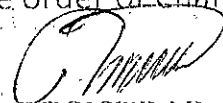


Form- A

FORM OF ORDER SHEET

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

Implementation Petition No: 77/2024

S.No.	Date of order proceedings	Order or other proceedings with signature of judge
1	2	3
1	17.01.2024	<p>The implementation petition of Mst. Najma Firdous submitted today by Mr. Mohibullah Tarichvi Advocate. It is fixed for implementation report before Single Bench at Peshawar on _____. Original file be requisitioned. AAG has noted the next date. Parcha Peshi is given to the counsel for the petitioner.</p> <p>By the order of Chairman</p> <p> REGISTRAR</p>

**BEFORE THE KHYBER PAKHTUNKHWA SERVICE TRIBUNAL,**  
**PESHAWAR.**

*Execution Petition No. 77/2024*

Misc: Application No. \_\_\_\_\_/2024

In

Appeal No. 89/2024

Mst. Najma Firdous .....(Applicant)

**VERSUS**

Secretary Health Services, Government of Khyber  
Pakhtunkhwa and others.....(Respondents)


**INDEX**

<b>S.No</b>	<b>Description of Documents</b>	<b>Annex</b>	<b>Pages</b>
1.	Misc: Application		1-3
2.	Affidavit		4
3.	Copy of order dated 08/01/2024	A	5-6

Applicant/Appellant

Through

Dated: 17/01/2024

  
**Muhibullah Tarichvi**  
**LLM**  
Advocate High Court,  
Peshawar.  
Cell No. 0345-3434235

①

**BEFORE THE KHYBER PAKHTUNKHWA SERVICE TRIBUNAL,**  
**PESHAWAR.**

*Execution Petition No. 77/2024*

Khyber Pakhtunkhwa  
Service Tribunal

Misc: Application No. \_\_\_\_\_/2024

Diary No. 10604

In

Dated 17-1-2024

Appeal No. 89/2024

Mst. Najma Firdous D/o Muhammad Suleman (RNO) (BS-16),  
District Headquarter Hospital, KDA, Kohat.....(Applicant)

**VERSUS**

1. Secretary Health Services, Government of Khyber Pakhtunkhwa, Khyber Road, Peshawar.
2. Director General Health, Khyber Pakhtunkhwa, Warsak Road, Peshawar.
3. Medical Superintendent, District Headquarter Hospital, KDA, Kohat.....(Respondents)

**APPLICATION FOR IMPLEMENTATION/**  
**CARRYING INTO EFFECT THE ORDER**  
**DATED 08/01/2024 OF THE KHYBER**  
**PAKHTUNKHWA SERVICE TRIBUNAL,**  
**PESHAWAR PASSED IN ABOVE TITLED**  
**SERVICE APPEAL NO. 89/2024.**

**Respectfully Sheweth:**

1. That the applicant/appellant has filed Service Appeal No. 89/2024 under Section 4 of the Khyber Pakhtunkhwa Service Tribunal Act,

1974, against the impugned order dated 03/10/2023 whereby the appellant has been transferred from the DHQ Hospital to Shaheed Farid Khan DHQ Hospital, Hangu and also against the dismissal of departmental appeal.

2. That the Hon'ble Tribunal granted interim relief in favour of appellant/ applicant vide order dated 08/01/2024. (Copy of order dated 08/01/2024 is attached as annexure "A").
3. That in the very order this Hon'ble Tribunal, observed that **"as to application for suspension of the operation of the impugned transfer order dated 03/10/2023, it is directed that operation of the impugned order shall stand suspended to the extent appellant, if not already complied by the appellant"**.
4. That thereafter the applicant approached the concerned authority /respondent No. 3 to implement the order of this Hon'ble Tribunal, but in vain.

5. That the respondents are badly failed to comply with the order of this Hon'ble Tribunal and reluctant and prolonging the matter.
6. That any other ground will be raised at the time of arguments with the prior permission of this Hon'ble Tribunal.

It is, therefore most humbly prayed on acceptance of this application, contempt of Court proceeding may kindly be initiated against the respondents and they may also be directed to implement the order of this Hon'ble Tribunal dated 08/01/2024 passed in Service Appeal No. 89/2024.



Applicant/Appellant

Through



Dated: 17/01/2024

**Muhibullah Tarichvi**  
**LLM**

Advocate High Court,  
Peshawar.

Cell No. 0345-3434235

4

**BEFORE THE KHYBER PAKHTUNKHWA SERVICE TRIBUNAL,**  
**PESHAWAR.**

Misc: Application No. \_\_\_\_/2024

In

Appeal No. 89/2024

Mst. Najma Firdous .....(Applicant)


**VERSUS**

Secretary Health Services, Government of Khyber  
Pakhtunkhwa and others.....(Respondents)

**AFFIDAVIT**

I, Mst. Najma Firdous D/o Muhammad Suleman (RNO)  
(BS-16), District Headquarter Hospital, KDA, Kohat, do hereby  
solemnly affirm and declare that all the contents of the  
**Application** are true and correct to the best of my knowledge  
and belief and nothing has been concealed from this Hon'ble  
Tribunal.

*[Handwritten signature]*  
17-1-24



A circular notary seal for a Notary Public in Peshawar, Khyber Pakhtunkhwa. The seal features a central emblem with a scale of justice and a star, surrounded by the text 'Notary Public' and 'PESHAWAR COURT'.

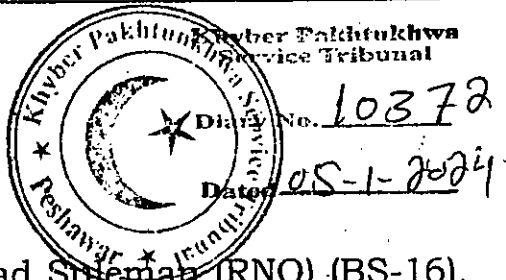
*[Handwritten signature]*

**DEPONENT**  
CNIC: 14202-4239043-6  
Cell No. 0334-8322832

(1) (5)

**BEFORE THE KHYBER PAKHTUNKHWA SERVICE TRIBUNAL,  
PESHAWAR.**

Service Appeal No. 89 /2024



Mst. Najma Firdous D/o Muhammad Sultan (RNO) (BS-16),  
District Headquarter Hospital, KDA, Kohat.....(Appellant)

**VERSUS**

1. Secretary Health Services, Government of Khyber Pakhtunkhwa, Khyber Road, Peshawar.
2. Director General Health, Khyber Pakhtunkhwa, Warsak Road, Peshawar.
3. Medical Superintendent, District Headquarter Hospital, KDA, Kohat.....(Respondents)

**APPEAL UNDER SECTION 4 OF KHYBER  
PAKHTUNKHWA SERVICE TRIBUNAL ACT,  
1974, AGAINST THE IMPUGNED ORDER  
DATED 03/10/2023 SERIAL NO. 1  
WHEREBY THE APPELLANT HAS BEEN  
TRANSFERRED FROM THE DHQ HOSPITAL  
KOHAT TO SHAHEED FARID KHAN DHQ  
HOSPITAL HANGU AGAINST THE VACANT  
POST.**

Handwritten signature and date: 05/01/24

**PRAYER:**

On acceptance of the instant service appeal, the impugned transfer order dated 03/10/2023 of respondent No. 2 and reliving order dated 03/10/2023 may kindly be set aside and the

Certified to be true  
E. M. J. J. J.  
Khyber Pakhtunkhwa  
Service Tribunal  
Peshawar

Attested  
H. A. A.



08.01.2024 1. Appellant alongwith his counsel present arguments heard.

2. As against the impugned transfer order dated 03.10.2023, the appellant filed departmental appeal on 05.10.2023, which was not responded within the statutory period, hence preferred the instant service appeal on 05.01.2024. The learned counsel submits that the appellant was transferred not only on administrative ground but also on the basis of some complaint, whereas, posting/transfer could not be made as a punishment. Points raised need consideration. The appeal is admitted for regular hearing subject to all just and legal objections by the other side. Appellant is directed to deposit security fees within 10 days. Thereafter respondents be summoned through TCS, the expenses of which be deposited by the appellant within 03 days. To come up for reply/comments on 19.01.2024 before S.B. P.P given to learned counsel for the appellant.

3. As to the application for suspension of the operation of the impugned transfer order dated 03.10.2023, it is directed that operation of the impugned order shall stand suspended to the extent of appellant, if not already complied by the appellant.

\*Kamranullah\*  
Date of Presentation of Application 09/1/24  
Number of Words 2-P  
Copying Fee 10/-  
Urgent 5/12  
Total 15/-  
Name of Copyist  
Date of Completion of Copy 09/1/24  
Date of Delivery of Cop. 09/1/24

(Muhammad Akbar Khan)  
Member (E)

Certified to be true copy

EXAMINER  
Khyber Pakhtunkhwa  
Service Tribunal,  
Peshawar

Attested  
Muhammad Akbar Khan



بخدمت دیوانہ عدالت سپریم کورٹ، لاہور، پاکستان۔

دیوانہ عدالت سپریم کورٹ، لاہور، پاکستان۔   
 *Transfer order* کی درخواست پر

۱۰/۱/۲۰۲۴ کو *Suspend* ہو گیا ہے

درخواست کے ساتھ *Services Tribunal* کی *order copy*

لہذا اس کے مطابق *order* جاری کیے جائے

~~D. No. 10/1/2024~~

شکرہ  
of Najma Firdous  
فائدہ بخش

~~Spandant  
10/1/2024~~

10/1/24

*M. Qureshi*  
10/1/2024  
Medical Superintendent  
DHQ Teaching Hospital  
KDA Kotial

attested  
*M. Qureshi*