



**OFFICE OF THE
DISTRICT HEALTH OFFICER
DISTRICT TANK**

No 4119 / Court. Date 06/10/2023
Phone: 0963-510755

To

Khyber Pakhtunkhwa
Service Tribunal

The Registrar Khyber Pakhtunkhwa
Service Tribunal Peshawar.

Diary No. 8279

Dated 12-10-23

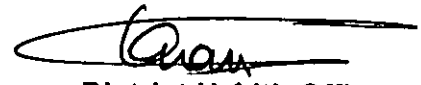
Subject: ORDER TO RESPONDANT NO-2 & 4 IN SERVICE APPEAL NO:
1581/2019 TITLED MR. RAEES KHAN V/S HEALTH DEPARTMENT:

In compliance of the Honorable Khyber Pakhtunkhwa Service Tribunal directions contained in order dated: 14.02.2023.

It is submitted that the appellatant namely Mr. Raees Khan s/o Jumma Khan X-Ray attendant was not paid salary for the period 18.02.2012 to 31.10.2013 due to the following reasons.

1. That at the same time Mr. Saifullah X-Ray attendant was already drawing salary against the same post. Hence it was /is not permissible under the rules to draw salary of two official on one and the same post.
2. Due to status quo passed by this honorable court against impugned order dated 18.02.2012(copy attached of status quo)
3. That Mr. Raees khan X-Ray attendant was re-instated in to service by the competent authority on 18.02.2012 with immediate effect and not with retrospective effect (Copy attached). Hence not entitle to the grant of salary for the breakup period.

In view of the above the allegations of appellatant not genuine. Therefore untenable under the rules and regulations


District Health Officer
District Tank

NO /

Dated / /2023

Copy to the:

1. PA Director General Health Services Khyber Pakhtunkhwa Peshawar.

District Health Officer
District Tank

FORM OF ORDER SHEET

Court of

Case No. 182/2012 of

Serial No. of Order or Order File	Date of Order or Proceedings	Order or other Proceedings with Signature of Judge or Magistrate and that of parties or counsel where necessary
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1- 15/04/2012

The appeal of Mr. Saif Ullah Khan re-submitted today by Mr. Sarwar Khan Mundi Advocate may be entered in the Institution Register and put up to the worthy Chairman for preliminary hearing.

[Signature]
REGISTRAR

2- 7-5-2012

This appeal is entrusted to Bench _____ for preliminary hearing to be put up there on 14-5-2012 at 10:00 AM

[Signature]
Chairman

3- 14.5.12

Appellant present and submitted an application for adjournment. Case adjourned to 19.5.2012 for P. H

[Signature]
Registrar

Date
Time
Day

2012 8-11-2012
16
18
8-11-2012
2012

Certified to be true copy
[Signature]
Registrar
Service Tribunal
Peshawar

Appeal No. 460/2012.

18.5.2012

Counsel for the appellant alongwith appellant present and heard partly. Contends that the appellant was appointed as X-Ray Attendant vide order dated 7.11.2007 but the same was withdrawn vide order dated 18.2.2008. Thereafter a number of appointment and withdrawal of appointment orders were issued in respect of appellant and Respondent No. 6. The appellant filed a Civil Revision No. 347/2009 before the Peshawar High Court Circuit Bench D.I.Khan which was disposed of, treating the same as departmental representation of the appellant and sent to Respondent No. 1 for disposal on merit. Instead of accepting or rejecting the representation of the appellant, vide the impugned order dated 28.2.2012 Respondent No. 6 was re-instated in service without summoning the record from the DCO office. Counsel for the appellant further contended that the appellant has not been treated in accordance with the law/rules. The appellant has been performing his duties regularly and there is no complaint against him. Counsel for the appellant has also submitted an application for suspending the operation of the impugned order dated 18.2.2012. Copy of application also be sent to the respondents. He also requested that the case may be filed at Camp Court, D.I.Khan. Pre-admission-notice be issued to the AAG/respondents. Case adjourned on 28.5.2012 for submission of written reply on application as well as on main appeal at Camp Court D.I.Khan. Till then status-quo be maintained.

ATTESTED
[Signature]
[Stamp]

[Signature]
Member



GOVERNMENT OF KHYBER PAKHTUNKHWA
HEALTH DEPARTMENT
Dated Pesh: the, 18/02/2012

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ORDER

No. SOH(LIT-I)12-1317/2011, On the direction of Peshawar High Court D.I Khan Bench vide their decision dated 27/05/2011 in Civil Revision No. 347/2009, the competent authority is pleased to direct the withdrawal of cancellation order dated 01/11/2007 in respect of Mr. Raees Khan Ex-Laboratory Attendant and re-instate him with immediate effect.

SECRETARY HEALTH-

Ends! & date a a

Copy forwarded to:

1. The District Coordination Officer, Tank.
2. The executive District Officer-Health, Tank.
3. The P.S to Secretary Health, Khyber Pakhtunkhwa, Peshawar.
4. P.A to Addl. Secretary (E&A) Health Department, Peshawar.

of SECTION OFFICER (LIT-I)

OFFICE OF THE EXECUTIVE DISTRICT OFFICER (HEALTH) DISTRICT TANK

No 734-3/1

Dated 18/2/2012

Forwarded to the:-

1. District Coordination Officer Tank for information and further necessary action please.
2. PS to Secretary Health, Khyber Pakhtunkhwa, Peshawar
3. Section Officer (Lit-) w/r to his office order No. SOH(LIT-I)12-1317/2011 dated 18-02-2012.
4. District Accounts Officer Tank

Executive District Officer (Health)
District Tank:

O.P.S.S

To,



The Registrar Khayber Pakhtun Khwa

Services Tribunal (Peshawar)

3/

