

Sr. No	Date of order/proceedings	Order or other proceedings with signature of Judge or Magistrate
1	2	3
	26.09.2017	<p style="text-align: center;"><u>BEFORE THE KHYBER PAKHTUNKHWA SERVICE TRIBUNAL</u> <u>AT CAMP COURT D.I.KHAN</u></p> <p style="text-align: center;">Service Appeal No. 89/2015</p> <p style="text-align: center;">Date of Institution ... 16.01.2015 Date of Decision ... 26.09.2017</p> <p>Muhammad Saleem Khan S/o Muhammad Ismail Khan, R/o Roda, Tehsil & District Dera Ismail Khan.</p> <p style="text-align: right;">Appellant</p> <p style="text-align: center;">Versus</p> <ol style="list-style-type: none"> 1. The Government of Khyber Pakhtunkhwa through Secretary Health Peshawar. 2. The Director General Health Services, KPK, Peshawar. 3. The District Health Officer D.I.Khan. <p style="text-align: right;">Respondents</p> <p style="text-align: center;"><u>JUDGMENT</u></p> <p style="text-align: center;"><u>MUHAMMAD HAMID MUGHAL, MEMBER:</u> - Learned counsel for the appellant present. Mr. Farhaj Sikandar, District Attorney for the respondents present.</p> <p>2. The appellant Muhammad Saleem who was initially appointed as Laundry Attendant (BPS-01) in the Health Department on 31.08.2007 on fixed basis charges, has filed the present appeal u/s 4 of the Khyber Pakhtunkhwa Service Tribunal Act, 1974 against the respondents and challenged therein the order dated 02.04.2011 whereby the appellant was awarded major penalty of</p>

D. Saleem

removal from service.

3. At the very outset learned District Attorney contented that the present appeal is badly time barred, having been filed after a period of more than three (03) years and (9) months from the date of the order made impugned in the present appeal. On the other hand learned counsel for the appellant when confronted with the situation and legal position as pointed out by the learned District Attorney, argued that the appellant earlier approached Honorable Peshawar High Court, D.I.Khan Bench in the year 2013 by the filing Writ petition No. 519 of 2013 when the appellant was restrained from performing his duties and his salary was also stopped, however the Honorable Peshawar High Court vide judgment dated 17.09.2014 while holding that the constitutional jurisdiction of High Court in the matter is ousted by the express provisions of Article 212 of Constitution of Islamic Republic of Pakistan 1973, dismissed the same. Further argued that on 19.09.2014 when the appellant received the copy of the Writ petition he came to know about the order regarding his termination of service, hence thereafter the departmental appeal was filed and then the present service appeal before this Tribunal.

4. Arguments of the learned counsel for the appellant and learned District Attorney heard. File perused.

5. The impugned order was issued 02.04.2011 while the appellant has filed the present appeal before this Tribunal on 16.09.2015 after a lapse of more than (3) years and (9) months.

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6. Similarly the appellant filed the departmental appeal against the impugned order on 29.09.2014; as such the departmental appeal of the appellant is also apparently time barred.

7. It is settled principle of law that if the departmental appeal of the appellant is time barred then service appeal before the service tribunal is also not competent.

8. Perusal of file would show that on 12.11.2013 the appellant filed writ petition before the Honorable Peshawar High Court D.I.Khan Bench on the ground that the respondents have restrained the petitioner from the performance of his duties and stopped the salary. However the appellant has not expressed in clear terms that as to when his salary was stopped and he was restrained from performance of his duty. Similarly the appellant has not equivocally stated as to when the impugned order of removal from service was made part & parcel of the judicial record of Writ petition bearing No. 519/2013. It may also be mentioned that a look at the copy of impugned order available on file would suggest that the same was not the attested copy of the judicial record of the Writ petition mentioned above.


9. It is also settled principle of law that Article -14 of The Limitation Act 1908 is not applicable to the appeals and in this regard the recent judgment of the august Supreme Court of Pakistan titled Khushi Muhammad through L.Rs. and others-----Appellant Versus Mst. Fazal Bibi and others----Respondents (PLC 2016 Supreme Court 872) may be quoted as a reference, hence time spent

Lawyer

in litigation before the wrong forum cannot be condoned.

10. In the light of above the present appeal is hopelessly time barred and learned counsel for the appellant miserably failed to justify the condonation of delay within the legal parameters. Consequently the present appeal is dismissed having been filed beyond the period of limitation. Parties are left to bear their own costs. File be consigned to the record room.


(GUL ZEB KHAN)
MEMBER


(MUHAMMAD HAMID MUGHAL)
MEMBER

ANNOUNCED
26.09.2017

26.09.2017

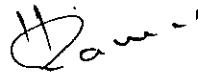
Learned counsel for the appellant present. Mr. Farhaj Sikandar, District Attorney for the respondents present. Vide separate judgment of today of this Tribunal placed on file, the present appeal is dismissed having been filed beyond the period of limitation. Parties are left to bear their own costs. File be consigned to the record room.

ANNOUNCED

26.09.2017




(Gul Zeb Khan)
Member



(Muhammad Hamid Mughal)
Member

29.08.2016

Counsel for the appellant and Dr. Aziz Ullah, Coordinator alongwith Mr. Farhaj Sikandar, GP for respondents present. Appellant requested for adjournment as his counsel was not available. Request accepted. To come up for arguments on 26.12.2016 at camp court D.I. Khan.


Member


Member
Camp court D.I. Khan


26.12.2016

Clerk counsel for the appellant and Mr. Farhaj Sikandar, Government Pleader for the respondents present. Arguments could not be heard due to non-availability of learned counsel for the appellant as well as incomplete bench. To come up for arguments on 27.03.2017 before D.B at Camp Court D.I.Khan.


ASHFAQUE TAJ
MEMBER
Camp Court D.I.Khan

27.03.2017


Since tour is hereby cancelled, therefore, the case is adjourned for the same on 24.07.2017.


Reader

24.07.2017

Appellant in person present and submitted fresh Wakalatnama of Mr. Muhammad Asghar Khan Baloch, Advocate. Mr. Farhaj Sikandar, District Attorney for the respondents also present. Appellant also requested for adjournment on the ground that his counsel is not available today. Adjourned. To come up arguments on 26.09.2017 before D.B at Camp Court D.I.Khan.


(Gul Zeb Khan)
Member


(Muhammad Amin Khan Kundi)
Member
Camp Court D.I. Khan

89/2015

27.10.2015

Appellant in person, and Mr. Farhaj Sikandar, GP with Jamshed Khan, Technologist for the respondents present. Appellant requested for time. To come up for rejoinder and arguments at camp court, D.I.Khan on 26-1-16

2016

MEMBER
Camp court, D.I.Khan

26.01.2016

Junior to counsel for the appellant present. Mr. Farhaj Sikandar, GP with Dr. Aziz Kakar for the respondents present. Rejoinder received. Copy handed over to the learned GP. To come up for arguments on 25-4-16 at camp court, D.I.Khan.

MEMBER
Camp court, D.I.Khan

25.04.2016

Counsel for the appellant and Dr. Azizullah, DHO alongwith Mr. Firhaj Sikandar, GP for respondents present. Learned counsel for the appellant is directed to provide member copy of the instant appeal. To come up for arguments on 29.08.2016 at Camp Court D.I.Khan.

Member

Member
Camp Court D.I. Khan

27.4.2015

Counsel for the appellant and Farhaj Sikandar, GP also present. Fresh notices be issued to the respondents through registered post. Case to come up for written reply on 28.09.2015 at camp court, D.I.Khan


MEMBER
Camp Court, D.I.Khan.

25.05.2015

Appellant in person, and Mr. Farhaj Sikandar, GP with Dr. Azizullah, DDHO, Yar Gul, Assistant and Nughman, Junior Clerk for the respondents present and requested for further time for submission of written reply. To come up for written reply positively on 27.7.2015 at camp court, D.I.Khan.


MEMBER
Camp Court, D.I.Khan.

27.07.2015





Appellant in person and Mr. Farhaj Sikandar, GP with Dr. Azizullah, DDHO for the respondents present and ~~written reply filed~~. To come up for ~~rejoinder~~ on 25-08-2015 at camp court, D.I.Khan ~~as~~ last chance for the respondents.


MEMBER
Camp court, D.I.Khan

Form- A
FORM OF ORDER SHEET

Court of _____

Case No. 89/2015

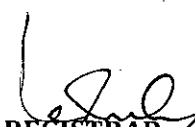
S.No.	Date of order Proceedings	Order or other proceedings with signature of judge or Magistrate
1	2	3
1	09.02.2015	<p>The appeal of Mr. Muhammad Saleem Khan resubmitted today by Mr. Muteeullah Khan Rind Advocate may be entered in the Institution register and put up to the Worthy Chairman for proper order.</p> <p style="text-align: right;"> REGISTRAR</p>
2	13-2-2015	<p>This case is entrusted to Touring Bench D.I.Khan for preliminary hearing to be put up thereon <u>24-2-2015</u>.</p> <p style="text-align: right;"> CHAIRMAN</p>
<p>9. 24-2-15</p> <p style="writing-mode: vertical-rl; transform: rotate(180deg);"> appeal and deposited process fee & security </p> 		<p>Counsel for the appellant present and heard. The counsel argued that false allegation of absence from duty was labelled against the appellant on basis of which appellant was removed from service in violation of rules & regulations and that no enquiry was conducted against the appellant. Points raised at the Bar need consideration. Admit. Process fee and security be deposited with in 10 days. Thereafter, notices be issued to the respondents for submission of written reply on 27-4-2015 at Camp Court, D.I.Khan.</p> <p style="text-align: right;"> Member Camp Court, D.I.K</p>

The original appeal (along with 4 copies) of Mr. Muhammad Saleem Khan son of Muhammad Ismail Khan r/o Roda Tehsil and Distt. D.I.Khan received to-day i.e. on 16.01.2015 is incomplete on the following score which is returned to the appellant for completion and resubmission within 15 days.

- 1- Heading of appeal is incomplete which may be completed.
- 2- Copy of final show cause notice mentioned in para-3 of the memo of appeal is not attached with the appeal which may be placed on it.
- 3- Copies of order dated 22.3.2010 and 18.5.2010 are illegible which may be replaced by legible/better one.
- 4- Appeal be page marked according to the Index.
- 5- Annexures of the appeal may be attested.
- 6- One more copy/set of the appeal along with annexures i.e. complete in all respect may also be submitted with the appeal.

No. 56 /S.T.

Dt. 16/01 /2015


REGISTRAR
SERVICE TRIBUNAL
KHYBER PAKHTUNKHWA
PESHAWAR.

Mr. Muteeullah Rind Adv.
High Court D.I.Khan

Respected Sir,

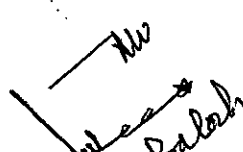
Objection received on 28-01-2015, after removing objections, and re-submission of above mentioned Service Appeal

Respected Sir,

- i. Heading of appeal is already complete.
- ii. Actually final notice is presumed to a final show cause notice which is already attached with the appeal.
- iii. Better copies of order dated 22-03-2010 & 18-05-2010 are attached herewith by the appellant.
- iv. According to index appeal has been marked by the appellant.
- v. Copies attested by the Counsel of appellant.
- vi. Copy of one more set is attached.

It is therefore, requested that the appeal may kindly be resubmitted.

Dated: 04-02-2015


Muteeullah Rind
Advocate High Court

Registrar
Service Tribunal
Khyber Pakhtunkhwa
Peshawar.

BEFORE THE FEDERAL SERVICES TRIBUNAL, ISLAMABAD

Muhammad Saleem Khan

VERSUS Appeal No. 89/2015

The Govt. of Khyber Pakhtunkhwa and others

SERVICE APPEAL

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03.	Copies of writ petition along with comments <i>order dated 17⁹ 2014</i>	C & D	32-38
04.	Copies of final show cause notice, statement of allegation and order removal from service	E, F & G	39-41
05.	Copy of representation	H	42-43
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Dated: 14/01/2015

M. Saleem
Humble Applicant

Muhammad Saleem Khan

17/01/2015
M. Saleem

Note: Original Appeal along with
⑤ spare copies.

BEFORE THE KHYBER PAKHTUNKHWA SERVICES TRIBUNAL, PESHAWAR

Stamp: Khyber Pakhtunkhwa Services Tribunal, Peshawar
Handwritten: No. 39
16-1-2015

Appeal No. 29 /2015

Muhammad Saleem Khan S/o Muhammad Ismail Khan, R/o Roda, Tehsil & District Dera Ismail Khan.

..... (APPELLANT)

VERSUS

1. Government of KPK, through Secretary Health Peshawar.
2. Director General Health Services, KPK, Peshawar.
3. District Health Officer D.I.Khan.

..... (RESPONDENTS)

SERVICE APPEAL U/S 4 OF SERVICE TRIBUNAL ACT KHYBER PAKHTUNKHWA 1974.

PRAYER:

TO KINDLY DECLARE THE ACTS AND OMISSIONS ON THE PART OF RESPONDENTS DURING PENDENCY OF WRIT PETITION ON SUBMITTED IMPUGNED ORDER# 3217-20 DATED 02-04-2011 REMOVAL FROM SERVICE HEREBY AS ILLEGAL, WITHOUT LAWFUL AUTHORITY AND INEFFECTIVE/INOPERATIVE AGAINST THE RIGHT OF THE APPELLANT, THAT SERVICE OF THE APPELLANT MAY KINDLY BE RESTORED THEREBY REINSTATING THE APPELLANT IN SERVICE WITH FULL BACK BENEFITS.

Note: Addresses of the parties as given above are sufficient for the purpose of service.

Respectfully Sheweth; Appellant humbly submits and request as under:-

FACTS


1. That applicant was appointed vide order No. 225-228 as a Laundry Attendant (BPS-1) in Health Department on 31-08-2007 on fixed basis charges later on regularized affective in 01-01-2008 vide order dated 29-01-2008 issued from the Establishment Department. Copies of appointment order and attendance sheets are enclosed as Annexure-A & B respectively.

Handwritten notes and signatures:
- "re-submitted to..."
- "16/1/2015"
- "19/2/15"
- "BPS-1"

2

2. That the District Health Officer stopped salaries of the applicant without any reason, the applicant filed a writ petition No. 519 of 2013 before the Honourable Peshawar High Court Bench Dera Ismail Khan, against such illegal act which was decided on 17-09-2014 in view of article 212 of the Constitution of Islamic Republic of Pakistan 1973. Applicant was directed to approach proper forum. Copies of writ petition along with comments are annexed herewith as **Annexure-C & D** respectively.
3. That the applicant received copy of the writ petition on 19-09-2014, wherein the applicant came to know his termination from service, special order removal from service (special powers) rules 2000 vide letter No. 3217-20 dated 20-04-2014 which discloses allegations as under,
- Disobeying the order of the competent authority/absent from duties.
 - Irregular in performing official duties.
 - No response to office order No. 4098-4101 dated 29-03-2010 and No. 4585/04/10 dated 15-04-2010.
 - Instead of performing the assigned duties as Laundry at THQ Hospital Kulachi against original post you continuously disobeying the orders of the competent authority.

Actually applicant was performing his duties at BHU Roda and the Executive District Officer Health D.I.Khan has prepared fake documents for comments which were submitted before the Honourable Peshawar High Court in Applicant's writ petition. The transfer from BHU Roda to THQ Hospital Kulachi vide letter No. 4098-4101 on 29-03-2010 was fake transfer order and other proceedings posting at original post/final notice No. 5853 dated 18-05-2010, statement of allegations vide order No. 7117-19 dated 30-06-2010 and removal from service order No. 3217-20 dated 02-0-2011 are ultra virus against law and is excess of legal authority, although the applicant regularly attended and performing his duties in BHU Roda according to daily attendance sheet of BHU Roda from the date of appointment to December 2012 and No one order received in BHU Roda. Copies of

A handwritten signature and initials, possibly 'B. B. B.', written in black ink.

3

final show cause notice. Copy of the final show cause notice, statement of allegation and order removal from service are annexed herewith as Annexure-E, F & G respectively.

4. That the applicant got knowledge of his removal from service/termination on 19-09-2014, the representation/departmental appeal after knowledge is within time. Copy of departmental appeal is annexed as Annexure-H.
5. That feeling aggrieved by the discrimination, action and inaction on the part of respondents in their failure to abide by the law, rules and principle of natural justice and left with no other remedy available to him, the appellant approaches to this Honourable Court through the present appeal seeking redressal of his grievances on inter alia the following grounds

GROUND:

1. That the removal order is against law, facts and is liable to be set aside and applicant may graciously be restored to his service.
2. That the appellant is entitled to grant relief as sought hereby.
3. That the appellant has wrongfully been restrained from performance of his duties and relief of his pay as due by respondents, thus discriminating the appellant in violation of the constitutional guarantees.
4. That the appellant firstly approached to the Peshawar High Court Bench D.I.Khan for issuance of salaries, which were stopped by the respondents, during pendency of writ petition the appellant was performing his duties in BHU Roda, Tehsil Parova District Dera Ismai Khan, and the order issued by the respondent no. 3 has no mentioned in the dispatch diary of the BHU Roda. That counsel for

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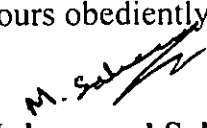
the appellant may graciously be allowed to raise additional grounds
at the time of arguments.

*It is, therefore, respectfully prayed that by accepting the instant appeal,
service of the appellant may graciously be reinstated with all back
benefits.*

Dated: 15-01-2015


Buloh.

Yours obediently,


Muhammad Saleem
S/o Muhammad Ismail,
R/O Roda, Tehsil Paroa
District Dera Ismail Khan

Book Reference

- ❖ Constitution of The Islamic Republic of Pakistan 1973.
- ❖ Govt. of Khyber Pakhtonkhwa Rules and regulations.
- ❖ Removal from Service (Special Powers) Rules 2000.

5

BEFORE THE FEDERAL SERVICES TRIBUNAL, ISLAMABAD

Appeal No. /2015

Muhammad Saleem Khan

VERSUS

The Govt. of Khyber Pakhtunkhwa and others

SERVICE APPEAL

AFFIDAVIT

I, **Muhammad Saleem Khan** the appellant, do hereby solemnly affirm and declare on oath that contents of this service appeal are true and correct to the best of my knowledge and belief and that nothing has been concealed from this Honourable Court.

Affidavit
Hashmatullah Khan Kundi Advocate
Ref. No. *[Signature]*
Date *[Signature]*
Oath Commissioner D.I.Khan H.C.
14-1-15

M. Saleem Khan
DEPONENT

VERIFICATION

Verified on this 15th day of January, 2015, at D.I.Khan, that the contents of this Affidavit are true and correct to the best of my knowledge and belief and that nothing has been deliberately concealed from the court.

M. Saleem Khan
DEPONENT

OFFICE OF THE
EXECUTIVE DISTRICT OFFICER
(HEALTH) DERA ISMAIL KHAN.

No. 225 / Dated
DIKhan the 31 /08/2007.

Annexure (A)
Page (6)

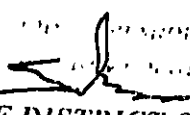
To

Mr. Muhammad Saleem, S/O Muhammad Iqbal

R/O Village Rodah DIKhan.

The Government hereby offers you a post of Laundry (Fixed) against the existing vacancy at THQr:Hosp:Kulachi under the control of this office in BPS Fixed @ '4000/- plus usual allowances admissible under the Rules and subject to revision time to time against the vacant post purely on CONTRACT BASIS on the following terms and conditions according to the Government policy:-

- 01- Your appointment in the Health Department is purely on FIXED BASIS CHARGES and your services are liable to be terminated at any time without giving notice or assigning irrespective of the facts that you may belong to a post other than one to which he is recruited.
- 02- You have to join duty at his on expenses in case you wish to resign at any time one month notice will be essential or in lieu thereof one month pay shall be forfeited.
- 03- You will be governed by such rules and orders relating to leave, TA, Medical charges as may be issued by the Govt: from time to time for the category of Government servants to which you may belong.
- 04- If you accept the offer on the above conditions you should report to this office for further duty within seven days of the receipt of this letter, failing which your services will be terminated.
- 05- The appointment will be subject to the condition of Medical Certificate.

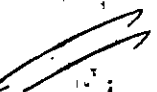

EXECUTIVE DISTRICT OFFICER
(HEALTH) DERA ISMAIL KHAN.

No. 226-28 /

A copy is forwarded to the:-

- 1- District Accounts Officer, DIKhan.
- 2- Incharge SMO THQr:Hospital, Kulachi.
- 3- Estab:Clerk of this office.

For information and necessary action.


EXECUTIVE DISTRICT OFFICER
(HEALTH) DERA ISMAIL KHAN.

Page 7

**OFFICE OF THE EXECUTIVE DISTRICT OFFICER HEALTH
DERA ISMAIL KHAN**

Office Order:-

Muhammad Saleem is hereby directed to work at BHU Roda as Ward Attendant till further order in the interest of public service.

Arrival/Departure report should be submitted accordingly.

Executive District Officer
Health Dera Ismail Khan.

No: 3002-85/03/2010 dated: 22/03/2010

Copy to:-

- 1. W/C BHU Roda.
- 2. Official Concerned.
- 3. Account Clerk of Office.
- 4. Establishment Clerk of this Office.

Executive District Officer
Health Dera Ismail Khan.

Better copy

Page 7a

OFFICE OF THE EXECUTIVE DISTRICT OFFICER HEALTH
DEAR ISMAIL KHAN

Office order:-

Mr. Muhammad Saleem is hereby directed to work at BHU Roda as Ward Attendant till further order in the interest of public service.

Arrival / Departure report should be submitted accordingly.

Executive District Officer
Health Dera Ismail Khan

No: 3082-85/03/2010

Dated 22-03-2010

Copy to:-

1. I/C BHU Roda
2. Official Concerned
3. Account Clerk of Office
4. Establishment Clerk of this Office

Executive District Officer
Health Dera Ismail Khan

for the Month of April ^{2nd} 2010 (2011)

13	14	15	16	17	18	19	20	21	22	23	24	25	26	27	28	29	30	31	Total No. of Days	Remarks
W	W	W	W	X	W	W	W	W	W	W	X	W	W	W	W	W	W			
HM	HM	HM	HM	X	HM	HM	HM	HM	HM	HM	X	HM	HM	HM	HM	HM	HM			
sp	sp	sp	sp	X	sp	sp	sp	sp	sp	sp	X	sp	sp	sp	sp	sp	sp			
SB	SB	SB	SB	X	SB	SB	SB	SB	SB	SB	X	SB	SB	SB	SB	SB	SB			
P	P	P	P	X	P	P	P	P	P	P	X	P	P	P	P	P	P			
P	P	P	P	X	P	P	P	P	P	P	X	P	P	P	P	P	P			
P	P	P	P	X	P	P	P	P	P	P	X	P	P	P	P	P	P			
P	P	P	P	X	P	P	P	P	P	P	X	P	P	P	P	P	P			
P	P	P	P	X	Tempus. Bill Total 4-10K						X									
												SA SA								

2011 5

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2011 5

Daily Attendance Register of the B.H.U. Rada

Serial No.	Name.	Rank	1	2	3	4	5	6	7	8	9	10	11	12
1	Khalid us-Rehman	Jt Pl.	/	/	/	/	/	/	/	/	/	/	/	/
2	Humira - Masroor	L.H.V	/	-	-	-	-	-	-	-	-	-	-	-
3	Safia Bibi	F.M.T	/	SA	SA	SA	SA	SA	SA	/	P	P.D	P.D	
4	Sabriya Batool	L.H.V	/	Tranfur	Raffar	SA	SA	SA	SA	/	colabni			
5	Shabnam AWAN	F.M.T	/	S.A	S.B	S.B	S.B	S.A	S.A	/	S.A	S.A	S.A	S.A
6	Shazia Huma	Dai	/	P	P	P	P	P	P	/	P	P	P	P
7	M. Saleem	W/A	/	P	P	P	P	P	P	/	P	P	P	P
8	Abdul Aziz	Chukidar	/	P	P	P	P	P	P	/	P	P	P	P
9	Saifur-Rehman	W.O	/	P	P	P	P	P	P	/	P	P	P	P
10	Shabnam Masroor	Tranfur	/	/	/	/	/	/	/	/	/	/	/	/
11	Shabnam Masroor	P.P.P	/	/	/	/	/	/	/	/	/	/	/	/

2011 5
 B.H.U. Rada
 10/11/2011

Daily Attendance Register of the BHU-Roda

Serial No.	Name	Rank	1	2	3	4	5	6	7	8	9	10	11	12
1.	Khalid. us. Rashman.	JcTPI	OK	OK	/	OK	OK	OK	OK	OK	OK	/	OK	OK
2.	Humira. Masood.	LHV			/									leave
3.	Sajid. BIBI.	FMT	S.A	S.A	/	S.A	S.A	S.A	S.A	S.A	S.A		S.A	S.A
4.	Shabnam. AWAN.	FMT	S.A	S.A	/	S.A	S.A	S.A	S.A	S.A	S.A		S.A	S.A
5.	Shazid. Humad.	Dai	P	P	/	P	P	P	P	P	P		P	P
6. ✓	M. Saleem.	W/A	P	P	/	P	P	P	P	P	P		P	P
7.	abdul. AZIZ.	chukidar	P	P	/	P	P	P	P	P	P		P	P
8.	Sajid. Rehman.	W.O	P	P	/	P	P	P	P	P	P		P	P

Training Training

2017

12

2017

Daily Attendance Register of the BHU Roda

Serial No.	Name	Rank	1	2	3	4	5	6	7	8	9	10	11	12
①	Khalil-us Rehman	Jr 1/2	g	g	g	g	g	g	g	g	g	g	g	g
②	Safia Bibi	FMT	g	g	g	g	g	g	g	g	g	g	g	g
③	Humaira MASROOR	LHV	NA	NA	NA	NA	NA	NA	NA	NA	NA	NA	NA	NA
④	Shabnam AWAN	FMT	SA	SA	SA	SA	SA	SA	SA	SA	SA	SA	SA	SA
⑤	Shazia Huma	Dai	P	P	P	P	P	P	P	P	P	P	P	P
⑥ ✓	M. Saleem	W/A	P	P	P	P	P	P	P	P	P	P	P	P
⑦	Abdul Aziz	Chukidar	P	P	P	P	P	P	P	P	P	P	P	P
⑧	Saifur Rehman	W.O	P	P	P	P	P	P	P	P	P	P	P	P

Sandhu

for the Month of September 2001

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13	14	15	16	17	18	19	20	21	22	23	24	25	26	27	28	29	30	31	Total No. of Days	Remarks
Q	L	Ch	Ch	Ch		Rob	Ch	Ch	Ch	Ch	Ch		Q	Q	Ch	Ch	Ch			
S	Training	S	S	S		S	S	S	S	S	S		S	S	S	S	S			
SA	SA	SA	SA	SA		Rob	Ch	Ch	Ch	Ch	Ch		S	S	S	S	S			
P	P	P	P	P		P	P	P	P	P	P		P	P	P	P	P			
P	P	P	P	P		P	P	P	P	P	P		P	P	P	P	P			
P	Training	P	P	P		Rob	Ch	Ch	Ch	Ch	Ch		P	P	P	P	P			
P	Training	P	P	P		Rob	Ch	Ch	Ch	Ch	Ch		P	P	P	P	P			
					Sunday							Sunday								
<p><i>Extensive handwritten notes in Urdu script covering the bottom half of the page, including dates and names like 'Roda' and '30/9/2001'.</i></p>																				

For the Month of October 2001

14

Remarks	Total No. of Days	31	30	29	28	27	26	25	24	23	22	21	20	19	18	17	16	15	14	13
P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P
P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P
P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P
P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P
P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P
P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P
P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P
P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P
P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P
P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P

(15)

for the Month of November 200

2011

13	14	15	16	17	18	19	20	21	22	23	24	25	26	27	28	29	30	31	Total No. of Days	Remarks
SA	SA	SA	SA	SA	SA	SA	SA	PD	PD	L	L	L			SA	SA	SA			
SA	SA	SA	SA	SA	SA	SA	SA	Public day							SA	SA	SA			
SA	SA	SA	SA	SA	SA	SA	SA	Public day				SA	SA	SA	SA	SA				
P	P	P	P	P	P	P	P	P	P	P	P	P			P	P	P			
P	P	P	P	P	P	P	P	Public day							P	P	P			
P	P	P	P	P	P	P	P	P	P	P	P	P			P	P	P	F		
P	P	P	P	P	P	P	P	P	P	P	P	P			P	P	P			

for the Month of December 2011

16

2011

13	14	15	16	17	18	19	20	21	22	23	24	25	26	27	28	29	30	31	Total No. of Days	Remarks
P	P	P	P	P	X	P	P	P	P	P	X	P	P	P	P	P	P	P		
P	P	P	P	P	X	P	P	P	P	P	X	P	P	P	P	P	P	P		
P	P	P	P	P	X	P	P	P	P	P	X	P	P	P	P	P	P	P		
P	P	P	P	P	X	P	P	P	P	P	X	P	P	P	P	P	P	P		

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2/11/2012

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17

Daily Attendance Register of the B.H.U. Road

Serial No.	Name	Rank	1	2	3	4	5	6	7	8	9	10	11
1	Khalil-us-Rehman	Jr. Ph.D.	/	/	/	/	/	/	/	/	/	/	/
2	Safia Bibi	FMT	/	/	/	/	/	/	/	/	/	/	/
3	Shabnam Anwar	FMT	/	/	/	/	/	/	/	/	/	/	/
4	✓ M. Saleem	W.A.	/	P	P	P	P	P	P	/	P	P	P
5	A. Aziz	Chutkidar	/	P	P	P	P	P	P	/	P	P	P
6	Saif-us-Rehman	W/C	/	P	P	P	P	P	P	/	P	P	P
7	Shazia Huma	Dai	/	P	P	P	P	P	P	/	P	P	P

2012
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(18)

Daily Attendance Register of the

DR. Bhatia

Serial No.	Name	Rank
1	Khadimur Rehman	1
2	Safia Bibi	2
3	Shabnam Awan	3
4	M. Saleem	4
5	A. Aziz	5
6	Sajid Rehman	6
7	Shajid Hussain	7
8	Farveem Haq	8

for the Month of FAB

2002012

13	14	15	16	17	18	19	20	21	22	23	24	25	26	27	28	29	30	31	Total No. of Days	Remarks
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Police

Police duty ~~Police~~

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Police duty P P ~~P~~ P P P P P ~~P~~ P P P

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Checked
Police
21/2/12

2012 Y/S

20
BHU Roda

Daily Attendance Register of the

Serial No.	Name	Rank	1	2	3	4	5	6	7	8	9	10	11	12
1.	Khalid us Rehman	Jc.Pkani	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓	✓
2.	Parveen Haq	L.H.V	✓	P	P	P	P	P	P	✗	P	P	P	P
3. ✓	M. Saleem	IN.A	✓	P	P	P	P	P	P	✗	P	P	P	P
4.	Abdul Aziz	Chukidar	✓	P	P	P	P	P	P	✗	P	P	P	P
5.	Saif us Rehman	IN/O	✓	P	P	P	P	P	P	✗	P	P	P	P
6.	Shazia Huma	Dai	✓	P	P	P	P	P	P	✗	P	P	P	P

Sunday

30/12

For the Month of

April 2002

2812

Total No. of Days	Remarks
13	Ala
14	Ala
15	Ala
16	Ala
17	Ala
18	Ala
19	Ala
20	Ala
21	Ala
22	Ala
23	Ala
24	Ala
25	Ala
26	Ala
27	Ala
28	Ala
29	Ala
30	Ala
31	Ala

Handwritten notes:
- 30/25/12
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- 30/24/12
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- Roda
- 30/5/12
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- 30/4/12
- Roda
- 30/3/12
- Roda
- 30/2/12
- Roda
- 30/1/12
- Roda

for the Month of May 2002

13	14	15	16	17	18	19	20	21	22	23	24	25	26	27	28	29	30	31	Total No. of Days	Remarks
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22

Daily Attendance Register of the BHU Rada

Serial No.	Name	Rank	1	2	3	4	5	6	7	8	9	10	11	12
1	Khalil us Rehman	JCT	Pr	Pr	X	Polio day								
2	Pasveen Haz	LHV	Pr	Pr	X	Pr	Pr	Pr	Pr	Pr	Pr	X	Pr	Pr
3	M. Saleem	W.A	P	P	X	P	P	P	P	P	P	X	P	P
4	Abdul Aziz	Chukidar	P	P	X	Polio day								
5	Saifur Rehman	W/O	P	P	X	Polio day								
6	Shazia Huma	Dai	P	P	X	P	P	P	P	P	P	X	P	P
7	HUMAIRA MA Rada	LHV												
8	AZHAR IQBAL	M.T												
9	KHANID MEHMOOD	JCT												

Sunday 1/12

Sunday 1/12

جولائی 2012

23

Daily Attendance Register of the BHL Rada

Serial No.	Name	Rank	1	2	3	4	5	6	7	8	9	10	11	12
1	AZHAR IQBAL	MT	/	Polio	Polio	Polio	Polio	Polio	Polio	Polio	Polio	Polio	Polio	Polio
2	Khalid Mehmood	J.C.T	/	L	Polio	Polio	L	Polio	Polio	Polio	Polio	Polio	Polio	Polio
3	Humaira Mehmood	LHV	/	HM	HM	HM	HM	HM	HM	HM	HM	HM	HM	HM
4	M. Saleem	W.A	/	P	P	P	P	P	P	P	P	P	P	P
5	Shazia Humid	Dai	/	P	P	P	P	P	P	P	P	P	P	P
6	Saifur Rehman	W/O	/	P	P	P	P	P	P	P	P	P	P	P
7	Abdul Aziz	Chukidar	/	P	P	Polio	Polio	P	P	P	P	P	P	P

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Page 1

for the Month of July July 2002

13	14	15	16	17	18	19	20	21	22	23	24	25	26	27	28	29	30	31	Total No. of Days	Remarks
BS	BS	BS	BS	BS	BS	BS	BS	BS	BS	BS	BS	BS	BS	BS	BS	BS	BS	BS		
L																				
HM	HM																			
P	P																			
P	P																			
P	P																			

23

23

2012

24

Daily Attendance Register of the BHU Roda

Serial No.	Name	Rank	1	2	3	4	5	6	7	8	9	10	11	12
①	KHALID Mehmood	JCT	A	A	A	A	/	L	L	L	A	A	A	A
②	AZHAR IBBAL	JeT (MT)	A	A	A	A	/	A	A	A	A	A	A	A
③	HUMAIRA Masboos	LHV	HM	HM	HM	HM	/	HM	HM	HM	HM	HM	HM	HM
④	M Saleem	WPA	P	P	P	P	/	P	P	P	P	P	P	P
⑤	SHAZIA HUMAIRA	DAI	P	P	P	P	/	P	P	P	P	P	P	P
⑥	SAIF US-SHEHMAN	W/O	P	P	P	P	/	P	P	P	P	P	P	A
⑦	Abdul Aziz	Chokidar	P	P	P	P	/	P	P	P	P	P	P	P

25

Muz 2012

Daily Attendance Register of the BHU Boda

Serial No.	Name	Rank	1	2	3	4	5	6	7	8	9	10	11	12
1	KHALID Mohammad	JCI	X	X	X	X	X	X	X	X	X	X	X	X
2	AZ HAR IGBAL	JCI (M)	X	X	X	X	X	X	X	X	X	X	X	X
3	HUMARZA-Mastor	LHV	X	X	X	X	X	X	X	X	X	X	X	X
4	M. Saleem	W/A	X	X	X	X	X	X	X	X	X	X	X	X
5	Shah Zaid Humar	Das	X	X	X	X	X	X	X	X	X	X	X	X
6	Sarif ur-Rehman	W/O	X	X	X	X	X	X	X	X	X	X	X	X
7	Abdul Aziz	Shakidax	X	X	X	X	X	X	X	X	X	X	X	X

8/9/2012

1/2 BHU Boda

Handwritten notes in Urdu script, possibly describing the register or providing additional details about the staff listed.

26

Daily Attendance Register of the B.H.U. Roda

Serial No.	Name	Rank	1	2	3	4	5	6	7	8	9	10	11	12
1	KHALID Mehmood	JET	A	A	A	L	A	A		A	A	A	A	A
2	Azhar Iqbal	JET MT	B	B	B	B	B	B		B	B	B	B	B
3	Humaira Masroor	LHV	H	H	L	L	H	H		H	H	H	H	H
4	M. Saleem	W/A	L	P	P	P	P	P		P	P	P	P	P
5	Shahzja Huma	Dai	P	P	L	L	L	P		P	P	P	P	P
6	Saif us Rehman	W/O	P	P	P	P	P	P		P	P	P	P	P
7	Abdul Aziz	chaidar	P	P	P	P	L	P		P	P	P	P	P
8	Nayyat Iqbal	W/O	P	P	P	P	P	P		P	P	P	P	P
10	D.L.A. Ghaffar BABAL	M/D	A	A	A	A	A	A		A	A	A	A	A

Daily Attendance Register of the November 2012

28

2012

Serial No.	Name	Rank
1	D.R.A. Srinivasan	M/O
2	KHALID MEHMOOD	JCT
3	AZHAR IGBAR	JCT
4	HUMABEE MOSEER	LHV
5	M. Saleem	W/A
6	Sahaja Humma Sai	P/P
7	Saif ur Rehman	W/O
8	Abdul Kyrz	Chetkide
9	Nayyar Iqbal	W/O
10		
11		
12		

Annexure C
Page 32

BEFORE THE PESHAWAR HIGH COURT, D.I.KHAN BENCH.

Writ Petition No.

519



Muhammad Saleem s/o Muhammad Ismail,
R/o Village Rodda, District Dera Ismail Khan.

(Petitioner)

Versus

1. Govt: of Khyber Pakhtunkhwa, through its Chief Secretary, Civil Secretariat, Peshawar,

2. The Secretary to Govt: of Khyber Pakhtunkhwa, Health Department, Civil Secretariat, Peshawar,

3. Director General, Health Department, Khyber Pakhtunkhwa, Peshawar.

4. District Health Officer (Former Executive District Officer, Health) Dera Ismail Khan,

5. District Accounts Officer / Comptroller of Accounts, D.I.Khan.

(Respondents)

(Note:-The address of parties as given above are sufficient for the purpose of service.)

PETITION UNDER ARTICLE 199 OF THE CONSTITUTION OF ISLAMIC REPUBLIC OF PAKISTAN.

TESTED

EXAMINOR

Peshawar High Court
D.I. Khan Bench 19/9/14

33

PRAYER:-

To kindly,

1. Declare the acts and omissions on part of respondents and impugned hereby as illegal, without lawful authority and ineffective / inoperable against the rights of the petitioner,
2. Direct and require the respondents to act in accordance with law, desist from acting contrary to law,
3. Desist from discriminating the petitioner,
4. Desist from treating petitioner otherwise than as appointed as Laundry Attendant (BPS-1) on regular basis in accordance with his appointment order No.225-228 dated 31.8.2007, later regularized effective 1.1.2008 vide order dated 29.1.2008 issued from the erstwhile office of Executive District Officer(Health) D.I.Khan, now Respondent No.4,
5. Direct and require respondents to allow petitioner to perform his duties as per his appointment/ Job description and to release the pay of petitioner as due.
6. Grant of any other relief as may be determined by court in circumstances of case.

4.63.4

12/11/13

Respectfully Stated,

The petitioner prefers instant petition on the grounds hereinafter submitted apropos the following facts.

BRIEF FACTS:-

1. That the petitioner is a sane, adult citizen, bona-fide resident of village Rodah Sharif, Union Council of Daraban Khurd, Tehsil Paroa, District D.I.Khan and is eligible for the purpose of relief sought hereby.
2. That the petitioner having required domicile & educational qualifications was appointed and employed against a vacancy of "Laundry Attendant" on 31.8.2007. Initially the terms and conditions of service of petitioner were determined as on "Fixed Basis Charges". Copies of relevant records including appointment Order are attached herewith as Annex-A.
3. That in due course of employment services of the petitioner were "Regularized" and placed in BPS-1 with effect from 1.1.2008 vide order dated 29.1.2008 as recorded in his Service Book. Copies of relevant entries in Service Book are placed herewith as Annex- B.

EXAMINOR

Peshawar High Court


D.I.Khan Bench 19/9/14

34

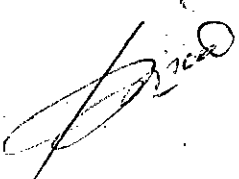
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- 4. That the petitioner had been performing his duties receiving his pay until respondents in collusion with each other, particularly, respondent No.4, in sheer derogation of law, rules and principles of natural justice abstained petitioner from performance of his duties and further attendance of office without either assigning any reason or issuing any office order. When asked for a copy of any official order the petitioner was even denied access to the office premises besides denial on delivery of any office order to the stated effect. The petitioner has till then been running from pillar to post to get hi rights secured yet without success. The respondents have even denied receiving any application from petitioner on the subject matter. Copy of Salary slips, extracts from service record, attendance register etc are attached herewith as **Annex-C**.
- 5. That aggrieved by the discrimination, action and inaction on part of respondents in their failure to abide by the Law, Rules, Principles of Natural Justice and Constitutional Guarantees and left with no other remedy available to him, the petitioner approaches this Hon'ble court through the present petition seeking redressing of his grievance on, inter-alia, the following grounds.

GROUNDS:

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 12/11/14

- A. That the petitioner is entitled to the grant of relief as sought hereby.
- B. That the petitioner has wrongfully been abstained from performance of his duties and release of his pay as due by respondents, thus discriminating the petitioner in violation of the constitutional guarantees.
- C. That the action of abstaining the petitioner from performance of duties besides withholding of pay of the petitioner by respondent No.4 is in violation of all legal norms and can not in any manner be justified, thus calls for interference by this Hon'ble court in its constitutional jurisdiction to undo the injustice.
- D. That the petitioner has been discriminated and victimized due to extraneous and political interference without any lawful Justification. Withholding and ignoring Law, Rules & Constitutional Guarantees by Respondents appears to be an effort to frustrate the rights of the petitioner accredited duly by law, thus calling for interference by this Hon'ble court.
- E. That the counsel for the petitioner may graciously be allowed to raise additional grounds during the course of arguments, if need be.



ATTESTED

 EXAMINOR
 Peshawar High Court
 @ I Khan Bench 19/11/14

35

Prayer:-

In view of the above facts and grounds, it is humbly requested that the respondents may very graciously be directed and required through issue of a suitable writ for redressing of the grievance of petitioner as prayed hereby, together with grant of any other appropriate remedy that this Honourable Court may graciously determine in the light of relevant circumstances.

Humbly,

M. Salim

(Muhammad Salim) Petitioner
Through Counsel,

Dated: 11.11.2013.

Muhammad Ismail Alizai

(Muhammad Ismail Alizai)
Advocate High Court.

4634

[Signature]

12/11/13

Certificate.

Certified that no other petition on the subject has either been filed by present petitioner or is pending before any court including this Hon'be court.

M. Salim
Petitioner.

AFFIDAVIT

I, Muhammad Salim s/o Muhammad Ismail R/o Rodah, Tehsil Paroa District DIKhan, the petitioner, do hereby solemnly affirm and declare on Oath that contents of the petition are true and correct to the best of my knowledge and belief and that nothing has been concealed from this Honourable Court.

D-11.11.2013

Identified by:

M. Salim
Deponent.

ACC. No 12101-0880556-1

Muhammad Ismail Alizai

(Muhammad Ismail Alizai)
Advocate High Court.

~~Muhammad Salim~~
~~Muhammad Ismail Alizai~~
~~Rodah Tehsil Paroa~~
On the instructions of
Muhammad Ismail Alizai
12/11/2013

ATTESTED

EXAMINOR

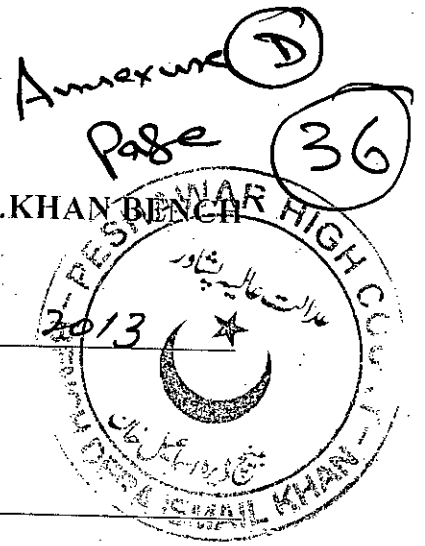
District High Court
D.I. Khan Bench 17/9/16

4669

12/11/13

[Signature]

JUDGMENT SHEET
IN THE PESHAWAR HIGH COURT, D.L.KHAN BENCH
(Judicial Department)



WP No. 519-D of 2013

JUDGMENT

Date of hearing 17-9-2014

Appellant-petitioner (Muhammad Saleem) by
Mr. Muhammad Ismail Khan Alizai Advocate.
Respondent (Govt. of KP & others) by
Mr. Saqatullah Khan Shamiw AAS.

SYED AFSAR SHAH, J.- The brief facts of the case as divulged from the contents of the petition are that the petitioner was appointed as Laundry Attendant on fixed basis charges vide order dated 31.8.2007. Later on his services were regularized with effect from 01.01.2008 and he was placed in BPS-1. He was performing the duties when all of a sudden he was abstained from performance of duties and further attending the office, hence the instant petition.

2. Comments were called from respondent No.4 who furnished the same. As per para-4 of the comments on facts, it has been mentioned that the petitioner was directed to report to SMO Incharge THQ Hospital, Kulachi vide order dated 29.3.2010, but he refused the

2

ATTESTED
EXAMINOR
Peshawar High Court
D.L. Khan Bench 19/9/14

perform his duties without any justification despite the fact that as per policy, Class-IV employees have to serve in their original place of posting and he was appointed as Laundry Attendance at THQ, Kulachi and was drawing pay from there.

3. Be that as it may, the status of petitioner is that of a civil servant being regulated by Civil Servants Act, 1973. Under section 10 of the NWFP Civil Servants Act, 1973, a civil servant can be transferred anywhere, which is one of the incidents of service, squarely falling under Chapter-2 (terms and conditions of service) of the Act *ibid*, as such comes in the domain of Service Tribunal and the constitutional jurisdiction of this Court, in such like matters, is ousted by express provisions of Article 212 of the Constitution of Islamic Republic of Pakistan, 1973. In a number of cases, it has been settled by the apex Court that the matter regarding transfer of a civil servant is one of the incidents of terms and conditions of service, which could not be agitated before High Courts through constitutional petition under Article 199 of the Constitution of Islamic Republic of Pakistan, 1973. Article 212 (2) of the Constitution of Islamic Republic of Pakistan, 1973 explicitly bars the jurisdiction

2/

ATTESTED

EXAMINOR

Peshawar High Court

M. Khan Gench 19/9/16

of this Court in the matters exclusively triable by Service Tribunal.

4. For the reasons mentioned above, the instant petition being not maintainable is hereby dismissed.

Announced.
Dt: 17.9.2014.
Habib/*

Nousam
JUDGE

AG
JUDGE

H/ni
18/9

ATTESTED

D

EXAMINOR

Mashawar High Court
@ I Khan Bench 19/9/14

S.R.No 2263
Application Received on 19-9-14
Copying Fee deposited Rs. P
No of Papers 13/04
Copying Fee 1-50
Urgent Fee 200
Total Fee 2150
Copy ready for delivery 19-9-14
Copy delivered on 19-9-14
Signature of Examiner [Signature]
19/9/14

Certified to be true copy

[Signature]
19/9/14

EXAMINOR
Peshawar High Court Bench D I Khair
Authorised Under section 97 of
Qanoon-a-Shahadat-Act

OFFICE OF THE EXECUTIVE DISTRICT OFFICER HEALTH
DERA ISMAIL KHAN

No: 5853

05 2010

Dated: 18/05/2010

To

Mr. Mohammad Saleem
Laundry BHE Rodah

Annexure E
Page 39

Subject:-

POSTING AT ORIGINAL POST/FINAL NOTICE

Memo:-

You were directed vide this office orders No.4098-4101/03/10 dated 29-03-2010 to report to Incharge TFCR Hospital Kufachi against your original post, and issue explanation vide this office letter No. 4585/04/10 dated 15/04/2010 but neither you have submit your arrival report at TFCR Hospital Kufachi against your original place of posting, nor submitted any reply to the explanation to the undersigned.

You are hereby directed to explain the reason of disobeying the orders of the undersigned within three days of the receipt of this letter, failing which strict disciplinary action will be taken against you. However, you are finally directed to report to Incharge TFCR Hospital Kufachi against your original place of posting.

Executive District Officer
(Health) Dera Ismail Khan

Better Copy

Annexure (E)
Page 39A

OFFICE OF THE EXECUTIVE DISTRICT OFFICER HEALTH
DEAR ISMAIL KHAN

No. 5853

Dated: 18-05-2010

To,

Mr. Mohammad Saleem

Laundry BHU Rodah.

Subject: **POSTING AT ORIGINAL POST/FINAL NOTICE**

Memo:-

You were directed vide this office orders No. 4098-4101/03/10 dated 29-03-2010 to report to incharge THQr: Hospital Kulachi against your original post and issue explanation vide this officer letter No. 4585/04/10 dated 15-04-2010 but neither you have submit your arrival report at THQr: Hospital Kulachi against your original place of posting, nor any reply to the explanation to the undersigned.

You are hereby directed to explain the reason of disobeying the orders of the undersigned within three days of the receipt of this letter, failing which strict disciplinary action will be taken against you. However, you are finally directed to report to incharge THQr: Hospital Kulachi against your original place of posting.

Executive District Officer
(Health) Dera Ismail Khan



No: 7117-19 /06/2010

Dated: 30 /06/2010

Annexure 'B'

Statement of Allegations.Annexure F
Page 40

That you, MR. MOHAMMAD SALEEM LAUNDRY WORKING AT BHU RODAH (ON DETAILMENT) are hereby charged as under:-

- a) Disobeying the orders of the competent authority /absent from duties.
- b) Irregular in performance of official duties.
- c) No response to office letter No. 4098-4101/03/10 dated 29-03-2010 and No. 4585/04/10 dated 15-04-2010.
- d) Instead of performing the assigned duties as Laundry at THQr: Hospital Kulachi against original post you continuously disobeying the orders of the competent authority.

Therefore, you appear to be guilty of misconduct under the NWFP Removal from Service (Special Powers) Ordinance 2000 and have rendered yourself liable to be awarded all or any of the penalties specified in the said ordinance.

You are therefore, required that why disciplinary action under the above mentioned Ordinance for the charge/violation should not be taken against you and furnish your reply to the charge within 07 days of the receipt of this letter to the Executive District Officer (Health) D. I. Khan.

If you failed to offer your reply, it will be presumed that you have nothing to defend yourself and will be liable for the imposition of any penalties under the Ordinance NWFP Removal from Service (Special Powers) 2000. as amended up to date for the above charge leveled against you.

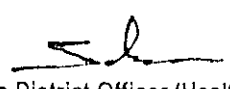
However, the following officers of this office are hereby appointed as Members of Enquiry Committee to conduct an enquiry and submit report:-

- 01- Coordinator HMIS of this office.
- 02- Coordinator EPI of this office


Executive District Officer (Health)
Dera Ismail Khan.

c.c.:

1. Enquiry Committee of this office.
2. Mr. Mohammad Saleem Laundry working on detailment at BHU Rodah


Executive District Officer (Health)
Dera Ismail Khan.



OFFICE OF THE EXECUTIVE DISTRICT OFFICER (HEALTH)
DERA ISMAIL KHAN

No. 32-17-28

Dated

DIKhan the 22/04/2011

Annexure (G)
Page 41

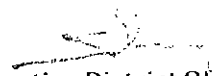
OFFICE ORDER.

Whereas Mr. Mohammad Saleem S/O Mohammad Ismail Laundry attached to EDO (Health) Office DIKhan was proceeded under NWFP Government Servants Removal from Service (Special Powers) Rules, 2000 for the charges/allegations mentioned in charge sheet served to the said accused.

And whereas, an Enquiry Committee /Officers as constituted under the aforementioned Rules.

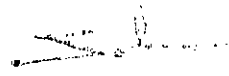
And whereas the aforementioned accused did not appear before the Enquiry Committee/Officers and put written replies in defence.

Now, therefore, in exercise of Powers conferred upon aforementioned rules as "Competent authority" after having examined the charges, findings/recommendations of the Committee/Enquiry Officers with no any response by the accused is pleased to impose "Major Penalty" of "Removal from Service" from Government Service as per provision in the said ordinance Removal from Service (Special Powers) Rules, 2000.


Executive District Officer
(Health) Dera Ismail Khan.

Cc:-

1. Director General Health Services, Khyber Pakhtunkhwa Peshawar.
2. District Accounts Officer DIKhan.
3. Mr. Mohammad Saleem Laundry.
4. Accounts Clerk of this office.


Executive District Officer
(Health) Dera Ismail Khan.

Annexure (H)
Page (12)

To

The Director General Health Services,
Khyber Pakhtunkhwa, Peshawar

Subject

PRESENTATION / DEPARTMENTAL APPLICATION

Respected Sir,

Applicant submits as under,

1. That applicant was appointed vide order No. 225-228 as Laundry Attendant (BPS-1) in Health Department on 31-08-2007 on fixed basis charges later on regularized affective in 01-01-2008 vide order dated 29-01-2008 issued from the Establishment Department.
2. That the District Health Officer stopped salaries of the applicant without any reason, the applicant filed a writ petition No. 519 of 2013 before the Honourable Peshawar High Court Bench Dera Ismail Khan, against such illegal issue which was decided on 17-09-2014 on the basis of article 212 of the Constitution of Islamic Republic of Pakistan 1973. Applicant was directed to approach proper forum.
3. That the applicant received copy of the writ petition on 19-09-2014, wherein the applicant came to know his termination from service, special order removal from service (special powers) rules 2000 vide letter No. 3217-20 dated 20-04-2014 which discloses allegations as under,
 - a) Disobeying the order of the competent authority/absent from duties.
 - b) Irregular in performing official duties.
 - c) No response to office order No. 4098-4101 dated 29-03-2010 and No. 4585/04/10 dated 15-04-2010.
 - d) Instant of performing the assigned duties as Laundry at THQ Hospital Kulachi against original post you continuously disobeying the orders of the competent authority.

42

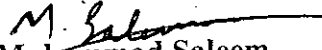
Actually applicant was performing his duties at BHU Roda and the Executive District Officer Health D.I.Khan has prepared fake documents for comments which were submitted before the Honourable Peshawar High Court in Applicant's writ petition. The transfer from BHU Roda to THQ Hospital Kulachi vide letter No. 4098-4101 on 29-03-2010 was fake transfer order and other proceedings posting at original post/final notice No. 5853 dated 18-05-2010, statement of allegations vide order No. 7117-19 dated 30-06-2010 and removal from service order No. 3217-20 dated 02-0-2011 are ultra virus against law and is excess of legal authority, although the applicant regularly attended and performing his duties in BHU Roda according to daily attendance sheet of BHU Roda from the date of appointment to December 2012 and No one order received in BHU Roda.

4. That the applicant got knowledge of his removal from service/termination on 19-09-2014, the representation/departmental appeal after knowledge is within time.
5. That the removal order is against law, facts and deserves to be set aside and applicant may graciously be restored to his service.

It is, therefore, respectfully prayed that service of the applicant may kindly be restored thereby reinstating the applicant in service with full back benefits.

Dated: 20-09-2014

Yours obediently,


Muhammad Saleem
S/o Muhammad Ismail,
R/O Roda, Tehsil Paroa
District Dera Ismail Khan

بعد الت حساب خبر = II بیخ سروا کترو ی
ت م

محمد سلیم خان بنام محمد سعید

Since only reply is awaited, fixed hence this application is allowed.
89/15
درخواست برائے برقی کتب خانہ کی اجازت

صواب علی

سٹیٹ ایسٹس ڈیپارٹمنٹ
28/08/2015
28/08/2015

ایڈوائس
26/05/2015
30/4/2015

سٹیٹ ایسٹس ڈیپارٹمنٹ
محمد سلیم خان کو

B-II
26-1-16

BEFORE THE HONOURABLE SEREVICE TRIBUNAL
KHYBER PAKHTUNKHWA PESHAWAR

Service Appeal No. 89/2015

Muhammad Saleem Khan

Versus

Govt. of Khyber Pakhtunkhwa and others

H.W.P. Province
Service Tribunal
Diary No. 1260
Dated 27-10-15

REJOINDER FROM APPELLANT

Respectfully Sheweth:-

Reply on Preliminary Objections:-

- i. Incorrect, the respondents have been trying to misconceive this Honourable Tribunal, the respondents issued vide order No. 2839/41/04/2013 dated 17/04/2013 in which the appellant was directed to report BHU Roda D.I.Khan, how can possible a dismissed employee is transferred. Hence the appellant has got clear cause of action and locus standi against the respondents. *Copy attached herewith.*
- ii. Incorrect, hence denied, the respondents initially stopped the salary of the appellant while, during pendency of writ petition, the respondents appended to terminate orders in rejoinder, this fact, the appellant came to know at receiving copies of writ petition and order dated 19/09/2014. The cause of action is arose by the appellant after receiving order of writ petition.
- iii. Incorrect, hence denied, the appellant has come to this Honourable Tribunal with clean hands. The appellant is made a rolling stone by the respondents.
- iv. Incorrect, hence not admitted. The present appeal is maintainable.
- v. Incorrect, hence denied, the appellant has made proper parties, which are considered as respondents and the Government pleader has already submitted para-wise reply.
- vi. Incorrect, the respondents has been prepared to be ordered of removal from service by the appellant at the time of submission of comments in writ petition No. 519-D of 2013.
- vii. Incorrect, hence denied. The respondents have concealed the material facts and documents from this Honourable Tribunal as well as in-charge of the BHU Roda, the appellant has already annexed copies of attendance register of December 2012, which is clear shown that the respondents concealed documents or self-created at the time of submission of comments in writ petition No. 519-D of 2013.

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writ
Pakht.

- viii. Incorrect, hence denied, the respondents connivance gave him to benefit of their favoritism.
- ix. Incorrect, hence denied. The Honourable Tribunal has got to vast powers to entertain the instant appeal.
- x. Incorrect, the respondents has misconceived.

REPLY ON OBJECTIONS ON FACTS:-

- a) Admitted by respondents, the respondents has prepared to reply of above titled appeal, how can possible, the respondents submitted to reply without pertaining the record, which is kept by the respondents.
- b) Incorrect, the respondents have not read the order of writ petition No. 519-D of 2013, wherein the appellant had not taken to pray for his restoration of service, only for releasing of salary and attendance on December 2012, the respondents stopped to attend in attendance register of BHU Roda.
- c) Incorrect, hence not admitted, the order of the Peshawar High Court Bench Dera Ismail Khan in para No. 3 of the judgment mentioned "the Article 212 sub clause 2 if the Constitution of Islamic Republic of Pakistan 1973 explicitly bars the jurisdiction of this court in the matter exclusively triable by Service Tribunal" in writ petition NO. 519-D of 2013.
- d) Incorrect, hence not admitted, all those documents were self-created by the respondents at the time of submission of comments in writ petition No. 519-D of 2013.
- e) Incorrect, hence not admitted, after knowledge of the appellant, he preferred the instant appeal seeking redressal of his grievances.

REPLY ON OBJECTION ON GROUNDS:

- i. Incorrect, hence not admitted, that the respondents are prepared to self-create, which is arbitrary, against the law and natural justice, liable to set aside and restored the appellant with all back benefits.
- ii. Incorrect, and not admitted, appellant was regular and punctual employed, a copy of an application for leave on 10/12/2012, before submitted to in-charge of BHU Roda. Copy of application is annexed herewith.
- iii. In correct, hence not admitted, the appellant has been performing his duties regularly, the record of attendance has already appended in main appeal. The transfer order of the appellant from BHU Roda to THQ

Kulachi is self-created, hence no record in dairy dispatch of the DHO Office as well as BHU Roda D.I.Khan.

iv. Incorrect, hence not admitted, detailed reply has already given above.

In wake of submissions made above, it is therefore, humbly requested that written reply of the respondents/department may be declared ~~baseless~~ ^{against the law of state}, the appeal of appellant may please be accepted as prayed for. Any other relief deems appropriate may please be given to the appellant.

Dated: 27/10/2015

Yours Humble Petitioner

M. Saleem
Muhammad Saleem Khan

Through Counsel

Muteeullah Rind
Muteeullah Rind
Advocate High Court

Verification

It is verified on 27/10/2015
the fact of an application

are true and correct.
27/10

M. Saleem. ——— applicant.

M. Saleem



**OFFICE OF THE DISTRICT HEALTH OFFICER
DERA ISMAIL KHAN.**

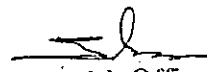
بھو
رودا BHU

No: 2839-41/06/2013

Dated: 17/06/2013


Office Order:-

Mr Mohammad Saleem Ward Orderly is hereby directed to report at BHU Roda DIKhan for ~~regular~~ duty with immediate effect in the interest of public service. *voluntarily*


District Health Officer
Dera Ismail Khan

Copy for information to the:-

1. I/C BHU Roda DIKhan
2. official Concern
3. Establishment Clerk of this office.


District Health Officer
Dera Ismail Khan

**BEFORE THE HONOURABLE SERVICE TRIBUNAL KHYBER
PAKHTUNKHWA, PESHAWAR AT DIKHAN CAMP**

Service Appeal No: 89 of 2015

Muhammad Saleem Khan
Versus
Govt. of KPK and others

Subject: **REPLY OF APPEAL ON BEHALF OF RESPONDENT
NO. 2 & 3.**

Respectfully Shewith: Respondents No. 2 & 3 humbly submit as under,

PRELIMINARY OBJECTION: -

1. That the Appellant has no cause of action and locus standi.
2. The appellant is estopped due to his own conduct.
3. That Appellant has not come to this Honourable Court with clean hands.
4. That the appeal is not maintainable and incompetent.
5. That the appeal is bad for mis-joinder and non-joinder of necessary parties.
6. That instant appeal of Appellant is badly time barred.
7. That the appellant has concealed the material facts from this tribunal.
8. That appeal of the appellant is based on malafide and just to take illegal benefits by misconceiving department as well as this Honourable Tribunal.
9. The Honourable tribunal has no jurisdiction to entertain the instant appeal in its present form.
10. That according to Rule 23 of Service Tribunal Rules 1974, the Tribunal should not entertain any appeal in which matter has already been decided by the Court.

OBJECTION ON FACTS: -

1. That para No. 1 is pertained to record.
2. That para No. 2 of the facts of Appeal is incorrect and misconceived, hence not admitted. In fact the appellant approached to the wrong forum with malafide intention, hence appeal of the appellant is hopelessly time barred and also stopping of salary by the department is according to law because appellant wilfully absented from his duties. In this connection a statement of allegation dated 30-06-2010 letter No. 7117-19/06/2010 was issued and served, where in serious type of allegation were leveled upon appellant, which is enclosed for ready reference herewith.

3. That para No. 3 of facts of Appeal is incorrect, not admitted, writ petition of the appellant was decided on 17-09-2014 by Honourable Peshawar High Court Bench DIKhan with no direction given to the appellant for approaching to the Service Tribunal. The service appeal of the appellant is badly time barred by misconceiving the judgment of Peshawar High Court and in the instant appeal there is no condonation of delay application is shown, hence on the sole ground of law of limitation, appeal of the appellant is liable to be dismissed. Moreover, appellant was removed from service on 02-04-2011 on the serious allegation of disobeying the order of competent authority / absent from duties, irregular performing official duties, no response to office order No. 4098-4101 dated 29-03-2010 and letter No. 4585/04/10 dated 15-04-2010 in which appellant was directed to report to SMO in-charge THQr Hospital Kulachi vide office order No. 4098-4101 dated 29-03-2010 and according to policy of class-IV employees they are bound to serve in their original place of posting as per recruitment orders of the appellant as Laundry at THQr Hospital Kulachi. He was receiving salaries from THQr Hospital Kulachi but appellant was not ready to perform his duties according to rules & regulations of the department and no clear cut justification was submitted by the appellant to concerned department / competent authorities, hence the appellant was terminated from job after conducting regular inquiry as per existing rules, laws and policies.
4. That para No. 4 of facts of the Appeal is incorrect, and misconceived, the appellant was in knowledge from the first date of his dismissal from service and in the instant appeal a wrong and illogical date of knowledge of his removal from service is given with full intention for getting relief, hence, appeal of the appellant is time barred, moreover, appellant was served a statement of allegation under which he was finally directed to report on his original post but appellant intentionally did not obey the orders of the competent authority. Copy of statement of allegation and other relevant documents are enclosed herewith.
5. That para No. 5 of facts of the Appeal is incorrect and misconceived, appellant has waived his right of appeal and this Honourable Court has no jurisdiction entertain the instant time barred, frivolous appeal of the appellant.


REPLY OF GROUNDS: -

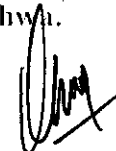
1. That ground 4 is incorrect, hence denied. Appellant was removed from service after adopting all the codel formalities and conducting a regular enquiry against the appellant then a penal action was taken against the appellant, hence, there is no violation made by the respondents.
2. The ground No. 2 of the Appeal of the Appellant is incorrect and misconceived, hence not admitted.
3. The ground 3 of the Appeal of the Appellant is incorrect, misconceived, appellant violated the settled laws, rules, regulations of the service laws, hence removed from service after conducting codel formalities by the competent authority and will full absentee has no right of taking salary as well as other benefits from the Government. Attendance register enclosed with the instant appeal is bogus one and if considered to be true then a fact is admitted that appellant violated the clear cut orders of the competent authority to perform his duties at his actual post i.e. THQr Kulachi.
4. Incorrect and misconceived, hence not admitted, detail reply is given in paras above.

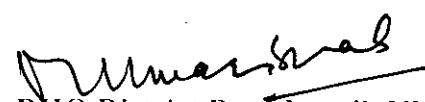
In wake of submissions made above, it is therefore, humbly requested that on acceptance of reply on behalf of respondents, appeal of the Appellant may please be dismissed being meritless.

Dated: 22-04-2015


Your Humbly Respondents


1. Secretary Health Department Khyber
Pakhtunkhwa.


2. Director General Health Services
Khyber Pakhtunkhwa. *h*


3. DHO District Dera Ismail Khan *h*

Vetted


Govt. Pleader
KPK Services Tribunal
Camp Court D.I.Khan

BEFORE THE HONOURABLE SERVICE TRIBUNAL KHYBER
PAKHTUNKHWA, PESHAWAR AT DIKHAN CAMP

Service Appeal No. 89 of 2015

Muhammad Saleem

Versus

Govet. of KPK and others

AFFIDAVIT

I, District Health Officer DIKhan do hereby solemnly affirm and declare on Oath that contents of the written reply are true and correct to the best of my knowledge and belief and that nothing has been deliberately concealed from this Honourable Court.

Dated: 22-04-2015

Deponent

Muhammad

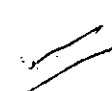
OFFICE OF THE EXECUTIVE DISTRICT OFFICER HEALTH
DERA ISMAIL KHAN.

No: 4098-4101 /03/2010

Dated: 29 /03/2010

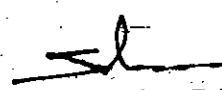
OFFICE ORDER.

Mr. Mohammad Saleem Laundry working on detailment at BHU Rodah is hereby directed to report to Incharge THQr: Hospital Kulachi against his original place of posting with immediate effect in the interest of Public service e.


Executive District Officer
(Health) Dera Ismail Khan.

Cc:

1. Incharge THQr: Hospital Kulachi.
2. Incharge BHU Rodah.
3. Official concerned.


Executive District Officer
(Health) Dera Ismail Khan.

OFFICE OF THE EXECUTIVE DISTRICT OFFICER HEALTH
DERA ISMAIL KHAN.

No: 4585

/04/2010

Dated: 15/04/2010

To


Mr. Mohammad Saleem
Laundry BHU Rodah

Subject:- **POSTING AT ORIGINAL POST.**

Memo:-

You were directed vide this office orders No.4098-4101/03/10 dated 29-03-2010 to report to Incharge THQr. Hospital Kulachi against your original post, but you have not submit your arrival report at THQr. Hospital Kulachi against your original place of posting.

You are hereby directed to explain the reason of disobeying the orders of the undersigned within three days of the receipt of this letter, failing which strict disciplinary action will be taken against you. However, you are once again directed to report to Incharge THQr. Hospital Kulachi against your original place of posting.


Executive District Officer
(Health) Dera Ismail Khan.

OFFICE OF THE EXECUTIVE DISTRICT OFFICER HEALTH
DERA ISMAIL KHAN.

No: 5853

/05/2010

Dated: 18/05/2010

To

Mr. Mohammad Saleem
Laundry BHU Rodah

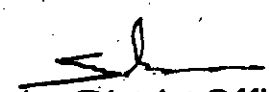
Subject:-

POSTING AT ORIGINAL POST/FINAL NOTICE.

Memo:-

You were directed vide this office orders No.4098-4101/03/10 dated 29-03-2010 to report to Incharge THQr: Hospital Kulachi against your original post, and issue explanation vide this office letter No. 4585/04/10 dated 15/04/2010 but neither you have submit your arrival report at THQr: Hospital Kulachi against your original place of posting, nor submitted any reply to the explanation to the undersigned.

You are hereby directed to explain the reason of disobeying the orders of the undersigned within three days of the receipt of this letter, failing which strict disciplinary action will be taken against you. However, you are finally directed to report to Incharge THQr: Hospital Kulachi against your original place of posting.


Executive District Officer
(Health) Dera Ismail Khan.



No: 7117-19 /06/2010

Dated: 30 /06/2010

Statement of Allegations.

That you, MR. MOHAMMAD SALEEM LAUNDRY WORKING AT BHU RODAH (ON DETAILMENT) are hereby charged as under:-

- a) Disobeying the orders of the competent authority /absent from duties.
- b) Irregular in performance of official duties.
- c) No response to office letter No. 4098-4101/03/10 dated 29-03-2010 and No. 4585/04/10 dated 15-04-2010.
- d) Instead of performing the assigned duties as Laundry at THQr: Hospital Kulachi against original post you continuously disobeying the orders of the competent authority.

Therefore, you appear to be guilty of misconduct under the NWFP Removal from Service (Special Powers) Ordinance 2000 and have rendered yourself liable to be awarded all or any of the penalties specified in the said ordinance.

You are therefore, required that why disciplinary action under the above mentioned Ordinance for the charge/violation should not be taken against you and furnish your reply to the charge within 07 days of the receipt of this letter to the Executive District Officer (Health) D. I. Khan.

If you failed to offer your reply, it will be presumed that you have nothing to defend yourself and will be liable for the imposition of any penalties under the Ordinance NWFP Removal from Service (Special Powers) 2000, as amended up to date for the above charge leveled against you.

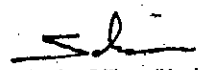
However, the following officers of this office are hereby appointed as Members of Enquiry Committee to conduct an enquiry and submit report:-

- 01- Coordinator HMIS of this office.
- 02- Coordinator EPI of this office.


Executive District Officer (Health)
Dera Ismail Khan.

c.c.:

1. Enquiry Committee of this office.
2. Mr. Mohammad Saleem Laundry working on detailment at BHU Rodah.


Executive District Officer (Health)
Dera Ismail Khan.

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Phone No. (0966-9280199) Fax No. 0966-9280199
OFFICE OF THE EXECUTIVE DISTRICT OFFICER (HEALTH)
DERA ISMAIL KHAN

No. 32-17-20

Dated

DIKhan the 02/04/2011.

OFFICE ORDER.

Whereas Mr. Mohammad Saleem S/O Mohammad Ismail Laundry attached to EDO (Health) Office DIKhan was proceeded under NWFP Government Servants Removal from Service (Special Powers) Rules, 2000 for the charges/allegations mentioned in charge sheet served to the said accused.

And whereas, an Enquiry Committee /Officers as constituted under the aforementioned Rules.

And whereas the aforementioned accused did not appear before the Enquiry Committee/Officers and put written replies in defence.

Now, therefore, in exercise of Powers conferred upon aforementioned rules as "Competent authority" after having examined the charges, findings/recommendations of the Committee/Enquiry Officers with no any response by the accused is pleased to impose "Major Penalty" of "**Removal from Service**" from Government Service as per provision in the said ordinance Removal from Service (Special Powers) Rules, 2000.


Executive District Officer
(Health) Dera Ismail Khan.

Cc:-

1. Director General Health Services, Khyber Pakhtunkhwa Peshawar.
2. District Accounts Officer DIKhan.
3. Mr. Mohammad Saleem Laundry.
4. Accounts Clerk of this office.


Executive District Officer
(Health) Dera Ismail Khan.

Report of Enquiry Officers against Mr. Mohammad Saleem
working under the control of EDO(H)Office DIKhan.

We the undersigned were appointed as "Enquiry Officers" to conduct and initiate enquiry against above named accused as per statement of Allegation/Charge Sheet communicated by EDO (Health) DIKhan vide No. 7117-19/ dated 30-06-2010.

In compliance, we served explanation to the said accused vide Annex-A copy enclosed. Besides this we conveyed served many messages to appear before Enquiry Officers in person and submit written defense with witness duly supported with documentary proofs regarding non performance of duties at THQR: Hospital Kulachi against his original place of posting and misconduct/disobedience etc.

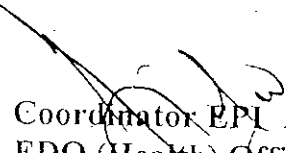
The said accused failed to appear before us and not submitted replies/explanations as per statement of allegation/charge sheet. He not only disobeys the orders of the competent authority but also contravene the code of civil procedure 1908.

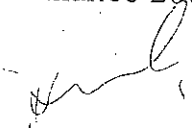
In these circumstances, we both the Enquiry Officers of considered opinion that charges/Allegation quoted in the statement of allegation/Charge Sheet have been proved against the said accused without my shadow of doubts. He has been found guilty of:-

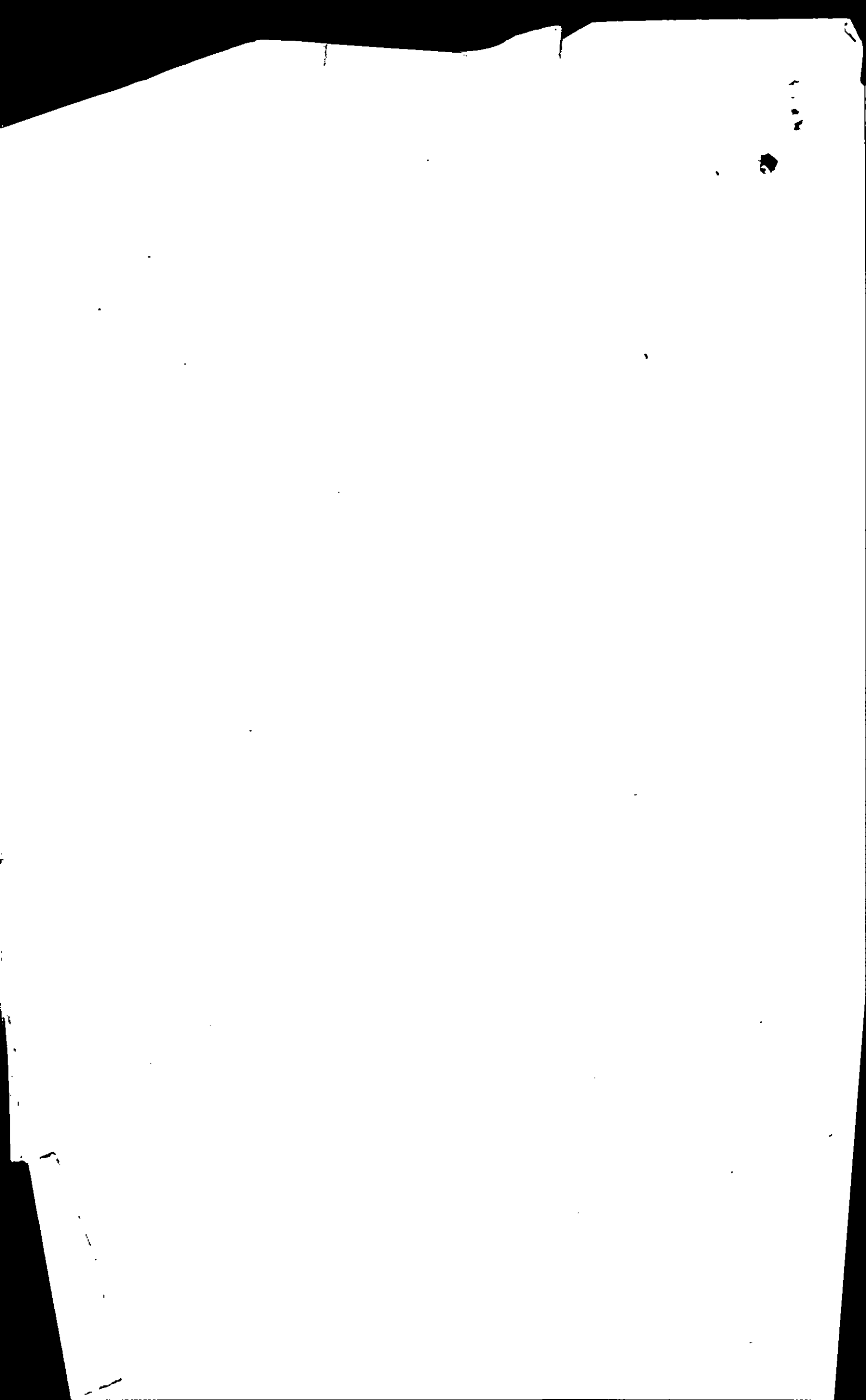
- (i) Habitual Absentee.
- (ii) Irregular in performance of official duties.
- (iii) Misconduct with reference to disobeying orders of seniors/competent authority.

Recommendations:-

He is liable to be awarded major Penalty of "Removal from Service" as enumerated in the Removal from Service (Special Powers) Ordinance 2000.


Coordinator EPI
EDO (Health) Office DIKhan.


Coordinator HMIS
EDO (Health) Office DIKhan.



REGISTER OF RECEIPTS AND ISSUES OF MEDICINES.

Name of the Medicine

RKS	Date of receipt or issue	Quantity received			Quantity Issued from stock to dispensing room			Balance in stock			Initial	REMARKS
		lbs	oz.	dr.	lbs	oz.	dr.	lbs	oz.	dr.		
(58)	3/11/15											<p>Mr. Sharif Gulab - 1101 Durrani Hospital 10 lbs. ... No. 9/35-91 Date: 24/12/09</p>
(59)	13/12/09											<p>Authentic letter of Charge report of Mrs. M. Ilyas Pharmacy Tel. T.H.P. Hospital Lahore, for a week medicine for (H) store price Date: 02/01/2010.</p>
(60)												<p>Charge report of Medicine Store T.H.P. Hospital Lahore. To BDO (H) DTL</p>
(61)												<p>ABSENT</p>

REGISTER OF RECEIPTS AND ISSUES OF MEDICINES.

Name of the Medicine

Date of receipt or issue	Quantity received			Quantity Issued from stock to dispensing room			Balance in stock			Initial	REMARKS
	lbs	oz.	dr.	lbs	oz.	dr.	lbs	oz.	dr.		
25 15/10											Demand for supply of ASW & ARV
26 16/10											Authority letter for collection of ARV & AVC
27 28/10											Demand letter for WBC-THPH-Kulachi To EDOLH Dills
28											Demand letter for WBC-Te. AC-Te-THPH-Kulachi To EDOLH Dills
29											Application To E.D.O office
29 4/10											for Fault in X-ray machine of THPH Hosp Kulachi
30 04/05/2010											Annual report of Min. Public Health CMU
31 10/10											Already Demand letter for Vaccine
32											
33 11/10											Application of abundance for change of material To EDOLH Dills

Name of
Date of receipt
issue
34
35
36
37
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39
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42

REGISTER OF RECEIPTS AND ISSUES OF MEDICINES.

Name of the Medicine

Date of receipt or issue	Quantity received			Quantity Issued from stock to dispensing room			Balance in stock			Initial	REMARKS
	lbs	oz.	dr.	lbs	oz.	dr.	lbs	oz.	dr.		
(45) 10 ⁷ / ₁₀											Departure report made 11/10/55 then Telu MERTH-Kalebi
(46)											Report to SMO/K against large expense by waso.
(47)											Reply to EDO (A) type letter - No.
(48) ²³ / ₁₀											Application for leave to E.D. office
(49)											E.D.O (A) Report of Dr.
(50)											Explanation to E.D. absent report.
(51)											Date 2 ¹⁴ / ₁₀ Office Note For For Transfers ord Date 6 ¹⁴ / ₁₀
(52)											Departure Report of Crown E

**OFFICE OF THE DISTRICT HEALTH OFFICER
DERA ISMAIL KHAN.**

بھو
رودا
بھو

No: 2839-41/06/2013

Dated: 17/06/2013


Office Order:-

Mr Mohammad Saleem Ward Orderly is hereby directed to report at BHU Roda DIKhan for ~~his~~ duty with immediate effect in the interest of public service. *voluntarily*


District Health Officer
Dera Ismail Khan


Copy for information to the:-

1. I/C BHU Roda DIKhan
2. official Concern
3. Establishment Clerk of this office.


District Health Officer
Dera Ismail Khan

KHYBER PAKHTUNKHWA BAR COUNCIL

MUHAMMAD ASGHAR KHAN
 Advocate High Court
 N.I.C. 12101-4878772-3
 S.No. 484



وکالت

کورٹ
فیس

BEFORE THE KHYBER PAKHTUNKHWA SERVICES TRIBUNAL, PESHAWAR.

Muhammad Saleem vs Govt of KPK etc
 Service appeal

تفصیل دعویٰ یا جرم

باعث تحریر آنکہ

مقدمہ مندرجہ بالا عنوان میں اپنی طرف واسطے بیرونی وجوہات پیش یا تفسیر مقدمہ مندرجہ ذیل
 D.I.C. Muhammad Asghar Khan Baloch Advocate High Court

کے حسب ذیل شرائط پر وکیل مقرر کیا ہے کہ میں پیشی پر خود یا ہذا بذریعہ رو برو عدالت حاضر ہوں گا اور ہر وقت پکارتے جانے مقدمہ وکیل صاحب موصوف کو اطلاع دے کر حاضر عدالت کروں گا اگر پیشی پر منظر حاضر نہ ہو اور مقدمہ میری غیر حاضری کی وجہ سے کسی طبعہ مجرمے خلاف ہو گیا تو صاحب موصوف اس کے کسی طرح ذمہ دار نہ ہوں گے نیز وکیل صاحب موصوف صدر مقام پکھری کے علاوہ یا پکھری کے اوقات سے پہلے یا بیچے یا بروز تعطیل بیرونی کرنے کے ذمہ دار نہ ہوں گے اور مقدمہ صدر مقام پکھری کے علاوہ اور جگہ سماعت ہونے یا بروز تعطیل یا پکھری کے اوقات کے آگے یا بیچے پیش ہونے پر منظر کوئی نقصان پہنچے تو اس کے ذمہ دار یا اسکے واسطے کسی معاوضہ کے ادا کرنے یا عمت نہ واپس کرنے کے بھی صاحب موصوف ذمہ دار نہ ہوں گے مجھ کو کل ساختہ پر واختہ صاحب موصوف مثل کردہ ذات خود منظور قبول ہو گا اور صاحب موصوف کو عرض دعویٰ یا جواب دعویٰ یا درخواست اجراء اسمائے ذکری نظر ثانی اپیل گمرانی و ہر قسم درخواست ہر قسم کے بیان دینے اور پر جاتی یا راضی نامہ و فیصلہ برطرف کرنے اقبال دعویٰ کا بھی اختیار ہو گا اور بصورت مقرر ہونے تاریخ پیشی مقدمہ مزکور بیرون از پکھری صدر بیرونی مقدمہ مزکور نظر ثانی اپیل و گمرانی و ہر آدگی مقدمہ یا مشوقی ذکری یک طرفہ یا درخواست حکم اقبالی یا قرتی یا گرفتاری قبل از فیصلہ اجراء ذکری بھی صاحب موصوف کو بشرط ادا جی علیحدہ علیحدہ بیرونی کا اختیار ہو گا اور تمام ساختہ پر واختہ صاحب موصوف مثل کردہ از خود منظور و قبول ہو گا اور بصورت ضرورت صاحب موصوف کو یہ بھی اختیار ہو کہ مقدمہ مزکورہ یا اس کے کسی جزو کی کاروائی یا بصورت درخواست نظر ثانی اپیل گمرانی یا دیگر معاملہ و قدمہ مذکورہ کسی دوسرے وکیل یا بیرسٹر کو اپنے بجائے یا اپنے ہمراہ مقرر کریں اور ایسے شیر تالون کو بھی ہر امر میں وہی اور دوسرے اختیارات حاصل ہوں گے جیسے صاحب موصوف کو حاصل ہیں اور دوران مقدمہ میں جو کچھ ہر جانہ التوا پڑے گا وہ صاحب موصوف کا حق ہو گا مگر صاحب موصوف کو پوری فیس تاریخ پیشی سے پہلے ادا نہ کروں گا تو صاحب موصوف کو پورا اختیار ہو گا کہ مقدمہ کی پروی نہ کریں اور ایسی صورت میں میرا کوئی مطالبہ کسی قسم کا صاحب موصوف کے برخلاف نہیں ہوگا

لہذا وکالت نامہ لکھ دیا ہے تاکہ سند رہے
 مورخہ 24 جولائی 2017

مضمون وکالت نامہ سن لیا ہے اور اچھی طرح کچھ لیا ہے اور منظور ہے

Attested & Accepted

Muhammad Saleem - Plaintiff

Advocate
24-7-2017

M. Saleem