

BEFORE THE SERVICE TRIBUNAL KHYBER
PAKHTUNKHWA PESHAWAR

C.M No _____/2023

In

Appeal No. 53/2023

Muhammad Khayyam S/O Adam Khan (Dental Technician) at Type
D Hospital Katlang District Mardan .

(Appellant)

VERSUS

Government of Khyber Pakhtunkhwa through Secretary Health Civil
Secretariat Peshawar and Others

(Respondents)

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Khayyam
Applicant

Through

Zartaj Anwar

ZARTAJ ANWAR

Advocate Supreme Court
Of Pakistan

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BEFORE THE SERVICE TRIBUNAL KHYBER
PAKHTUNKHWA PESHAWAR

C.M No _____/2023

In

Appeal No. 53/2022

Khyber Pakhtunkhwa
Service Tribunal

Diary No. 9810

Dated 11-12-2023

Muhammad Khayyam S/O Adam Khan (Dental Technician) at Type
D Hospital Katlang District Mardan .

(Appellant)

VERSUS

Government of Khyber Pakhtunkhwa through Secretary Health Civil
Secretariat Peshawar and Others

(Respondents)

APPLICATION FOR RESTRAINING THE
RESPONDENTS FROM ILLEGAL RECOVERY FROM
THE APPELLANT AND SUSPENSION OF LETTER
DATED 06.11.2023, TILL THE FINAL DISPOSAL OF
THE MAIN SERVICE APPEAL,

Respectfully Submitted:


1. That the above noted Service Appeal is pending before this Honourable Tribunal, which is fixed for 18/12/23.
2. That the service appeal is pending for adjudication before this honourable Tribunal but the respondents illegally started recovery from the appellant.
3. That the Police Station Anti-corruption Mardan through its Circle Officer address a letter dated 06.11.2023 through DHO Mardan for the recovery of all the amount which has been paid to the appellant in shape of monthly salaries, for which he performed his duties. *(Copy of letter dated 06.11.2023 is attached as annexure A).*

4. That the applicants have good prima face case and there is every likelihood of their success.
5. That allowing the application would best serve the interest of justice as the appellant is denied his rights with no fault on his part.

It is therefore prayed that on acceptance of this application the respondents may kindly be restrained from recovery and letter dated 06.11.2023 may kindly be suspended till the final disposal of this writ petition.

Khayy
Applicant

Through


ZARTAJ ANWAR,
Advocate, Peshawar

BEFORE THE SERVICE TRIBUNAL KHYBER
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C.M No _____/2023

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Muhammad Khayyam S/O Adam Khan (Dental Technician) at Type
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AFFIDAVIT

I Muhammad Khayyam S/O Adam Khan (Dental Technician)
at Type D Hospital Katlang District Mardan, do hereby
solemnly affirm and declare that the contents of the above
Application are true and correct to the best of my knowledge
and belief and that nothing has been kept back or concealed
from this Honourable Tribunal.



Identified by:

ZARTAJ ANWAR,
Advocate, Peshawar.

Khayyam
Deponent

CNIC # 16101-7645672-3
Mobil. # 0333-9890928



NATIONAL TELECOMMUNICATION CORPORATION
HEADQUARTERS, G-5/2, ISLAMABAD



No. HR: NTC/Legal/34/II/2016/853
November 6, 2023

To: Mr. Altaullah Khan,
GM (North) NTC Islamabad

From: Deputy Director (HRD) NTC HQs

Subject: REGULARIZATION OF SERVICE

Reference: Director NTC Peshawar letter No. Dir-PSH/PH-08/Court Cases/2023/25 dated 01-11-2023.

In pursuance of Para-8 of the judgment of the Honorable Peshawar High Court, Peshawar passed in the Writ Petition No. 4127-P/2015, following orders are hereby issued with the approval of Managing Director NTC: -

- i) In partial modification to this office letter No. 5-1/2022-23/1442 dated 29-11-2022, services of Mr. Luqman Hussain, Telephone Operation have been re-instated and regularized with effect from the date from which he was relieved (i.e. 23-08-2014);
- ii) The period from 23-08-2014 to 01-12-2016 has been treated as without pay; and
- iii) Pay of the petitioner may be revised accordingly and the Honorable Peshawar High Court, Peshawar may please be apprised accordingly, under intimation to this office.

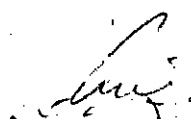
Authority: Para178/N of File No. NTC/Legal/34/II/2016

MUHAMMAD SAQLAIN

Copy to:

1. Assistant Registrar, Peshawar High Court, Peshawar.
2. Director NTC Peshawar.
3. The legal heirs of the petitions through Director NTC Peshawar.
4. Mr. Munir-ud-Din Ghori, Advocate for the respondents, Peshawar High Court, Peshawar with reference to his letter dated 31-10-2023.
5. Mr. Zartaj Anwar, Advocate of the petitioner, Peshawar High Court, Peshawar.
6. Office copy.

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ATTESTED