

**BEFORE THE HONORABLE KHYBER PAKHTUNKHWA SERVICE
TRIBUNAL, PESHAWAR**

SERVICE APPEAL NO. 1762/2023


Safia.....Appellant

Versus

Government of Khyber Pakhtunkhwa & others Respondents

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Laeq Ahmad,
Focal Person (Litigation)
office of DGHS, Khyber
Pakhtunkhwa, Peshawar

27-10-23

Peshawar.

3.204
BEFORE THE HONORABLE SERVICE TRIBUNAL PESHAWAR

Service Appeal No.1762/2023

Safia Appellant<sup>Khyber Pakhtunkhwa
Service Tribunal</sup>

Versus

Diary No. 8603

Director General (Health), Khyber Pakhtunkhwa and others
..... Respondent

Dated. 25-10-23

Respectfully Sheweth:

PARAWISE COMMENTS ON BEHALF OF RESPONDENTS:

PRELIMINARY OBJECTIONS:

- That the Appellant has got neither a cause of action nor a locus standi to file the service appeal.
- That the Appellant has not come to the tribunal with clean hands.
- Respondent department cannot even think of disobeying law.

Facts:

- Incorrect: The appellant original place of posting is BHU Kodinaka. Appellant was appointed on CD BigliGhar initially but she is Government servant and transferable to any place in district on need basis, so the Appellant was transferred to BHU kodinaka and was directed to report for duties at her original place of posting through office order No. 2367-72/ DHO Dated 1/2/2023(Annexed -I).
- Incorrect: The Appellant original place of posting is BHU Kodinaka.
- Incorrect: The Departmental appeal is not received by the department, furthermore it is worth mentioning that the appellant is not obeying orders and disobeying law and not performing her duties at her original place of posting.

GROUNDS:

- As replied in Para "1" of Facts.
- As replied above.
- As replied in Facts.

- D. The appellant is Government servant and transferable to any place in district on need basis.
- E. Incorrect: The department passed such order and transfer the appellant in best public interest.

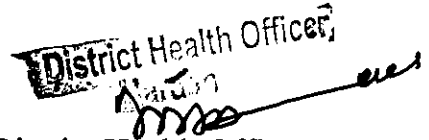
2

PRAYER:

As the Appellant did not come with clean hands, so it is therefore prayed that the appeal may be dismissed with cost.



Director General Health Services,
Khyber Pakhtunkhwa.
Respondent No. 01



District Health Officer,
Mardan
Respondent No. 03

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Annexed-I



DISTRICT HEALTH OFFICER
MARDAN (Khyber Pakhtunkhwa)
Ph: # (0937) 9230030 Fax: # (0937) 9230283
Email: mardandho@gmail.com

All communications should be addressed to the District Health Officer Mardan and not to any official by name

مذکورہ صحت خیر و برکتوں کو
OFFICE ORDER

No. 2367-78 DHO dated

01/02/2023

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The following Ward Attendants (Dai) working on general duties is hereby directed to report for duty at their original place of posting immediately.

S.No	Name & Designation	From	To	Remarks
1.	Mst; Safia Dai	CD Bijligar	BHU Kodinaka	Original place of posting
2.	Mst; Amina Yousaf Dai	RHC Khazana Dheri	BHU Akbar Abad	Original place of posting
3.	Mst; Khatmul Begum Dai	RHC Bakhshali	BHU Baghichā Dheri	Original place of posting
4.	Mst; Asia Dai	CD Daga Piran ..	BHU Kati Garhi	Original place of posting
5.	Mst; Fazilat Dai	TDH Lund Khwar	BHU Takkar	Original place of posting
6.	Mst; Asia Dai	TDH Toru	BHU Qasim	Original place of posting

NB: - Arrival/Departure report should be submitted to this office.

District Health Officer,
Mardan

Copy forwarded to the:

1. Deputy DHO Tehsil Mardan/Takht-Bhai/Katlang/Rustam.
2. All Incharge of concerned health facilities.
3. Divisional Monitoring Officer, IMU Mardan
4. Accountant DHO office Mardan.
5. DHIS Cell DHO office Mardan
6. Official concerned.

for information and n/action.

District Health Officer,
Mardan

Attested

[Signature]

**BEFORE THE HONORABLE KHYBER PAKHTUNKHWA SERVICE
TRIBUNAL, PESHAWAR**

SERVICE APPEAL NO. 1762/2023

Safia.....Appellant

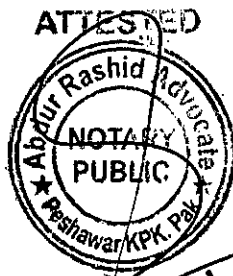
Versus

Government of Khyber Pakhtunkhwa & othersRespondents.

Affidavit

I, Laeeq Ahmad, Focal Person (Litigation) office of the Director General Health Services, Khyber Pakhtunkhwa, Peshawar, under the directions of the Competent Authority, do hereby solemnly affirm that the contents of the parawise Comments on behalf of Respondent are true and correct to the best of my knowledge and belief and nothing has been concealed from this Hon'able Court. It is further stated on oath that in this appeal, the answering respondents have neither been placed ex-parte nor their defense has been struck off / costs.

Laeeq
Deponent



25/10/2023



DIRECTORATE GENERAL HEALTH SERVICES
KHYBER PAKHTUNKHWA PESHAWAR

*All communications should be addressed to the Director General Health Services
Peshawar and not to any official by name
Office # 091-9210269 Fax # 091-9210230*

AUTHORITY LETTER

Mr. Laeeq Ahmad Focal Person (Litigation) Directorate General Health Services, Khyber Pakhtunkhwa, is hereby authorized to submit parawise comments in Service Appeal No. 1762/2023 titled Safia VS Govt. of Khyber Pakhtunkhwa & others on behalf of the undersigned.

**Director General Health Services
Khyber Pakhtunkhwa, Peshawar.**