

BEFORE THE HON'BLE KHYBER PAKHTUNKHWA
SERVICE TRIBUNAL, PESHAWAR

In re:
Service Appeal No.1833/2023

Ameer Abdullah.....Appellant


VERSUS

Govt. of Khyber Pakhtunkhwa through
Secretary Health and others.....Respondent

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Dated: 10.01.2024

Appellant
through 
Amjad Ali (Mardan)
Advocate
Supreme Court of Pakistan
Cell: 0321-9882434

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BEFORE THE HON'BLE KHYBER PAKHTUNKHWA
SERVICE TRIBUNAL, PESHAWAR

In re:
Service Appeal No.1833/2023

10461
10-1-2024

Ameer Abdullah S/o Muhammad Jahangir R/o
Shadman Colony Miryali, tehsil & District Dera
Ismail Khan.

.....Appellant

VERSUS

- 1) Govt. of Khyber Pakhtunkhwa through Secretary Health, Civil Secretariat, Peshawar.
- 2) Secretary Health, Khyber Pakhtunkhwa, Civil Secretariat, Peshawar.
- 3) Director General, Health Services Khyber Pakhtunkhwa at Directorate of Health Services, Warsak road, Peshawar.
- 4) Regional Director General Health Services South at Directorate of Health Services, Warsak road, Peshawar.
- 5) District Health Officer (DHO) Dera Ismail Khan at DHO Office D.I.Khan.
- 6) District Account Officer, Dera Ismail Khan at DAO Office D.I.Khan.
- 7) Head Clerk, DHO Office D.I.Khan
- 8) Accounts Clerk, DHO Office D.I.Khan

...Respondents

**APPLICATION FOR TRANSFER OF
TITLED APPEAL FROM D.I.KHAN
BENCH TO PESHAWAR BENCH FOR ITS
DISPOSAL.**

Respectfully Submitted:

1. That the titled appeal is pending adjudication before this Hon'ble Tribunal at D.I.Khan Bench. and is fixed for 18.01.2024.
2. That the titled appeal is at its final stage and is fixed for arguments, as all the necessary/ contesting respondents have submitted their comments.
3. That now through instant application the appellant requests this Hon'ble Tribunal for transfer of his case to Peshawar Bench for its disposal, because most of the contesting officials are from Peshawar, furthermore, the counsel for appellant also belongs to Khyber Pakhtunkhwa, therefore, it will be in the interest of justice that case is transferred to Peshawar Bench for its final arguments and disposal.
4. That there is no legal bar for allowing the instant application.

It is, therefore, prayed that on acceptance of this application, the above titled appeal may graciously be transferred from D.I.Khan Bench to Peshawar Bench of this Hon'ble Tribunal.

Appellant

Through

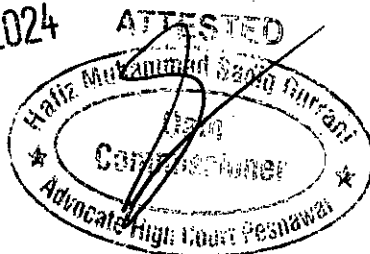
Amjid Ali (Mardan)

Advocate, Supreme Court

AFFIDAVIT

I, Ameer Abdullah (Appellant), do hereby affirm and declare on oath that the contents of the instant **Application** are true and correct and nothing has been concealed from this Hon'ble Court.

10 JAN 2024



Amjid Ali
Deponent

3/ (1)

**BEFORE THE KHYBER PAKHTUNKHWA SERVICE
TRIBUNAL PESHAWAR**

Service Appeal No. 1833 /2023



Ameer Abdullah S/O Muhammad Jahangir R/O Shadman Colony,
Miryali Tehsil and District Dera Ismail Khan

.....Appellant

Khyber Pakhtunkhwa
Service Tribunal

Diary No. 7437

12/9/2023

VERSUS


1. Govt of KP through Secretary Health KP at Civil Secretariat Peshawar
2. Secretary Health KP at Civil Secretariat Peshawar
3. Director General, Health Services KP at Directorate of Health Services, Warsak Road, Peshawar
4. Regional Director General Health Services South, at Directorate of Health Services, Warsak Road, Peshawar
5. District Health Officer (DHO) Dera Ismail Khan at DHO Office DI Khan
6. District Account Officer, Dera Ismail Khan at DAO Office DI Khan
7. Head Clerk, DHO Office D.I Khan
8. Accounts Clerk, DHO Office D.I Khan

.....Respondents

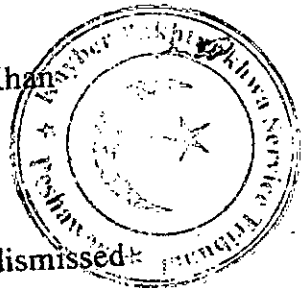
~~Filed~~ ~~day~~
~~Registrar~~

Appeal under section 4 of Service Tribunal Act for inaction of the respondent no 5 to give effect to the appellate order dated 28.02.2023 passed by Director General Health Services KP, order dated 19.05.2023 passed by Director (HRM) Directorate General Health Services KP and orders dated 21st July 2023 & 1st August 2023 passed by Section Officer-III to worthy Secretary Health KP wherein appellant is not adjusted as Chief PHC Technician (MP) (BPS-16) in the Sanitation Unit in the office of DHO D.I Khan and non-release of salary of appellant since February 2023 till date and onwards inspite of promotion & posting order dated 11.11.2022 and adjustment order dated 28.02.2023 and thereafter departmental appeal dated 06.06.2023 for implementation of aforementioned orders remained un-responded even after lapse of 90 days which are illegal against law and facts.

Certified to be true copy


Registrar
Khyber Pakhtunkhwa
Service Tribunal,
Peshawar

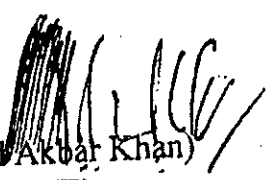
4




29.11.2023 1. Learned counsel for the applicant present. Mr. Asad Ali Khan
 learned counsel for respondents present.

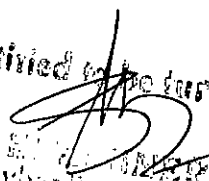
2. Instant application is for restoration of appeal which was dismissed
 in default on 21.11.2023 while this application has been moved on
 28.11.2023. Learned Assistant Advocate General raised no objection on
 acceptance of the instant application seeking restoration of main appeal.
 Considering contention of learned counsel for the applicant and in the
 interest of justice, instant service appeal is restored to its original
 number. To come up for arguments on 18.01.2024 before D. Bat D. I. Khan.
 P.P given to the parties.

3. Pronounced in open court in Peshawar and given under our hands and
 seal of the Tribunal on this 29th day of November, 2023.


 (Muhammad Akbar Khan)
 Member (E)


 (Rashida Bano)
 Member (J)

Kaleemullah

Certified to be true copy

 Khayr Peshawar
 Service Tribunal
 Peshawar

Date of Presentation 29-11-23
 Number of W 2-7
 Copying Fee 10/-
 Urgent
 Total 10/-
 Name of
 Date of
 Date of

30-11-23
 30-11-23