

BEFORE THE KHYBER PAKHTUNKHWA SERVICE TRIBUNAL PESHAWAR

Appeal No. 506/2019

Date of Institution ... 25.01.2019

Date of Decision ... 18.07.2019

Nafees Khan son of Munawar Khan R/O Shenokhel, Hangu Road, Rigi Banda,  
Mohammad Zai, Tehsil and District Kohat. ... (Appellant)

VERSUS

The Government of Khyber Pakhtunkhwa through Chief Secretary, Peshawar and 3  
others. ... (Respondents)

Mr. Aqeel Yousafzai,  
Advocate

... For appellant.

MR. HAMID FAROOQ DURRANI,

... CHAIRMAN

JUDGMENTHAMID FAROOQ DURRANI, CHAIRMAN:-

1. The appellant is aggrieved of order dated 26.09.2018 passed by Agency Education Officer, F.R Kohat, whereby, he was transferred from Government Middle School, Sheraki Bala F.R Kohat to GMS Sra Mela Bosti Kheh, F.R Kohat.
2. Learned counsel for the appellant heard and available record gone through.
3. Admittedly, the appellant submitted a departmental appeal against the impugned order dated 26.09.2018 to respondent No. 2/Secretary, Elementary and Secondary Education Department Khyber Pakhtunkhwa on 10.01.2019. He was obligated under the Khyber Pakhtunkhwa Civil Servants (Appeal) Rules, 1986 to have preferred the requisite appeal within 30 days from the date of communication of the impugned order. Learned counsel, while explaining the delay, contended that the appellant submitted a Civil Suit before the Court of Senior Civil Judge Kohat wherein declaration was sought in respect of impugned transfer order. On

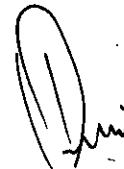
05.12.2018, the Suit was rejected under Order 7 Rule 11 Civil Procedure Code on the ground of lack of jurisdiction of Civil Courts in the matter. In his view, the delay in submission of departmental appeal was condonable in the circumstances of the case.

The appellant, out of his choice, went to a wrong forum instead of pursuing departmental remedy, therefore, the time spent in the proceedings before the forum was not to be excluded for the purpose of statutory limitation for submission of departmental appeal. The appeal, however, was not responded to till filing of instant appeal. In a case where departmental appeal is preferred beyond a period provided for the purpose the service appeal before a Tribunal would not be competent. Guidance in the matter is sought from judgments reported as 2006-SCMR-453 and 2012-SCMR-195.

4. The appellant, even otherwise, has failed to set-forth any cogent ground to impugn the transfer order dated 26.09.2018. He has relied on a news paper cutting regarding the ban on transfers of official in the Education Department but no such document is made part of the brief. It is also noticeable that the appellant has been transferred from a school to another, both situated in F.R Kohat. Against the said backdrop, the compassionate ground of his health condition cannot be pressed into service.

5. In view of the above, the appeal in hand is dismissed in limine being devoid of merits requiring its admission for regular hearing.

File be consigned to record room.



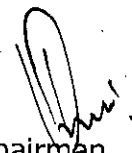



(HAMID FAROOQ DURRANI)  
CHAIRMAN

**Form- A**  
**FORM OF ORDER SHEET**

Court of \_\_\_\_\_

Case No. 506/2019

S.No.	Date of order proceedings	Order or other proceedings with signature of judge
1	2	3
1-	16/04/2019	<p>The appeal of Mr. Nafees Khan resubmitted today by Mr. Shahid Ali 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 16/14/19</p>
2-	22/04/19	<p>This case is entrusted to S. Bench for preliminary hearing to be put up there on <u>27/05/19</u></p> <p style="text-align: right;"> CHAIRMAN</p>
	27.05.2019	<p>Notice to appellant/counsel for preliminary hearing on 14.06.2019 before S.B.</p> <p style="text-align: right;"> Chairman</p>
	14.06.2019	<p>Junior to counsel for the appellant present.</p> <p>Due to general strike on the call of Khyber Pakhtunkhwa Bar Council, instant matter is adjourned to 18.07.2019 for preliminary hearing before S.B.</p> <p style="text-align: right;"> Chairman</p>


This is an appeal filed by Mr. Nafees Khan today on 25/01/2019 against the order dated 26/09/2018 against which he preferred/made departmental appeal/ representation on 10.01.2019 the period of ninety days is not yet lapsed as per section 4 of the Khyber Pakhtunkhwa Service Tribunal Act 1974, which is premature as laid down in an authority reported as 2005-SCMR-890.

As such the instant appeal is returned in original to the appellant/Counsel. The appellant would be at liberty to resubmit fresh appeal after maturity of cause of action and also removing the following objections.

- 1- Annexures of the appeal may be attested.
- 2- Annexures of the appeal may be flagged.
- 3- Memorandum of appeal may be got signed by the appellant.

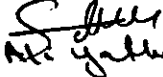
No. 164 /ST,

Dt. 28-1- /2019

  
REGISTRAR  
SERVICE TRIBUNAL  
KHYBER PAKHTUNKHWA  
PESHAWAR.

Mr. Shahid Ali Adv. Pesh.

Re-Submission after fulfilment of all objections.

  
~~Shahid Ali~~ Shahid Ali  
Date: 16 / 4 / 2019

**BEFORE THE SERVICE TRIBUNAL KHYBER PAKHTUNKHAWA**

Service Appeal No. 506/2019


**Nafees Khan      VERSUS      Secretary to Govt: of KP and others**

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Through

APPELLANT

  
AQEEL YOUSAFZAI

Advocate High Courts

BEFORE THE SERVICE TRIBUNAL KHYBER PAKHTUNKHAWA

Service Appeal NO. 506 2019.

Nafees Khan S/o Munawar Khan R/o Shenokhel, Hngu Road, Rigi Banda, Muhammad-Zai, Tehsil and District Kohat.

Khyber Pakhtunkhwa  
Service Tribunal

..... (Appellant) Registry No. 111

Dated 25/11/2019

VERSUS

1. Government of Khyber Pakhtunkhwa KPK through Chief Secretary at Civil Secretariat Peshawar.
2. Secretary Elementary and Secondary Education Department Government of Khyber Pakhtunkhwa.
3. Agency Education Officer FR Kohat.
4. EDO Elementary and Secondary Education District Kohat.

..... (Respondents)

SERVICE APPEAL UNDER SECTION 4 OF SERVICE TRIBUNAL ACT 1974 AGAINST THE IMPUGNED TRANSFER ORDER NO: 340-41 DATED.26. 9. 2018.

Respectfully Sheweth;

The appellant most earnestly craves permission of this Hon'ble Court to submit as under;

Filed to-day

Registrar

25/11/19

BRIEF FACTS:

1. That, the appellant is bonafide citizen of Islamic Republic of Pakistan and his fundamental rights are protected under the constitution of Pakistan 1973.
2. That, the appellant is a school teacher and has been serving as a drawing master in various government schools of FR Kohat for the past 25 years.
3. That, on 26.09. 2018, while he serving as the drawing master at Government Middle School Sheraki Bala, FR Kohat, the Agency Education Officer FR Kohat issued his transfer order for GGMS Sra Mela Bosti Kheil, FR Kohat.

Re-submitted to-day 18/11/19

(Copy of the transfer order is annexed as annexure A)

4. That, filed a suit against this impugned transfer order before the court of Senior Civil Judge VII on 29.09.2018 challenging the order on the grounds that the provincial government had placed a ban on transfers in the elementary and secondary education system.

(Copy of the Suit filed is annexed as Annexure-B)

5. That, on 05.12.2018, the Court disposed of suit with the direction that the matter be taken up before the right forum, i.e, the Services Tribunal.

(Copy of the Court Order is annexed as Annexure -C)

6. That, on 18.12.2018, the appellant collected the Court Order, and decided to follow the instructions of the court.
7. That, in the pursuit of taking the matter up before the Services Tribunal, on 10.01.2018, the appellant under Section 10 (xiv) of the Posting and Transfer Policy of Provincial Government made under Section 10 of NWFP Civil Servants Act 1973, filed a departmental appeal before the Secretary, Elementary and Secondary Education KPK, however, the Education Department has not responded thus far.

(Copy of departmental appeal is annexed as Annexure-D)

8. That, the appellant feeling aggrieved by the transfer order, seeks redressal from this Hon'ble Tribunal, interalia, on the following grounds:

**Grounds:**

- A. Because the KPK Government had banned the transfers of teacher in the Elementary and Secondary Education system when the impugned order was issued, and is therefore *void ab intio*.
- B. Because, the appellant is of old age, and has been suffering from Hepatitis for the past two years, and his health condition as well as his age warrant that he be stationed near his home, so that he can get due care and proper treatment.

(Copy of the medical report is annexed as Annexure-E)

- C. Because, the transfer of the appellant depicts the collusion and mala fide intentions of the headmaster and agency education officer.

**PRAYER:**

It is, therefore, most humbly requested that this Hon'ble Tribunal may be pleased to:

1. Set aside the impugned transfer order dated 26.09.2018;
2. Order the Respondents to repost the petitioner to GGMS Sherakai Bala, FR, Kohat; (the previous school of appellant).
3. Grant any other relief or remedy that the Tribunal deems appropriate.

  
APPELLANT

Through

  
Special Attorney

Zahir Shah Afridi

Through

  
Aqeel Yousafazi

Advocate High Court

And

  
Shahid Ali Khan Yaftali

Advocate Peshawar

**CERTIFICATE**

It is certified that no such other Appeal on the same matter has earlier been filed by the appellant before this Hon'ble Tribunal.

  
Advocate



**BEFORE THE SERVICE TRIBUNAL KHYBER PAKHTUNKHAWA**

Service Appeal No. \_\_\_\_\_/2019

Nafees Khan      VERSUS    Secretary to Govt: of KP and others

**AFFIDAVIT**

I, Zahir Shah Afridi S/o Sharif Khan Afridi R/O Swati Gate Peshawar , being Special Attorney do hereby solemnly affirm and declare on oath that the contents of the appeal are true and correct to the best of my knowledge, and nothing has been concealed from this Hon'ble Court.



DEPONENT  
CNIC No. 17301-13905437

Identified by:

Aqeel Yousafzai

Advocate High Court

بعدالت جناب سینئر سول جج صاحب، کوہاٹ

Shahid Ali Khan Yaftali  
CWP-Judgo XI/136  
Kohat / MCD  
29/09/2018

8 مدعی

خان ولد منور خان سکندر گی بانڈہ شیو خیل، محمد زئی تحصیل و ضلع کوہاٹ

بنام

1۔ ایجنسی ایجوکیشن آفیسر صاحب، کوہاٹ 2۔ امیر جنان ہیڈ ماسٹر GMS شیراکی بالادره آدم خیل ایف آر کوہاٹ۔۔۔ مدعا علیہم



دعویٰ استقراریہ معصود حکم افتناعی و دوائی و تاکیدی بغرض قرار داد اس امر کہ مدعی بطور DM جی۔ ایم۔ ایس شیراکی بالادره آدم خیل کوہاٹ میں اپنی خدمات سرانجام دے رہا تھا۔ جو کہ محکمہ تعلیم میں مدعی کی سرورس 25 سال ہو چکی ہے۔ اور ماضی بالکل بے داغ رہا ہے لیکن مدعا علیہ نمبر 2 کی ایما و شرارت پر بحوالہ خط نمبر 41-341 محرمہ 26-09-2018 کو دور دراز علاقے کے سکول یعنی GMS سرہ میلہ بوتی خیل ایف آر کوہاٹ ٹرانسفر کیا گیا ہے جو کہ حقوق مدعی پر غیر موثر اور کالعدم ہے۔ مذکورہ حکم کو منسوخ فرمایا جا کر مدعی کو اپنے سابقہ سکول میں تعینات کرنے کا حکم صادر فرمایا۔

مالیت دعویٰ بغرض کورٹ فیس و اختیار سماعت عدالت مبلغ 2200/- روپے نہ جس پر کورٹ فیس معاف ہے۔

بنائے دعویٰ ایک یوم قبل ب عدازا انکار مدعا علیہم بہ مقام کوہاٹ اندرون اختیار سماعت عدالت حضور پیدا ہوئی۔

جناب عالی! مدعی حسب ذیل عرض گزار ہے۔

1۔ یہ کہ مدعی بطور DM جی۔ ایم۔ ایس شیراکی بالادره آدم خیل کوہاٹ میں اپنی خدمات سرانجام دے رہا تھا۔

2۔ یہ کہ مدعی گزشتہ پچیس سالوں سے محکمہ تعلیم میں مختلف سکول ہائے میں خدمات سرانجام دیتا رہا۔ لیکن مدعی کا ماضی بالکل بے داغ ہونے کے باوجود مدعا علیہ نمبر 2 کی ایما و شرارت پر بحوالہ خط نمبر 41-341 محرمہ 26-09-2018 کو دور دراز علاقے کے سکول یعنی GMS سرہ میلہ بوتی خیل ایف آر کوہاٹ ٹرانسفر کیا گیا جو کہ حقوق مدعی کے غیر موثر اور کالعدم ہے۔ مذکورہ حکم کو منسوخ فرمایا جا کر مدعی کو اپنے سابقہ سکول میں تعینات کرنے کا حکم صادر فرمایا۔ نقل چٹھی لف ہے۔ حالانکہ صوبے میں ٹیچرز کے تبادلوں پر پابندی حکومت KPK نے لگائی ہوئی ہے۔ نقل اخبار تراشہ روزنامہ مشرق لف ہے۔

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CWP NO. 136/2018  
KOHAT

Shahid Ali Khan Yaftali  
Advocate Peshawar

یہ کہ قانون کے مطابق بیچم کا تعلق حصہ پرائمری کے ساتھ ہے لیکن مدعا علیہ نمبر ۲ زبردستی مدعی کو مجبور کر رہا ہے کہ وہ  
مڈل سکول میں جا کر کلاس بیچم کو پڑھائے۔

9

۳- یہ کہ مدعی عمر کے اس حصے میں ہے کہ اکثر اوقات بیمار بتا ہے اور دور دراز علاقہ میں اپنی خدمات سرانجام نہیں دے  
سکتا ہے۔ اور محض مدعا علیہ نمبر ۲ کی بدینتی کی وجہ سے مدعا علیہ نمبر ۱ نے مدعی کو تکلیف میں مبتلا کیا۔

Shahid Ali Khan Yaffali  
Civil Judge X J.M.  
Kohat / 17000  
29/09/2018

۵- یہ کہ مذکورہ آرڈر منسوخ کیا جا کر مدعی کو سابقہ سکول میں تعینات کیا جانا مطلوب ہے۔

۶- یہ کہ ہر چند مدعا علیہم کو کہا اور کہلوا یا گیا مگر چونکہ وہ انکاری ہیں۔ اس لیے دعویٰ ہذا دائر کیا جاتا ہے۔

۷- یہ کہ مالیت دعویٰ و بنائے دعویٰ بشرح عنوان بالا درست طور پر درج ہیں۔

لہذا استدعا ہے کہ ڈگری مستدعیہ حسب عنوان و مضمون عرضی دعویٰ بحق مدعی برخلاف مدعا علیہم مع خرچ مقدمہ صادر  
فرمائی جاوے۔

Date 28/9/18

عرضی  
نقیس خان بذریعہ محمد کامران اقبال ایڈووکیٹ ڈسٹرکٹ کورٹس کوہاٹ

Handwritten signature and official stamp of the court.

تصدیق بمقام کوہاٹ

حلفاً تصدیق کی جاتی ہے کہ جملہ امور دعویٰ  
ہذا تا حد علم و یقین کے میرے صحیح و درست ہیں

نقیس خان بذریعہ وکیل خود  
تصدیق

پتہ فریقین:

درست پتہ فریقین: بنوان بالا درج ہے  
بصورت تبدیلی سکونت عدالت حضور کو مطلع کیا جائیگا۔

نقیس خان بذریعہ وکیل خود  
تصدیق

Shahid Ali Khan Yaffali  
Advocate Peshawar

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10 DEC 2018  
EXAMINED  
COPING BRANCH KOHAT



کتابت شد بسم الله الرحمن الرحيم VII

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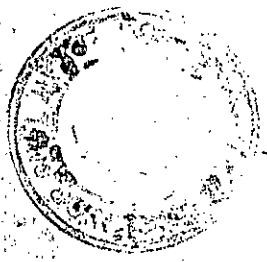
نفسر خان مددگار احمدی انکوٹہ افسر مددگار مددگار

دو روزہ دستاویز

5-7  
55-11-18

جواب درج ذیل

مختصراً جواب درج ذیل مناسبتاً ہے۔



1) صاحب اس درج ذیل نفاذ ہدایت

2) محمد نذیر زکریا صاحب

درج ذیل دیے۔ نہ تو وہ عہدہ سنبھالیں

3) نہ ہی اس پر درج ذیل ہے۔

4) نہ ہی اس پر درج ذیل ہے۔

5) اس وقت کوئی خارجہ نام

5/11/18

نفسر خان مددگار احمدی انکوٹہ افسر مددگار

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EXAMINED  
COPING BRANCH KOHAT

Shahid Ali Khan Yaftali  
Advocate Peshawar

COPING BRANCH

IN THE COURT OF ZULFIOAR AHMAD KHAN CIVIL JUDGE-VII, KOH.

Nafees Khan

VERSUS

Agency Education Officer,  
Kohat etc

*[Handwritten signature]*

Order No.9  
05.12.2018

Plaintiff in person. Defendant no.1 through representative present and defendant no.2 through his worthy counsel present.

My order is intended to dispose of application, filed by the defendants as a result of notice of case management and scheduling conference, under Order VII rule 11 cpc.

Notice of application was given and next date was fixed for reply of the plaintiff who contested the application by filing replication denying therein the allegations of the defendant no. 1 at its tooth and nail.

Next date was fixed for the arguments of the worthy counsel for the parties. Arguments heard at length and record thoroughly scanned with the valuable assistance of the worthy counsel for the parties.

Tersely, plaintiff filed suit for declaration and injunctions also sought as a consequential reliefs. Plaintiff averred in his plaint that he is working as a DM G-M-S in sheraki bala Dara Adam Khel, Kohat; that he has unblemished carrier and as a result of persuasion of defendant no.2 he was transferred to far flung area on 26.09.2018 though government has banned transfers of the teachers; that plaintiff was forced to teach class 5<sup>th</sup> student in middle school; that such act of the defendants is based on malafide and be declared as void ab initio and ultra vires; that defendants were repeatedly approached but all in vain; that final refusal on the part of the defendants forced him to file suit in hand.

Nay saying to the assertion of the plaintiff, worthy counsel for the defendant no.1 averred in his written statement that plaintiff is bound to follow the directives of his high-up and allegations of the plaintiff are baseless and based on surmises and conjectures. Lastly requested for the dismissal of the suit in hand.

The essential fact cannot be denied that plaintiff is a government servant and all the terms, conditions and regulations of service, governed to him, comes within the ambit of Service Tribunal. The jurisdiction of civil courts in service matters are expressly barred as enshrined by the Article 212 of the constitution of Pakistan and

18 DEC 2018  
EXAMINER  
COPIING BRANCH KOHAT

*[Handwritten signature]*  
Shahid Ali Khan Yaftali  
Advocate Peshawar

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this factum has also been endorsed and discussed by the apex courts time and again that the matter regarding transfer of the civil servants, terms and conditions of services, transfer order passed on the basis of mala fide or Coram non iudice or is in violation of any rules could not be agitated before the civil courts or high courts in writ jurisdiction.

Wisdom has been drawn from 2015 SCMR 456 "Ali Azhar Khan Baloch and others VERSUS Province of Sindh and others", wherein it was held as under:

"149. Article 212 of the constitution ousts the jurisdiction of high courts and civil courts in respect of the matters pertaining to terms and conditions of civil servants. In other words, the provisions of Article 212 do not confer a concurrent jurisdiction to civil courts, High Courts and Tribunals. The ouster contemplated under the said Article is a Constitutional command, and, therefore, of necessity restricts the jurisdiction of civil courts and High Courts on the subject, which squarely falls within the exclusive domain of tribunals.

150. The high court of Sindh has completely overlooked the intent and spirit of the Constitutional provisions relating to the terms and conditions of service, while entertaining the civil suits and constitutional petitions filed by the civil servants, which are explicitly barred by the Article 212. The expression "terms and Conditions" includes transfer, posting, absorption, seniority and eligibility to promotion but excludes fitness or otherwise of a person, to be appointed or hold a particular post or to be promoted to higher post or grade as provided under section 4(b) of the Sindh Service Tribunals Act, 1973. Surprisingly, it has been ignored that it is, by now, a settled principle of law that the civil and writ jurisdiction would not lie in respect of the suits or petitions filed with regard to the terms and conditions of Civil Servants, and yet some of the learned Judges of High Court of Sindh have erroneously exercised both civil and writ jurisdictions with regard to the terms and conditions of civil servants.

151. We, for the aforesaid reasons, conclude that the exercise of J.C.

*Signature*  
JUDGE  
SINDH HIGH COURT

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COMMISSIONER

*Signature*  
Shahid Ali Khan Yaffali  
Advocate Peshawar

jurisdiction by way of suits and constitution petition filed by a civil servant with regard to his terms and conditions of service is violative of Article 175, 212 and 240 and the law.

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152. <sup>After</sup> During the present proceedings, we were informed by the learned Advocate General Sindh and other petitioners that the civil servants have filed civil suits and petitions before the High court of Sindh on the subject, which was conclusively determined by this court in its judgment under review. We called for the list of the constitutional petitions as well as of the suits which were filed before the High court of Sindh, and we are shocked to notice that numerous petitions and suits filed by the civil servants were pending and in some cases even restraining orders had been passed in the matters strictly falling outside the ambit of the suit or writ petition and the only and proper forum available in such cases was the Tribunal.

153. More alarmingly, we also observed that some of the suits and petitions were clearly in violation of the principles set by this court in the judgment under review. The admission of these suits and petitions by the learned judges concerned obviously confront and defy Article 189, if not attract the provisions of Article 209 of the constitution.

The crux of the above discussion is that suit of the plaintiff falls within the domain of the Service Tribunal and the jurisdiction of the civil court is expressly barred in these circumstances. More so, the plaintiff has got an alternate adequate, efficacious remedy before the service tribunal for redressal of his grievances, hence, suit is rejected under Order VII rule 11 cpc with no order as to cost. File be consigned to record room after its necessary completion and compilation within the stipulated time.

ANNOUNCED  
05.12.2018

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14 DEC 18  
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Zulfiqar Ahmad Khan  
Civil Judge-VII, Kohat

Shahid Ali Khan Yafthali  
Advocate Peshawar



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# Gastroenterology and Hepatology Clinic

Procedure done endoscopy, Colonscopy Flexible Sigmoidoscopy

Senior Registrar

**Dr. Mohammad Itaf**

MBBS (Pesh)

MCPS (Med)

FCPS (Gastro)

Gastro Unit HMC Peshawar



Not For Medico Legal Purpose

سینئر رجسٹرار

ڈاکٹر محمد الطاف

ایم بی بی ایس، ایم سی پی ایس (میڈیسن)

ایف سی پی ایس (گیسٹرو)

ماہر امراض معدہ جگر پتھن و گیس

کیسٹرو وارڈ حیات آباد میڈیکل کیمپس پشاور

Name Nafees Khan Age \_\_\_\_\_ Date 09/07/17 Address 32001

Clinical Record

HEU +ve

on DAA

taken for 2 months

Sofolil 400mg

Tab. Sofolil 400mg

٤٠٠ - ١٠٠٠

Tab. Novia 400mg

٤٠٠ - ١٠٠٠ ١+١

Ataf

Temp: 98°F

Abd. soft NOUP

02 months.

4/07/17.

Shahid Ali Khan Yaftali  
Advocate Peshawar

# Gastroenterology and Hepatology Clinic

Procedure done endoscopy, Colonscopy Flexible Sigmoidoscopy

Senior Registrar

**Dr. Mohammad Itaf**

MBBS (Pesh)

MCPS (Med)

FCPS (Gastro)

Gastro Unit HMC Peshawar



Not For MedicoLegal Purpose

سینئر رجسٹرار

**ڈاکٹر محمد الطاف**

ایم بی بی ایس، ایم سی پی ایس (میڈیسن)

ایف سی پی ایس (گیسٹرو)

ماہر امراض معدہ جگر پتھن و گیس

کیسٹرو و وارڈ حیات آباد میڈیکل کیمپس پشاور

Name Itafes Khan Age \_\_\_\_\_ Date 01/04/17 Address 3200

## Clinical Record

Hwt +ve

Pcr +ve

on DAA

taken for one month

Sofelul 400mg

Tab. Sofelul 400mg

ٲٲٲ - ٲٲٲ ٲٲٲ

Tab. Novic 400mg

ٲٲٲ - ٲٲٲ ٲٲٲ

Tab. Roxita.

ٲٲٲ - ٲٲٲ ٲٲٲ

*Itaf*

Temp. 98<sup>o</sup>

B.P. 120/80

Abd soft NOVP

09/05/17

*Shahid Ali Khan Vattali*  
Shahid Ali Khan Vattali  
Advocate Peshawar



شفا انٹرنیشنل ہسپتال اسلام آباد پاکستان

Molecular - LPP Kohat

MR No: Q1-0C-GJ -- Mr. Nafees Khan

DOB: 24/02/1969 - 47 Yrs 5 Days Sex :

Specimen: 02-25ML00007 Date: 25/02/2016 - 03:02

Order By: Dr. Self On: 24/02/2016

Shifa International Hospital Ltd.

Sector : H-8/4, Islamabad - Pakistan

Phone : 051-8463666

Fax : 051-4863182

ML14-Hepatitis C Virus by PCR.

TEST

RESULT

Hepatitis C Virus by PCR.....

Detected

The above testing is performed on the Abbott's Automated Extraction and Real Time Amplification system (m2000rt), which is FDA approved and CE marked in-vitro polymerase chain reaction (PCR) assay for the detection of Hepatitis C Virus (HCV) RNA in human plasma or serum from HCV infected individuals.

NOTE:

Results of HCV RNA tests carried out in different labs may not be compared with each other due to difference in specimen collection, transport, storage, sensitivity, specificity and quality controls carried out by individual labs.

Fazal Ilahi M D
Senior Advisor Pathology
D.Path Eng. D.C.P. London
Diplomate Anatomical Pathology,
Clinical Pathology U.S.A
FCAP FASCP U.S.A.
Member AABB U.S.A. Ext.3064

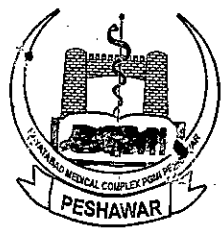
Imran N. Ahmad, M D
Chief Pathologist / Director Lab
Diplomate Anatomic Pathology
and Hematology(USA)
Fellowship Hematopathology(USA)
and Surgical Pathology(USA) Ext :3738

This is an electronic report. It does not need Stamp or Signature. BUSHRA\_8134

Shahid Ali Khan Yafthal
Advocate Peshawar

Result Out 26/02/2016 09:10:54..... Printed: 29/02/2016 13:12:27

Table listing medical staff members and their qualifications, including Fazal Ilahi Md, Imran Ahmad M, FCAP, Dr. Nadira Mamoon, Dr. Humaira Nasir, Dr. Ayesha Junaid, Dr. Tahir Aziz Ahmed, Dr. Asna Haroon Khan, Dr. Muhammad Usman, Dr. Asim Qureshi, Dr. Zafar Ali, and Dr. Shawana Kamran.



Dr. Muhammad Tariq Mehr

MBBS (Pesh), MCPS (Med), FCPS (Med), MRCPII (UK)

Consultant Medical Specialist

Assistant Professor Medicine

Hayatabad Medical Complex, Peshawar.



18

Clinic: B-217, Ibrahimi Hospital, Dabgari Gardens, Peshawar. 0321-9758882

NAFESS  
KHAN

HEV/CAH

SOF/RIB x 6/12 → Comp. 2/12

NONRESPONDER

1 SOFOS 400mg

nb ①

2 DACT 60mg

nb ①

3 RIBAVIRIN

nb 400mg  
1+1

PARQ

23/01/18.

PARQ

20/02/18.

میڈیکل سپیشلسٹ

ڈاکٹر محمد طارق مہر

Shahid Ali Khan Yattali  
Advocate Peshawar

کلینک: B-217 ابراہیمی ہسپتال

ڈبگری گارڈنز پشاور

0321-9758882

Not Valid For Medico legal Purposes

اسٹنٹ پروفیسر میڈیسن، حیات آباد میڈیکل کیمپس، پشاور



# OUTPATIENT DEPARTMENT (OPD)

Lady Reading Hospital  
Medical Teaching Institution,  
Peshawar - PAKISTAN

Appointment Time : 11:00

Amount Paid : 20  
Invoice No : K02180201472  
Invoice Date : 23-JAN-18 10:59:54

MIRNo : K0200001940986      Name : NAFEEES KHAN      Father / Husband Name : MUNAWAR KHAN  
Gender : Male      Age : 48 Year(s)      District : Kohat  
Visit Type : REGULAR      Clinic : HEPATITIS CLINIC MALE      Room No : 42  
Operator : SHAHID ALI KHAN      Counter : MAIN OPD

Complaints:

*PCR Still positive*

*Rx*

Findings:

*Tab. Daclatasvir 60mg  
qd*

Investigations:

*MS abn  
- LFTS  
- RFTS  
- PBC  
- PT/APTT/AVR*

*Tab Sofosbuvir  
400mg  
qd*  
*Tab Ribavirin  
400mg  
bid*

Diagnosis:

*Shahid Ali Khan Yafthali  
Advocate Peshawar*

REGISTERED  
Gastroenterologist & Hepatologist  
LRP Peshawar  
*[Signature]*

Next Visit: \_\_\_\_\_ Consultant Name: \_\_\_\_\_ Signature: \_\_\_\_\_

To

The Secretary,

Elementary and Secondary Education Department,

Peshawar.

Subject: Appeal against the transfer order of Agency Education Officer Kohat dated 26.09.2018

Respected Sir,

I hope this finds you well. I am writing to you to appeal against the transfer order issued by the Agency Education Officer Kohat dated 26.09.2018, attached with this letter as an annexure.

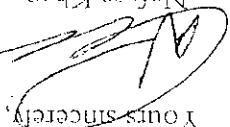
The brief facts of the case are that the undersigned has been teaching at GMS Sherakai Bala F.R. Kohat, and has been serving as the Drawing Master. On 26.09.2018, the Agency Education Officer Kohat issued a transfer order to the effect of transferring him to GMS Sra Meha Bosu Khel F.R.K.T.

The undersigned wishes to appeal against this decision on the following grounds:

1. The Provincial Government had imposed a ban on transfers during the time period this transfer order was issued, and hence, is to be treated against the law and void.
2. The undersigned has been serving the Education Department at various institutions for the past 25 years and is of old age. Moreover, he is in bad health and has been suffering from Hepatitis C for two years, has been under treatment. His children are attending various educational institutions in Sherakai Bala F.R. Kohat. Section (xiv) of the Posting and Transfer Policy of the Provincial Government made under Section 10 of KP Civil Servants Act, 1973 suggest that Civil Servants can seek a remedy against a transfer order on humanitarian grounds. His health, age and his family circumstance create a reasonable humanitarian basis for the cancellation of this transfer order.

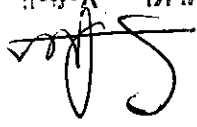
It is, therefore, most humbly requested that the said transfer order be set aside and the undersigned be allowed to serve at GMS Sherakai Bala F.R. Kohat.

Thanking in anticipation.


Yours sincerely,  
  
Nafees Khan

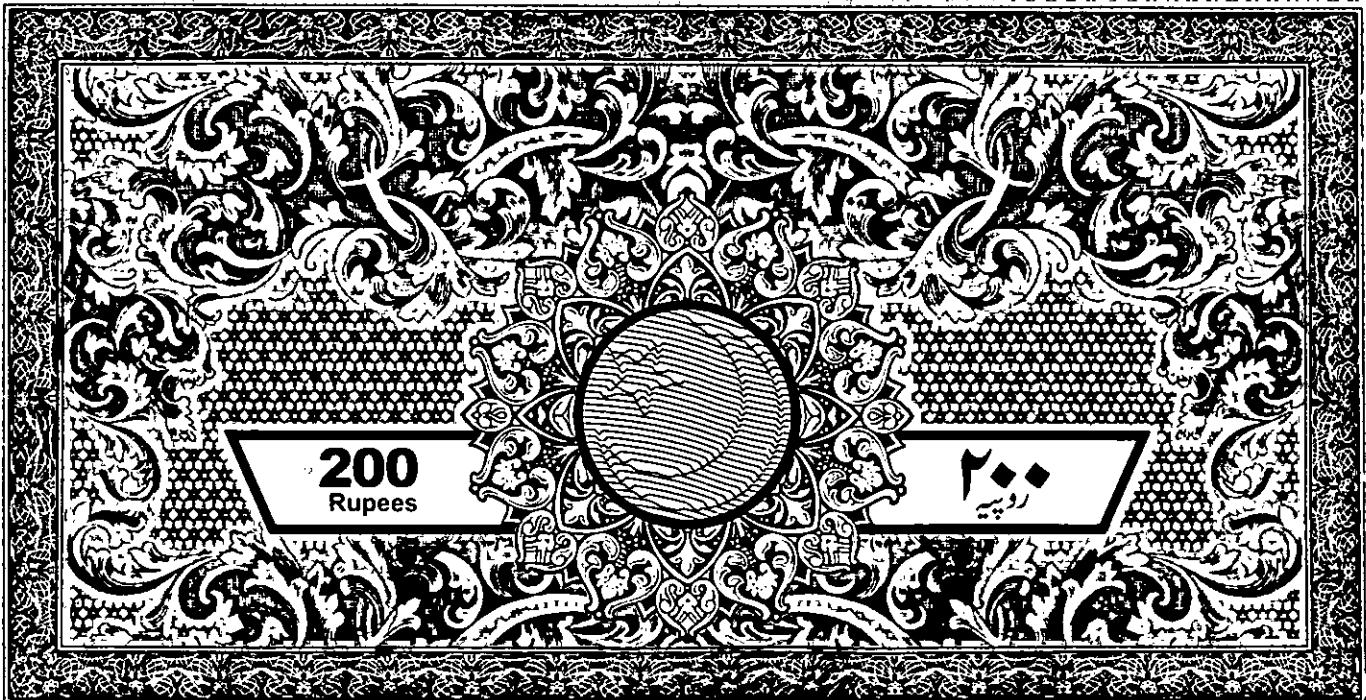
CNIC No.14301-6496382-3

Dated: 09.01.2019

  
Shahid Ali Khan Yatfali  
Advocate Peshawar

741  
12/1/19

Amber  




200  
Rupees

۲۰۰  
روپے

**SPECIAL POWER OF ATTORNEY FOR COURT PROCEEDINGS**

I, Nafees Khan S/O Munawar Khan R/O Shenokhel, Hangu Road, Rigi Banda, Muhammad Zai, Tehsil & District Kohat, do hereby solemnly affirm and declare on oath that I have filed a case before the Services Tribunal Khyber Pakhtunkhwa, but due to serious ailment cannot appear in person therefore now I do here by appoint and authorize Zahir Shah Afridi S/O Sharif Khan Afridi R/O Swati Gate, Peshawar as my Special Attorney in my name on my behalf in respect of above noted case to do following acts and deeds: -

1. To file petition, execution, written statement(s), replies, affidavits, reviews, revisions appeals from the court of Honourable Services Tribunal Khyber Pakhtunkhwa, Peshawar.
2. To give statement in evidence, engage counsel(s), produce/exhibit documents on our behalf, sign and execute affidavits, etc., for an on my behalf and to do each and every act and deed as and when required in connection with the above noted case or case incidental thereto and to sign or affix thumb impression on my behalf;
3. To appear or seek adjourned on each and every date before the court (s).

And to do each and every acts and deeds, which are deemed essential by him for proceedings of the above noted case and matters incidental thereto on my behalf.

Whatever, acts and deeds done by the said Sole & Special Attorney would be deemed as if these have been done by us and consequently I would be deemed instant special power of attorney in the presence of marginal witnesses on this 25/01/2019.

Executant (s)

Nafees Khan  
CNIC No. 14301-6496382-3

Sole & Special Attorney

Zahir Shah Afridi  
CNIC No. 17301-1390543-7

Witness No.1

Tufail Ahmed.

17301-1559312-7

Witness No.2

Ikramullah M. Qureshi

11201-0325116-3



قیمت  
50 روپے

726

ایڈووکیٹ AQEEL A. YOUSAFZAI

بار کونسل ایسوسی ایشن نمبر: BC-15-6071

رابطہ نمبر: 0345-5404484



پشاور بار ایسوسی ایشن، خیبر پختونخواہ

بعدالت جناب:

منجانب: نفیس خان - درخواست گزار	دعوی:
نفیس خان	علت نمبر:
بنام	مورخہ:
گورنمنٹ	جرم:
	تھانہ:

**باعث تحریر آنکہ**

مقدمہ مندرجہ عنوان بالا میں اپنی طرف سے واسطے پیروی و جواب دہی کارروائی متعلقہ  
آن مقام پشاور کیلئے اعجاز احمد اور شاہد علی خان نینالی کو وکیل مقرر

کر کے اقرار کیا جاتا ہے کہ صاحب موصوف کو مقدمہ کی کل کارروائی کا کامل اختیار ہوگا، نیز وکیل صاحب کو  
راضی نامہ کرنے و تقرر ثالث و فیصلہ بر حلف دینے جواب دعوی اقبال دعوی اور درخواست از ہر قسم کی تصدیق  
زرزین پر دستخط کرنے کا اختیار ہوگا، نیز بصورت عدم پیروی یا ڈگری کی طرف یا اپیل کی برآمدگی اور منسوخی، نیز  
دائر کرنے اپیل نگرانی و نظر ثانی و پیروی کرنے کا مختار ہوگا اور بصورت ضرورت مقدمہ مذکورہ کے کل یا جزوی  
کارروائی کے واسطے اور وکیل یا مختار قانونی کو اپنے ہمراہ یا اپنے بجائے تقریر کا اختیار ہوگا اور صاحب  
مقرر شدہ کو وہی جملہ مذکورہ با اختیارات حاصل ہوں گے اور اس کا ساختہ پر داخستہ منظور و قبول ہوگا  
دوران مقدمہ میں جو خرچہ ہر جانہ التوائے مقدمہ کے سبب سے ہوگا۔ کوئی تاریخ پیشی مقام دورہ یا حد سے  
باہر ہو تو وکیل صاحب پابند نہ ہوں گے کہ پیروی مذکورہ کریں، لہذا وکالت نامہ لکھ دیا تاکہ سند رہے

المرقوم: 25-07-2019

مقام پشاور کے لیے منظور ہے۔

شاہد علی خان نینالی  
Shahid Ali Nainali  
Advocate Peshawar

کیمونیل، پشاور روڈ، کوئٹہ  
کفیس خان ولد ملوڑ خان  
14301-6496382-3