

Sr. No	Date of order/proceedings	Order or other proceedings with signature of Judge or Magistrate
1	21	3
<p style="text-align: center;"><u>BEFORE THE KHYBER PAKHTUNKHWA SERVICE TRIBUNAL</u></p> <p style="text-align: center;">Appeal No. 473/2016</p> <p style="text-align: center;">Date of Institution ... 04.05.2016 Date of Decision ... 21.03.2018</p> <p>Adil Badshah son of Amal Badshah resident of Niazi Khell Tehsil Takhti Nasrati District Karak.</p> <p style="text-align: right;">Appellant</p> <p>1. Government of Khyber Pakhtunkhwa through Secretary Health, Civil Secretariat Peshawar. 2. Chief Executive, Khalifa Gul Nawaz Teaching Hospital, Bannu.</p> <p style="text-align: right;">Respondents</p> <p style="text-align: center;"><u>JUDGMENT</u></p> <p>21.03.2018 <u>MUHAMMAD HAMID MUGHAL, MEMBER:</u> Learned counsel for the appellant present. Learned Deputy District Attorney for respondents present.</p> <p>2. Appellant Adil Badshah, Ex-Ward Orderly at Khalifa Gul Nawaz Teaching Hospital, Bannu, has filed the present service appeal u/s 4 of the Khyber Pakhtunkhwa Service Tribunal Act 1974 against the order dated 27.10.2015 of the respondent No.2 whereby he was removed from service on the ground of absence from duty.</p> <p>3. Arguments of the learned counsel for the appellant and learned Deputy District Attorney heard. File Perused.</p> <p>4. Nothing is available on the record that the departmental</p>		

LA
21.03.18

appeal of the appellant against the impugned order of removal from service has been examined by the respondent department as on the record there is no order of the appellate authority. In the stated circumstances this Tribunal is of the considered view to remit the case of the appellant to the appellate authority with the direction to examine the case of the appellant and to decide his departmental appeal with speaking order within a period of three (03) months of the receipt of this judgment. The present appeal is disposed of accordingly. Parties are left to bear their own costs. Copies of the present service appeal and departmental appeal be sent to the respondent department. No order as to costs. File be consigned to the record room.

ANNOUNCED

21.03.2018




(Muhammad Amin Kundi)
MEMBER




(Muhammad Hamid Mughal)
MEMBER

17.01.2018

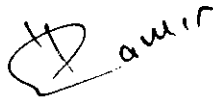
Counsel for the appellant present. Mr. Zia Ullah, DDA
for the respondents present. Learned counsel for the appellant seeks
adjournment. Adjourn. To come up for arguments on 21.03.2018
before D.B.


(Gul Zeb Khan)
Member (E)


(Muhammad Hamid Mughal)
Member (J)

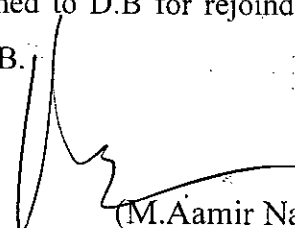
21.03.2018 Learned counsel for the appellant present. Learned Deputy
District Attorney for the respondents present. Vide separate judgment of today
placed on file, this Tribunal is of the considered view to remit the case of the
appellant to the appellate authority with the direction to examine the case of the
appellant and to decide his departmental appeal with speaking order within a
period of three (03) months of the receipt of this judgment The present appeal is
disposed of accordingly. Parties are left to bear their own costs. Copies of the
present service appeal and departmental appeal be ~~sent~~ to the respondent
department. No order as to costs. File be consigned to the record room.


(Muhammad Amin Kundi)
MEMBER


(Muhammad Hamid Mughal)
MEMBER

24.01.2017

Counsel for the appellant and Addl: AG alongwith Mr. Abdul Ayaz, Litigation Officer for respondents present. Written reply submitted. The appeal is assigned to D.B for rejoinder and final hearing on 20.03.2017 before D.B.


(M.Aamir Nazir)
Member

20.03.2017

Counsel for the appellant and Mr. Muhammad Jan, GP for the respondents present. Counsel for the appellant submitted rejoinder which is placed on file. To come up for arguments on 19.07.2017 before DB.


Chairman

19.07.2017

Clerk of the counsel for appellant present. Mr. Muhammad Adeel Butt, Additional AG for the respondents also present. Due to strike of the bar learned counsel for the appellant is not available today. Adjourned. To come up for record and arguments on 02.11.2017 before D.B.


(Gul Zeb Khan)
Member


(Muhammad Amin Khan Kundi)
Member

02.11.2017

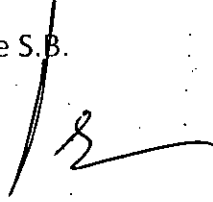
Counsel for the appellant and Mr Ziaullah, DDA for the respondents present. Counsel for the appellant seeks adjournment. Granted. To come up for arguments on 17.1.2018 before the D.B.


Member


Chairman

08.09.2016

Counsel for the appellant and Addl. AG for respondents present. Written reply not submitted. Requested for adjournment. Request accepted. To come up for written reply/comments on 17.10.2016 before S.B.


Member

17.10.2016

Appellant in person and Addl. AG for respondents present. Written reply not submitted. Requested for adjournment. To come up for written reply/comments on 14.12.2016 before S.B.


Member

14.12.2016

Counsel for the appellant and Addl. AG for the respondents present. Requested for further adjournment. Last opportunity granted. To come up for written reply/comments on 24.01.2017 before S.B.


Chairman

12.05.2016

Counsel for the appellant present. Learned counsel for the appellant argued that the appellant was serving as Ward Orderly when removed from service vide impugned order dated 27.10.2015 on the allegations of willful absence and the said period of absence treated as leave without pay where-against the appellant preferred departmental appeal on 25.11.2015 which was not responded and hence the instant service appeal on 04.05.2016.

That earlier appellant has preferred Writ Petition No. 233-P/2016 vide which the appellant was directed to invoke the jurisdiction of the Tribunal vide judgment dated 05.4.2016.

That the alleged absence of the appellant was confined to 10 days only while harsh punishment in the shape of removal from service was imposed. That the appellant was awarded punishment referred to above as well as treated the absence period as leave without pay. That due to compelling circumstances in the shape of divorce of sister of the appellant were not taken into account and, moreover, the prescribed procedure for conducting enquiry was not followed.

Points urged need consideration. Admit. Subject to deposit of security and process fee within 10 days, notices be issued to the respondents for written reply/comments for 08.09.2016 before S.B.




Appellant Deposited
Security & Process Fee


Chairman

Form- A
FORM OF ORDER SHEET

Court of _____

Case No. 473/2016

S.No.	Date of order Proceedings	Order or other proceedings with signature of judge or Magistrate
1	2	3
1	04.05.2016	<p>The appeal of Mr. Adil Bad Shah presented today by Mr. Muhammad Saeed Khattak Advocate may be entered in the Institution Register and put up to the Worthy Chairman for proper order please.</p> <p style="text-align: right;"> REGISTRAR</p> <p>This case is entrusted to S. Bench for preliminary hearing to be put up thereon <u>12-5-16</u>.</p> <p style="text-align: right;"> CHAIRMAN</p> <p style="text-align: right;"></p>

BEFORE THE KPK SERVICE TRIBUNAL, PESHAWAR.

Service Appeal No. 473...../2016

Adil Badshah..... Appellant

VERSUS

Govt of KPK through Secretary Health and another..... Respondents

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عادل بادشاہ
Appellant

Through


Muhammad Saeed Khattak

Advocate High Court, Peshawar.

Office: D-6, JK Shopping Mall, University Road, Peshawar.

Cell No: 03336272753

BEFORE THE K.P.K. SERVICE TRIBUNAL, PESHAWAR

Service Appeal No. 473...../2016

Adil Badshah S/O Amal Badshah R/O village Niazi Khell Tehsil Takhti Nasrati District Karak

..... Appellant

VERSUS

**G.W.F. Province
Service Tribunal
Diary No. 446
dated 04-5-2016**

1. Govt of Khyber Pakhtunkhwa through Secretary Health at Civil Secretariat, Peshawar
2. Chief Executive Khalifa Gul Nawaz Teaching Hospital, Bannu

..... Respondents

SERVICE APPEAL UNDER SECTION 4 OF THE KHYBER PAKHTUNKHWA SERVICE TRIBUNAL ACT, 1974, AGAINST THE IMPUGNED ORDER DATED 27/10/2015, WHEREBY THE APPELLANT WAS REMOVED FROM SERVICE AS WELL AS HIS ALLEGED ABSENCE PERIOD FROM 08 OCTOBER 2015 TO 26 OCTOBER 2015 WAS TREATED AS LEAVE WITHOUT PAY. THE DEPARTMENTAL APPEAL AGAINST THE IMPUGNED ORDER IS STILL NOT DISPOSED OF.

PRAYER – IN – APPEAL

ON ACCEPTANCE OF THE INSTANT APPEAL THE IMPUGNED ORDER DATED 27/10/2015 PASSED BY RESPONDENT NO. 2 MAY VERY GRACIOUSLY BE SET ASIDE AND THE APPELLANT MAY KINDLY BE RE-INSTATED ON THE POST WITH ALL BACK BENEFITS.

Respectfully Sheweth;

1. That the appellant was appointed as Ward Orderly BPS 02 upon the approval of Departmental Selection Committee against the vacant post at Khalifa Gul Nawaz Teaching Hospital, Bannu vide office order having Endst No. 213/CE/Recruitment – II Dated 17/08/2011. (Copy of the office order having Endst No. 213/CE/Recruitment – II Dated 17/08/2011 is attached as annexure A)
2. That the appellant thereafter took the charge of his duties and successfully completed the probation period and performed his duties during his service whole heartedly and to the quite satisfaction of officials concerned.
3. That the appellant was unable to continue his duties for the period w.e.f. 08-10-2015 to 17-10-2015 due to the reason of some social dispute in his family, which is/was explained in reply to show-cause notice, while passing the impugned order dated 27-10-2015 the said period has been shown as w.e.f. 08-10-2015 to 26-10-2015.

~~Adil Badshah~~
Signature
4/5/16

4. That show-cause notice bearing number 3763/CE dated 21-10-2015 was issued to the appellant (Copy attached as annexure B), which was duly replied (Copy attached as annexure C)
5. That thereafter the respondent No. 2 vide impugned order dated 27-10-2015 removed the appellant from the service as well as the said period was treated as leave without pay. (Copy of the impugned order dated 27-10-2015 is attached as annexure D)
6. That being aggrieved of the same the appellant preferred a departmental appeal before Respondent No.1 on 25-11-2015, but the same is still not disposed despite the lapse of statutory period. (Copy of the departmental appeal is attached as annexure E)
7. That the appellant then file a Writ Petition bearing Number 223-B/2016 before the Peshawar High Court, Bannu Bench, which was dismissed in the following terms vide order/judgment dated 05-04-2016.

"For the reasons discussed above, this petition being not maintainable, stands dismissed in limine. However the petitioner is at liberty to approach proper forum for his grievance, if so desire" (Copy of the order dated on the same ~~is~~ attached as annexure F) ~~is attached as annexure F~~
8. That the appellant now prefers the instant Service Appeal, inter alia, on the following amongst others:

GROUND

- A. That the appellant has not been treated in accordance with law nor has equal protection of law been extended to him.
- B. That very harsh penalty has been awarded to the appellant for remaining absent from the duty for only few days. That too was not willful but was due to some unavoidable circumstances. The reasons behind his remaining absent from the duty were fully explained to the authorities.

- C. That the appellant properly submitted an application for leave before the concerned authority, then left the station. On 18-10-2015 he was on duty but the appellant during the time which was spent in departmental proceedings was also considered as absent.
- D. That two penalties have been awarded to the appellant for remaining absent only for few days. The appellant submitted proper application for leave proper forum then left the station.
- E. The period w.e.f. 08-10-2015 to 26-10-2015 has already been treated as leave without pay, and then there is/was no justification for removal from service.
- F. That while awarding major penalty of removal from service no proper procedure was adopted.
- G. That any other ground can also be taken during the course of arguments with permission of this Hon`ble Tribunal.

it is therefore most humbly prayed that on acceptance of the instant appeal the impugned order dated 27/10/2015 passed by respondent no. 2 may very graciously be set aside and the appellant may kindly be re-instated on the post with all back benefits.

Any other relief which has not specifically asked for and deems fit in the circumstances of the case may also be awarded to the appellant.

عادل ارشد

Appellant

Through

Muhammad Saeed Khattak

Advocate, Peshawar.

4

BEFORE THE K.P.K. SERVICE TRIBUNAL , PESHAWAR.

C.M.No. /2016

IN

Service Appeal No. /2016

Adil Badshah

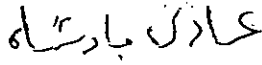
VERSUS

Govt of Khyber Pakhtunkhwa & another

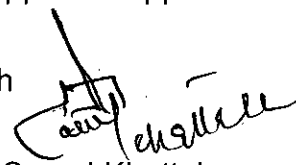
APPLICATION FOR CONDONATION OF DELAY, IF ANY.

Respectfully Sheweth:

1. That the titled Service Appeal has been filed today, where no date has yet been fixed for hearing.
2. That the applicant/appellant has a good arguable case and is sanguine of its success.
3. That the grounds taken in the main appeal may also be taken as part and parcel of the instant application.
4. That because of bonafide mistake the applicant/appellant filed a writ petition before the Hon`ble Peshawar High Court, which forum is/was wrong for such like matters. The apex courts have condoned the delay for bonafide mistake in filling a case before wrong forum.
5. That apex courts have favored the cases to be decided on merits rather on technicalities including the limitations.
6. That any other ground can also be taken during the course of arguments with permission of this Hon`ble Tribunal.


Appellant/applicant

Through


Muhammad Saeed Khattak

Advocate, Peshawar.

Annexure A

G

SD

OFFICE OF THE CHIEF EXECUTIVE

KHALIFA GUL NAWAZ TEACHING HOSPITAL BANNU

Ph: 0928-633003, 0928-633633 E-mail: khalifagulhospital@yahoo.com

OFFICE ORDER

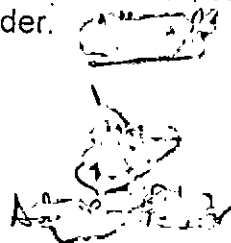


Consequent upon the approval of Departmental Selection Committee *Mr. Adil Badshah S/O Amal Badshah*, Village Niazi Khel Jehangiri Banda Fateh Sher Banda Takht e Nasrati Karak is hereby appointed as Ward Orderly BPS-02 i.e. (Rs. 4000-170-10000) plus usual allowances as admissible under the rules against the vacant post at Khalifa Gul Nawaz Teaching Hospital Bannu.

His appointment in the Health Department will be subject to the following terms & conditions:

1. He will be on probation initially for a period of two years extendable for a further period not exceeding one year.
2. His services can be dispensed with during the probation period, if his work and conduct found unsatisfactory or any error found in official record.
3. His appointment will be subject to medical fitness and verification of character and antecedents.
4. He will not be entitled to any TA/DA for medical examination and joining the first appointment.
5. He will be governed by such Rules and orders as may be issued by the Government for the category of Government servant to which he belongs.
6. As laid down vide Govt. of NWFP, Establishment and Administration Department Notification No. E&A (1-13)/2005 dated 10/08/2005, he will not be entitled to pension or gratuity however, in lieu thereof, he will be entitled to receive such amount contributed by him towards the contributory provident fund along with the contributions made by the Government to his account in the said fund.
7. If he wishes to resign from service he will have to submit resignation in writing one month in advance OR deposit one month's pay in the Government Treasury. However he will continue to serve the Government till his resignation is accepted by the competent authority.
8. He will submit an undertaking on judicial stamp paper to Chief Executive Khalifa Gul Nawaz Teaching Hospital Bannu that he has not been dismissed from any service by any Govt. or semi Govt. organization.

If the above terms and conditions are acceptable to him, he should report to the Medical Superintendent Khalifa Gul Nawaz Teaching Hospital Bannu, within fourteen (14) days of the receipt of this order.



SdXXXXXX
CHIEF EXECUTIVE
KHALIFA GUL NAWAZ TEACHING
HOSPITAL BANNU

Endst. No. 213/CE/Recruitment-II

Dated: 17/08/2011

Copy forwarded to the:

1. Medical Superintendent Khalifa Gul Nawaz Teaching Hospital Bannu for information
2. District Accounts Officer Bannu for information and necessary action.
3. Accounts Officer KGN Teaching Hospital Bannu for information and necessary action
4. *Mr. Adil Badshah S/O Amal Badshah*, Village Niazi Khel Jehangiri Banda Fateh Sher Banda Takht e Nasrati Karak

etc
CJ

CHIEF EXECUTIVE
KHALIFA GUL NAWAZ TEACHING
HOSPITAL BANNU

Annexure B

8

OFFICE OF THE
CHIEF EXECUTIVE GROUP OF TEACHING HOSPITALS BANNU
Khyber Pakhtunkhwa, Pakistan

No. 1387/M/15

Dated: 21/10/2015

SHOW CAUSE NOTICE

WHEREAS I, Prof. Dr. Muhammad Jehangir Khan, Chief Executive, Group of Teaching Hospitals, Bannu, as the Competent Authority, am satisfied that the facts available against you, Mr. Adil Badshah, Ward Orderly, KGNTH Bannu warrant dispensing with holding an Enquiry under rule-5 of Government of Khyber Pakhtunkhwa Efficiency and Discipline Rule, 2011.

NOW, therefore, I serve you, Mr. Adil Badshah, Ward Orderly KGNTH Bannu, with the following Show Cause Notice:

"As reported by Night Supervisor/ Deputy Medical Superintendent on duty and Medical Superintendent KGNTH Bannu that you, are absent from your duty w.e.f. 08/10/2015 till date and thus have rendered yourself liable to imposition of any Minor or Major penalties or both under rule-4 of the said Rule."

You are hereby called upon to Show Cause as to why not one of the Minor or Major or both penalties may be imposed upon you.

You are also required to mention as to whether you want to be heard in person or otherwise.

Your reply to this Show Cause Notice should reach this undersigned within 07 days of the receipt of this notice.

Prof. Dr. Muhammad Jehangir Khan

MR. ADIL BADSHAH
WARD ORDERLY KGNTH Bannu

Encl: No. & date as above

Copy forwarded:

- 1. Secretary to Govt. of Khyber Pakhtunkhwa Health Department Peshawar
- 2. Director General Health Services Khyber Pakhtunkhwa Peshawar
- 3. Commanding Officer Field Hospital stationed at KGNTH Bannu
- 4. Medical Superintendent KGNTH Bannu w/ to his letter No. 1387/M/15/KGN/15 dated 20/10/2015
- 5. PS to Minister Health Khyber Pakhtunkhwa Peshawar
- 6. Accounts Officer KGNTH Bannu with instruction to stop the pay for 08/10/15.

For information and necessary action.

GC
27

OFFICER OF THE

(Batter Copy)

CHIEF EXECUTIVE GROUP OF TEACHING HOSPITAL BANNU

Khyber Pakhtunkhwa, Pakistan

No.3763/CE

Dated: 21/10/2015

Show Cause Notice

Whereas I, Prof. Dr. Muhammad Jehangir Kahn, Chief Executive, Group of Teaching Hospital Bannu, as the competent Authority, am satisfied that the facts available against you, Mr, Adil Badshah, Ward Orderly, KGNTH Bannu warrant dispensing with holding an Enquiry under rule 5 of Government of Khyber Pakhtunkhwa Efficiency and Discipline Rule, 2011.

NOW, therefore, I serve you, Mr. Adil Badshah , Ward Orderly KGNTH Bannu, with the following show Cause Notice.

"As reported by Night Supervisor/ Deputy Medical Superintendent on duty and Medical Superintendent KGNTH Bannu that you are absent from your w.e.f 08/10/2015 till date and have rendered yourself liable to imposition of any Minor or Major penalties or both under rule -4 of the rule ibid.

You are also required to mention as to whether you want to be heard in person or otherwise.

You reply to this Show Cause Notice should reach the undersigned within 07 days of the receipt of this notice.

Mr. Adil Badshah

[Pro. Dr. Muhammad Jahangir Khan

WARD Orderly KGNTH Bannu
Endst No. & as above

Copy forwarded

1. Secretary to Govt. of Khyber Pakhtunkhwa Health Department Peshawar.
2. Director General Health Service Khyber Pakhtunkhwa Peshawar.
3. Commanding Officer Field Hospital stationed at KGNTH Bannu.
4. Medical Superintendent KGNTH Bannu.
5. PS to Minister Health Khyber Pakhtunkhwa Peshawar.
6. Accounts officer KGNTH Bannu with direction to stop the pay forthwith.

CTC
[Signature]

Annexure C
⑦ ⑧

The chief Executive,
Group of Teaching Hospitals, Bannu.



Annex "D/1"

Subject: REPLY OF SHOW CAUSE NOTICE, OFFICE No.3763/CE

Respected sir,

With great reverence, it is stated that I am a poor man, the eldest one among my brothers and sisters. My father had died 8 years ago. Therefore I have the burden of my whole family regarding looking after, finance, health, education & social affairs.

Recently there happened a social conflict in my family which led to the divorce of my sister. This conflict hindered me from my official duty.

Therefore I request your honour to forgive me for my irregularity in duty due to the above mentioned problems. I will leave no stone unturned to do my duty regularly in future.

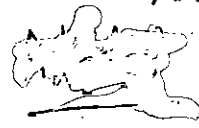
Kindly, restore my salary as well.

Thanks in anticipation.

Dated: 22/10/2015

Handwritten signature

Yours obediently,
Adil Bad Shah,
S/O Amal Bad Shah(late).



*Remove of
Revenue
20/10/15*

Handwritten initials

Annexure B

(8)

(1)

SECRETARY TO THE
JOINT EXECUTIVE GROUP OF TEACHING HOSPITALS BANNU
HAYAT ABAD, BANNU, PUNJAB

[Handwritten signature]

OFFICE ORDER

WHEREAS you, Mr. Adil Badshah, Ward Orderly (BS-2), Khallifa Gul
- Nawaz Teaching Hospital Bannu, were charged with Snow Camera Monitor
No. 37-17427 dated 21/10/2015 which was duly executed by you.

WHEREAS your reply to the Snow Camera Notice is not satisfactory,

and, therefore, I, Prof. Dr. Fakhruddin Jalilullah Khan, Chief Executive
of the said Hospital, Bannu, order your removal from service of said
Hospital with immediate effect. The period of absence was 08/10/2015 to
20/10/2015 is hereby treated as leave without pay.

[Signature]
Prof. Dr. Fakhruddin Jalilullah Khan

Dated: 27/10/2015

List No. 310/ICE

Copies:

1. Secretary to Govt. of Punjab, Provincial Government, Lahore
2. Medical Superintendent KGNTH, Bannu
3. Deputy Medical Superintendent Adana, KGNTH, Bannu
4. District Comptroller of Accounts Bannu
5. Medical Superintendent WSCHEHA Bannu
6. Accounts Officer KGNTH Bannu. He is directed to make necessary entries in
service book in the light of above orders.
7. P.O. to Minister Health, Punjab, Fakhruddin Khan
8. Mr. Adil Badshah, Ward Orderly

For information and necessary action

[Handwritten signature]

Prof. Dr. Fakhruddin Jalilullah Khan

[Handwritten signature]

9

OFFICER OF THE

(Batter Copy)

CHIEF EXECUTIVE GROUP OF TEACHING HOSPITAL BANNU

Khyber Pakhtunkhwa, Pakistan

Officer order

Whereas you Mr. Badshah ward orderly (BS-2 Khalifa Gul Nawaz Teaching Hospital Bannu were served with show Cause notice no.3763/CE dated 21/10/2015 which was duly received by you.

Now, Therefore, I, Prof. Dr. Muhammad Jehangir Khan. Chief executive Group of Teaching Hospital Bannu order you removal from service as Ward orderly with immediate effect. The period of absence w.e.f 08/10/2015 to 26/10/2015 is hereby treated as leave without day.

Sdxxxxx

[Prof. Dr. Muhammad Jehangir Khan]

Endst No. 3801/CE

Dated: 27/10/2015

Copy to:

1. Secretary to Govt. of Khyber Pakhtunkhwa Health Department Peshawar.
2. Medical Superintendent KGNTN, Bannu.
3. Deputy Medical Superintendent Admin: KGNTN, Bannu.
4. District Comptroller of Accounts Bannu.
5. Medical Superintendent W&CHH/PHQHH Bannu.
6. Accounts officer KGNTN Bannu. He is directed to make necessary entries in service book in the light of above orders.
7. PS to Minster Health Khyber Pakhtunkhwa Peshawar.
8. Mr. Adil Badshah, Ward Orderly.

For Information and necessary action

[Pro. Dr. Muhammad Jehangir Khan]

OTC
J

پنجاب سیکرٹری محکمہ صحت حکومت خیبر پختونخواہ پشاور

Annexure 1
9

بواسطہ مروجہ

عنوان: محکمہ جاتی اپیل برائے بحالی ملازمت۔

جناب عالی!

متودہانہ گزارش ہے کہ سائل خلیفہ گلنواز ٹیچنگ ہسپتال بنوں میں بحیثیت وارڈ اردلی ملازم تھا مگر دورہ 12 اکتوبر 2015 سے جناب ڈاکٹر محمد جہانگیر خان چیف ایگزیکٹو نے سائل کو ملازمت سے اس لئے برخاست (Remove) کر دیا تھا کہ سائل مورخہ 108 اکتوبر 2015 تا 126 اکتوبر 2015 تک 16 دن اپنی ڈیوٹی سے سببہ طور پر غیر حاضری قرار دیا گیا حالانکہ سائل نے باقاعدہ طور پر جناب میڈیکل سپرنٹنڈنٹ صاحب کو مورخہ 108 اکتوبر 2015 تا 117 اکتوبر 2015 اس (10) دن رخصت کے لئے باقاعدہ درخواست اس لئے دی تھی کہ سائل کی بہن (جو کراچی میں رہتی ہے) کو گھ پلو سائل درپیش تھے جن کی حل کے لئے وہ سائل کو بار بار فون پر کراچی ان کے پاس جانے کی استدعا کرتی رہی۔

یہاں اس امر کی وضاحت ضروری ہے کہ سائل مورخہ 18 اکتوبر 2015 دوبارہ اپنی ڈیوٹی پر حاضر ہوئے اور غائبانہ گھنٹوں ہسپتال میں متعین فوجی عملہ کے پاس باقاعدہ حاضری لگاتا رہا ہے مگر خلیفہ گلنواز کی حاضری رجسٹر میں سائل کو حاضری لگانے نہیں دی گئی۔ ان حالات میں سائل کو مورخہ 20 اکتوبر 2015 کو شوکانوٹس (جس کی نقل لف ہذا نشان زدہ "الف" ہے) جاری کیا گیا جس کا تیار جواب (لف درخواست نشان زدہ "ب" ہے)۔ سائل نے اس مفاہمت کے ساتھ مورخہ 22 اکتوبر 2015 کو ایم ایس صاحب کے کہنے پر دستخط کر دیا کہ 10 دن یعنی 8 تا 17 اکتوبر کو بلا متخواہ چھٹی کر دی جائے گی مگر انتہائی انسوس کے ساتھ گزارش ہے کہ ظالم چیف ایگزیکٹو نے بلا متخواہ رخصت کی بجائے سائل مورخہ 27 اکتوبر 2015 تحریری حکم (جس کی نقل لف ہذا نشان زدہ "ج" ہے) کی رو سے سائل کو ملازمت سے ہی فارغ (برخاست) کر دیا۔

جناب عالی! سائل کو بتایا گیا ہے کہ اولاً تو ڈاکٹر جہانگیر خان ماہ ستمبر 2015 سے بنوں میڈیکل کالج ڈیپو آپ ٹیچنگ ہسپتال کے اوجھ تھائی بحیثیت پروفیسر نو شہرہ میڈیکل فارغ ہو چکا ہے۔ لہذا وہ کیسے 27 اکتوبر 2015 کو سائل کی برخاستگی کا علم نامہ جاری کر سکتا ہے۔ دوم یہ کہ برائے خیبر پختونخواہ میڈیکل انسٹی ٹیوشن رولز 2001 بنیادی متخواہ سکیل 1 تا 10 کے لئے ایم ایس یا ڈین یا پرنسپل مجاز آفیسر بھرتی و برخاستگی مقرر شدہ ہے اور چونکہ سائل بنیادی متخواہ سکیل 2 کا ملازم تھا لہذا اسی بناء پر بھی چیف ایگزیکٹو کو سائل کی ملازمت سے برخاستگی کا کوئی اختیار نہ تھا۔ علاوہ ازیں ڈاکٹر محمد جہانگیر خان خود

تین سائل سے زیادہ عرصہ کے لئے اپنی ڈیوٹی سے غیر حاضر رہا مگر وہ تاحال ملازمت کرتا ہے جبکہ سائل کو صرف 10 ڈیڑھ کی پیشگی درخواست رخصت کے باوجود نہ صرف اسے غیر حاضر تصور کیا گیا بلکہ مزید آٹھ دن جو تا دینی کاروائی ہیں۔ لگے اس کو 7 غیر حاضری تصور کی گئی حالانکہ اس دوران سائل مورخہ 18 اکتوبر 2015 سے باقاعدہ ڈیوٹی پر تھا۔ یہ سب اسی امر کا پتہ ثبوت ہے کہ سائل کے ساتھ نہ صرف غیر قانونی بلکہ ظالمانہ امتیازی سلوک برتا گیا ہے۔

یہ کہ سائل گذشتہ کئی سالوں سے یتیم ہے اور بہن بھائیوں اور والدہ سمیت کی خود کفالت کا ذمہ بھی میرے کندھوں پر

اندریں حالات استدعا ہے کہ سائل کی ملازمت سے برخاستگی کے احکامات (جو کہ ڈاکٹر محمد جہانگیر نے مورخہ 27 اکتوبر 2015 کو جاری کئے ہیں) کو کالعدم فرماتے ہوئے سائل کو باعزت طور پر ملازمت پر بحال کرنے کے احکامات جاری فرما کر مشکور فرمائیں۔

عین نوازش ہوں

25-11-2015

عادل بادشاہ

سائل عادل بادشاہ

ساکن تخت نصرتی ضلع کرک



✓

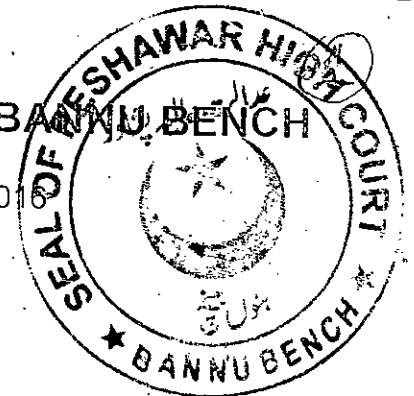


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۱۱/۱۱/۱۵

Annexure F. (10)

IN THE PESHAWAR HIGH COURT BANNU BENCH

Writ Petition No. 223-B of 2016



Adil Bad Shaha/oAmal Bad Shah
Ex-Ward Orderly, KGN Teaching Hospital, Bannu
R/O: YaghiNiaziKhel, Teh: TakhtiNasrathi,
Distt: Karak-----

PETITIONER

VERSUS

The Govt of KPK through:-

1. The Secretary Health Department, (Govt of KPK) Peshawar
2. The Chief Executive/Hospital Director
Group of Teaching Hospitals Bannu
3. The Medical Superintendent,
KGN Teaching Hospital Bannu-----

RESPONDENTS

WRIT PETITION UNDER ARTICLE: 199(1)(a)&(c)
OF THE CONSTITUTION OF PAKISTAN-1973

Being aggrieved by and dissatisfied with the illegal and unwarranted major punishment inflicted upon the Petitioner by the Respondent No. 2 vide Office Order dated 27-10-2015 thereby removing the Petitioner from service as Ward Orderly under the Respondent No. 3 otherwise than in accordance with relevant law/rules and non-consideration of the Petitioner's appeal dated 25-11-2015 by the Respondent No. 1 even after lapse of three (03) months, the Petitioner sees no remedy except to beseech before this Hon'ble Court for the enforcement of his inalienable constitutional and fundamental rights, inter alia, on the following facts and grounds:-

Copy of the impugned order dated 27-10-2015 is filed herewith and marked as Annex "A".

FACTS

1. That the Petitioner was appointed as Ward Orderly (BPS-02) under the Respondent No. 3 since 17-8-2011 and served the hospital with great zeal and zest to the entire satisfaction of the Respondent No. 3.

ATTESTED

EXAMINER
Peshawar High Court
Bannu Bench

Contd. P/2

Adv for Plus



JUDGMENT SHEET
IN THE PESHAWAR HIGH COURT,
BANNU BENCH.

(Judicial Department)

W.P No. 223-B/2010

JUDGMENT

Date of hearing _____ 05/04/2016 _____

Appellant-Petitioner Adil Badshah By _____

Sheh Muhammad Khan Adv. _____

Respondent _____

HAIDER ALI KHAN, J.:- The petitioner seeks indulgence of this court by invoking writ jurisdiction for redressal of his grievance with a prayer that:-

(a) *"The impugned punishment order dated 27-10-2015 has been passed by the then Chief Executive illegally, incompetently and in flagrant violation of the petitioner's fundamental rights";*

ATTESTED

EXAMINER
Peshawar High Court,
Bannu Bench

(b) *“Appropriate writ be issued to the respondents for setting aside the impugned punishment order dated 27-10-2015 and re-instatement of the petitioner in service with all back benefits”*

2- The learned counsel for the petitioner argued that the petitioner while serving as Ward Orderly under the command of respondent No.3 since 17-8-2011, he was given show cause notice with the statement of allegation for his absence from duty w.e.f 08/10/2015, which was replied to by him; that without considering the humanitarian circumstances, removed the petitioner from his service by impugned order dated 27-10-2015, hence the instant Writ petition.

3. Arguments heard in motion and available record appended with the petition perused.

4. While going through the record and most particularly through the contents of the petition one could reach to an irresistible conclusion that the petitioner is a civil servant and the matter is of his re-

18

EXAMINER
Peshawar High Court
Bannu Bench

instatement in service, which does fall within the terms and conditions of service as such, comes within the domain of Service Tribunal. The constitutional jurisdiction of the High Court, in such like matters, is barred by explicit provision of Article 212 of the Constitution. It has been settled by the Apex court time and again that the matters with respect to the terms and conditions of service, could not be agitated before the High Courts, through constitutional petition under Article 199 of the Constitution. Article 212 (2) of the Constitution, unambiguously bars the jurisdiction of the High Courts in the matters exclusively triable by the Service Tribunal. The constitutional jurisdiction under Art.199 of the Constitution can be invoked only, when there is no alternate remedy, available to the aggrieved party. Keeping in view the nature of grievance of the petitioner, he has the right to invoke the jurisdiction of the Service Tribunal.

16/2

5. For the reasons discussed above, this petition being not maintainable, stands dismissed in

ATTESTED
J
EXAMINER
Peshawar High Court
Baran Bazar

limine, however, the petitioner is at liberty to approach proper forum for his grievance, if so desire.

Announced.
05/04/2016

Sd/- Muhammad Ghazal Khan, J

Sd/- Haider Ali Khan, J

Handwritten signature and date: 18/4/16

A/Awan*

CERTIFIED TO BE TRUE COPY

Handwritten signature and date: 21/4/16

**Postmaster General
Auth. Secy. 87 of
The Courts Act, 1934**

WAKALAT NAMA

In The KPK Service Tribunal Peshawar

Adil Badshah

(Petitioner)
(Plaintiff)
(Applicant)
(Complainant)
(Decree Holder)

VERSUS

Govt of KPK & another

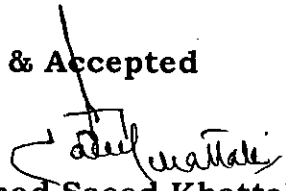
(Respondent)
(Defendant)
(Accused)
(Judgment Debtor)

Case Service Appeal No. 12016

I / We Adil Badshah (Appellant)

do here by appoint And constitute **Muhammad Saeed Khattak** Advocate High Court, Peshawar, to appear plead, act, compromise, withdraw or refer to arbitration to me/us as my/our Counsel in the above noted matter, without any liability for their default and with the authority to engage appoint any other advocate. Council at my/our matter.

Attested & Accepted



Muhammad Saeed Khattak
Advocate, C-10, Haroon Mansion,
Khyber Bazar, Peshawar.
Cell# 0345 83 83 641
0333 62 72 753

CLIENT/S

- 1: عادل بادشاہ
- 2: _____
- 3: _____
- 4: _____
- 5: _____

BEFORE THE KHYBER PAKHTUNKHWA SERVICE TRIBUNAL
PESHAWAR

Service Appeal No.473/2016

Adil Badshah..... (Appellant)

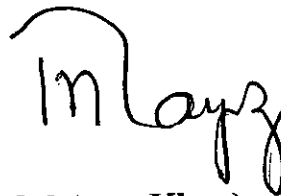
Versus

Govt. of Khyber Pakhtunkhwa through Secretary Health & Others..... (Respondents)

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S NO	Description	Annexure	Page No.
1	Para wise Comments		1-3
2	Copy of Show Cause Notice, Reply to Show Cause Notice & Order of Removal from Service of the Appellant		4-6
3	Affidavit		7

Dated / /2016



(Abdul Ayaz Khan)
Administrative /Litigation Officer
Khalifa Gul Nawaz Teaching Hospital
Bannu

P-L

BEFORE THE KHYBER PAKHTUNKHWA SERVICE TRIBUNAL
PESHAWAR

Appeal No.473/2016

Adil Badshah..... (Appellant)

Versus

Govt. of Khyber Pakhtunkhwa through Secretary Health & Others (Respondents)

Parawise Comments on behalf of Respondent No.1

Respectfully Sheweth:

Preliminary Objections:

1. That the appellant has no cause of action to file the instant appeal.
2. That the appellant has no locus standi to file the instant appeal.
3. That the instant appeal is not maintainable in its present form
4. That the appeal is bad for non-joinder and mis-joinder of necessary parties.
5. That the instant appeal is barred by law.
6. That the appellant has concealed material facts.
7. That the instant appeal is badly time barred.

FACTS:

1. **Correct:**
2. **Correct** to the extent that the appellant took charge after initial appointment dated 17.08.2011 and performed his duties to 07.10.2015. The appellant remained absent from his official duties w.e.f 08.10.2015 to 26.10.2015 without any prior permission from the competent authority.

3. **Not Correct.** The appellant absented himself from his official duties w.e.f 08.10.2015 to 26.10.2015 without submitting any application for leave to the competent authority. That is why he was served with Show Cause Notice dated 21.10.2015 for the above willful absence. The reply of the appellant to Show Cause Notice, being not satisfactory, was rejected and he was removed from service on 27.10.2015 by the then Chief Executive, Group of Teaching Hospitals, Bannu (respondent No.2). (Copies of Show cause Notice, Reply & Order of Removal from Service attached).
4. **Correct:** However, reply of the appellant was not satisfactory.
5. **Correct:**
6. **Not Correct.** No department appeal was submitted by the Appellant to Respondent No.1.
7. Pertains to record.
8. That reply on the grounds are as under

GROUND:

- A. **Not Correct:** The appellant has been treated in accordance with the law.
- B. **Not Correct.** The appellant absented himself willfully without any prior permission from the competent authority which has never be denied by the appellant.
- C. **Not Correct.** The appellant has not submitted any application for leave to the competent authority.
- D. **Not Correct.** The appellant admitted his absence.
- E. **Not Correct.** The appellant was removed from service for his willful absence from official duties and his absence period w.e.f 08.10.2015 to 26.10.2015 was treated as leave without pay as per law.
- F. **Not Correct.** The appellant absented himself from his official duties w.e.f 08.10.2015 to 26.10.2015 without submitting any application for leave to the competent authority. That is why he was served with Show Cause Notice dated 21.10.2015 for the above willful absence. The reply of the appellant to Show Cause Notice, being not satisfactory, was rejected and he was removed from service on 27.10.2015 by the then Chief Executive, Group of Teaching Hospitals, Bannu (respondent No.2).

G. That respondent also seeks permission to adduce further grounds during arguments.

PRAYER:

It is, therefore, most humbly prayed that on acceptance of this parawise comments, the instant appeal may please be dismissed with special cost.



**Secretary to Govt. of Khyber
Pakhtunkhwa
Health Department
(Respondent No.1)**

Through



**Litigation Officer
Khalifa Gul Nawaz Teaching Hospital
Bannu**

P-4

**OFFICE OF THE
CHIEF EXECUTIVE GROUP OF TEACHING HOSPITALS BANNU
Khyber Pakhtunkhwa, Pakistan**

No.3763/CE

Dated: 21/10/2015

SHOW CAUSE NOTICE.

WHEREAS I, Prof. Dr. Muhammad Jehangir Khan, Chief Executive, Group of Teaching Hospitals, Bannu, as the Competent Authority, am satisfied that the facts available against you, Mr. Adil Badshah, Ward Orderly, KGNTH Bannu warrant dispensing with holding an Enquiry under rule-5 of Government of Khyber Pakhtunkhwa Efficiency and Discipline Rule, 2011.

NOW, therefore, I serve you, Mr. Adil Badshah, Ward Orderly KGNTH Bannu, with the following Show Cause Notice.

"As reported by Night Supervisor/ Deputy Medical Superintendent on duty and Medical Superintendent KGNTH Bannu that you are absent from your duty w.e.f. 08/10/2015 till date and thus have rendered yourself liable to imposition of any Minor or Major penalties or both under rule-4 of the Rules ibid".

You are hereby called upon to Show Cause as to why not one of the Minor or Major or both penalties may be imposed upon you.

You are also required to mention as to whether you want to be heard in-person or otherwise.

Your reply to this Show Cause Notice should reach the undersigned within 07 days of the receipt of this notice.

[Prof. Dr. Muhammad Jehangir Khan]

**MR. ADIL BADSHAH
WARD ORDERLY KGNTH Bannu**

Endst: No. & date as above

Copy forwarded:

1. Secretary to Govt. of Khyber Pakhtunkhwa Health Department Peshawar
2. Director General Health Services Khyber Pakhtunkhwa Peshawar
3. Commanding Officer Field Hospital stationed at KGNTH Bannu
4. Medical Superintendent KGNTH Bannu w/r to his letter No. 1887/MS/KGN/15 dated 20/10/2015
5. PS to Minister Health Khyber Pakhtunkhwa Peshawar
6. Accounts Officer KGNTH Bannu with direction to stop the pay forthwith.

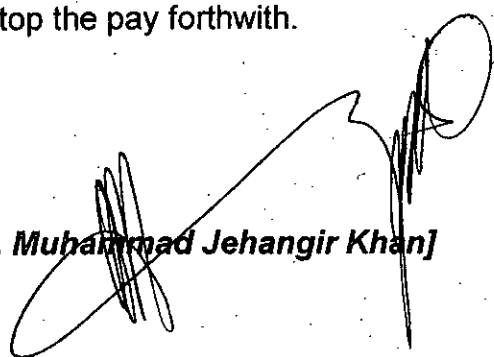
For information and necessary action.

[Prof. Dr. Muhammad Jehangir Khan]

P/F

Attested
In
Copy

ABDUL AYKZ KHAN
Computer Programmer (BS-17)
Khalifa Gul Nawaz Teaching Hospital
Bannu



P-5

The chief Executive,
Group of Teaching Hospitals, Bannu.

Subject: REPLY OF SHOW CAUSE NOTICE, OFFICE No.3763/CE

Respected sir,

With great reverence, it is stated that I am a poor man, the eldest one among my brothers and sisters. My father had died 8 years ago. Therefore I have the burden of my whole family regarding looking after, finance, health, education & social affairs.

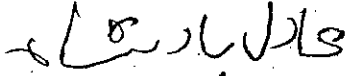
Recently there happened a social conflict in my family which led to the divorce of my sister. This conflict hindered me from my official duty.

Therefore I request your honour to forgive me for my irregularity in duty due to the above mentioned problems. I will leave no stone unturned to do my duty regularly in future.

Kindly, restore my salary as well.

Thanks in anticipation.

Dated: 22/10/2015



Yours obediently,
Adil Bad Shah,
S/O Amal Bad Shah(late).

*Remone of
removal of
20/10/15*

*Admitted
In pay*

ABDUL AYAZ KHAN
Computer Programmer (RS-17)
Khalifa Gul Nawaz Teaching Hospital
Bannu

P-6

**OFFICE OF THE
CHIEF EXECUTIVE GROUP OF TEACHING HOSPITALS BANNU
Khyber Pakhtunkhwa, Pakistan**

OFFICE ORDER

WHEREAS you, Mr. Adil Badshah, Ward Orderly (BS-2), Khalifa Gul Nawaz Teaching Hospital Bannu, were served with Show Cause Notice No.3763/CE dated 21/10/2015 which was duly received by you.

WHEREAS your reply to the Show Cause Notice is not satisfactory.

NOW, therefore, I, Prof. Dr. Muhammad Jehangir Khan, Chief Executive Group of Teaching Hospitals Bannu order your Removal from service as Ward Orderly with immediate effect. The period of absence w.e.f. 08/10/2015 to 26/10/2015 is hereby treated as leave without pay

Sdxxxxx

[Prof. Dr. Muhammad Jehangir Khan]

Endst: No. **3801/CE**

Dated: **27/10/2015**

Copy to:

1. Secretary to Govt. of Khyber Pakhtunkhwa Health Department Peshawar
2. Medical Superintendent KGNTN, Bannu
3. Deputy Medical Superintendent Admn: KGNTN Bannu
4. District Comptroller of Accounts Bannu
5. Medical Superintendent W&CHTH/DHQTN Bannu
6. Accounts Officer KGNTN Bannu. He is directed to make necessary entries in service book in the light of above orders.
7. PS to Minister Health Khyber Pakhtunkhwa Peshawar
8. Mr. Adil Badshah, Ward Orderly

For information and necessary action

[Prof. Dr. Muhammad Jehangir Khan]

P.Fil

Attested

In Dayz

ABDUL AYAZ KHAN
Computer Programmer (BS-17)
Khalifa Gul Nawaz Teaching Hospital
Bannu

P-7

BEFORE THE SERVICE TRIBUNAL, KHYBER PAKHTUNKHWA.
PESHAWAR

Service Appeal No.473/2016

Adil Badshah..... (Appellant)

Versus

Govt. of Khyber Pakhtunkhwa through Secretary Health & Others...(Respondents)

AFFIDAVIT

I, **Mr. Abdul Ayaz Khan**, Administrative/Litigation Officer, Khalifa Gul Nawaz Teaching Hospital Bannu, do hereby solemnly affirm and declare on oath that the contents of the accompanying comments furnished by respondent are true and correct to the best of my knowledge and nothing has been concealed from this Honorable court.

Dated ____ / ____ /2016

M. Ayaz

(Abdul Ayaz Khan)
Administrative/Litigation Officer
Khalifa Gul Nawaz Teaching Hospital
Bannu

(Deponent)
CNIC

11101-9218260-1

BEFORE THE K.P.K. SERVICE TRIBUNAL, PESHAWAR

Service Appeal No.473/2016

Adil Badshah

VERSUS

Govt of Khyber Pakhtunkhwa and another

Rejoinder to the parawise comments filed on behalf of Respondent No. 1

Respectfully Sheweth:

Rejoinder to the Preliminary Objections

1. Incorrect, the appellant has a good cause of action to file the instant appeal.
2. Incorrect, the appellant has a good locus standii to file the instant appeal.
3. Incorrect, the instant appeal is quite maintainable in its present form.
4. Incorrect, the appeal is not bad for non-joinder and mis-joinder of necessary parties.
5. Incorrect, the instant appeal is not barred by any law.
6. Incorrect, nothing has been concealed from this Hon`ble Tribunal intentionally or deliberately.
7. Incorrect, the instant appeal is well within time; otherwise too, the apex courts favoured the cases to be decided on merits rather on technicalities including the limitation.

Rejoinder to the Facts

1. Admitted, needs no rejoinder.
2. In rejoinder to para 2 it is submitted that taking of charge and successfully completion of probation period has been admitted by the respondent and so far the question of absence is concerned it was not willful and deliberate but was due to mentioned reasons already explained in reply to the show cause notice.

3. *Incorrect, the appellant was unable to continue his duties for the period w.e.f. 08-10-2015 to 17-10-2015 due to the reason of some social dispute in his family, which is/was explained in reply to show-cause notice, while passing the impugned order dated 27-10-2015 the said period has been shown as w.e.f. 08-10-2015 to 26-10-2015.*
4. *In reply to para 4 it is submitted that reply given to the show cause is/was quite satisfactory and its non acceptance is out of imagination without giving any prudent reasons for the same.*
5. *Needs no rejoinder.*
6. *Incorrect, the appellant preferred a departmental appeal before Respondent No.1 on 25-11-2015, but the same is/was still not disposed of despite the lapse of statutory period.*
7. *Needs no rejoinder.*
8. *Rejoinder to the grounds of the para wise comments is as under;*

Rejoinder to the GROUNDS

- A. *Incorrect, the appellant has not been treated in accordance with law nor has equal protection of law been extended to him.*
- B. *Incorrect, the absence of the appellant was neither willful nor deliberate but was due to unavoidable circumstances and was only for few days for which he has been awarded a major penalty in shape of Removal from Service. The appellant informed the competent authority about his need for leave before leaving the duty.*
- C. *Incorrect, the appellant properly submitted an application for leave before the concerned authority, and then left the station.*

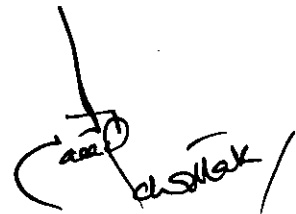
On 18-10-2015 he was on duty but the appellant during the time which was spent in departmental proceedings was also considered as absent.

- D. Incorrect, the appellant has been awarded two penalties for remaining few days away from duty which is in the violation of Article 13 of the constitution and the Hon`ble apex courts in their so many precedents have declared such type of orders nullity in the eyes of law and treated the absence period as leave any kind due to him.
- E. Incorrect, the period w.e.f. 08-10-2015 to 26-10-2015 has already been treated as leave without pay, and then there is/was no justification for removal from service.
- F. Incorrect, that while awarding major penalty of removal from service no proper procedure was adopted.
- G. That any other ground can also be taken during the course of arguments with permission of this Hon`ble Tribunal.

It is therefore most humbly prayed that on acceptance of the instant rejoinder the impugned order dated 27/10/2015 passed by respondent no. 2 may very graciously be set aside and the appellant may kindly be re-instated on the post with all back benefits.

Any other relief which has not specifically asked for and deems fit in the circumstances of the case may also be awarded to the appellant.

Appellant
Through
Muhammad Saeed Khattak
Advocate, Peshawar



KHYBER PAKHTUNKHWA SERVICE TRIBUNAL PESHAWAR

No 645 /ST

Dated 28/03/2018

To


The Chief Executive Khalifa Gul Nawaz Teaching Hospital,
Government of Khybewr Pakhtunkhwa,
Bannu.

Subject: **ORDER/ JUDGEMENT IN APPEAL NO. 473/2016, MR. ADIL
BADSHAH.**

I am directed to forward herewith a certified copy of Judgment/Order, Copies of the present service appeal and departmental appeal Dated 21/03/2018 passed by this Tribunal on the above subject for strict compliance.

Encl: As above


REGISTRAR


KHYBER PAKHTUNKHWA
SERVICE TRIBUNAL
PESHAWAR

KHYBER PAKHTUNKHWA SERVICE TRIBUNAL PESHAWAR

No 701 /ST.

Dated 09 /04/2018


To

The Secretary Health,
Government of Khyber Pakhtunkhwa,
Peshawar.

Subject: **ORDER/JUDGEMENT IN APPEAL NO. 473/2016, MR.ADIL
BADSHAH.**

I am directed to forward herewith a certified copy of Judgment/Order dated 21/03/2018, along with other record passed by this Tribunal on the above subject for strict compliance.

Encl: As above


**REGISTRAR
KHYBER PAKHTUNKHWA
SERVICE TRIBUNAL
PESHAWAR.**