

Ph: 9214461
Fax: 9220406

REGISTERED
No. C.P.2304/2019 - SCJ
SUPREME COURT OF PAKISTAN

Islamabad, dated 16-8-2023

From The Registrar,
Supreme Court of Pakistan,
Islamabad.

To The Addl. Registrar,
Khyber Pakhtunkhwa Service Tribunal,
Camp Court Abbotabad.

Subject: **CIVIL PETITION NO. 2304 OF 2019**

Mst. Fatima Nasir

Versus

Government of Khyber Pakhtunkhwa thr. Secretary Health, Khyber
Pakhtunkhwa, Peshawar & others

On appeal from the Judgment/Order of the Khyber Pakhtunkhwa
Service Tribunal, Camp Court Abbotabad dated 19/04/2019 in
A.115/2019.

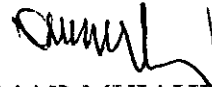
Dear Sir,

I am directed to enclose herewith a certified copy of the Order/Judgment
of this Court dated 18/07/2022 dismissing the above cited case in the terms stated
therein for information and further necessary action.

~~Please acknowledge receipt of this letter along with its enclosure~~
immediately.

Encl: Order/Judgment:

Yours faithfully,



(MUHAMMAD MUJAHID MEHMOOD)
ASSISTANT REGISTRAR (IMP)
FOR REGISTRAR

IN THE SUPREME COURT OF PAKISTAN
(Appellate Jurisdiction)

PRESENT:

MR. JUSTICE UMAR ATA BANDIAL, CJ
MR. JUSTICE SYED MANSOOR ALI SHAH
MR. JUSTICE YAHYA AFRIDI

C.P.2304/2019

(Against the judgment dated 19.04.2019 passed
by KPK Service Tribunal, Camp Court,
Abbottabad in Appeal No.115/2019)

Mst. Fatima Nasir

...Petitioner(s)

Versus

Government of Khyber Pakhtunkhwa thr.
Secretary Health, Khyber Pakhtunkhwa,
Peshawar & others

...Respondent(s)

For the Petitioner(s) : In person

For the Respondent(s) : NR

Date of Hearing : 18.07.2022

ORDER

UMAR ATA BANDIAL, CJ: - The petitioner's
resignation dated 15.03.2014 was accepted on 31.03.2014 she
wishes to retract the same. However she never filed any
departmental appeal for a period of four years or so. Thereafter on
24.09.2019, she filed a departmental appeal with a delay of five
years. Her service appeal filed subsequently was dismissed on the
ground that she had not pursued her remedy within time. The
petitioner appears before us in person and states that she was on
the family way and approached the respondent authorities after
about year. We asked about her departmental appeal being filed
before the appellate authority upon which she states that she did
not do so and filed a representation before the Medical
Superintendent, DHQ Hospital, Abbottabad. There is no proof nor

ATTESTED



Court Associate
Supreme Court of Pakistan
Islamabad



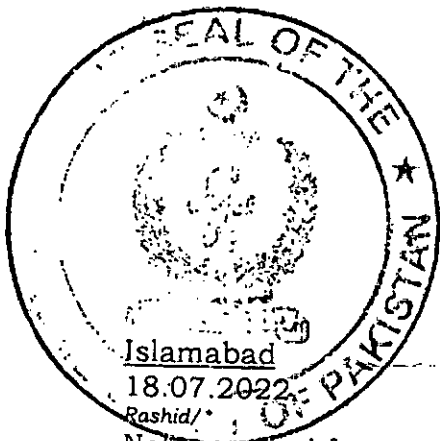
mention of such a representation on record in the petitioner's service appeal or even her departmental appeal filed belatedly on 24.09.2019. In the circumstances, we have no ground to disagree with the view taken in the impugned judgment of the Tribunal dated 19.04.2019 dismissing the petitioner's appeal on the ground of limitation.

2. For the foregoing reasons, this petition is dismissed and leave to appeal is refused.

Handwritten signatures and initials, including 'M. Z. Khan - CJ' and other illegible marks.

Certified to be True Copy

Signature of Court Associate
Court Associate
Supreme Court of Pakistan
Islamabad



Not approved for reporting

Handwritten signature and date: 10/6/23