
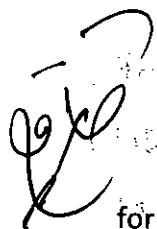


09.03.2017


Clerk of counsel for the appellant present. Seeks adjournment as counsel for the appellant is indisposed. Adjourned for preliminary hearing to 06.04.2017 before S.B at camp court, Swat.


Chairman
Camp Court, Swat

06.04.2017

 Appellant alongwith his counsel present. Learned counsel for the appellant submitted application for withdrawal of the instant appeal and stated that the grievances of the appellant have been redressed. The application is placed on record. The request is accepted. Signature of the appellant is taken on the side of order sheet as a token of proof. The appeal in hand stands dismissed as withdrawn. File be consigned to the record room.

ANNOUNCED
06.04.2017


(MUHAMMAD AMIN KHAN KUNDI)
MEMBER
Camp Court Swat.

06.11.2016

Agent of counsel for the appellant present. Seeks adjournment as learned counsel for the appellant is busy in Peshawar High Court, Mingora Bench (Dar-ul-Qaza). Adjourned for preliminary hearing to 08.12.2016 before S.B at camp court, Swat.



Chairman
Camp court, Swat

08.12.2016

Counsel for the appellant seeks adjournment in order to study as to whether suspension order dated 02.03.2016 amounts to final order within the meaning of Section 4 of the Khyber Pakhtunkhwa Service Tribunal Act, 1974. Adjourned for preliminary hearing to 05.01.2017 at camp court, Swat.




Chairman

Camp court, Swat

05.01.2017

Counsel for the appellant present. As per request of the learned counsel for the appellant case is adjourned to 09.03.2017 for preliminary hearing before S.B at camp court, Swat.







Chairman

Camp court, Swat

Form- A
FORM OF ORDER SHEET

Court of _____

Case No. 786/2016


| S.No. | Date of order proceedings | Order or other proceedings with signature of judge or Magistrate |
|-------|---------------------------|--|
| 1 | 2 | 3 |
| 1 | 02/08/2016 | <p>The appeal of Mr. Tariq Mehmood is resubmitted today by Dr. Adnan Khan Advocate may be entered in the Institution Register and put up to Learned Member for proper order please.</p> <p style="text-align: right;"> REGISTRAR</p> |
| 2- | 05-08-2016 | <p>This case is entrusted to Touring S. Bench at Swat for preliminary hearing to be put up there on <u>08-09-2016</u>.</p> <p style="text-align: right;"> MEMBER</p> |
| | 08.09.2016 | <p>Junior to counsel for the appellant present. Seeks adjournment as counsel for the appellant has gone abroad. Adjourned for preliminary hearing to 06.10.2016 at camp court, Swat.</p> <p style="text-align: right;"> Chairman Camp Court, Swat.</p> |
| | 06.10.2016 | <p>Appellant present. Seeks adjournment as his counsel is stated busy before the august Supreme Court of Pakistan. To come up for preliminary hearing on 10.11.2016 at camp court, Swat.</p> <p style="text-align: right;"> Chairman Camp Court, Swat</p> |

The joint appeal of M/S. Javed iqbal, Tariq Mehmood, Wasim Sajjad, Shahid Mohsin and Fawad Khan received to-day i.e. on 26.07.2016 is incomplete on the following score which is returned to the counsel for the appellant for completion and resubmission within 15 days.

- 1- Appeal may be got signed by the appellants & counsel.
- 2- Annexures of the appeal may be attested.
- 3- Annexures of the appeal may be flagged.
- 4- Sub-rule-2 of rule-3 of appeal rules 1986 requires that every affected civil servant shall prefer the appeal separately; therefore the appeal of the above named appellants may be filed separately/individually.
- 5- Three copies/sets of the appeal along with annexures i.e. compete in all respect for Tribunal and one for each respondent in each appeal may also be submitted.


No. 1189 /S.T.

DL 27-7 /2016


REGISTRAR
SERVICE TRIBUNAL
KHYBER PAKHTUNKHWA
PESHAWAR

Mr. Adnan Khan Adv. Swat.

The objections raised as cited above have been ^{duly} addressed and filed.


Barrister
Dr. Adnan Khan
Advocate High Court

BEFORE THE HONORABLE SERVICE TRIBUNAL, KPK PESHAWAR

Service Appeal No. 786 of 2016

Tariq Mehmood.....Appellant

VERSUS


Government of Khyber Pakthunkhwa through Secretary Health and others

.....Respondents

INDEX

| S. No. | Description | Annexure | Pages No. |
|--------|---|----------|-----------|
| 1. | Memo of Appeal with certificate and Affidavit | | 1-6 |
| 2. | Addresses of the parties | | 7 |
| 3. | Copy of attendance sheet from relevant register | A | 8 |
| 4. | Copy of verification letter dated 02-03-2012 | B | 9 |
| 5. | Copy of letter regarding release of salaries with better copy | C | 10-11 |
| 6. | Copy of letter | D | 12 |
| 7. | Copy of order dated 02-03-2016 | E | 13 |
| 8. | Copy of departmental appeal | F | 14-15 |
| 9. | Wakalatnama | | 16 |

Appellant through Counsel


Dr. Adnan Khan, Barrister-at-Law
Office: Adnan Law Associates,
Opp. Grassy ground Mingora Swat.
Cell: 0346-9415233

BEFORE THE HONORABLE SERVICE TRIBUNAL,
KPK PESHAWAR

Khyber Pakhtunkhwa
Service Tribunal

Service Appeal No. 786 of 2016

Diary No. 788
Dated 02/8/2016

Tariq Mehmood s/o Ali Muhammad r/o Mohallah Noahar
Batkhele Tehsil Bakhela, District Malakand

.....Appellant

VERSUS

1. Government of Khyber Pakhtunkhwa through Secretary Health at Peshawar
2. District Health Officer Malakand at Batkhela
3. District Accounts Officer, District Malakand at Malakand Top
4. Director Anti Corruption at Peshawar.

..... Respondents

APPEAL UNDER SECTION 4 OF THE KHYBER
PAKHTUNKHWA SERVICE TRIBUNAL ACT, 1974 AGAINST
THE ORDER OF SUSPENSION FROM SERVICE

PRAYER:

On acceptance of this Appeal, the impugned order of suspension End: No. 1329-36 dated 02/03/2016 may be set aside and the Appellant be restored at his previous position.

Respectfully Sheweth:

1. That the Appellant being diploma holder in Surgical of medical technologies, was appointed as Para-medic after passing through the required scrutiny and fulfillment of codal formalities.

Re-submitted to -day
and filed.

[Signature]
Registrar

2/8/16.

2. That prior to the impugned order, the Appellant was serving in DHQ Hospital Batkhela, District Malakand (Copy of attendance sheet from relevant register is attached as Annexure "A").
3. That soon after his appointment, the concerned quarters sought verification of diploma/certificate of the Appellant from the Medical Faculty Peshawar. The said faculty issued verification letters of the Appellant, wherein the said Diploma and certificate were held to be genuine (Copy of verification letter dated 02-03-2012 is attached as Annexure "B").
4. That after the accomplishment of the required procedure as mentioned above, salary of the Appellant was released from the concerned accounts office (Copy of letter regarding release of salary is attached as annexure "C").
5. That on a dubious and anonymous complaint allegedly addressed to respondent No.2, salaries of the Appellant along with some other colleagues were stopped vide letter No. 2588-89 dated 13-06-2013 (Copy of letter is attached as Annexure "D").
6. That against the said stoppage of salary, the present Appellant and other colleagues in the Health Department approached the august Peshawar Court Mingora Bench through various writ petitions.
7. That during the pendency of the said petition, FIR was also lodged against the present Appellant. Afterwards the Appellant was arrested and detained in jail for a considerable

time. Finally the Appellant was released on bail by the Hon'ble Peshawar High Court Mingora Bench. Subsequently, the Appellant alongwith other colleagues filed another writ petition for quashment of the FIR against them.

8. That Respondent No.2, during the pendency of various constitutional petitions against him, without waiting for the court orders passed the impugned order on 02/03/2016, whereby the Appellant was suspended from his service till further orders (Copy of order dated 02-03-2016 is attached as Annexure "E").
9. That being a matter pertaining to the terms of conditions of civil servants, because of the subsequent developments, the Appellant filed departmental appeal before Respondent No. 1 on 15/04/2016 (Copy of departmental appeal is attached as Annexure "F").
10. That the departmental appeal filed by the Appellant was not responded and hence, this appeal, inter-alia on the following grounds:

GROUND:


- A) That the Appellant has become victim of highhandedness and suppression at the hands of respondents. The impugned act of suspension from service is an illegal and unconstitutional act of Respondent No.2.
- B) That the proceedings in question have been a result of colourful exercise of authority and personal vendetta against the Appellant. Hence, the same are liable to be set aside.

- C) That the Appellant was regularly appointed in the Health Department after fulfilling all the requisite formalities. Certificate/diploma of the Appellant was also held to be genuine by the concerned faculty. Hence, there was no reason whatsoever for taking punitive action against the Appellant.
- D) That the impugned order is discriminatory, unilateral and violative of due process as well. No show cause notice or statement of allegations whatsoever was issued to the Appellant prior to the impugned order.
- E) That as per the version of high-ups in Health Department, the impugned order has been taken upon the directions of Anti-corruption authorities. As per the relevant law, it is for the concerned parent department to initiate disciplinary proceedings against its employees and not for the Anti-corruption Establishment whose job is limited to investigate corruption and corrupt practices and nothing else. Hence, the impugned order being made upon the directives of corum-non-judice is liable to be set aside on this score as well.
- F) That further grounds with leave of this Hon'ble Tribunal will be raised at the time of oral submission.

It is, therefore, humbly prayed that on acceptance of this appeal, the impugned order of suspension from service may be declared as illegal and unconstitutional. The same may be set aside and the Appellant be held entitled to continue his duties as per law of the land. Any other remedy though may

not specifically prayed for but which canons of justice would demand in the circumstances may also be granted.


Appellant


Tariq Mehmood s/o Ali Muhammad


CERTIFICATE:

Certified that no such like appeal has earlier been filed before this Honourable Tribunal on the subject matter.

Appellant


Tariq Mehmood s/o Ali Muhammad

Through
Barrister
Dr. Adnan Khan


Barrister
Dr. Adnan Khan
Advocate High Court

6

BEFORE THE HONORABLE SERVICE TRIBUNAL, KPK PESHAWAR

Service Appeal No. _____ of 2016

Tariq Mehmood s/o Ali Muhammad

.....Appellant

VERSUS

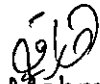
Government of Khyber Pakthunkhwa through Secretary Health and others

.....Respondents

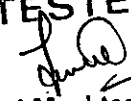
AFFIDAVIT

I, Tariq Mehmood (Appellant), do hereby solemnly affirm and declare that the contents of the above titled Appeal are true and correct to the best of my knowledge and belief. Furthermore, no such like appeal has earlier been filed before this Honourable Tribunal or elsewhere on this subject matter.

DEPONENT


Tariq Mehmood s/o Ali Muhammad

Through
Barrister
Dr. Adarain Khan
Advocate.

ATTESTED

Muhammad Mushtaq Khan
OATH COMMISSIONER
District Courts Swat.
upto 17/11/2017
No. 18 Date 29.7.2016

(7)

BEFORE THE HONORABLE SERVICE TRIBUNAL, KPK PESHAWAR

Service Appeal No. _____ of 2016

Tariq Mehmood s/o Ali Muhammad r/o Mohallah Noahar Batkhlea Tehsil
Bakhela, District Malakand

.....Appellant

VERSUS

Government of Khyber Pakthunkhwa through Secretary Health and others

.....Respondents

ADDRESSES OF THE PARTIES

APPELLANT:

Tariq Mehmood s/o Ali Muhammad r/o Mohallah Noahar Batkhlea Tehsil
Bakhela, District Malakand

RESPONDENTS:

1. Government of Khyber Pakthunkhwa through Secretary Health at
Peshawar
2. District Health Officer Malakand at Batkhela
3. District Accounts Officer, District Malakand at Malakand Top
4. Director Anti Corruption at Peshawar

Appellant through Counsel



Dr. Adnan Khan, Barrister-at-Law

Daily Attendance Register of the

DATE AND HOURS

For the Month of FEBRUARY

(2016) Part A

OF ATTENDANCE

| Sr. No. | Name | Rank | DATE AND HOURS | | | | | | | | | | | | | | | Total No. of Days | Remarks | | | | | | | | | | | | | | | | | | | | | |
|---------|------------------|------------|----------------|---|---|---|---|---|---|---|---|----|----|----|----|----|----|-------------------|---------|--|--|--|--|--|--|--|--|--|--|--|--|--|--|--|--|--|--|--|--|--|
| | | | 1 | 2 | 3 | 4 | 5 | 6 | 7 | 8 | 9 | 10 | 11 | 12 | 13 | 14 | 15 | | | | | | | | | | | | | | | | | | | | | | | |
| 01 | Mohammad Durrani | P/Tech | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | |
| 02 | Mian Akber Ullah | P/Tech | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | |
| 03 | Sabir Khan | Epi | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | |
| 04 | Shahid Khan | Epi | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | |
| 05 | Afzal Rahman | EC/TA | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | |
| 06 | M. Saleem | CT/Tech | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | |
| 07 | Fawad Khan | CT/Tech | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | |
| 08 | Mutahid Khan | Lab/Tech | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | |
| 09 | Zafar Khan | Lab/Tech | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | |
| 10 | Ammar Malik | DI/Tech | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | |
| 11 | M. Fahim Khan | X-Ray/Tech | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | |
| 12 | Shahzad | A/Tech | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | |
| 13 | Javed Iqbal | L/Tech | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | |
| 14 | Javed Shahid | OT/AN | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | |
| 15 | Usman Ghani | CT/AN | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | |
| 16 | Wajid Shah | NIB | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | |
| 17 | Safid Nojood | CIB | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | |
| 18 | Javed Iqbal | NIB | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | |
| 19 | Shay Afzal | Swp | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | |
| 20 | Sultani Gan | Swp | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | |
| 21 | Nadeem Khan | Swp | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | |
| 22 | M. Tariq | AN/D | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | |
| 23 | Zafar Iqbal | AN/D | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | |
| 24 | Ayshaad | S/K | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | |
| 25 | Muqti Safiq | Lab/Co | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | |
| 26 | Inamullah | Lab/Tech | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | |
| 27 | Falak Naz | W/B | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | |
| 28 | M. Khalid Ullah | Sr. Tech | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | |
| 29 | Adil Khan | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | | |

CERTIFIED TO BE TRUE COPY

[Signature]
 Barrister
 Dr. Shahnaz Khan
 Advocate
 High Court
 Shifted to RWC

21-03-2016

[Handwritten initials]

16-2-16

12-30 PM

Shifted to RWC

9

Amr B

KHYBER PAKHTONKHA MEDICAL FACULTY PESHAWAR
BUNGALOW NO. 86/D-5 ABDARA ROAD UNIVERSITY TOWN PESHAWAR
PHONE NO. 091-9216008 FAX NO. 091-9218630

No. 2907 /MF Dated: 2-3-2012

To: The Executive,
District Officer Health
Malakand at Batkhela.

Subject:- VERIFICATION OF DIPLOMA/CERTIFICATE.
Memo;

Reference your letter No. 646 dated 18.02.2012 on the subject noted above.

The particulars of the following Certificates / Diploma have been checked with the official records and the remarks are as under;

| S. No | Name | F/Name | Category | Roll No | Session | Remarks |
|-------|-------------------|-------------------|-----------|---------|---------|-------------|
| 01 | Ijaz Mohammad | Aziz Mohammad | Dispenser | 34 | 11-2006 | VERIFIED |
| 02 | Fayaz Mohd | Shad Mohammadi | Pathology | 28139 | 10-2009 | VERIFIED |
| 03 | Murad Ali Shah | Bakht Rawan | Dispenser | 1453 | 05-1994 | VERIFIED |
| 04 | Amjid Ali | Muhammad Faqir | Dispenser | 402 | 08-1999 | VERIFIED |
| 05 | Waqas Mohammad | Khaista Mohd | Pharmacy | 30163 | 04-2010 | VERIFIED |
| 06 | Mohammad Qasim | Hassan Khan | Dispenser | 367 | 10-1995 | VERIFIED |
| 07 | M Naeem | Gul Ghani | Pharmacy | 1045 | 10-2009 | Provide DMC |
| 08 | Aziz ur Rehman | Taj Mohammad Khan | Pharmacy | 28299 | 10-2010 | VERIFIED |
| 09 | Tariq Mehmood | Ali Mohammad | Surgical | 50825 | 04-2010 | BOGUS |
| 10 | Zeeshan | Afsar Nawab | Surgical | 30222 | 10-2010 | BOGUS |
| 11 | Nawab Ali | Ghani Rehman | O.T Assis | 160/SMF | 12-2008 | VERIFIED |
| 12 | Waseem Sajjad | Afsar Mohammad | Surgical | 30169 | 10-2009 | BOGUS |
| 13 | Fawad Khan | Naik Zada | Surgical | 30331 | 02-2011 | BOGUS |
| 14 | Syed Shahid Ishaq | Mohammad Ishaq | Surgical | 58296 | 04-2010 | VERIFIED |
| 15 | Shahid Mohsin | Mohsin Khan | Surgical | 1049 | 01-2010 | BOGUS |
| 16 | Ashraf Ali | Sherin Taj | Surgical | 5242 | 2009 | VERIFIED |
| 17 | Zahir Shah | Yaqoot Shah | Surgical | 30156 | 07-2011 | VERIFIED |
| 18 | Ali Rehman | Rehman Gul | Pathology | 2306 | 10-2009 | VERIFIED |
| 19 | Mohammad Iqbal | Talimand | Pathology | 30056 | 04-2010 | VERIFIED |
| 20 | Arshad Khan | Shah Zamir | Pathology | 30031 | 01-2009 | VERIFIED |
| 21 | Arshad Iqbal | Jalat Iqbal | Pathology | 991 | 01-2009 | VERIFIED |
| 22 | Aziz Ul Haq | Taza Khan | Pathology | 30033 | 04-2010 | VERIFIED |
| 23 | Taimoor Nazir | Bakht Nazir | Pathology | 30065 | 10-2009 | VERIFIED |
| 24 | Farman Ali | Amir Nawab | Pathology | 28344 | 10-2010 | VERIFIED |
| 25 | Javed Iqbal | Rafi Ullah | Pathology | 30845 | 10-2009 | BOGUS |
| 26 | Shahab ud Din | Ashraf Ud Din | Pathology | 30035 | 10-2010 | VERIFIED |
| 27 | Farid Gul | Nawab Gul | Pathology | 30036 | 10-2009 | VERIFIED |
| 28 | Naeem Ullah | Bakht Zamin Khan | Surgical | 30135 | 04-2010 | VERIFIED |

////////////////////////////////////

Attested
SECRETARY

(DR. SIRAJ MUHAMMAD)
SECRETARY
KHYBER PAKHTONKHA
MEDICAL FACULTY PESHAWAR

No. 2907 /MF Dated: 2/3/2012.
Medical Copy forwarded to the :-

- Secretary to Govt: of KPK Health Department / Chairman, KPK Medical Faculty, Peshawar.
- Director General Health services KPK Peshawar.

CERTIFIED TO
BE TRUE COPY

Adnan

SECRETARY
KHYBER PAKHTONKHA
MEDICAL FACULTY PESHAWAR

Barakat Khan
Advocate High Court

(10)

OFFICE OF THE EXECUTIVE DISTRICT OFFICER,
HEALTH MALAKAND AT BATKHEL

Ann^c

No. _____

Dated 11/01/2012

To: The Agency Accounts Officer,
Malakand

Subject: PAY RELEASE

It is certified that the documents of the following Jr. Clinical Technicians has been verified from Medical Faculty Boards and found correct. Their salaries are hereby released with effect from the date of taking over charge

| No | Name | Father | Designation |
|----|---------------------|----------------|---------------|
| 1 | Sirajuddin | Faizi Sultan | JCT Pharmacy |
| 2 | Sajjad Ali | Amir Gul | JCT Pathology |
| 3 | Tariq Mahmood | ALI Mohammad | JCT Surgical |
| 4 | Wasim Sajjad | Aftab Mohammad | JCT Surgical |
| 5 | Fawad Khan | Nail Zada | JCT Surgical |
| 6 | Javed Akbar | Rajinder | JCT Pathology |
| 7 | Imad Khan | Pazal Ghisrar | JCT Surgical |
| 8 | Shahid Akbar Mohsin | Mohsin Khan | JCT Surgical |
| 9 | Atiq Ahmad | | JCT Pathology |
| 10 | Zarshan | Afsar Nawab | JCT Surgical |

Executive District Officer,
Health Malakand at Batkhela

CERTIFIED TO
BE TRUE COPY

Adnan Khan
Barrister
Dr. Adnan Khan
Advocate High Court

OFFICE OF THE EXECUTIVE DISTRICT OFFICER
HEALTH MALAKAND AT BATKHELA

BETTER COPY



No. _____ / _____ / _____

Dated: _____

To

The Agency Accounts Officer
Malakand.

Subject: - PAY RELEASE

It is certified that the documents of the following Junior Clinical Technician has been verified from Medical Fitness Faculty Board and found correct. Their salaries are hereby released with effect from the date of taking over charge.

| S. No. | Name | Father Name | Designation |
|--------|---------------|---------------|---------------|
| 1. | Sajjad Ali | Fazli Subhan | JCT Pharmacy |
| 2. | Tariq Mehmood | Ali Muhammad | JCT Surgical |
| 3. | Wasim Sajjad | Afar Muhammad | JCT Surgical |
| 4. | Fawad Khan | Naik Zada | JCT Surgical |
| 5. | Javed Iqbal | Rahullah | JCT Pathology |
| 6. | Imad Khan | Fazal Ghaffar | JCT Surgical |
| 7. | Shahid Mohsin | Mohsin Khan | JCT Surgical |
| 8. | Ali Ahmed | | JCT Pathology |
| 9. | Zeeshan | Afsar Nawab | JCT Surgical |
| 10. | | | |

Executive District Officer
Health Malakand AT Batkhela

CERTIFIED TO
BE TRUE COPY

Barrister
Dr. Shaban Khan
Advocate High Court

12

Am (D)

OFFICE OF THE DISTRICT HEALTH OFFICER
MALAKAND AT BATKHELA

No. 2588-29

Dated 23/06/2013

To: The Agency Accounts Officer,
Malakand

Subject: STOPPAGE OF SALARY

Memo: An enquiry is under process against the following Para Medics, by the Co ACF Malakand. Therefore it is requested that their salary may please be stopped till the decision of the authority concerned.

| S.No | Name | F/Name | P.No | Remarks |
|------|---------------|--------------|--------|-------------------------|
| 1 / | Mohd Fayaz | Mohd Nawaz | 659150 | Attached to this office |
| 2 | Nawab Ali | Ghani Rehman | 659141 | ..do. |
| 3 | Mujahid Khan | Dost Mohd | 396191 | ...do. |
| 4 / | Javid Iqbal | Rafiqullah | 688766 | ...do. |
| 5 | Imad Khan | Fazli Ghafar | 686106 | ..do |
| 6 / | Wasim Sajjad | Afsar Mohd | 688635 | ..do... |
| 7 | Shahid Mohsin | Mohsin Khan | 688818 | ..do. |
| 8 | Fawad Khan | Naik Zada | 688815 | ...do. |
| 9 / | Mohammad Ayaz | Maqbool Ali | | MS DHQ: Batkhela |
| 10 / | Tariq Mehmood | Ali Mohammad | 689000 | ...do... |
| 11 / | Zeeshan | Afsar Nawab | 68812 | ...do.. |

638812

Miel

District Health Officer,
Malakand at Batkhela

No. _____

Copy to:-

- 1. Medical Superintendent DHQ: Hospital Batkhela
- 2. A/Clerk of this office.

For information and stop their pay through computer source.

Admission
1 Mas: 19/6/13

District Health Officer,
Malakand at Batkhela

CERTIFIED TO
BE TRUE COPY.

ATTESTED

Adnan

Barrister
Dr. Adnan Khan
Advocate High Court

[Signature]

Ann "B"

13



OFFICE OF THE DISTRICT HEALTH OFFICER ALAKAND
PHONE No.0932-410399, FAX No.0932-413110
E-mail dhomalakand279@gmail.com

SUSPENSION ORDER.

Circle Officer Anti-Corruption Malakand registered FIR against the following Paramedics under section PPC 409-419-420-468/471-(5)2 PC ACT, dated 22.02.2016, are hereby suspended from their services from date of FIR i.e. 22.02.2016.

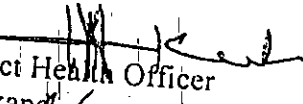
- | | |
|--------------------|----------------|
| 1-Mr.Javed Iqbal | JCT Pathology. |
| 2-Mr.Zeeshan | JCT Surgical |
| 3-Mr.Amad Khan | JCT Surgical |
| 4-Mr.Wasim Sajjad | JCT Surgical |
| 5-Mr.Fawad Khan | JCT Surgical |
| 6-Mr.Tariq Mehmood | JCT Surgical |
| 7-Mr.Shahid Muhsin | JCT Surgical |

District Health Officer
Malakand.


No. 1329-36 Dated Batkhela the 02/3 /2016.

Copy to:

- 1- Circle Officer Anti Corruption Malakand for information w/r to his letter No.26-5A.ACE. MKD.
 - 2- Director General Health Services, Khyber Pakhtunkhwa Peshawar.
 - 3- Deputy Commissioner Malakand.
 - 4- Account Section of this office for information and necessary action.
 - 5- Medical Superintendent DHQ: Hospital Batkhela.
 - 6- Principal Medical Officer Incharge THQ: Hospital Dargai.
 - 7- Medical Officer Incharge Cat-D Hospital Totakan.
 - 8- The above named officials
- For information.


District Health Officer
Malakand.

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BE TRUE COPY**


Barrister
Dr. Adnan Khan
Advocate High Court

بخدمت جناب سیکرٹری ہیلتھ گورنمنٹ آف خیبر پختونخواہ بمقام پشاور

L. No. 3580
Date 14.11.16
Secretary Health

- (1) جاوید اقبال (لیبارٹری ٹیکنیشن ڈسٹرکٹ ملاکنڈ)
- (2) طارق محمود (سرجیکل ٹیکنیشن ڈسٹرکٹ ملاکنڈ)
- (3) فواد خان (سرجیکل ٹیکنیشن ڈسٹرکٹ ملاکنڈ)
- (4) وسیم بجاہ (سرجیکل ٹیکنیشن ڈسٹرکٹ ملاکنڈ)
- (5) شاہد حسن (سرجیکل ٹیکنیشن ڈسٹرکٹ ملاکنڈ)

(کسان عین اسپیشلسٹ)

بنام

- (1) DHO (ڈسٹرکٹ ہیلتھ آفیسر) بمقام بٹ حیلہ ضلع ملاکنڈ
- (2) ڈائریکٹرانٹی کریپشن بمقام پشاور

اپیل بنا راضگی آرڈر مجازیہ ازان رسپانڈنٹ نمبر 1

جناب عالی!

ساتھان حسب ذیل عرض رسال ہیں

- (1) یہ کہ ساتھان نے بعدالت عالیہ پشاور بیچ میٹاوردہ میں رٹ پٹیشن دائر کیا ہے۔ جو کہ زیر سماعت ہے۔
- (2) یہ کہ بدوران سماعت رسپانڈنٹ نمبر 2 نے غیر قانونی اور خلاف ضابطہ طور پر FIR درج کیا۔ (نقل FIR لفٹ ہے)۔
- (3) یہ کہ بعد از FIR درج کرنے ساتھان کو گرفتار کیا گیا۔
- (4) یہ کہ درخواست ساتھان بغرض رہائی بعدالت اپنی کریپشن بمقام پشاور خارج ہوئی۔
- (5) یہ کہ ساتھان نے بعدالت ہائی کورٹ بیچ میٹاوردہ میں درخواست رہائی بغرض ضمانت فائل کی جو کہ مورخہ 31.03.2016 کو منظور ہوئی۔
- (6) یہ کہ بعد از رہائی ساتھان کو علم ہوا کہ رسپانڈنٹ نمبر 1 نے ساتھان کو suspend کرنے کا آرڈر جاری کیا ہے۔

(PTO)

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Adnan Khan

34/55

Barrister
Dr. Adnan Khan
Advocate High Court

ساٹلان بعد از رہائی متعلقہ دفتر جا کر علم ہوتے ہی محکمانہ اپیل بوجوہات ذیل دائر کرتے ہیں

وجوہات اپیل!

- (1) یہ کہ رسپانڈنٹ نمبر 1 غیر قانونی، خلاف ضابطہ اور اصولوں کے خلاف ہو کر قابل اخراج ہے۔
- (2) یہ کہ مقدمہ ساٹلان رو بروئے عدالت عالیہ میٹگورہ بیچ دار القضاء زیر سماعت ہے جس بارے رسپانڈنٹ نے comments بھی فائل کئے ہیں لیکن رسپانڈنٹ نے انتظار کئے بغیر غیر قانونی طور پر بہ اساس FIR ساٹلان کو suspend کیا ہے جو کہ ہرگز قابل پزیرائی نہ ہے۔
- (3) یہ کہ جیسا کہ ریکارڈ سے ظاہر ہے کہ ساٹلان جیل میں مقید تھے۔ نہ ساٹلان کو نوٹس جاری کیا گیا ہے اور نہ ساٹلان کو hearing کا موقع دیا گیا ہے۔ اس وجہ سے بھی ارڈر بحوالہ suspension ہرگز قانونی نہ ہے۔
- (4) یہ کہ FIR جو کہ رسپانڈنٹ نمبر 2 نے lodge کیا ہے حالانکہ رسپانڈنٹ نمبر 2 کو اس قسم کے مقدمات میں ہرگز اختیارات حاصل نہ ہے لیکن رسپانڈنٹ نمبر 1 نے مبینہ FIR کو جواز بنا کر ساٹلان کو suspend کر کے قانونی غلطی کر کے اختیارات خود سے تجاوز کیا ہے۔ جو کہ قابل اخراج ہے۔
- (5) یہ کہ دیگر امور اور وجوہات بدوران بحث زیر غور لائے جائیں گے۔

عالات بالا استدعا ہے کہ بمنظوری محکمانہ اپیل حد احکم مجازیہ رسپانڈنٹ نمبر 1 کو منسوخ، کالعدم، غیر قانونی، خلاف ضابطہ گردانی جا کر خارج فرمایا جائے۔

ساٹلان۔

14.04.2016

Copy forwarded to:

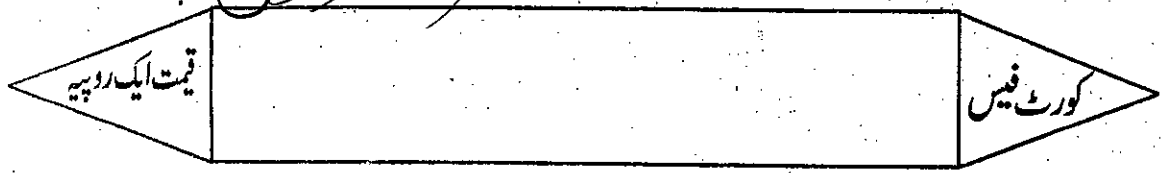
- (1) DG health government of KPK for information and necessary action please.
- (2) DHO malakand for information and necessary action please.
- (3) all concerned hospitals incharge for information please.

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BE TRUE COPY

Adnan

Barrister
Dr. Adnan Khan
Advocate High Court

بعدالت ضیرو نچتو فخواہ سہرسس سر پھول پستاور



مورخہ 30 جولائی ۱۹۶۲ء منجانب ابدان

مقدمہ طارق محمود و منبرہ بنام حکومت ضیرو نچتو فخواہ و منبرہ

دعوی سہرسس رسل

جرم

باعث تحریر آنکہ

مقدمہ مندرجہ عنوان بالا میں اپنی طرف سے واسطے پیروی و جواب دہی وکل کاروائی

متعلقہ آن مقام منگورہ سوات کیلئے بیسہر ڈاکٹر عدنان خان

مقرر کر کے اقرار کیا جاتا ہے کہ صاحب موصوف کو مقدمہ کی کل کاروائی کا کامل

اختیاط ہوگا۔ نیز وکیل صاحب کو راضی نامہ و تقرر ثالث و فیصلہ پر حلف دینے جواب

دی اور اقبال دعویٰ اور درخواست ہر قسم کی تصدیق زرا اور اس پر دستخط کرنے کا اختیار ہوگا۔

نیز بصورت عدم پیروی یا ڈگری ایک طرف یا اپیل کی برآمد ہوگی اور منسوخ مذکور کے نسل

یا جزوی کاروائی کے واسطے اور وکیل یا مختار قانونی کو اپنی ہمراہ یا اپنی بجائے تقرر کا اختیار ہوگا۔

اور صاحب مقررہ شدہ کو بھی جملہ مذکورہ بالا اختیارات حاصل ہونگے اور اسکا ساختہ

برواختہ منظور و قبول ہوگا۔ اور دوران مقدمہ میں جو خرچہ و ہرجانہ التوا یہ مقدمہ کے

سبب سے ہوگا اسکے مستحق وکیل صاحب ہونگے۔ نیز بقایا و خرچہ کی وصولی کرتے

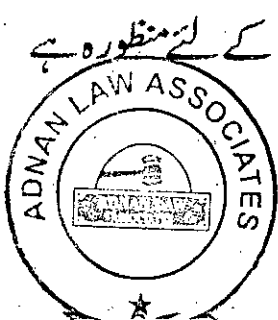
وقت کا بھی اختیار ہوگا اگر کوئی تاریخ پیشی مقام دورہ ہر ہو یا حد سے باہر ہو تو وکیل

صاحب پابند نہ ہونگے کی پیروی مقدمہ مذکور لہذا وکالت نامہ لکھ دیا کہ سند ہے

المرقوم

ماہ

واہ شدہ العبد



Attested & accepted

Dr. Adnan Khan
Barrister
Advocate High Court

بمقام منگورہ سوات

Before the Service Tribunal KPK, Camp Court at Swat

Service Appeal No. 786 of 2016

Tariq Mahmood

VS

Govt. of KPK & others

APPLICATION FOR WITHDRAWAL OF APPEAL

Respectfully Sheweth:

1. That the above titled service appeal is pending before this Honorable Tribunal, which has been fixed for preliminary hearing for today i.e., 06-04-2017.
2. That the impugned order of suspension of service dated 02-03-2016 has been withdrawn by the respondents, and the appellate has been re-instated to his service.
3. That being so, satisfaction of the appellant has been made by the above mentioned withdrawal order and the instant appeal resultantly has become infructuous.

It is, therefore, most humbly prayed that on acceptance of this application, the appellant may be allowed to withdraw the instant appeal.

Appellant


Tariq Mahmood

Certificate

It is certified that the contents of this application are true and correct to the best of my knowledge and belief.


Deponent

Tariq Mahmood