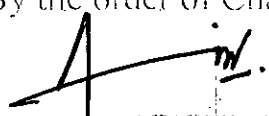


FORM OF ORDER SHEET

Court of _____

Appeal No. 1777/2023

S.No.	Date of order proceedings	Order or other proceedings with signature of judge
1	2	3
1-	04/09/2023	<p>The appeal of Mst. Nazia Gul, resubmitted today by Mr. Inayat Ullah Khan Advocate. It is fixed for preliminary hearing before Single Bench at Peshawar on</p> <p>By the order of Chairman  REGISTRAR</p>

The appeal submitted by Mr. Inayat Ullah Khan Advocate i.e. on 31/08/2023 is incomplete on the following score which is returned to him for completion and resubmission within 15 days.

1. Copy of service card mentioned in memo of the appeal annexed as Annexure-A is not attached with appeal which may be placed on it.
2. Annexure-A of the appeal is illegible which may be replaced with legible/better one.
3. Annexures/documents attached with the appeal are not in sequence.


No. 3143 /S.T.

Dt. 1-9 /2023



REGISTRAR
SERVICE TRIBUNAL
KHYBER PAKHTUNKHWA
PESHAWAR.

Mr. Inayat Ullah Khan Adv.
Supreme Court.


4-9-2023 -
All objections removed
hence resubmitted -
Inayat Ullah Khan
ASC LHM (PK)

BEFORE THE PROVINCIAL SERVICE TRIBUNAL, KPK, PESHAWAR.

Service Appeal No. 1773 /2023

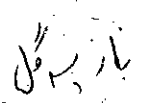
Mst.Nazia Gul Appellant

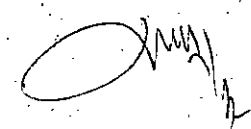
Versus

Govt. of Khyber Pakhtunkhwa through Chief Secretary
and others..... Respondents

INDEX

S.No.	Description of documents.	Annex:	Pages.
1)	Memo of appeal.		1-4
2)	Affidavit.		5
3)	Application for release of salary		6
4)	Affidavit.		7
5)	Addresses of the parties.		8
6)	Copy of order dated 26.08.2014	A	9
7)	Copy of notification dated 14.07.2016	B	10-11
8)	Copy of order dated 08.08.2016.	C	12
9)	Copy of notification dated 01.11.2022 and Certificate of Transfer of Charge	D-E	13-15
10)	Salary slip for the month of September, 2022.	F	16
11)	Departmental appeal.	G	17-19
12)	Wakalatnama.		20


Appellant
Through


Inayat Ullah Khan
Advocate
Supreme Court of Pakistan
LL. M (U.K)

BEFORE THE PROVINCIAL SERVICE TRIBUNAL, KPK, PESHAWAR.

Service Appeal No. 1777/2023

Mst. Nazia Gul ~~vs~~ **Syed Amir Mehmood (Head Nurse) BPS-18**
Senior Clinical Nursing Instructor (BPS-18) Government Maternity
Hospital, Peshawar.
R/o Police Colony, Nasir Bagh Road, House No.20,
Street No.3-A, Peshawar..... Appellant

Versus

- 1) Government of Khyber Pakhtunkhwa through Chief Secretary, Civil Secretariat, Peshawar.
- 2) Secretary Health Government of Khyber Pakhtunkhwa, Civil Secretariat, Peshawar.
- 3) Director General Health, Khyber Road, Peshawar.
- 4) Director Nursing MTI, KTH, Peshawar..... Respondents

Appeal u/s 4 of the K.P Service Tribunal Act, 1974 for release of pay to the appellant w.e.f. the month of October, 2022 till date.

PRAYER:

Keeping in view what has been stated above, it is therefore, earnestly prayed from this Hon'ble Tribunal to allow this service appeal, and release the salary of appellant w.e.f. the month of October, 2022 till date.

It is further prayed that action may kindly be taken against the official respondents for illegally stopping the salary of appellant in the light of reported judgment **1997 PLC (CS) 666.**

Any other relief, to whom the appellant found entitle, may also be granted.

Respectfully Sheweth;

Brief facts giving rise to the instant service appeal are as under:-

- 1) That the appellant is working at Khyber Teaching Hospital, Peshawar since her induction in service i.e. 01.01.2005 and lastly drawn her salary as Charge Nurse (BPS-16) till July, 2014.

(Copy of service card is enclosed as Annexure "A").

- 2) That in July, 2014 the appellant was selected through Public Service Commission on the post of Charge Nurse (BPS-16) on regular basis.

(Copy of order dated 26.08.2014 is enclosed as Annexure "A/1")

- 3) That in the year 2016, the appellant again appeared in Public Service Commission exam: and as such qualified the exam for the post of Head Nurse (BPS-17) and after successfully qualifying the exam notification dated 14.07.2016 was issued wherein the appellant is appearing at Sr.No.5.

(Copy of notification dated 14.07.2016 is enclosed as Annexure "B").

- 4) That the official respondents in pursuance of earlier notification No.SOH-III/3-5/2014 dated 14.07.2016, issued another notification dated 08.08.2016 whereby the appellant (Head Nurse) BPS-17 was transferred from Police Services Hospital, Peshawar to Khyber Teaching Hospital, Peshawar against the vacant post.

(Copy of order dated 08.08.2016 is enclosed as Annex "C").

- 5) That vide notification dated 01.11.2022 the appellant was transferred from the post of Head Nurse (BPS-17) KTH, Peshawar to Senior Clinical Nursing Instructor (BPS-18) Govt. Maternity Hospital, Peshawar as such performing her duties on the current assignment till date.

(Copy of notification dated 01.11.2022 and Certificate of Transfer of Charge are enclosed as Annex "D and E").

- 6) That without assigning any reason or cause the appellant's pay was stopped w.e.f. 01.10.2022 till date and to this effect the last drawn **salary slip for the month of September, 2022 is enclosed as Annexure "F"**.

Being dissatisfied with the inaction of the official respondents, having no alternate and efficacious remedy, hence the appellant constrained to file the instant Service Appeal for release of her salary, on the following amongst other grounds:-

GROUNDS

- a) That the act of stoppage of the salary of the appellant by the official respondents is illegal, without lawful authority and ineffective upon her accrued rights.
- b) That the appellant since her induction regularly performing her duties to the entire satisfaction of her immediate superiors and no complaint whatsoever has ever been filed against her, hence her previous track record speaks volumes about her efficiency and discipline in service.
- c) That the salaries of appellant are stopped without any written order and without quoting any rule or provision of law, which may authorize the official respondents to stop her salary,

which act is against all the canons of justice, equity and the concept of due process of law as embodied in Article 10-A of the Constitution of Pakistan.

- d) That it is settled principle of law that salary of a Civil Servant is no more a State bounty, therefore any illegal restraint without any justification is an action which cannot be condoned at all.

It is pertinent to mention here that the matters relating to pay and pension is a continuous cause of action, therefore, no limitation runs against it.

- e) That the pay of appellant has been stopped due to personal grudges, nurtured against her by the official respondents.
- f) That additional grounds will be raised with the permission of this Hon'ble Tribunal at the time of hearing.

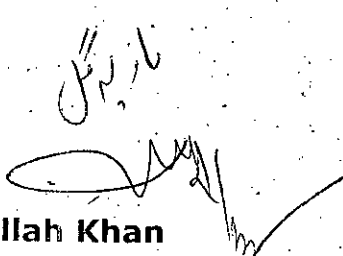
Keeping in view what has been stated above, it is therefore, earnestly prayed from this Hon'ble Tribunal to allow this service appeal and the salary of appellant may kindly be released w.e.f. the month of October, 2022 till date with heavy cost.

It is further prayed that action may kindly be taken against the official respondents for illegally stopping the salary of appellant in the light of reported judgment **1997 PLC (CS) 666**.

Any other relief, to whom the appellant found entitle, may also be granted.

Date 30/08/2023.

Appellant
Through


Inayat Ullah Khan
Advocate
Supreme Court of Pakistan
LL. M (U.K)

BEFORE THE PROVINCIAL SERVICE TRIBUNAL, KPK, PESHAWAR.

Service Appeal No. _____/2023

Mst.Nazia Gul Appellant

Versus

Govt. of Khyber Pakhtunkhwa through Chief Secretary
and others..... Respondents

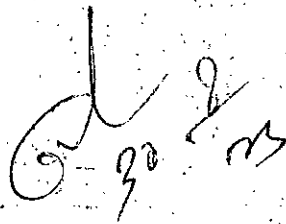
AFFIDAVIT

I, **Mst.Nazia Gul s/o Syed Amir Mehmood (Head Nurse)**
BPS-18 Senior Clinical Nursing Instructor (BPS-18) Government
Maternity Hospital, Peshawar R/o Police Colony, Nasir Bagh Road,
House No.20, Street No.3-A, Peshawar (appellant), do hereby
affirm and declare on oath that the contents of the **Appeal** are
true and correct to the best of my knowledge and belief and
nothing has been concealed from this Hon'ble Tribunal.

Date 30/08/2023


Deponent

CNIC No.17101-1044314-2


30/8/23

6

BEFORE THE PROVINCIAL SERVICE TRIBUNAL, KPK, PESHAWAR.

Service Appeal No. _____/2023

Mst. Nazia Gul Appellant

Versus

Govt. of Khyber Pakhtunkhwa through Chief Secretary
and others Respondents

**Application for release of salary to the
applicant till the final disposal of the
instant appeal.**

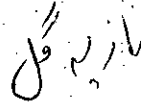
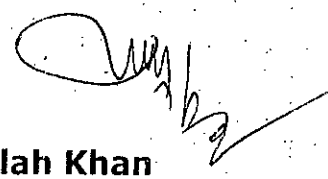
Respectfully Sheweth:-

1. That the accompanying service appeal has been filed before this Honorable Service Tribunal which may kindly be treated as an integral part and parcel of this application
2. That the applicant having a good prima facie case and is sanguine about its success, if the salary which has been illegally stopped has not been released immediately, applicant will suffer an irreparable loss.
3. That balance of convenience also lies in favour of applicant.

It is therefore humbly prayed that this application may kindly be allowed as prayed for in the heading.

Date: 30/08/2023

Applicant
Through



Inayat Ullah Khan
Advocate
Supreme Court of Pakistan
LL. M (U.K)

7

BEFORE THE PROVINCIAL SERVICE TRIBUNAL, KPK, PESHAWAR.

Service Appeal No. _____/2023

Mst.Nazia Gul Appellant

Versus

Govt. of Khyber Pakhtunkhwa through Chief Secretary
and others..... Respondents

AFFIDAVIT

I, Mst.Nazia Gul s/o Syed Amir Mehmood (Head Nurse)
BPS-18 Senior Clinical Nursing Instructor (BPS-18) Government
Maternity Hospital, Peshawar R/o Police Colony, Nasir Bagh Road,
House No.20, Street No.3-A, Peshawar (appellant), do hereby
affirm and declare on oath that the contents of the **Application**
are true and correct to the best of my knowledge and belief and
nothing has been concealed from this Hon'ble Tribunal.

نازیا گول
Deponent

CNIC No.17101-1044314-2

30/13

8

BEFORE THE PROVINCIAL SERVICE TRIBUNAL, KPK, PESHAWAR.

Service Appeal No. _____/2023

Mst.Nazia Gul Appellant

Versus

Govt. of Khyber Pakhtunkhwa through Chief Secretary
and others..... Respondents

ADDRESSES OF THE PARTIES

APPELLANT:


Mst.Nazia Gul s/o Syed Amir Mehmood (Head Nurse) BPS-18
Senior Clinical Nursing Instructor (BPS-18) Government Maternity
Hospital, Peshawar.
R/o Police Colony, Nasir Bagh Road, House No.20,
Street No.3-A, Peshawar

RESPONDENTS:

- 1) Government of Khyber Pakhtunkhwa through Chief
Secretary, Civil Secretariat, Peshawar.
- 2) Secretary Health Government of Khyber Pakhtunkhwa,
Civil Secretariat, Peshawar.
- 3) Director General Health, Khyber Road, Peshawar.
- 4) Director Nursing MTI, KTH, Peshawar


Appellant

Through


Inayat Ullah Khan
Advocate
Supreme Court of Pakistan
LL.M (U.K)

9

Annexure A

GOVERNMENT OF PAKISTAN
MTI, Khyber Teaching Hospital

Naazia Gul
 ID: K037000000647
 Head Nurse
 Nursing Admin

University: Peshawar. Tel: +92-91-3224460
<http://www.kth.gov.pk> E-mail: info@kth.gov.pk

PAKISTAN National Identity Card

Naazia Gul

Holder's Name: Syed Amir Mahmood

Gender: Male

DOB: 17/03/1981

Issue Date: 23/02/2011

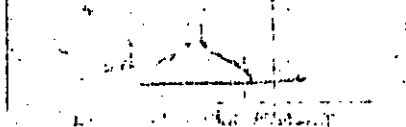
Expiry Date: 23/02/2027

Holder's Signature

Blood Group : "O" Positive

Date of Appointment: 10/9

N.I.C. No: 1711 104314-2



Issue Date: 11/06/2018

If found please return to the Registrar General, Islamabad

Phone: 3732 1850

17101-1044314-2

گشادہ کارڈ ملنے پر قریبی لیویکس میں ڈال دیں

504941024181
139-41-756168

Registrar General of Pakistan

گشادہ کارڈ ملنے پر قریبی لیویکس میں ڈال دیں

9/1
A/X/PCA
Office of the Medical Superintendent
Khyber Teaching Hospital, Peshawar

No. 25646-54 /KTH/E
Dt. 26/8/2014

OFFICE ORDER

On selection by Public Service Commission and on posting to this hospital by Director General Health Services Khyber Pakhtunkhwa Peshawar, Vide No. 3769-858/E.II dated 24.7.2014, the arrival report of the following Charge Nurses working in this institution on adhoc basis (S.No. 1 institutional employee and S.No.2 deputed by DGHS) is hereby accepted as Charge Nurses BPS-16 on regular basis.

1. Ms. Nazia Gul D/o Said Wali
2. Ms. Farzana Danial D/o Danial

Medical Superintendent
Khyber Teaching Hospital/
Peshawar

No. _____ /KTH/E
Copy to:

1. The Director General Health Services Khyber Pakhtunkhwa Peshawar w/ref. to his letter No. quoted above.
2. The Chief Executive KTH/KMC/KCD, Peshawar.
3. Director Administration & HR KTH.
4. DMS (Admn)
5. Chief Nursing Supdt: KTH.
6. Accounts Officer KTH.
7. Audit Officer KTH.
8. Resident Asstt: Director Audit KTH.
9. Charge Nurses concerned.

Medical Superintendent
Khyber Teaching Hospital/
Peshawar

Annexure 13

10



GOVT OF KHYBER PAKHTUNKHWA
HEALTH DEPARTMENT

Dated the Peshawar 14th July, 2016

NOTIFICATION

No:SOH-III/3-5/2014. On the recommendations of Khyber Pakhtunkhwa Public Service Commission, the Government of Khyber Pakhtunkhwa is pleased to appoint the following Head Nurses (BS-17) on regular basis with immediate effect.

S.No	Name with Father's Name	Domicile/Zone
1.	Lubna Sheikh D/o Shikh Mohammad Ahsan	Mansehra/5
2.	Shakila Karim D/o Abdul Karim	Peshawar/2
5.	Nazia Gul D/o Said Wali	Charsadda/2
6.	Gulshan Bibi D/o Sher Khan	Chitral/3
7.	Nazia Shaheen D/o Muhammad Sulman	Haripur/5


2. Consequent upon their appointment to the post of Head Nurses (BS-17) the following posting/transfer are hereby ordered with immediate effect in the Public Interest.

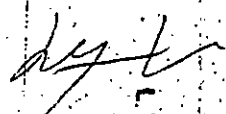
S.No	Name & Father Name	From	To	Remarks
01.	Lubna Sheikh D/o Shikh Mohammad Ahsan	Charge Nurse BS-16 KTH, Peshawar.	Govt. ID Children Hospital, Peshawar.	Against the vacant post.
02.	Shakila Karim D/o Abdul Karim	Charge Nurse (BS-16) LRH, Peshawar.	Police Services Hospital, Peshawar.	Against the vacant post.

[Handwritten signature]

(11)

5. Hospital Directors, MTIs, Khyber Pakhtunkhwa concerned.
6. Medical Superintendents DHQ, Hospital, Khyber Pakhtunkhwa concerned.
7. District Accounts Officers, Khyber Pakhtunkhwa concerned.
8. PSO to Chief Secretary, Khyber Pakhtunkhwa.
9. PS to Senior Minister, Khyber Pakhtunkhwa.
10. PS Secretary Health, Khyber Pakhtunkhwa.
11. Head Nurses concerned.


(MUHAMMAD TARIQ)
SECTION OFFICER-III



12

Annexure C



GOVT OF KHYBER PAKHTUNKHWA
HEALTH DEPARTMENT

Dated Peshawar the 08th August, 2016

NOTIFICATION

No. SOH-III/3-5/2016. In pursuance of partial notification of this department notification No. SOH-III/3-5/2014 dated 14-07-2016 the Competent Authority is pleased to order the following posting / transfer with immediate effect in the public interest.

S.NO	Name	From	To	Remarks
1.	Lubna Sheikh (Head Nurse) BS-17 D/O Sheikh Muhammad Ahsan	Under transfer to Govt. ID Children Hospital Peshawar.	Khyber Teaching Hospital, Peshawar.	Against the vacant post.
2.	Nazia Gul (Head Nurse) BS-17 D/o Said Wali	Under transfer to Police Services Hospital, Peshawar.	Khyber Teaching Hospital, Peshawar.	Against the vacant post.

3. They will be on probation for a period of one year extendable for another one year in terms of rule -15 of APT Rules 1989.
4. Their services will be governed under Khyber Pakhtunkhwa Civil Servants Act 1973s amended vide Civil Servants (Amendment) Act 2005 and rules made there under and other relevant laws and rules.
5. They are directed to assume charge within 30 days after the issuance of this notification failing which their appointment shall be treated as cancelled.

SECRETARY HEALTH

Endst: even No & date.

Copy forwarded to:-

1. The Accountant General, Khyber Pakhtunkhwa, Peshawar.
2. The Director General Health Services, Khyber Pakhtunkhwa Peshawar.
3. The Hospital Director, MTI, KTH, Peshawar.
4. The Director, Provincial Health Services Academy, Peshawar.
5. PS to Secretary Health, Khyber Pakhtunkhwa.
6. The Deputy Director (I.T) Health, Khyber Pakhtunkhwa.
7. Charge Nurse concerned.

(Muhammad Tariq)
SECTION OFFICER-III



GOVERNMENT OF KHYBER PAKHTUNKHWA
HEALTH DEPARTMENT

A/XXX/2022 D

Dated Peshawar, the 01st November, 2022

13

NOTIFICATION

SOH-III/3-5/2022 (Nursing Staff BS-18) In Continuation of this Department's Notification of even number dated 23-09-2022, the Competent Authority is pleased to order transfer/posting of the following Nursing Staff (BS-18) with immediate effect, in the public interest:-

S. No	Name of officer with father name	From	To	Remarks
1.	Wasima Rafique D/O S.M. Rafique	Assistant Director Nursing BS-17 DGHS office Peshawar	Chief Nursing Superintendent BS-18 at Mohi Ameer Shah Memorial Hospital Peshawar	She will actualize her promotion against the post of Clinical Nursing Instructor BS-18 in MASM Hospital Peshawar for one day and will work as Chief Nursing Suptt (BS-19) in her own pay & Scale in the same Hospital.
2.	Nusrat Begum D/O Fazli Rabi	Nursing Instructor BS-17 Govt. College of Nursing, Swat	Voice Principal BS-18 Govt. College of Nursing, Swat	Against the vacant post
3.	Tahira Shereen D/O Faiz Masih	Head Nurse BS-17 Govt. Maternity Hospital, Peshawar	Senior Head Nurse BS-18 Woman & Childeran Hospital Rajjar Charsadda	Against the vacant post
4.	Tahira Naz D/O Rahim Dad	Head Nurse BS-17 LRH Peshawar	Senior Quality Control Nurse (BS-18) Govt. Maternity Hospital Peshawar	Against the vacant post
5.	Razia Sultana D/O Janbar	Head Nurse BPS-17 in Shaheed Memorial Hospital Pabbi Nowshera	Senior Head Nurse Nasser Ullah Khan Babar Memorial Hospital Peshawar	Against the vacant post
6.	Nazia Gul D/O Said Wali	Head Nurse BS-17 KTH Peshawar	Senior Clinical Nursing Instructor (BPS-18) Govt. Maternity Hospital Peshawar	Against the vacant post

Secretary
Health Department
Khyber Pakhtunkhwa

Signature

Secretary to Govt. of Khyber Pakhtunkhwa
Health Department



(14) ANXX E
OFFICE OF THE MEDICAL SUPERINTENDENT
GOVT MATERNITY HOSPITAL, PESHAWAR.

NO. 462 /MHP

DATED 22/08/2023.

Mrs. Nazia Gul
Senior Clinical Nursing Instructor BPS-18 ✓

ISSUANCE OF ATTENDANCE CERTIFICATE

Subject:

-Memo:

As per your written application received to the undersigned today on 22-08-2023 through Nursing Superintendent of this hospital regarding issuance of attendance certificate from 01-11-2022 to 22-08-2023.

As per record of this hospital you have not drawn salaries from hospital of the above period due to you not submitted LPC from KTH Peshawar.

Naz
MEDICAL SUPERINTENDENT,
GOVT MATERNITY HOSPITAL,
PESHAWAR.

Copy to:-

Nursing superintendent of this hospital for information.

(15)

CNIC = 17101-1044314-2

GOVERNMENT OF KHYBER PAKHTUNKWA PESHAWRA
CERTIFICATE OF TRANSFER OF CHARGE

Certified that I, NAZIA GUL D/O SAID WALI

Have this day before noon taken over charge of the office MTE - KTH Peshawar
after relinquished

With reference to the Order of the K.P.K Government.

No. SOH-III/3-5/2022 Dated 1st November 2022

transferring Mr
To Gout Maternity Hospital Peshawar

2. Particulars of Cash and important/Secret/Confidential documents handed over/taken over are noted on the revers.

Signature of relieved
Government Servant Nazim

Designation Head Nurse

Signature of Government
Servant receiving
charge

Destination

Station,

Dated..... 20

Endst. No. 2939/HED Dated: 24/11 2022

From

To

1. The Accountant-General,
K.P.K, Peshawar.
2. Hospital Director
3. Director Finance
4. HR Manager
5. Concern officer
N.D

[Handwritten signature]

The charge of the office of BPS - 17
was transferred from Mr.

to Mrs NAZIA GUL D/O SAID WALI

on the fore noon of the 1st November 2022
after

Signature [Signature]
NURSING DIRECTOR
MTE KTH PESHAWAR

ANXCh F

16

1710110443142

Nazia Gul

Head Nurse

BPS:17

04 NBP

0389 University Town

8151-6

NTN 7214297-5

Pays & Allowances	Amount	Deductions	Amount
A01101 B Pay	75850	G06103 G.P.Fund	4270
A01217 Medical ALL	1578	G06214 B Fund	1500
A01208 Dress & Unif	2100	PL305703 H R	3792
A01260 Retiree	6500	E01152 I Tax	2516
A00 DRA 15%	7660	PL305703 Gas	1500
Health Pro All	15000	PL305703 Elect	4091
Adhoc Rel 2013	860	4004 RB & DC	900
Adhoc Rel 2015	582	Deduction	18569
Payment	110130		

Loan/Fund

Balance

Others

PRIN REPAID

376323

Net Pay: 91541 September-2022

Ad 22 - 7660/PM + commence + HR

dye

ANNEX G

(17)

To

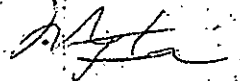
The Chief Secretary,
Government of Khyber Pakhtunkhwa,
Civil Secretariat, Peshawar.

Subject: Departmental Appeal for release of pay w.e.f. month of October, 2022 till date.

Respectfully submitted;

Brief facts giving rise to the instant departmental appeal are as under:-

- 1) That the undersigned is working at Khyber Teaching Hospital, Peshawar since her induction in service in the year 2005 and lastly drawn her salary as Charge Nurse (BPS-16) till July, 2014.
- 2) That in July, 2014 the undersigned was selected through Public Service Commission on the post of Charge Nurse (BPS-16) on regular basis.
- 3) That in the year 2016, the undersigned again appeared in Public Service Commission exam and as such qualified the exam for the post of Head Nurse (BPS-17) and after successfully qualifying the exam notification dated 14.07.2016 was issued wherein the appellant is appearing at Sr.No.5.
- 4) That the official respondents in pursuance of earlier notification No.SOH-III/3-5/2014 dated 14.07.2016, issued another notification dated 08.08.2016 whereby the undersigned (Head Nurse) BPS-17 was transferred from Police Services Hospital, Peshawar to Khyber Teaching Hospital, Peshawar against the vacant post.
- 5) That vide notification dated 01.11.2022 the undersigned was transferred from the post of Head Nurse (BPS-17) KTH, Peshawar to Senior Clinical Nursing Instructor (BPS-18) Govt.

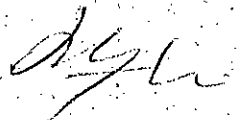


Maternity Hospital, Peshawar as such performing her duties on the current assignment till date.

- 6) That without assigning any reason or cause the undersigned's pay was stopped w.e.f. 01.10.2022 till date.
- 7) That the act of stoppage of the salary of the undersigned is illegal, without lawful authority and ineffective upon her accrued rights.
- 8) That the undersigned since her induction regularly performing her duties to the entire satisfaction of her immediate superiors and no complaint whatsoever has ever been filed against her, hence her previous track record speaks volumes about her efficiency and discipline in service.
- 9) That the salary of undersigned is stopped without any written order and without quoting any rule or provision of law, which may authorize the official respondents to stop her salary, which act is against all the canons of justice, equity and the concept of due process of law as embodied in Article 10-A of the Constitution of Pakistan.
- 10) That it is settled principle of law that salary of a Civil Servant is no more a State bounty, therefore any illegal restraint without any justification is an action which cannot be condoned at all.

It is pertinent to mention here that the matters relating to pay and pension is a continuous cause of action, therefore, no limitation runs against it.

- 11) That the pay of undersigned has been stopped due to personal grudges, nurtured against her by the official respondents.



19

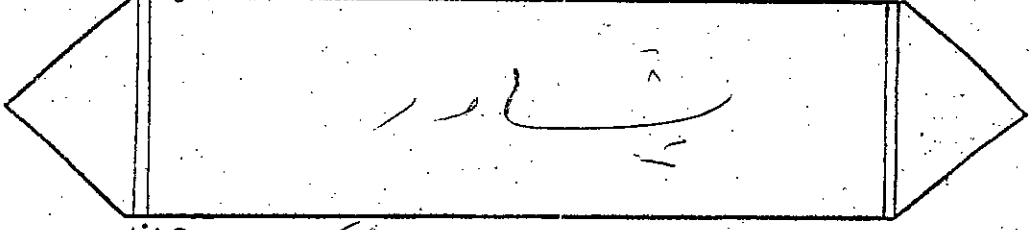
Keeping in view the aforesaid submissions, it is, therefore, humbly prayed to allow this departmental appeal and release the salary of the undersigned w.e.f. the month of October, 2022 till date with all increments.

Mst. Nazia Gul w/o Syed Amir Mehmood
(Head Nurse) BPS-18
Senior Clinical Nursing Instructor (BPS-18)
Government Maternity Hospital, Peshawar.

Dated: 25.05.2023

(Handwritten signature)

بعدالت صان سر کی تریبیونل



مورخہ _____
 مقدمہ _____
 دعویٰ _____
 جرم _____

2 جناب
 نام _____
 گورنمنٹ

باعث تحریر آنکے

مقدمہ مندرجہ عنوان بالا میں اپنی طرف سے واسطے پیروی اور جواب دہی وکل کاروائی متعلقہ *Inayatullah Khan* کیلئے *Peshawar* آن مقام 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 تقررات الٹہ فیصلہ بر حلقہ دیئے جواب دہی اور اقبال دعویٰ اور بصورت ڈگری کرنے اجراء اور صولی چیک و روپیہ عرضی دعویٰ اور درخواست ہر قسم کی تصدیق زرائیں پر دستخط کرانے کا اختیار ہوگا۔ نیز صورت عدم پیروی یا ڈگری یکطرفہ یا اپیل کی برادگی اور منسوخی نیز دائر کرنے اپیل نگرانی و نظر ثانی و پیروی کرنے کا اختیار ہوگا۔ از بصورت ضرورت مقدمہ مذکور 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 بھی وہی جملہ مذکورہ باختیارات حاصل ہوں گے اور اس کا ساختہ پرواختہ منظور قبول ہوگا۔ دوران مقدمہ میں جو خرچہ و ہرجانہ التوائے مقدمہ کے سبب سے ہوگا۔ کوئی تاریخ 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 سند ہے۔

المرقوم _____ 30 _____ ماہ _____ August 2023

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 53339059746

استقبال
 by Inayatullah Khan
 Advocate Supreme Court
 Peshawar
 (LHM) (MK) Appellant