

Superintendent, but vide order dated 31.07.2023, passed by Regional Director General Health Services (South) D.I.Khan, the order of Medical Superintendent, relieving the appellant from the post of DMS, was declared null & void, allowing the appellant to continue as DMS Type-C Hospital, City Karak, since the order dated 25.07.2023 has been set aside by the Regional Director General Health Services, therefore, the grievance of the appellant had been redressed and he does not have cause of action to that extent nor can this Tribunal be asked to implement the order of any executive authority.

3. This being so, this appeal cannot run and dismissed in limine. Consign.

4. *Pronounced in open Court at Peshawar and given under my hand and seal of the Tribunal on this 30th day of August, 2023.*




(Kalim Arshad Khan)

Chairman

FORM OF ORDER SHEET

Court of _____

Appeal No. 1756/2023

S.No.	Date of order proceedings	Order or other proceedings with signature of judge
1	2	3
1-	29/08/2023	<p>The appeal of Mr. Majid Khan is presented today by Mr. Noor Muhammad Khattak Advocate. It is fixed for preliminary hearing before Single Bench at Peshawar on 30-08-2023</p> <p>By the order of Chairman  REGISTRAR</p> <p><u>Kalim Arshad Khan, Chairman:</u> Learned counsel for the appellant present and heard.</p> <p>2. This appeal is against the order dated 24.07.2023, whereby the appellant was relieved by the Secretary Health Khyber Pakhtunkhwa from additional charge of the post of Medical Superintendent, Type-C Hospital, City, Karak. The prayer of the appellant is that he may be allowed to continue on the post of Medical Superintendent, Type-C Hospital City, Karak. This prayer is misconceived as it is not a right of the civil servant because giving additional charge is always a stop gap arrangement and at the pleasure of the competent authority, which cannot be deemed to be a regular posting. As regards other of the claim of the appellant, that vide order dated 25.07.2023, he</p>

SCANNED
KPST
Peshawar

ORDER
30th Aug. 2023

