

BEFORE THE SERVICE TRIBUNAL, KHYBER PAKHTUNKWA,  
PESHAWAR

Service Appeal # 805/2022

Khyber Pakhtunkhwa  
Service Tribunal

Diary No. 9532

Dated 28-11-23

Dr. Kashif Uddin Khattak

VS

Secretary Health Department Government of KP,  
Civil Secretariat, Peshawar etc.

Application for Impleadment of Necessary Party.

Respectfully Submitted,

1. That the case mentioned above is pending before this Hon'ble Court in which next date of hearing is fixed for 18/12/2023.
2. That in the instant case necessary party i.e. "Departmental Accounts Committee through its Chairman, Secretary to government of Khyber Pakhtunkhwa Health Department Peshawar" inadvertently could not be arrayed as party.
3. That the above mentioned party may be arrayed as party in the panel of Respondents, which is necessary for the just decision of the case.

It is therefore requested that "Departmental Accounts Committee through its Chairman, Secretary to government of Khyber Pakhtunkhwa Health Department Peshawar" may graciously be arrayed as party in the panel of Respondents.

Appellant

Through



Hamza Amir Gulaab

Advocate

AFFIDAVIT:

It is verified on oath that the contents of the instant Application are true and correct to the best of my Knowledge and belief.

Deponent

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

Service Appeal No. 805 /2022



Dr. Kashif Uddin Khattak,  
District Pathologist,  
THQ Hospital Tangi, Charsadda

.....Appellant

**VERSUS**

1. Secretary Health Department, Government of Khyber Pakhtunkhwa, Civil Secretariat, Peshawar.
  2. Director General Health Service, Government of Khyber Pakhtunkhwa, Health Directorate, Peshawar
  3. Director (HRM) Directorate General Health Services Khyber Pakhtunkhwa Peshawar
  4. Section - Officer (Budget-I) Government of Khyber Pakhtunkhwa Health Department Peshawar
  5. Deputy Director (Accounts) DG Health Office Khyber Pakhtunkhwa Peshawar
  6. Director General Audit Khyber Pakhtunkhwa Peshawar.
  7. District Health Officer Charsadda
  8. Medical Superintendent Molvi Ameer Shah Memorial Hospital Peshawar
- .....Respondents

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Khyber Pakhtunkhwa  
Service Tribunal  
Peshawar

SERVICE APPEAL U/S 4 OF THE KHYBER  
PAKHTUNKHWA SERVICE TRIBUNAL  
ACT, 1974 AGAINST THE STOPPAGE OF  
SALARY OF APPELLANT ON THE  
DIRECTION/REQUEST OF RESPONDENT  
NO 4 AND 5 UPON DAC MEETING HELD  
ON 29<sup>TH</sup> AND 30<sup>TH</sup> JULY 2021 VIDE  
IMPUGNED REFERENCE LETTER NO.  
19930-31 DATED 3.12.2021 AND SOB-1/HD/4-  
23/DAC/2016-17/18-19 DATED 27. 10.2021  
TO RESPONDENT NO 2, AND OF  
APPELLATE AUTHORITY WHEREBY HE  
DID NOT RESPOND TO DEPARTMENTAL  
APPEAL/ REPRESENTATION OF THE  
APPELLANT

**Prayer**

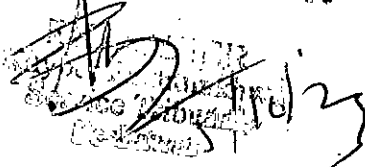
By accepting this appeal, salary of the  
Appellant which was stopped on the basis of  
DAC meeting since December 2021 may  
graciously be released or Any other Order this  
Honourable Court may deem just and proper  
be also passed in favour of Appellant.

**Respectfully Sheweth:**

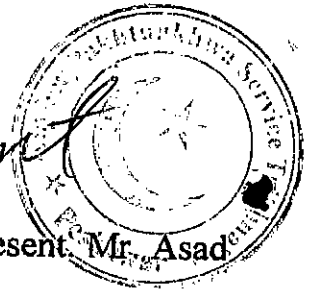
1. That the Appellant was transferred and posted as District  
Specialist Pathology (BS-18) at Molvi Ameer Shah  
Memorial Hospital Peshawar on 5.06.2017.

**Copy of Transfer order is annexed as Annexure A.**

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Appeal No. 805/2022  
Dr. Kashif-ud-Din vs Govt



12.06.2023

Clerk of learned counsel for the appellant present. Mr. Asad

Ali Khan, Assistant Advocate General for the respondents present.

Clerk of learned counsel for the appellant requested for adjournment on the ground that learned counsel for the appellant is not available today due to strike of lawyers. Adjourned. To come up for arguments on 20.09.2023 before the D.B. Parcha Peshi

given to the parties.

SCANNED  
KFST  
Peshawar

(Muhammad Akbar Khan)  
Member (E)

(Salah-ud-Din)  
Member (J)

\*Naeem Amin\*

20<sup>th</sup> Sep, 2023

1. Learned counsel for the appellant present. Mr. Fazal Shah Mohmand, Additional Advocate General for the respondents present.

2. Learned counsel for the appellant has submitted that he could not inadvertently array the DAC as party whose decision/order/direction is, somehow or the other, under challenge in this appeal. He seeks some time to make an application to array the DAC as respondent in this matter which if moved will be decided on its merit. He may do so within a week. To come up for arguments on 18.12.2023. P.P given to the parties.

SCANNED  
KFST  
Peshawar

(Muhammad Akbar Khan)  
Member (Executive)

(Kalim Arshad Khan)  
Chairman

\*Abdullah\*

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EXCISE  
Khyber Pakhtunkhwa  
Service Tribunal  
Peshawar  
11/09/23

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Date of Presentation of Application 05/10/23  
Number of ~~Words~~ Page 3  
Copying Fee 15/3  
Urgent 5/5  
Total 20/  
Name of Copy           
Date of Completion of Copy 05/10/23  
Date of Delivery of Copy 05/10/23

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