

**BEFORE THE HON'BLE KHYBER PAKHTUNKHWA**  
**SERVICE TRIBUNAL, PESHAWAR**

In re:  
Exaction Petition No.694/2023  
In 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**

Khyber Pakhtunkhwa  
Service Tribunal

In re:  
Exaction Petition No.694/2023  
In Service Appeal No.1833/2023

Dist. No. 10462  
Dated 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 EXECUTION PETITION FROM  
D.I.KHAN BENCH TO PESHAWAR  
BENCH FOR ITS DISPOSAL.**

Respectfully Submitted:

1. That the titled execution is pending adjudication before this Hon'ble Tribunal at D.I.Khan Bench. and is fixed for 18.01.2024.
2. That the titled execution petition is at its final stage and is fixed for arguments alongwith main Appeal No.1833/2023.
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 execution petition may graciously be transferred from D.I.Khan Bench to Peshawar Bench of this Hon'ble Tribunal.

Appellant

Through

Amjid Ali (Mardan)

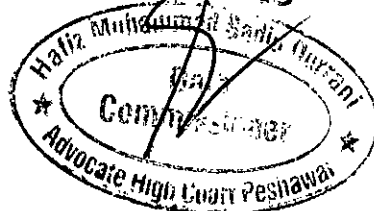
Advocate, Supreme Court

**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

ATTESTED



U. Amjad Ali  
Deponent

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**BEFORE THE KPK SERVICE TRIBUNAL, PESHAWAR**

*Execution Petition no. 694/2023*

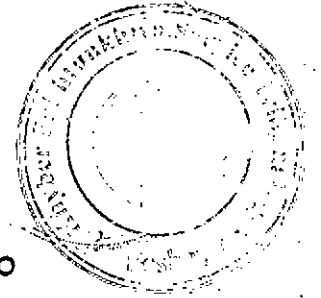
Khyber Pakhtunkhwa  
Service Tribunal

Diary No. 7943

27/09/23

In Re:

Service Appeal No. 1833/2023



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

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30<sup>th</sup> Nov. 2023 Petitioner present in person. Arguments on restoration application heard and record perused.




2. Instant application was submitted on 29.11.2023 for restoration of execution petition No. 694/2023 which was dismissed in default on 22.11.2023. Since the application is within time and in the interest of justice, the execution petition is restored to its original number on payment of cost of Rs. 2000/-. Notices be issued to the respondents through TCS, the expenses of which shall be deposited by the petitioner within 03 days. To come up implementation report on 19.12.2023 before the S.B. at camp court, D.I.Khan. Parcha Peshi given to the petitioner.

4. *Pronounced in open Court at Camp Court, at Peshawar and given under my hand and the seal of the Tribunal on this 1st day of December, 2023.*

  
(FARHEHA PAUL)  
Member(E)

\*Pazle Subhan P.S

*Certified to be true copy*  
  
MEMBER  
Khyber Pakhtunkhwa  
Service Tribunal  
Peshawar

Date of Presentation \_\_\_\_\_ 01/12/23  
Number of Words \_\_\_\_\_ 37  
Copying Fee \_\_\_\_\_ 15/-  
Urgent \_\_\_\_\_ 8/2  
Total \_\_\_\_\_ 20/-  
Name of \_\_\_\_\_  
Date of Copying \_\_\_\_\_ 01/12/23  
Date of Delivery of \_\_\_\_\_ 01-12-23

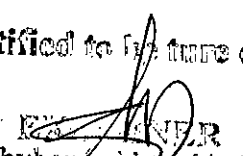
nd Nov. 2023

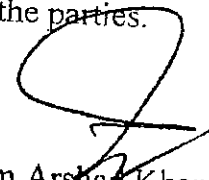


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1. Petitioner alongwith his counsel present. Mr. Asad Ali Khan, Assistant Advocate General alongwith Dr. Sohail, Director (Litigation) Directorate General office for the respondents present.
  2. On the previous date, Dr. Sohail, Director (Litigation) Directorate General office was present and had made a commitment before this Tribunal for implementation, but today again he sought some time. Therefore, the Tribunal is constrained to attach salaries of respondents No.2, 3, 4 and 5 in the manner as prescribed under Section-60(1)(i) of the code of Civil Procedure, 1908 till implementation of the judgment. The Accountant General Khyber Pakhtunkhwa and District Accounts Officer, D.I.Khan are directed to attach the salaries of respondents No. 2,3,4 and 5 and submit report in writing that the salaries are actually attached. To come up for submission of implementation report on 22.11.2023 before S.B at camp court D.I.Khan. P.P given to the parties.

\*Adnan Shah\*

Certified to be true copy

  
Chairman  
Khyber Pakhtunkhwa  
Service Tribunal  
Peshawar

  
(Kalim Arshad Khan)  
Chairman