

2  
Zahir

ZAHIR SHAH 25.07.2014

Grievance Redressal  
Office. DHO Office  
Charsadda

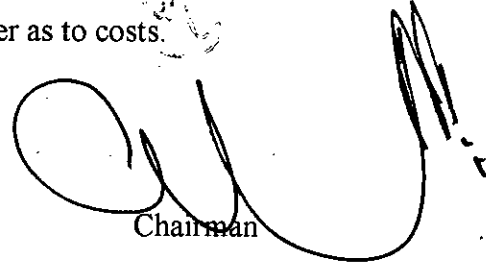
Appellants

07/5/14



Appellant with counsel and Mr.Zahir Shah, Grievance and Redressal Officer on behalf of respondents with AAG present. At the outset, the learned counsel for the appellant stated that the appellant would be satisfied and would request for withdrawal of the appeal if a direction is issued to the respondent-department to prepare and finalize pension documents of the appellant, which have been withheld, due to pendency of this appeal. It is, indeed, a statutory obligation of the respondent-department to finalize pension documents of a civil servant even before his proceeding on retirement, therefore, with direction to the respondent-department for early finalization of pension documents of the appeal, the appeal is dismissed as withdrawn, with no order as to costs.

ANNOUNCED  
25.7.2014.



Chairman

17/07/2014

Appeal No. 1553/2013  
Mr. Muslima Zaidi

5. 10.02.2014

Appellant with counsel and Mr. Anwar Ullah, Litigator

Clerk with Mr. Zia Ullah, GP for the respondents present. Preliminary arguments heard and case file perused. Counsel for the appellant contended that the appellant has not been treated in accordance with law/rules. Against the impugned order dated 17.07.2013, he filed departmental appeal on 12.08.2013, which has not been responded within the statutory period of 90 days, hence the instant appeal on 29.11.2013. Points raised at the Bar need consideration. The appeal is admitted to regular hearing subject to all legal objections. The appellant is directed to deposit the security amount and process fee within 10 days. Thereafter, Notice be issued to the respondents for submission of written reply on 29.04.2014.

Appellant Deposited  
Security & Process Fee  
Rs. 220/- Bank  
Receipt is Attached with File.

*M*

*[Signature]*  
Member

6. 10.02.2014

This case be put before the Final Bench 2 for further proceedings.

*[Signature]*  
Chairman

29.4.2014

Appellant in person and Mr. Anwarullah, Senior Clerk for respondents with AAG present. Written reply/para-wise comments received on behalf of the respondents, copy whereof is handed over to the appellant for rejoinder on 25.7.2014.

*[Signature]*  
Member

31.12.2013

Counsel for the appellant present. Since the issue involved correction of date of birth. A pre-admission notice be issued to the respondents/GP to assist the court on 23.01.2014.

  
Member

23.01.2014

Appellant in person, Mr. Anwar Ullah, Litigation Clerk and Sajid Khan, Assistant Account Officer for respondent No.4 and Mr. Zia Ullah, GP for the respondents present. Appellant requested for adjournment. To come up for preliminary hearing on 10.02.2014.

  
Member

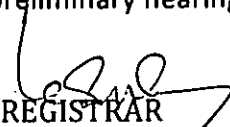

Form- A

FORM OF ORDER SHEET

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

Case No. \_\_\_\_\_

1553/2013

S.No.	Date of order Proceedings	Order or other proceedings with signature of judge or Magistrate
1	2	3
1	29/11/2013	<p>The appeal of Mr. Muslim Zada presented today by Mr. Shafiq Ullah Advocate may be entered in the Institution register and put up to the Worthy Chairman for preliminary hearing.</p> <p style="text-align: right;"> REGISTRAR</p>
2	3-12-2013	<p>This case is entrusted to Primary Bench for preliminary hearing to be put up there on <u>31-12-2013</u></p> <p style="text-align: right;"> CHAIRMAN</p>

**BEFORE SERVICE TRIBUNAL KHYBER**

**PAKHTUNKHWA, PESHAWAR**

In Ref: Service appeal No. 1553 of 2013

Muslim Zada

**VERSUS**

Government of Khyber Pakhtunkhwa through Sectary  
Health and others


**INDEX**

S. #	DESCRIPTION OF DOCUMENTS	Annexure	PAGE NO.
1)	Appeal with verification	=	1 to 5
2)	Addresses of parties	=	6
3)	Application for suspension	=	7 to 8
4)	Copy of appointed order	A	9
5)	Copy of retirement order	B	10
6)	Copy of Departmental Appeal	C	11 to 12
7)	Copies of old NIC, CNIC and payrolls slips (consisting 6 slips)	D, E, F	13 to 20
8)	Copy of Birth Certificate	G	21
9)	Copy of Service Book	H	22
10)	Wakalat Nama	=	23

Dated: 28/11/2013

**APPELLANT**

Through

  
Shafi Ullah

Advocate, High Court,  
Peshawar.

Cell No. 0321-9057946

**BEFORE SERVICE TRIBUNAL KHYBER**

**PAKHTUNKHWA, PESHAWAR**

In Ref: Service appeal No. 1553 of 2013

S.W.J. Peshawar  
No. 1596  
29-11-13

Muslim Zada S/O Sahibzada R/O Agra Payan, Tehsil &  
District Charsadda.....**Appellant**

**VERSUS**

1. Government of Khyber Pakhtunkhwa through Secretary Health Department Peshawar.
2. Director General Health Department services Khyber Pakhtunkhwa, Peshawar
3. District Health Officer Charsadda.
4. District Accounts Officer Charsadda.
5. Accounts Section of D.H.O Charsadda

.....**Respondents**

**SERVICE APPEAL UNDER SECTION 4 OF THE  
KHYBER PAKHTUNKHWA CIVIL SERVANT ACT 1974  
AGAINST THE IMPUGNED ORDER DATED  
17/07/2013 OF THE RESPONDENT NO.3, WHEREBY  
THE APPELLANT WAS ILLEGALLY AND  
UNLAWFULLY RETIRED FROM SERVICE.**

**PRAYER IN APPEAL:**

*On acceptance of this appeal the impugned order of retirement date 17/07/2013 may be declared null and void abinitio and ineffective upon the right of appellant and the appellant may kindly be allowed and permit to continue his duty.*

**Respectfully Sheweth:-**

Facts giving rise to the filing of the present appeal are as under:-

1. That the appellant is a permanent resident of village Agra Payan, Tehsil & District Charsadda and he was appointed as Chowkidar/watchman in health department on 02/09/1977. **(Copy of appointed order is attached as annexure "A")**
2. That after joining the service, the appellant performed his duty with zeal and complacency, always appreciated by higher authority till date and no adverse remarks whatsoever has ever been passed by any competent authority.
3. That on dated 17/07/2013 the appellant was informed by respondent No.1 that the appellant has been reached of the age of super-annotation i.e. 60 years and that appellant is hereby retired from service with effect from 30/06/2013. That order dated 17/07/2013 was issued with retrospective effect which against law and rules. **(Copy of retirement order is attached as annexure "B")**
4. That while feeling aggrieved from the impugned order dated 17/07/2013 the appellant

presented a departmental appeal to respondent No.3 and copy their of endorsed to respondent No.2 and statutory period of 90 days have elapsed the same produce no result, ***(Copy of Departmental Appeal is attached as annexure "C")***, hence instant this appeal on the following grounds inter alia:-

**GROUND:**

- A.** That the impugned order dated 17/07/2013 is against law, facts and circumstances of the case and against the natural justice.
- B.** That the impugned order dated 17/07/2013 of the respondents is irregular, illegal and without jurisdiction and liable to be set aside.
- C.** That the impugned order is the result of mis-reading and non-reading of the available record which is available in the office of respondent No.3.
- D.** That the impugned order is illegal, unlawful being issued wrongfully, malafidely and with ulterior motives which amount to deprive the appellant from his legal rights.
- E.** That the impugned order has been passed in belatent disregard of the principal of natural justice hence liable to be dismissed.



F. That according to old NIC the correct date of birth is 03/06/1957 and the same correct date of birth has been recorded in new Computerized National Identity Card. Moreover it is pertinent to mentioned here that the correct date of birth is also written in the payroll of appellant issued by the department, which is official record. **(Copies of old NIC, CNIC and payrolls slips (consisting 6 slips) are respectively attached as annexure "D", "E" & "F")**

G. That according to birth certificate issued by NADRA the correct date of birth 03/06/1957 which is mention in birth certificate so the appellant has not yet completed the age of superannuation i.e. 60 years. **(Copy of Birth Certificate is attached as annexure "G")**

H. That appellant is an illiterate person and the impugned order issued against the appellant is against the principal of natural justice.

I. That the impugned order issued wrongly because all the documentary evidence are in favour of the appellant.

J. That till the time of impugned order the appellant is never promoted/adjusted to some other post, so the appellant was never able to

see that what "date of birth" is mentioned in his service file. **(Copy of Service Book is attached as annexure "H")**

**K.** That if the impugned order dated 17/07/2013 is not set aside/cancelled, it would be a grave injustice and the appellant shall suffer irreparable loss.

**L.** That other submission shall be advance at the time of arguing the case with prior permission of this time of arguments.

It is, therefore, prayed that the appeal may kindly be accepted and impugned order dated 17/07/2013 proceeding and act may kindly be set-aside/cancelled and the appellant may be allowed to continue with the duty and any other remedy available to the appellant may also be awarded in the ends of justice.

Dated: 28/11/2013

**APPELLANT**

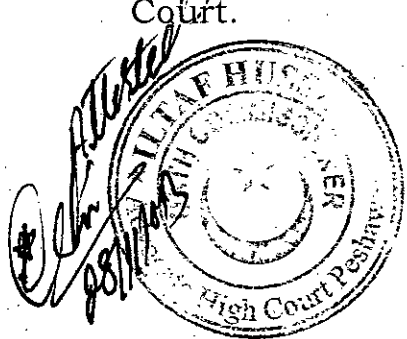
Through

*Shafi Ullah*  
Shafi Ullah  
Advocate, High Court,  
Peshawar.

**VERIFICATION:**

Verified on oath that that contents of this Service Appeal are true and correct to the best of my knowledge and nothing has been concealed from this Honorable Court.

**DEPONENT/ APPELLANT**



*07/12/13*

(6)

**BEFORE SERVICE TRIBUNAL KHYBER**

**PAKHTUNKHWA, PESHAWAR**

In Ref: Service appeal No. \_\_\_\_\_ of 2013

Muslim Zada

**VERSUS**

Government of Khyber Pakhtunkhwa through Sectary  
Health and others

**ADDRESSES OF PARTIES**

**PETITIONER:**

Muslim Zada S/O Sahibzada R/O Agra Payan, Tehsil &  
District Charsadda


**RESPONDENTS:**

1. Government of Khyber Pakhtunkhwa through  
Secretary Health Department Peshawar.
2. Director General Health Department services  
Khyber Pakhtunkhwa, Peshawar
3. District Health Officer Charsadda.
4. District Accounts Charsadda.
5. Accounts Section of D.H.O Charsadda

Dated: 28/11/2013

**APPELLANT**

Through



Shafi Ullah

Advocate, High Court,

Peshawar.

**BEFORE SERVICE TRIBUNAL KHYBER**

**PAKHTUNKHWA, PESHAWAR**

In Ref: Service appeal No. \_\_\_\_\_ of 2013

Muslim Zada

**VERSUS**

Government of Khyber Pakhtunkhwa through Sectary  
Health and others

**APPLICATION FOR SUSPENSION OF THE IMPUGNED  
ORDER DATED 17/07/2013 AND THE  
RESPONDENTS MAY BE DIRECTED NOT TO  
RESTRAIN THE PETITIONER TO CONTINUE WITH  
HIS DUTY TILL THE FINAL DECISION ON THE  
APPEAL OF THE APPELLANT.**

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Respectfully Sheweth;

The appellatant submits as under:-

1. That the appellatant has filed appeal for cancellation of retirement order issued by the authority in this Honorable Court in which no date of hearing is yet fixed.
2. That contents of the appeal may kindly be read an integral part of this application.

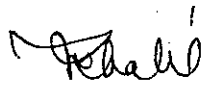
(8)

3. That petitioner has a good prima facie and arguable case in favour of the petitioner in which the petitioner is likely to succeed.
4. That balance of convenience lies in favour of the petitioner.
5. That if the impugned order is not set-aside cancelled, the petitioner/appellant shall suffer irreparable loss.
6. That until the appeal of the petitioner is not decided by this Honorable Tribunal the petitioner may be permitted to continue with his normal duties as chowkidar.

It is, therefore, most humbly prayed that permission may kindly be allowed to the petitioner/appellant to continue the said duties.

**Dated:28/11/2013**

**PETITIONER/APPELLANT**

Through 

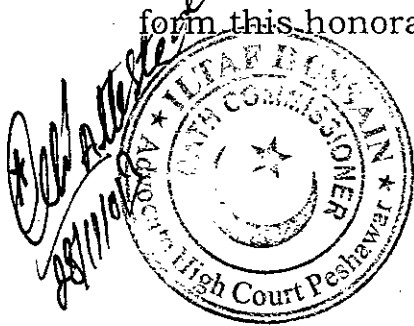
Shafi Ullah

Advocate, High Court,

Peshawar.

**AFFIDAVIT:**

I, Muslim Zada S/O Sahibzada R/O Agra Payan, Tehsil & District Charsadda do hereby solemnly affirm and declare on oath that the content of this application are true and correct to the best of his knowledge and belief and nothing has been concealed from this honorable court.



**DEPONENT**

02/13/13

## OFFICE OF THE DISTRICT HEALTH OFFICER PESHAWAR.

OFFICE ORDER.  
Muslim Zada s/o Sahib-zada

Mr. \_\_\_\_\_ Village Agra Payan Teh: Charsadda

is hereby offered a post of \_\_\_\_\_ Cheukidar in the National  
Pay scale of Rs. 250-5-250/5-340 \_\_\_\_\_ plus usual

allowances as admissible under the rules against the vacant post.

2. His appointment in the Health Department is temporary and his services may be terminated at any time without assigning any kind of notice.

3. He has to join duty at his own expenses.

4. The offer is subject to the condition that he is domiciled of Peshawar District, and medical fitness.

5. In case he wishes to resign at any time one Month's prior notice will be necessary failing which he will have to forfeit one month's pay in lieu thereof.

7. He will be governed by such rules and orders relating to leave, Travelling allowances, Medical attendance and Pay etc. as may be required by the Government for the category of Government servant to which he belongs.

8. If he accepts the offer he should report to the  
Compounder incharge Civil Dispensary Agra, \_\_\_\_\_ for duty there.

9. The offer will be cancelled if no reply is received within a week's time from the date of issue of this order.

Sd/- xx xx xx  
District Health Officer,  
Peshawar.

No. \_\_\_\_\_ /DHO. Date Peshawar the \_\_\_\_\_ /1977.

Copy forwarded to the :-

1. ~~Muslim Zada s/o Sahib-zada Village Agra Payan Teh: Charsadda~~
2. Compounder incharge Civil Dispensary Agra
3. Account Section DHO Office, Peshawar.

for information and necessary action.

Attested:

Khalid  
Advocate Peshawar.District Health Officer,  
Peshawar.

Annexure B

PHONE: 9220158  
FAX: 9220148

10



GOVERNMENT OF KHYBER PUKHTOONKHWA  
OFFICE OF THE  
DISTRICT HEALTH OFFICER  
CHARSADDA

OFFICE ORDER

On attaining the age of superannuation i.e. 60 years Mr. Muslimzada Chowkidar attach to CD Ziam is hereby retired from service with effect from 30/06/2013 on completion of 60 years qualified services with full pensionary benefits under the rule

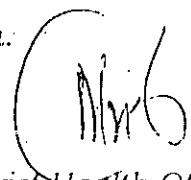
He is also allowed 365 days encashment in respect of the above official.

District Health Officer,  
Charsadda


No 3393-95 DHO Charsadda

Dated 17 / 7 / 2013

1. District Accounts Office Charsadda.
2. Accounts Section of DHO Charsadda.
3. Official Concerned for information & N/Action.

  
District Health Officer,  
Charsadda  
17/7

Attested

  
Advocate Peshawar

Attest

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Amesbury "C"

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18

عین اپنی نوکری جاری رکھ سکتوں اور اسے بھرتی  
کے لئے نوکری فراہم کروں۔ بدین اور گھوٹے کے  
ان کو تاحیات دعائیں دینے میں ہے

العرض  
انعام اعداد مسلسل دادہ وادھام دادہ جو کدیرار  
C.O آگے پانچ - مورخہ 2013-08-12

کامی رائے -  
ڈاکٹر شہناز صدیق بیگم سروس خیر لوختونوالیہ  
پرنسپل سروس کامی

Attested  
[Signature]  
Advocate Peshawar.



135 3 = 080124



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Attested  
 ✓ [Signature]  
 Advocate Peshawar.

حکومت پاکستان  
 قومی شناختی کارڈ  
 17101-6549879-1

نام: مسلم زاوہ  
 جنس: مرد  
 والد کا نام: صاحب زاوہ  
 قومی شناختی کارڈ: 03/06/1957

مسلم حسن  
 وزیر برائے برائے برائے

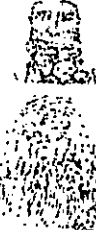
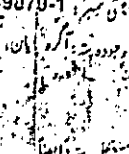



T2L8VS قومی شناختی کارڈ 17101-6549879-1

قومی شناختی کارڈ: 05/10/2007

30/09/2017

قومی شناختی کارڈ: 05/10/2007

Attested

*[Signature]*  
Advocate perhasas

GOVERNMENT OF PAKISTAN  
 ACCOUNTANT GENERAL N.W.F.P  
 DISTRICT Charsadda  
 Pers # 00153512 Buckle:  
 Name: MUSLIM ZADA  
 Desg: CHOWKIDAR  
 NTC No: 99990621476  
 GPF Interest Applied  
 02 Active-Permanent

P Sec:001 Month:November 2007  
 CA6117 EXECUTIVE DISTRICT HEALTH  
 Min: Health  
 NTN:  
 GPF #: JM 11509  
 Old #: 99990621476  
 Annexure F

PAYS AND ALLOWANCES:		DEPTT CODE	CA6117
0001-Basic Pay			4,485.00
1300-Medical Allowance			425.00
1516-Dress/ Uniform Allowance			40.00
1567-Washing Allowance			30.00
1770-Spl. Additional allowance			311.00
1830-Special Relief All(2005)			479.00
1831-Adhoc Relief (2005)			479.00
1864-Dearnes Allowance (2006)			576.00
<b>Gross Pay and Allowances</b>			<b>6,825.00</b>
<b>DEDUCTIONS:</b>			
GPF Balance	31,605.00	Subrc:	170.00
3501-Benevolent Fund			25.00
3511-Addl Group Insurance			2.00
<b>Total Deductions</b>			<b>197.00</b>
			<b>6,628.00</b>
<b>NET AMOUNT PAYABLE</b>			
<b>QUALIFYING SERVICE</b>	<b>D.O.B</b>	<b>LFP Quota:</b>	<b>4</b>
33 Years 02 Months 021 Days	11.10.1957	NBP, CHARSADDA SUGARCHARSADDA SUGAR	A/C 2514-B

*90 P-57*  
*gm-6*  
*Subrc:*

(F.1)  
 (15)

GOVERNMENT OF PAKISTAN  
 ACCOUNTANT GENERAL N.W.F.P  
 DISTRICT Charsadda  
 PAY ROLL SYSTEM

PAYMENT ADVICE  
 P Sec:001 Month:August 2009  
 CA6117 EXECUTIVE DISTRICT HEAL  
 Min: Health  
 NTN:  
 GPF #: JM 11509  
 Old #: 99990621476  
 DEPTT CODE

PAYS AND ALLOWANCES:		DEPTT CODE	CA6117
0001-Basic Pay			5,535.00
1300-Medical Allowance			500.00
1516-Dress/ Uniform Allowance			40.00
1567-Washing Allowance			30.00
1770-Spl. Additional allowance			311.00
1830-Special Relief All(2005)			479.00
1831-Adhoc Relief (2005)			479.00
1864-Dearnes Allowance (2006)			576.00
908-Adhoc Relief-2009 (01-16)			1,107.00
<b>Gross Pay and Allowances</b>			<b>9,057.00</b>
<b>DEDUCTIONS:</b>			
GPF Balance	52,536.00	Subrc:	230.00
6505-GPF Loan Principal Instal	Bal: 21,718.00		1,278.00
3501-Benevolent Fund			25.00
3511-Addl Group Insurance			3.00
<b>Total Deductions</b>			<b>1,536.00</b>
			<b>7,521.00</b>
<b>NET AMOUNT PAYABLE</b>			
<b>QUALIFYING SERVICE</b>	<b>D.O.B</b>	<b>LFP Quota:</b>	<b>4</b>
31 Years 10 Months 022 Days	11.10.1957	NBP, CHARSADDA SUGARCHARSADDA SUGAR	A/C 2514-B

*Attested*  
*Talib*  
*Advocate Peshawar*

(F.2) (16)



GOVERNMENT OF PAKISTAN  
ACCOUNTANT GENERAL N.W.F.P.  
DISTRICT Charsadda  
PAY ROLL SYSTEM

SH: 57

PAYMENT ADVICE  
P Sec: 001 Month: October 2010  
CA6117 - EXECUTIVE DISTRICT HEALTH  
Min: Health  
NTN:  
GPF #: JM 11509  
Old #: 99990621476

(17)

Pers #: 00153512 Buckle:  
Name: MUSLIM ZADA  
Dsg: CHOWKIDAR  
NIC No: 99990621476  
GPF Interest Applied  
02 Active Permanent

DEPTT CODE CA6117

(F-3)

PAYS AND ALLOWANCES:		
0001-Basic Pay		5,635.00
1300-Medical Allowance		1,000.00
1516-Dress/ Uniform Allowance		40.00
1567-Washing Allowance		30.00
1770-Spl. Additional allowance		311.00
1830-Special Relief All(2005)		479.00
1831-Adhoc Relief (2005)		479.00
1864-Earnes Allowance (2006)		576.00
1908-Adhoc Relief-2009 (01-16)		1,127.00
Gross Pay and Allowances		12,494.00
DEDUCTIONS:		
GPF Balance	81,953.00	Subrc: 230.00
6505-GPF Loan Principal Instal	Bal: 3,826.00	1,278.00
3501-Benevolent Fund		120.00
3511-Addl Group Insurance		3.00
Total Deductions		1,631.00
		<b>NET AMOUNT PAYABLE</b>
		10,863.00

QUALIFYING SERVICE	D.O.B	LFP Quota:
YRS MON	11.10.1957	4
33 Years 00 Months 022 Days		NBP, CHARSADE SUGARCHARSADE SUGAR
		A/C 2514-8



GOVERNMENT OF PAKISTAN  
ACCOUNTANT GENERAL KHYBER PAKHTUNKHWA  
DISTRICT Charsadda  
PAY ROLL SYSTEM

PAYMENT ADVICE

P Sec: 001 Month: December 2011  
CA6117 - EXECUTIVE DISTRICT HEALTH  
Min: Health  
NTN:  
GPF #: JM 11509  
Old #: 99990621476

(18)

Pers #: 00153512 Buckle:  
Name: MUSLIM ZADA  
Dsg: CHOWKIDAR  
NIC No: 99990621476  
BPS Interest Applied  
02 Active Permanent

DEPTT CODE CA6117

PAYS AND ALLOWANCES:		
0001-Basic Pay		9,660.00
1210-Convey Allowance 2005		250.00
1300-Medical Allowance		1,000.00
1516-Dress/ Uniform Allowance		100.00
1567-Washing Allowance		100.00
1948-Adhoc Allowance 2010@ 50%		2,867.00
1970-Adhoc Relief Allow 2011		660.00
Gross Pay and Allowances		15,437.00
DEDUCTIONS:		
GPF Balance	63,397.00	Subrc: 373.00
6505-GPF Loan Principal Instal	Bal: 34,000.00	2,000.00
3501-Benevolent Fund		120.00
3511-Addl Group Insurance		3.00
Total Deductions		2,496.00
		<b>NET AMOUNT PAYABLE</b>
		12,941.00

QUALIFYING SERVICE	D.O.B	LFP Quota:
YRS MON	11.10.1957	4
34 Years 02 Months 022 Days		NBP, CHARSADE SUGARCHARSADE SUGAR
		A/C 2514-8

(F-4)

Attested

*[Signature]*

Advocate Peshawar



GOVERNMENT OF PAKISTAN  
ACCOUNTANT GENERAL KHYBER PAKHTUNKHWA  
DISTRICT Charsadda  
PAY ROLL SYSTEM

PAYMENT ADVICE

P Sec: 001 Month: October 2012  
CA6117 - EXECUTIVE DISTRICT HEAL  
Min: Health  
NTN:  
GPF #: JM 11509  
Old #: 99990621474

Pers #: 00153512 Buckle:  
Name: MUSLIM Zaid  
Dsg.: CHOWKIDAR  
NTN No: 99990621474

GPF Interest Applied

DEPTT CODE

PAYS AND ALLOWANCES		
0001-Basic Pay		7,660.00
1210-Convey Allowance 2005		1,500.00
1300-Medical Allowance		1,000.00
1516-Dress/Uniform Allowance		100.00
1567-Washing Allowance		100.00
1948-Adhoc Allowance 2010 50%		2,867.00
1970-Adhoc Relief Allow 2011		860.00
2118-Adhoc Relief Allow (2012)		1,932.00
Gross Pay and Allowances		18,017.00
DEDUCTIONS:		
GPF Balance 95,000.00		373.00
6505-GPF Loan Principal Instal Bal: 14,000.00		2,000.00
3501-Renevolent Fund		120.00
3511-Addl Group Insurance		3.00
Total-Deductions		2,496.00
<b>NET AMOUNT PAYABLE</b>		<b>15,523.00</b>

QUALIFYING SERVICE  
YRS MON D.O.B  
35 Years 00 Months 02 Days 11.10.1957

LFP Quota: 4  
NBP, CHARSADDA SUGARCHARSADDA SUGAR  
A/C 2514-B



GOVERNMENT OF PAKISTAN  
ACCOUNTANT GENERAL KHYBER PAKHTUNKHWA  
DISTRICT Charsadda  
PAY ROLL SYSTEM

PAYMENT ADVICE

P Sec: 001 Month: January 2013  
CA6117 - EXECUTIVE DISTRICT HEAL  
Min: Health  
NTN:  
GPF #: JM 11509  
Old #: 99990621474

Pers #: 00153512 Buckle:  
Name: MUSLIM Zaid  
Dsg.: CHOWKIDAR  
NTN No: 99990621474

GPF Interest Applied

DEPTT CODE

PAYS AND ALLOWANCES:		
0001-Basic Pay		9,830.00
1210-Convey Allowance 2005		1,700.00
1300-Medical Allowance		1,000.00
1516-Dress/Uniform Allowance		100.00
1567-Washing Allowance		100.00
1948-Adhoc Allowance 2010 50%		2,867.00
1970-Adhoc Relief Allow 2011		860.00
2118-Adhoc Relief Allow (2012)		1,966.00
5011-Addl Conveyance Allowance		800.00
Gross Pay and Allowances		19,223.00
DEDUCTIONS:		
GPF Balance 21,091.00		373.00
6505-GPF Loan Principal Instal Bal: 8,000.00		2,000.00
3501-Renevolent Fund		120.00
3511-Addl Group Insurance		3.00
Total Deductions		2,496.00
<b>NET AMOUNT PAYABLE</b>		<b>14,727.00</b>

QUALIFYING SERVICE  
YRS MON D.O.B  
35 Years 03 Months 02 Days 11.10.1957

LFP Quota: 4  
NBP, CHARSADDA SUGARCHARSADDA SUGAR  
A/C 2514-B

Attested:

Retelw  
Advocate pershawar

19

F-5

20

F-6



P 0 2 2 1 4 6 8 0

حکومت خیبر پختونخوا پاکستان

Annexure "G"

THE GOVT OF KHYBER PAKHTUNKHWA PAKISTAN

بیت اندراج

81

## BIRTH CERTIFICATE

CRMS No: B171006-13-0116

FORM No: P002214680

درخواست دہندہ کا نام: مسلم زادہ

رشتہ: مرد خود

درخواست دہندہ کا شناختی کارڈ نمبر: 1710165498791

پیدائش کا صانع / تاریخ	مذہب	جنس	والدہ کا نام / شناختی کارڈ نمبر	والد کا نام / شناختی کارڈ نمبر	بچے کا نام
پارسدہ	اسلام	مرد	جانورو	صاحب زادہ	مسلم زادہ
3-6-1957			1710167631962	139-30-080661	

APPLICANT'S NAME: MUSLIM ZADA

APPLICANT'S CNIC NO: 1710165498791

RELATION: SELF (MALE)

CHILD'S NAME	FATHER'S NAME / NIC NO	MOTHER'S NAME / NIC NO	GENDER	RELIGION	DISTRICT AND DATE OF BIRTH
MUSLIM ZADA	SAHIB ZADA 139-30-080661	JANWARO 1710167631962	MALE	ISLAM	CHARSADDA 3-6-1957

GRAND FATHER'S NAME: MUHAMMAD YOUNAS

GRAND FATHER'S CNIC NO:

دادا کا نام: محمد یونس  
دادا کا شناختی کارڈ نمبر:

بیت اندراج:

تاریخ اندراج: 5-8-2013

تاریخ اندراج:

پتہ: گاؤں اکرہ پاپان، ڈاکخانہ اکرہ پاپان، تحصیل چارسادہ، ضلع چارسادہ

ADDRESS: VILLAGE: AGRA PAYAN, POST OFFICE: AGRA PAYAN,  
TEHSIL: CHARSADDA, DISTRICT: CHARSADDA

5-8-2013

تاریخ اجراء:

اگرہ (006) ضلع چارسادہ

Attested

Advocate Peshawar

Advocate Peshawar

22

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

1. Name

Muslan Zada

2. Race

Afghan

3. Residence

Muslan Zada of village Agra  
Raya P.O. Agra, Tehsil Charsadda

4. Father's name and residence

SAMIB Zada of village Agra Raya  
P.O. Agra Raya, Tehsil, Charsadda

5. Date of birth by Christian Era as nearly as can be ascertained.

1953

✓

6. Exact height by measurement

5-3

7. Personal marks for identification

Black mole below the right-eye brow.

8. Left hand thumb and finger impression of (non-gazetted) officer

Little Finger



Ring Finger



Middle Finger



Fore Finger



Thumb



Attested

Khalid  
Advocate Peshawar

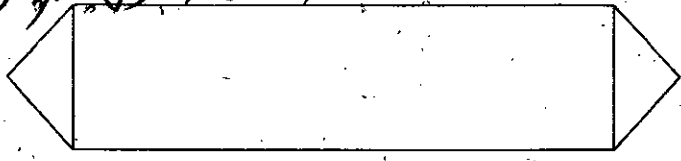
9. Signature of Government servant

*[Handwritten signature]*

10. Signature and designation of the Head of the Office, or other Attesting Officer

*[Handwritten signature]*  
DISTRICT HEAD OF OFFICE  
PESHAWAR.





2013ء منجانب اسپتال

28 نومبر

مورخہ

مقدمہ

دعویٰ

جرم

حلم زادہ

سہرساپیل

### باعث تحریر آنکہ

مقدمہ مندرجہ عنوان بالا میں اپنی طرف سے واسطے پیروی و جواب دہی وکل کاروائی متعلقہ

آن مقام لٹاور کیلئے فیض اللہ اور ڈاکٹر لٹاور 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 تقریر ثالث و فیصلہ پر حلف دیئے جواب دہی اور اقبال دعویٰ اور بصورت ڈگری کرنے اجراء اور وصولی چیک و روپیہ ارضی دعویٰ اور درخواست ہر قسم کی تصدیق زرائیں پر دستخط کرانے کا اختیار ہوگا۔ نیز صورت 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۔ از بصورت ضرورت مقدمہ مذکور کے کل یا جزوی کاروائی کے واسطے اور وکیل یا مختار قانونی کو اپنے ہمراہ یا اپنے بجائے تقریر کا اختیار ہوگا۔ اور صاحب مقرر شدہ کو بھی وہی جملہ مذکورہ باختیارات حاصل ہوں گے۔ اور اس کا ساختہ پر داختم منظور و قبول ہوگا دوران مقدمہ میں جو خرچہ ہر جانبہ التوائے مقدمہ کے سبب سے ہوگا۔ کوئی تارتخ پیشی مقام دورہ پر ہو یا حد سے باہر ہو تو وکیل صاحب پابند ہوں گے۔ کہ پیروی مذکور کریں۔ لہذا وکالت نامہ لکھ دیا کہ سندر ہے۔

حلم زادہ

2013

28 نومبر

28

المرقوم

Accepted by

Advocate

العراقیہ لٹاور کے لئے منظور ہے۔

**BEFORE SERVICE TRIBUNAL KHYBER PUKHTONKHWA PESHAWAR**

Appeal No. 1553 of 2013

Muslim Zada s/o Sahib Zada

R/O Agra Payan, Tehsil and District Charsadda.

**PETITIONER**

**VERSES**

1. Govt of KPK, Through Secretary Health, KPK, Peshawar.
2. Director General Health Services, Govt of KPK, Peshawar.
3. District Health Officer, Charsadda.
4. District Accounts Officer, Charsadda.
5. Accounts Section of DHO Charsadda.

**RESPONDENTS**

**PARAWISE COMMENTS ON BEHALF OF THE RESPONDENT NO 1 TO 3 & 5**

**PRELIMINARY OBJECTION:-**

1. That the appellant has got no locus standi to file instant appeal.
2. That the appellant is estopped to file this appeal.
3. That due to misstatement and concealment of material fact, appeal is liable to be dismissed.
4. That the appeal is bad for mis-joinder and non-joinder of parties.
5. That the instant appeal is barred by law.
6. That the appellant has got no cause of action to file instant appeal.

**ON FACT:**

1. Pertains to record.
2. Pertains to record.
3. Correct to the extent of retirement however the order date: 17-07-2013 is according to law and rules.
4. Incorrect. The appellant submitted application/appeal to the Director General Health services, Khyber Pakhtunkhwa, Peshawar. Vide Dy. No. 18343, dated: 23-08-2013 which was received to Respondent No. 3 on 13-09-2013 for comments. Report/comments was sent to the Director General Health services, Khyber Pakhtunkhwa, Peshawar vide No. 6311/DHO, dated: 03-10-2013. A final decision received from DGHS Peshawar vide No. 6987/Personal, dated: 27-11-2013. (Orders annexed)

**GROUND:**

- A. Incorrect. The appellant completed the age of superannuation i. e. 60 years (according to the services book) hence the impugned order is according to law and rules.
- B. Incorrect. The appellant was retired from his services according to rules and regulations.

C. Incorrect. The entry was recorded in the service book by the DHO Peshawar, which is authentic according to which the retirement order was issued.

D. Incorrect. The order is legal and according to service rules.

E. Incorrect. The appellant was retired from his services according to rules and regulations.

F. Incorrect. The department only rely on service book entry. Hence the order was issued according to the entry made in service book.

G. Incorrect. The appellant completed the age of superannuation i. e. 60 years according to services book.

H. Incorrect. The impugned order is according to law and principal of natural justice.

I. Incorrect. The impugned order is issued according to the entry made in service book.

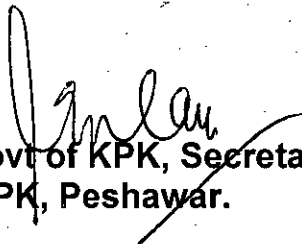
J. Incorrect. In service book there is a signature of employee which is to be signed by the employee and also thumbs impression.

K. Incorrect. The impugned order is just and legal hence liable to be upheld.


L. That further submission will be advanced at the time of arguments with the permission of this tribunal.

It is therefore, humbly prayed that on the acceptance of this parawise comments the appeal of the appellant may kindly be dismissed with cost.

Respondent No.1

  
Govt of KPK, Secretary Health,  
KPK, Peshawar.

Respondent No.2

  
Director General Health Services,  
Govt of KPK, Peshawar.


Respondent No. 3

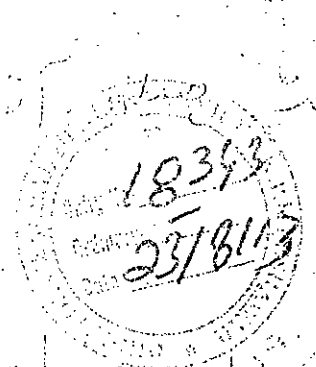
  
District Health Officer,  
Charsadda

Respondent No. 4

  
District Accounts Officer,  
Charsadda

Respondent No. 5

  
Accountant DHO Office,  
Charsadda.



باب انگریزوں کی سرکاری سرکاری  
حد عالی!

خود بیانہ گزراؤں سے کہ مسائل مختلفہ خود بیانہ میں  
خفیات سرانجام دیا گیا ہے۔ مسائل عرفہ میں  
اشیاء پر تصانیف برائے - اور اس وقت سے کہ  
عرائض ادا کر رہا ہے۔ مسائل ایک غیر تعلیم یافتہ  
اور بوقت لغوی غلطی سے سر میں بت میں تاریخ پیدائش

سال 1933ء لکھا گیا تھا۔ ماہ جون 1933ء میں  
نوبیات خاندانہ فیکرٹ معلوم ہوا کہ صدی ریڈیو  
ماہ جون 1933ء میں آفری تاریخ کو

سر میں صدی شافی کارڈ اور غیر  
مسائل عرض گزار ہے کہ حساب والا غیر  
صدی غیر دینی تاریخ پیدائش کیسے کہ شافی

۱۹۳۰. 6. ۱۹۳۱ء - غیر ان کے لئے دیا گیا تھا  
میں لکھی گئی تھیں اور 19۳۰-۱۹۳۱ء جو کہ میں نے دیا  
قدیم کر دیا تھا

اور یہ کہ صدی کے رول میں غیر تاریخ پیدائش  
شافی کارڈ کے مطابق تصانیف لکھی گئی تھیں۔

اور یہ کہ صدی کے رول میں غیر تاریخ پیدائش  
۱-3۰۶ء میں آپ صاحبان کے صرف میں نوبیات  
میں غیر کر کے کہ صدی کے کو غیر تاریخ پیدائش  
میں غیر ان کا خدائے ادب درستی کر دیا گیا

OFFICE OF THE  
DISTRICT HEALTH OFFICER  
CHARSADDA

No. 6311 / DHO.

Date: Charsadda the 03/10/2013

To

The Director General Health Services,  
Khyber Pakhtunkhwa, Peshawar.


Subject: - APPLICATION.

Sir,

Reference your letter No. 5469/Personnel, dated: 09-09-2013 on the subject noted above.

In this connection I have the honor to state that age superannuation/retirement is maintained by Service Book not by ID Card. Furthermore the entry has been recorded by DHO Peshawar that time and it is always recorded from Medical Fitness Certificate.

Report is submitted for information please.

  
DISTRICT HEALTH OFFICER  
CHARSADDA

13/10/13

13/10/13



DIRECTORATE GENERAL HEALTH  
SERVICES, GOVT: OF KHYBER  
PUKHTUNKHWA, PESHAWAR.  
NO 6987 /PERSONNEL  
DATED 27 /11/2013.

To,

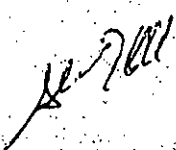
The District Health Officer, ✓  
Charsadda.

Subject:  
Dear Sir,

**APPLICATION.**

I am directed to refer to your letter No. 6311/DHO dated  
03.10.2013, on the subject noted above.

It is stated that Date of birth which has been entered in Service  
Book from Medical certificate at the time of appointment, is authentic and may  
be considered final for fixing the date of retirement. It could not be changed  
after retirement so the govt: servant is stand retired w.e.f 01.07.2013 (F.N).

  
ASSISTANT DIRECTOR (P-II)  
DIRECTORATE GENERAL HEALTH  
SERVICES, K.P.K PESHAWAR

**OFFICE OF THE DISTRICT HEALTH OFFICER CHARSADE**

No: 88 /DHO.

Dated Charsadda the 07 /01/2014

Copy forwarded to Mr. Muslim Zada s/o Sahib Zada Village & PO Agra Payan, Tehsil and  
District Charsadda for information and necessary action.

*Hassan Nazki  
s/o Taha Nazki  
Lamin*

*Witness*

*Fayaz Ahmed*

  
DISTRICT HEALTH OFFICER  
CHARSADE