

BEFORE THE KHYBER PAKHTUNKHWA SERVICE TRIBUNAL
PESHAWAR.

Appeal No. 1471/2022

Mst. Mumtaz Bibi.....APPELLANT

VERSUS

Govt. of Khyber Pakhtunkhwa, through Health Secretary.....RESPONDENTS

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DEPONENT

①

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Appeal No. 1471/2022

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VERSUS

Govt. of Khyber Pakhtunkhwa through Health Secretary.....RESPONDENTS

(Para wise reply on behalf of Respondent No 04)

Khyber Pakhtunkhwa
Service Tribunal

Diary No. 8188

Date: 09/10/23

Preliminary Objection:-

- A. That the APPELLANT has no cause of action.
- B. That the APPELLANT has no locus standi.
- C. That the APPELLANT has not come to this court with clean hands.
- D. That the instant petition is barred by law.

Respectfully Sheweth:-

- 1. Relates to record, however, liable to be proved by the appellant.
- 2. Relates to record, however, liable to be proved by the appellant.
- 3. That Respondent No. 4 is bound to follow the rules and instruction issued by the Provincial Govt. of Khyber Pakhtunkhwa from time to time. Hence it is pertinent to mention here that as the appellant was regularized w.e.f 01-07-2012 and her time period of regular service is less than ten years, she is not entitled for pension under the pension rules.
- 4. No comments.

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Grounds:-

- A. That respondent No. 3 is bound to follow the rules and instructions issued by the Provincial Govt. of Khyber Pakhtunkhwa from time to time and not violated any rule of Laws.
- B. Correct to the extent that after to Promulgation of an Act 2012, the APPELANT was regularized w.e.f 01.07.2012 and after her regular service till the age of superannuation i.e. 10.07.2020 according to the office order hereby No. 4154-58/LHW dated 10.07.2020 her services is less than ten years. Hence she is not entitled for pension under the rules.
- C. No Comments.
- D. As mentioned in Para "B" above.
- E. As mentioned in Para "B" above.
- F. No Comments.

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


**DISTRICT ACCOUNTS OFFICER
HANGU**

BEFORE THE KHYBER PAKHTUNKHWA SERVICE TRIBUNAL
PESHAWAR.

Appeal No. 1471/2022

Mst. Mumtaz Bibi.....APPELLANT

VERSUS

Govt. of Khyber Pakhtunkhwa, through Health Secretary.....RESPONDENTS

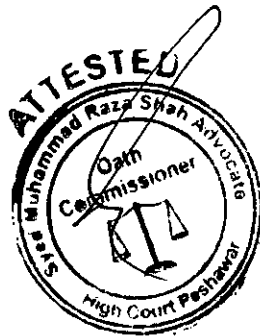
AFFIDAVIT

I Waqas Ahmad Khalil Sub-Accountant office of the District Accounts Officer, Hangu do hereby solemnly affirm that the contents of Para wise Comments/reply submitted on behalf of respondent No.04 are true and correct to the best of my Knowledge and belief and nothing has been concealed from this honorable court. It is further stated on oath that in this appeal, the answering respondents have neither been placed on Petition nor their defense has been struck off.

DEPONENT
CNIC # 17301-6620358-1
CELL#0308-8516520

Identified by

Advocate General
Khyber Pakhtunkhwa
Peshawar.



AUTHORITY

Mr. Waqas Ahmad Khalil of this office is hereby authorized to submit the Para wise Comments/reply in the Honorable Service Tribunal Peshawar appeal **No. 1471/2022 titled** Mst. Mumtaz Bibi VS Govt. of Khyber Pakhtunkhwa through Health Secretary.


DISTRICT ACCOUNTS OFFICER.
HANGU



Reminder

2226-28

**MOST IMMEDIATE
COURT MATTER**

**GOVERNMENT OF KHYBER PAKHTUNKHWA
HEALTH DEPARTMENT**

NO. SOH-(Lit-II)/ S.A: 1471/2022/Mumtaz bibi
Dated the Peshawar 29-05-2023

To

The Director General Health Services,
Khyber Pakhtunkhwa
Peshawar.

The District Health Officer
District Hangu.

~~District Account Officer,
District Hangu.~~

**SUBJECT: SERVICE APPEAL NO. 1471/2022 TITLED Mst. MUMTAZ BIBI
VERSUS GOVT. OF KHYBER PAKHTUNKHWA THROUGH
HEALTH SECRETARY.**

I am directed to refer to this department letter of even number dated 15-12-2022 on the subject noted ^{above} and to state that once again, to prepare parawise comment in case of Service Appeal No.1471/2022 titled Mst. Mumtaz Bibi (Ex-LHW) versus Govt. of Khyber Pakhtunkhwa through Health Secretary and to this office at the earliest also bring current status of the subject case.

2. **Being Court matter hence may please be treated as Most Urgent.**

Encl: As above

WAO pr-1
Wafaz
more to concerned
being the court case
Court case

SECTION OFFICER (LIT-II)

Endst. No. and date even:
Copy forwarded for information to:-

1. The Service Tribunal, Khyber Pakhtunkhwa at camp court Swat.
2. The Section Officer-III, Health Department.
3. PS to the Secretary Health Govt. of Khyber Pakhtunkhwa.
4. P.A to Deputy Secretary (Litigation) Health Department.
5. Master file.

Zahoor sb
19/5

SECTION OFFICER (LIT-II)