P.No.2120-P/2019 with I.R.</u></p> <p><u>Present:</u> Mr. Adnan Khattak, Advocate for the petitioner.</p> <p style="text-align: center;">***</p> <p><u>IKRAMULLAH KHAN, J:-</u> At the very outset, learned counsel for the petitioner was confronted with the legal proposition that already the petitioner had filed a suit for correction of date of birth, so he conceded the same in view of the fact that the subject matter of this writ petition has already been subjudice before the learned Civil court, this petition is not maintainable. Learned counsel for petitioner requests for withdrawal of this petition with permission to file afresh one, if so advised and permissible under the law.</p> <div style="display: flex; justify-content: space-between; align-items: flex-end; margin-top: 20px;"> <div data-bbox="411 1683 858 2086" style="width: 45%;"> <p>CERTIFIED TO BE TRUE COPY</p> <p>EXAMINER Peshawar High Court, Peshawar Authorized Under Article 8.7 of The Constitution of Pakistan Order 1984</p> <p>13 JUL 2019</p> </div> <div data-bbox="976 1449 1353 2086" style="width: 45%; text-align: right;">  <p>JUDGE</p> <p>SCANNED</p> </div> </div>



To

The Director General Health
Khyber Pakhtunkhwa,
Peshawar.

10765

19/03/19

H
40

Subject: Stoppage of recovery amount Rs.19,53,033/- in retirement letter dated 24.12.2018.

Respected Sir,

- 1) That the applicant was JCT pharmacy, initially recruited in at LRH vide dated 14.10.1990 and later on transferred to HMC on 01.06.1998.
- 2) That the date of birth of the applicant is 23.03.1955 while in service book it has wrongly been incorporated as 23.05.1966.
- 3) That the applicant had already submitted an application for preparation of pension papers before yourself on attaining the age of superannuation on 60 years) as per his age in the CNIC and other academic certificates but no fruitful results were received by the applicant.
- 4) That afterwards the applicant approached to the civil court for the correction of date of birth in the service book and during the pendency of civil suit the salary was stopped and then got retired from the service by yourself and recovery of Rs.19,53,033/- was sought from the applicant.
- 5) That the applicant performed his duty to the best of his ability and no complaint whatsoever is against him.
- 6) That the applicant performed his duty and in return he withdrawn the salary for the work done.

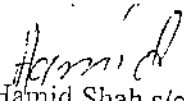
(41)

That the recovery sought in the impugned letter dated 24.12.2018 is against law and constitution and comes under the ambit of force labour and salary is always drawn in lieu of the duty/ services which he performed for the authority.

- 7) That wrong entry of date of birth in the service is not on the part of the applicant nor the applicant prepared the service book nor remained in his custody.
- 8) That the applicant with bonafide intention given application for the preparation of pension paper, nothing there which shows malafide and concealment on the part of the applicant, thus recovery sought in the impugned letter is punishment of no fault for applicant.

It is, therefore, humbly prayed that on acceptance of departmental appeal the recovery mentioned in the impugned letter dated be quashed and consider the date of retirement in the CNIC and consider the recovery as salary in lieu of work done.

Applicant


Hamid Shah s/o Arman Shah
R/o Village Esak Chountra
Tehsil and District Karak

Dated:

50	7358	  
Adalat Muzakki	عزیزان علی	
	بارکونسل ایسوسی ایشن نمبر: 247	<p>پشاور بار ایسوسی ایشن، خیبر پختونخوا</p>
	رابطہ نمبر: 03005930703	

بعدالت جناب: سر سید حسن علی صاحب

مخانب: عزیزان علی	دعویٰ:
عزیزان علی	علت نمبر:
بنام	مورخہ:
گورنمنٹ	جرم:
	تھانہ:

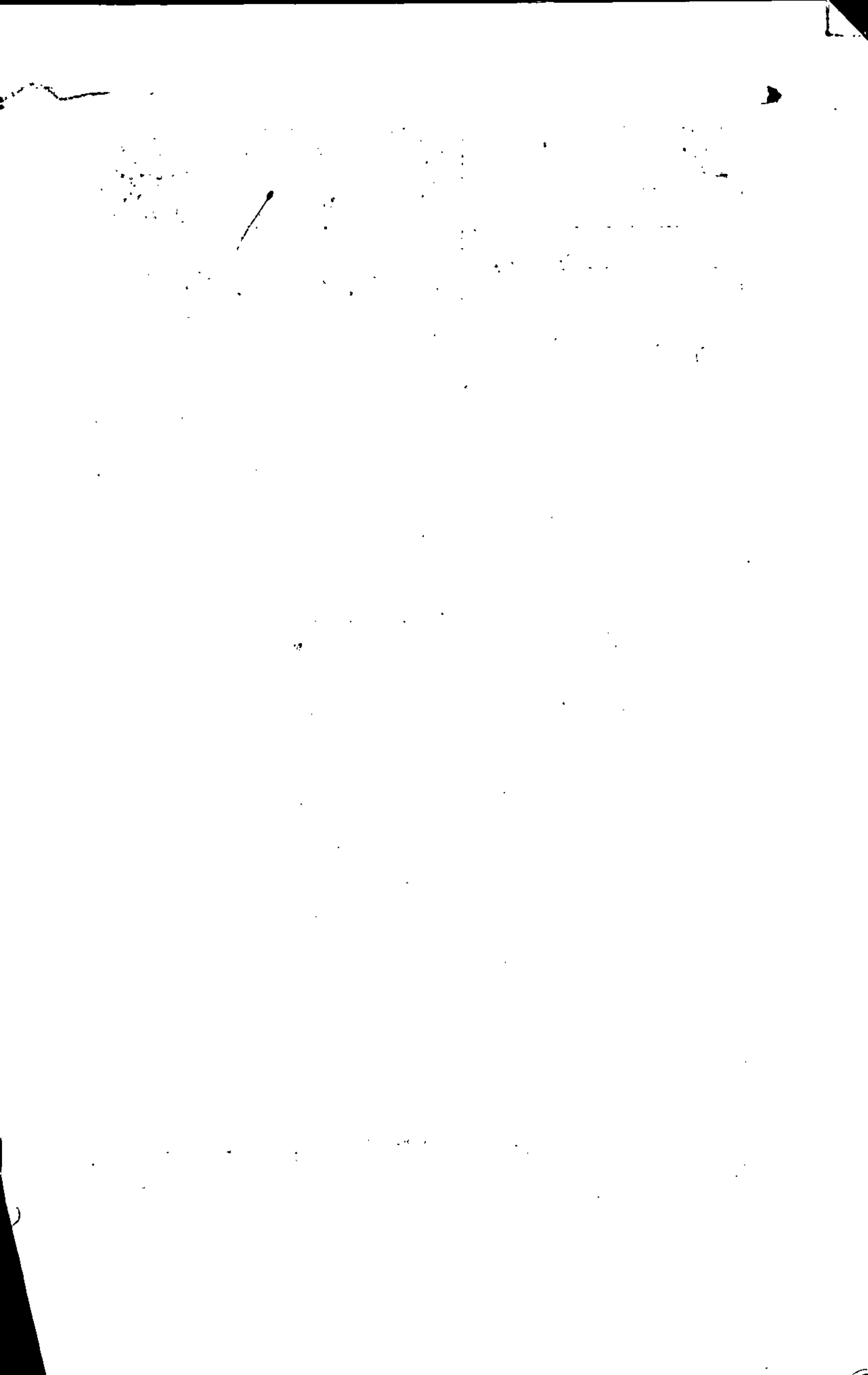
بابت تحریر آگہ

مقدمہ مندرجہ عنوان بالا میں اپنی طرف سے واسطے پیرو نگہ و جواب وہی کاروائی متعلقہ آن مقام کے لیے سر سید حسن علی صاحب کو پیش 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 ثالث و فیصلہ بر حلف دینے جواب دعویٰ اقبال دعویٰ اور درخواست از ہر قسم کی تصدیق زریں پر دستخط کرنے کا اختیار ہوگا، نیز بصورت عدم پیروی یا ڈگری یکطرفہ یا اپیل کی برآمدگی اور منسوخی، نیز دائر کرنے اپیل نگرانی 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 با اختیارات حاصل ہوں گے اور اس کا ساختہ پر داختم منظور و قبول ہوگا دوران مقدمہ میں جو خرچہ ہر جانہ 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

Attested & Accepted by
Adalat Muzakki
03005930703

المقام: _____
 العواہ شد الع
 مقام _____
 (دستخط عزیزان علی)

نوٹ: اس وکالت نامہ کی نوٹ کاپی 24 تا 25 مل قبول ہوگی۔



KHYBER PAKHTUNKWA SERVICE TRIBUNAL, PESHAWAR

Nd. 776 /ST

Dated 23 / 7 / 2020


To

1. Mr. Hamid Shah S/O Arman Shah R /O Village Esak Chauntra,
Tehsil & District Karak.
2. Mr. Adnan Khattak Advocate,
Peshawar.

SUBJECT: - ORDER IN SERVICE APPEAL NO. 936/2019, HAMID SHAH.

I am directed to forward herewith a certified copy of order dated
15.07.2020 passed by this Tribunal on the above subject for strict compliance.

Encl: As above


REGISTRAR
KHYBER PAKHTUNKHWA
SERVICE TRIBUNAL
PESHAWAR.

KHYBER PAKHTUNKWA SERVICE TRIBUNAL, PESHAWAR

No. 1937-ST

Dated 28/7/2020


To

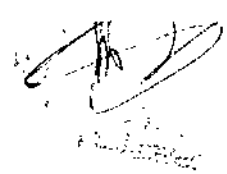
1. Mr. Hamid Shah S/O Arman Shah R/O Village Esak Chauntra,
Tehsil & District Karak.
2. Mr. Adnan Khattak Advocate,
Peshawar.

SUBJECT: - ORDER IN SERVICE APPEAL NO. 936/2019, HAMID SHAH.

I am directed to forward herewith a certified copy of order dated
15.07.2020 passed by this Tribunal on the above subject for strict compliance.

Encl: As above


REGISTRAR,
KHYBER PAKHTUNKHWA
SERVICE TRIBUNAL
PESHAWAR.



DIRECTORATE OF FINANCE & ACCOUNTS

MTI/Hayatabad Medical Complex,
Khyber Girls Medical College,
Institute of Kidney Diseases,
Pakistan Institute of Community Ophthalmology,
Institute of Child Health,
Khyber Pakhtunkhwa, Peshawar.




Tel. Off: 92 (0) 91-9217107
Fax: No: 92 (0) 91-9217189
www.hmcpeshawar.com.pk

Ref 3101 /HMC/DF

Date 03/02 /2021

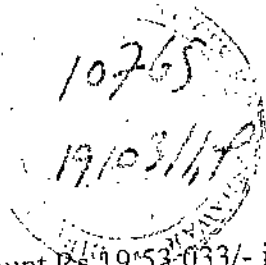
AUTHORITY LETTER

Mr. Faisal Farhad s/o Farhad Hussain Senior Clerk BPS-14 Accounts Section HMC is hereby authorized to attend the Service Tribunal Peshawar on behalf of Accounts Officer, HMC to submit comments in Appeal No. 936/2019 Mr. Hamid Shah, Ex-JCT (Pharmacy), HMC.


DIRECTOR FINANCE
Hayatabad Medical Complex
Peshawar
Director Finance
Hayat Abad Medical Complex,
Peshawar

To

The Director General Health
Khyber Pakhtunkhwa,
Peshawar.



Subject: Stoppage of recovery amount Rs.19,53,033/- in retirement letter dated 24.12.2018.

Respected Sir,

- 1) That the applicant was JCT pharmacy, initially recruited in at LRH vide dated 14.10.1990 and later on transferred to HMC on 01.06.1998.
- 2) That the date of birth of the applicant is 23.03.1955 while in service book it has wrongly been incorporated as 23.05.1966.
- 3) That the applicant had already submitted an application for preparation of pension papers before yourself on attaining the age of superannuation on 60 years) as per his age in the CNIC and other academic certificates but no fruitful results were received by the applicant.
- 4) That afterwards the applicant approached to the civil court for the correction of date of birth in the service book and during the pendency of civil suit the salary was stopped and then got retired from the service by yourself and recovery of Rs.19,53,033/- was sought from the applicant.
- 5) That the applicant performed his duty to the best of his ability and no complaint whatsoever is against him.
- 6) That the applicant performed his duty and in return he withdrawn the salary for the work done.

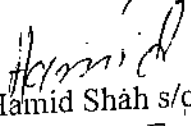
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That the recovery sought in the impugned letter dated 24.12.2018 is against law and constitution and comes under the ambit of force labour and salary is always drawn in lieu of the duty/ services which he performed for the authority.

- 7) That wrong entry of date of birth in the service is not on the part of the applicant nor the applicant prepared the service book nor remained in his custody.
- 8) That the applicant with bonafide intention given application for the preparation of pension paper, nothing there which shows malafide and concealment on the part of the applicant, thus recovery sought in the impugned letter is punishment of no fault for applicant.

It is, therefore, humbly prayed that on acceptance of departmental appeal the recovery mentioned in the impugned letter dated be quashed and consider the date of retirement in the CNIC and consider the recovery as salary in lieu of work done.

Applicant


Hamid Shah s/o Arman Shah
R/o Village Esak Chountra
Tehsil and District Karak

Dated:

DIRECTORATE GENERAL HEALTH SERVICES
KHYBER PAKHTUNKHWA, PESHAWAR



Office Ph#091 – 9210269 Exchange 091-9210187 Fax # 091-9210230
All communications should be addressed to the Director General Health Services Peshawar
And not to any official by name.

No. 17575 /AE-VI,

Dated. 10/7/2019.

to

Mr. Hamid Shah S/O Arman Shah,
Resident of Esak Chountra,
Tehsil & District Karak.

Subject: - STOPPAGE OF RECOVERY AMOUNT RS. 19,53,033/- IN RETIREMENT LETTER DATED 24.12.2018.

I am directed to refer to your application dated Nil, regarding to above captioned subject and to request to furnish the following documents to this Directorate so as to proceed further:-

1. Retirement Order.
2. Original Service Book.
3. 1st appointment order.
4. 1st arrival report.
5. Merit List.
6. Minutes of DSC Meeting.
7. Domicile/Certificate.
8. Matric Certificate.
9. CNIC.

DEPUTY DIRECTOR (PARAMEDICS)
DGHS KHYBER PAKHTUNKHWA,
PESHAWAR.

10/7/19

DIRECTORATE GENERAL HEALTH SERVICES
KHYBER PAKHTUNKHWA, PESHAWAR



Office Ph#091 – 9210269 Exchange 091-9210187 Fax # 091-9210230
All communications should be addressed to the Director General Health Services Peshawar
And not to any official by name.

No. 13057 /AE-VI,

Dated. 31 / 07 /2019.

To

The Hospital Director,
HMC Peshawar.

Subject: - STOPPAGE OF RECOVERY AMOUNT RS.19,53,033/- IN RETIREMENT LETTER
DATED 24/12/2018.

I am directed to refer to your letter No. 18208/HMC/Post/Rect, dated
24/12/2018, on the subject noted above and to request to intimate latest
position/progress of the case.

DEPUTY DIRECTOR (PARAMEDICS)
DGHS KHYBER PAKHTUNKHWA,
PESHAWAR.

Op 31/7/19

VAKALAT NAMA

NO. _____/20

IN THE COURT OF KP SERVICE TRIBUNAL, PESHAWAR

Hamid Shah

(Appellant)
(Petitioner)
(Plaintiff)

VERSUS

Government of KP

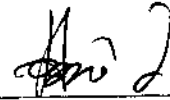
(Respondent)
(Defendant)

I/We, Hamid Shah

Do hereby appoint and constitute **M. Asif Yousafzai, Advocate Supreme Court Peshawar**, to appear, plead, act, compromise, withdraw or refer to arbitration for me/us as my/our Counsel/Advocate in the above noted matter, without any liability for his default and with the authority to engage/appoint any other Advocate/Counsel on my/our costs.

I/We authorize the said Advocate to deposit, withdraw and receive on my/our behalf all sums and amounts payable or deposited on my/our account in the above noted matter. The Advocate/Counsel is also at liberty to leave my/our case at any stage of the proceedings, if his any fee left unpaid or is outstanding against me/us.

Dated _____/20



(CLIENT)

ACCEPTED



M. ASIF YOUSAFZAI

Advocate Supreme Court Peshawar.

& 

TAIMUR ALI KHAN

Advocate High Court, Peshawar

& 

SYED NOMAN ALI BUKHARI

Advocate High Court

& 

SHAHKAR KHAN YOUSAFZAI

Advocate.

OFFICE:

Room # FR-8, 4th Floor,
Bilour Plaza, Peshawar,
Cantt: Peshawar

To

The worthy Director General (Health)
Khyber Pakhtunkhwa,
Peshawar.

Subject: **Supply of attested of order passed in compliance of Letter No.18209-18/HMC/Post Rect dated 24.12.2018 of Hospital Director, Hayatabad Medical Complex, Peshawar.**

Respected Sir,

1. That the applicant was Junior Clinical Technician Pharmacy and attained the age of superannuation dated 23.03.2015.
2. That the pension was not released due to the incorrect date of birth incorporated in the service book as 23.05.1966 instead of 23.03.2955 to the applicant, despite of the fact, that, the applicant applied within the stipulated period/ time, however, approached to the court of law.
3. That during the pendency of the civil suit, the Hospital Director, HMC, Peshawar passed Order No.18209-18/HMC/Post Rec dated 24.12.2018 which was impugned before the Khyber Pakhtunkhwa Services Tribunal, Peshawar.
4. That during the course of proceedings, the applicant was ordered by the worthy Chairman of KP Services Tribunal, Peshawar that, there would be another order as a result of Letter No.18209-18/HMC/Post Rec dated 24.12.2018 and was directed to inquire about that very order. (Copy of order dated 24.12.2018 is attached).
5. That on inquiry from your office, the applicant came to know that another order is passed in compliance of the letter dated 24.12.2018, which is never communicated to the applicant and the

applicant has right to get copy of that very order and if aggrieved, then the applicant has right to challenge that very impugned order (if any) before the competent court of law.

IT IS, THEREFORE, humbly prayed that on acceptance of this application, the attested copy / original order passed in compliance of the **Letter No.18209-18/HMC/Post Rec dated 24.12.2018** may kindly be provided to the applicant.

Applicant



Hamid Shah S/o Arman Shah
R/o Village Esak Chontra,
District Karak
Ex-Junior Clinical Technician
(Pharmacy), HMC, Peshawar
Cell: 0301-8886277

Copy for information to:

1. Chairman, Right to Information (RTI),
Khyber Pakhtunkhwa, Peshawar



To

The Director General,
Health Service, Khyber Pakhtunkhwa Peshawar

Subject: **RETIREMENT FROM SERVICE**
Sir,

It is submitted that **Mr. Hamid Shah s/o Mr. Arman Shah** who previously worked as **Junior Clinical Technician Pharmacy** under control of LRH, Peshawar and later his services were placed at the disposal of the office of undersigned in the year 1998.

This office approached the Administration of Lady Reading Hospital, Peshawar for correction of his date of birth, where his date of birth in SSC and CNIC same i.e. **23/03/1955** and thus according these credential his retirement was due on **23/03/2015**.

However, as per official record i.e. service book provided by LRH Administration had been incorporated as **23/05/1966**.

In this regard the Administration of LRH was approached for correction of date of birth in his service book vide this office letter No. 2729/HMC/MS dated: 24/02/2015 but no response by LRH Administration till date.

Since the official has filled a legal suit in the court of law and case is regularly heard by the concerned court as per schedule; however after due consultation with legal Advisor HMC, his salary has been stopped in the month of October, 2018. He has been paid since **March, 2015 to October, 2018** and the amount comes to **Rs. 19,53,033-80** and recovery of overpayment will be made out his pension benefits.

It is therefore requested that his case may be considered for retirement with effect from **22/03/2015**.

sd/-xxx
HOSPITAL DIRECTOR
HAYATABAD MEDICAL COMPLEX
PESHAWAR

No. 18209-18/HMC/Post Rect Dated: 24/12/2018

Copy forwarded to the:-

1. Hospital Director, MTI-HMC.
2. Hospital Director, MTI-LRH for information and necessary action with letter referred to above.
3. Incharge Ophthalmology department MTI-HMC with request to stop him working immediately.
4. Senior Manager HR, MTI-HMC.
5. Chief Finance Officer MTI-HMC for necessary action.
6. Internal Auditor, MTI-HMC.
7. Litigation Officer, MTI-HMC.
8. Office Superintendent HR, MTI-HMC.
9. Supervisor (HRMIS), MTI-HMC.
10. Official Concerned.

W. A.
ADMINISTRATIVE COORDINATOR
HAYATABAD MEDICAL COMPLEX
PESHAWAR

15 MAR 2019



**DIRECTORATE GENERAL HEALTH SERVICES
KHYBER PAKHTUNKHWA PESHAWAR**

All communications should be addressed to The Director General
Health Services Peshawar and not to any official by name
Office Ph (091 - 9210269 Exchange) - 091 - 9210187, 091 - 9210196 Fax (091 - 9210230

OFFICE ORDER.

On attaining the age of superannuation i.e. 60 years, Mr. Hamid Shah S/O Arman Shah, Clinical Technician (Pharmacy) BS-16 MTI HMC Peshawar is hereby retired from Govt. Service w.e.from 22.03.2015.

Subsequently, sanction is hereby accorded to the grant of (365) days encashment in lieu of LPR in favour of the above named Chief Clinical Technician (Pharmacy) BS-16 as admissible to him under the revised leave Rules, 1981.

Sd/-
DIRECTOR GENERAL HEALTH
SERVICES, KP PESHAWAR.

No. 1238-43 /AE.VI, Dated Pesh. The 12/03/2021.

Copy forwarded to the:-

01. Hospital Director, MTI HMC Peshawar.
02. Accountant General, Khyber Pakhtunkhwa Peshawar.
03. Deputy Director (Accounts) DGHS KP Peshawar.
04. Assistant Director (Lit:) DGHS Khyber Pakhtunkhwa Peshawar.
05. Supdt. Promotion Cell with the request to delete her name from the seniority list accordingly.
06. Official concerned.

For information and n/action.

[Signature]
11/03/2021
ADDI: DIRECTOR GENERAL (HRM)
DIRECTORATE GENERAL HEALTH
SERVICES, K.P PESHAWAR

[Signature]
14/3/21

BEFORE THE KHYBER PAKHTUNKHWA SERVICE TRIBUNAL PESHAWAR

APPEAL NO . 936/2019

Hamid Shah.....

Appellant.

V/S

Secretary Health Khyber Pakhtunkhwa,
Peshawar & others.....

Respondents.

(Reply on behalf of respondent No. 6)

Respectfully Sheweth:-

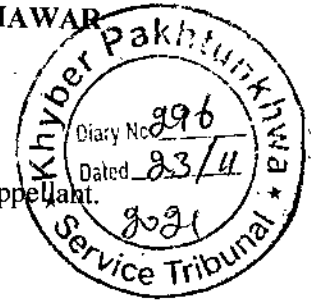
Para :- 1 to 10 :-

After detail Scrutiny of the case, it is submitted that the matter in hand is Administrative in nature and relates to other Respondents and they are in better position to redress the grievances of the Petitioner, Besides the Petitioner has raised no grievances against Respondent No.6.

It is Pertinent to mention here that the appellant is required to take up the case through his Administrative Department with Respondent No.3 (Finance Department Peshawar) for wave off the recovery of Pay & Allowance otherwise the overpayment is liable to be recovered under the rules. The appellant willingly submitted his application on 30-01-2015 for retirement w.e.f 22-03-2015. Date of Birth of appellant may dealt in light of GFR 116, 117 (copy enclosed).

Keeping in view the above mentioned facts it is, therefore, humbly prayed that appeal in hand having no merits may be dismissed with cost.


ACCOUNTANT GENERAL
KHYBER PAKHTUNKHWA



115 In cases in which the transfer of charge involves assumption of responsibility for cash, stores, etc., the following instructions should be observed :---

i) The cash book or imprest account should be closed on the date of transfer and a note recorded in it over the signature of both the relieved and the relieving officers, showing the cash and imprest balances, and the number of unused cheques, if any, made over and received by them respectively.

ii) The relieving officer in reporting that the transfer has been completed should bring to notice anything irregular or objectionable in the conduct of business that may have come officially to his notice. He should examine the accounts, count the cash, inspect the stores, count, weight and measure certain selected articles in order to test the accuracy of the returns. He should also describe the state of the account records.

iii) In the case of any sudden casualty occurring or any emergent necessity arising for an officer to quit his charge, the next senior officer of the department present will take charge. When the person who takes charge is not a gazetted officer, he must at once report the circumstances to his nearest departmental superior, and obtain orders as to the cash in hand if any.

Note 1. The special procedure to be followed when there is a change in the incumbency of independent charge of a treasury is laid down in Rule 44 of the Treasury Rules.

Note 2. The additional procedure to be followed by an Accountant General, etc., in making over charge of his function in connection with the Charitable Endowments and other Trust Accounts is laid down in Appendix 16.

DATE OF BIRTH

116 Every person newly appointed to a service or a under Government should at the time of the appointment declare the date of his birth by the Christian era with as far as possible confirmatory documentary evidence such as matriculation certificate, municipal birth certificate and so on. If the exact date is not known, an approximate date may be given. The actual date or the assumed date determined under Para 117 should be recorded in the history of service, service book, or any other record that may be kept in respect of the Government servant's service under Government and once recorded, it cannot be altered, except in the case of a clerical error, without the previous orders of the Local Administration.

Note:-1 Ministries/Division of the Federal Government exercise the powers of a Local Administration for the purpose of this rule.

Note:-2 Heads of departments are authorized to exercise this power in the case of non-gazetted Government servants under their control.

117 1) If a Government servant is unable to state his exact date of birth but can state the year, or year and month of birth, the 1st July or the 16th of the month, respectively, may be treated as the date of his birth.

2) If he is only able to state his approximate age, his date of birth may be assumed to be the corresponding date after deducting the number of years representing his age from his date of appointment.

3) When a person who first entered Military employ is subsequently employed in a Civil department, the date of birth for the purpose of the Civil employment should be the date stated by him at the time of enrolment, or if at the time of enrolment he stated only his age, the date of birth should be deduced with reference to that age according to the method indicated in sub Para (2) above.

Note:-Cases in which the date of birth has been deduced from the age at appointment or enrolment by any other method, need not be reopened.

LEAVE APPLICATIONS

118. Subject to any special rules or orders issued by the competent authority, all applications for leave should be submitted to the sanctioning authority concerned on Form G. F. R. 13.

ANNUAL RETURNS OF NON-GAZETTED ESTABLISHMENTS

119 Deleted.

SERVICE BOOKS

120 The detailed rules regarding the maintenance of Service Books are contained in the Supplementary Rules 197 to 203 and in Articles 188 and 189 of the Audit Code.

121 1) At a fixed time early in the year the service books should be taken up for verification by the head of the office who after satisfying himself that the services of the Government servant concerned are correctly recorded in each service book, should record in it a certificate in the following form over his signature :

service verified up to date from (the refer from which the verification is made.)

Note:- The verification of service referred to above should be in respect of all service qualifying for pension whether permanent, temporary or officiating.

2) The head of the office in recording the annual certificate of verification should, in the case of any portion of service that cannot be verified from office records, distinctly state that for the excepted periods (naming them) a statement in writing by the

BEFORE THE KP SERVICE TRIBUNAL, PESHAWAR .

SERVICE APPEAL NO .936/2019

Hamid shah

Vs

*Secretary Health Khyber
Pakhtunkhwa, Peshawar and others*

AFFIDAVIT

*I, Ashir Ghouri Senior Auditor Accountant General office (litigation section)
Peshawar do hereby affirm that the contents of this para wise comments are to
and correct and nothing has been concealed from this Honorable tribunal.*


Deponent





**DIRECTORATE GENERAL HEALTH SERVICES
KHYBER PAKHTUNKHWA PESHAWAR**

All communications Should be Addressed to The Director General
Health Services Peshawar and not to any official by name

Office Ph : 091 - 92102205 Fax : 091 - 9210187, 091 - 9210196 Fax : 091 - 9210230

OFFICE ORDER:

On attaining the age of superannuation i.e. 60 years, Mr. Hamid Shah S/O Arman Shah, Clinical Technician (Pharmacy) BS-16 MTI HMC Peshawar is hereby retired from Govt. Service w.e. from 22.03.2015.

Subsequently, sanction is hereby accorded to the grant of (365) days encashment in lieu of LPR in favour of the above named Chief Clinical Technician (Pharmacy) BS-16 as admissible to him under the revised leave Rules, 1981.

Sd/-
DIRECTOR GENERAL HEALTH
SERVICES, KP PESHAWAR.

No. 123243 /AE.VI, Dated Pesh. The 12/03/2021.

Copy forwarded to the:-

01. Hospital Director, MTI HMC Peshawar.
02. Accountant General, Khyber Pakhtunkhwa Peshawar.
03. Deputy Director (Accounts) DGHS KP Peshawar.
04. Assistant Director (Lit.) DGHS Khyber Pakhtunkhwa Peshawar.
05. Supdt. Promotion Cell with the request to delete her name from the seniority list accordingly.
06. Official concerned.

For information and n/action.

[Signature]
11/03/2021
ADDL: DIRECTOR GENERAL (HRM)
DIRECTORATE GENERAL HEALTH
SERVICES, K.P PESHAWAR

[Signature]
12/3/21



015

TO BE SUBSTITUTED FOR THE SAME NO & DATE

OFFICE ORDER:-

WHEREAS, a letter received from Director General Health Services vide No. 11238-43/AE-VI, Dated Peshawar the 12/03/2021 for the grant of (365) days encashment in lieu of LPR in favour of Mr. Hamid Shah s/o Arman Shah, Chief Clinical Technician Pharmacy (BPS-16) as admissible to him under the revised leave rules, 1981

AND WHEREAS, the salary of mentioned above official was stopped due to disparity in date of birth in CNIC & SSC (22/03/2015) and date of birth recorded in service book (23-05-1966).

AND WHEREAS, the appellant over spent the service time from March 2015 to October 2018 & draw overdue amount of Rs. 1953033/-

AND WHEREAS, the case was reviewed and as per legal opinion, and his date of retirement comes to 22/03/2015 as per CNIC & SSC.

AND WHEREAS, the official filed / requested a civil suit in the court of law for his correction of date of birth in the service, which is still sub judice before the court of Law.

NOW THEREFORE, the Director General Health Services Govt. of KPK is requested to keep hold office order vide No. 1238-43/AE-VI, Dated Peshawar the 12/03/2021 till the decision of honorable court of law.

MANAGER (HR)
HAYATABAD MEDICAL COMPLEX
PESHAWAR

Dated: 21 / 04 / 2021

No. 7928-36 /MTI/HMC

Copy forwarded to the:

1. Hospital Director, MTI-HMC.
2. Director General Health Services, Govt. of KPK, Peshawar.
3. Director Nursing & Paramedical Staff, MTI-HMC.
4. Director Finance MTI-HMC.
5. Superintendent (HR) MTI-HMC.
6. Supervisor HRMIS, MTI-HMC.
7. DA (Account Section), MTI-HMC.
8. DA (HR-MIS), MTI-HMC.
9. Mr. Hamid Shah s/o Arman Shah, Clinical Technician Pharmacy (BPS-12).

MANAGER (HR)
HAYATABAD MEDICAL COMPLEX
PESHAWAR