


09.04.2019

None present on behalf of the appellant. Mr. Kabirullah Khattak, Additional AG alongwith Mr. Hazrat Shah, Superintendent for the respondents present. Called several times but no one appeared on behalf of the appellant nor he was present in person. Therefore, the appeal in hand is dismissed in default. File be consigned to the record room.

ANNOUNCED

09.04.2019

  
(AHMAD HASSAN)  
MEMBER

  
(M. AMIN KHAN KUNDI)  
MEMBER

12.11.2018

Due to retirement of Hon'ble Chairman, the Tribunal is defunct. Therefore, the case is adjourned. To come up on 14.12.2018.

  
READER

14.12.2018

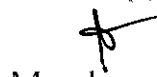
Junior to counsel for the appellant and Mr. Kabirullah Khattak learned Additional Advocate General present. Junior to counsel for the appellant seeks adjournment as senior counsel is not in attendance. Adjourn. To come up for arguments on 31.01.2019 before D.B.

  
Member

  
Member

31.01.2019


Junior to counsel for the appellant and Mr. Kabir Ullah Khattak learned Additional Advocate General present. Junior to counsel for the appellant seeks adjournment as senior counsel for the appellant is not in attendance. Adjourn. To come up for arguments on 08.03.2019 before D.B.

  
Member

  
Member

08.03.2019

Counsel for the appellant and Mr. Kabirullah Khattak, Additional AG for the respondents present. Learned counsel for the appellant seeks adjournment. Adjourn. To come up for arguments on 09.04.2019 before D.B.


  
(M. AMIN KHAN KUNDI)  
MEMBER


  
(M. HAMID MUGHAL)  
MEMBER

Service Appeal No. 162/2016.

14.03.2018

Appellant absent. Learned counsel for the appellant is also absent. However, clerk to counsel for the appellant present and seeks adjournment. Mr. Usman Ghani, District Attorney for the respondents present. Adjourned. To come up for rejoinder and arguments on 14.05.2018 before D.B.

  
(Muhammad Amin Khan Kundi)  
Member

  
(Muhammad Hamid Mughal)  
Member

14.05.2018

Due to retirement of the worthy Chairman, the Tribunal is incomplete, therefore the case is adjourned. To come up for the same on 30.07.2018.

  
Reader

30.07.2018

Appellant absent. Learned counsel for the appellant is also absent. Mr. Kabirullah Khattak, Additional AG for the respondents present. Adjourned. To come up for rejoinder and arguments on 20.09.2018 before D.B.

  
(Ahmad Hassan)  
Member (E)

  
(Muhammad Hamid Mughal)  
Member (J)

20.09.2018

Since ~~20~~ September 2018 has been declared as public holiday on account of Muharam Ul Haram. Therefore, the case is adjourned. To come up for the same on

~~12-11-2018~~

  
Reader

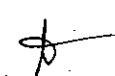
16.11.2017

Counsel for the appellant submitted an application for transfer of the instant appeal from D.I.Khan Bench to Principal Seat. Application is accepted. To come up for written reply on 13.12.17 before S.B at Principal Seat at Peshawar instead of 29.12.2017 at camp court, D.I.Khan. *Notices be issued to the respondents.*

  
Chairman


13.12.2017

Counsel for the appellant and Addl: AG for respondents present. Written reply not submitted. Requested for adjournment. Adjourned. To come up for written reply/comments on 04.01.2018 before S.B.

  
(Ahmad Hassan)  
Member (E)

04.01.2018

Clerk of the counsel for appellant present and Assistant AG alongwith Mr. Muhammad Arshad, SO for the respondents present. Written reply on behalf of respondents no. 1, 2 & 4 submitted and rely on behalf of respondents no. 3 on the same. To come up for rejoinder, if any, arguments on 14.03.2018 before D.B.

  
(Gul Zeb Khan)  
Member (E)


29.03.2017

Since tour is hereby cancelled, therefore, the case is adjourned for the same on 23.08.2017.

  
Reader

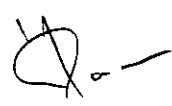
23.08.2017

Clerk of the counsel for appellant present. Mr. Farhaj Sikandar, District Attorney for the respondents present. Representative of respondent-department is not in attendance, therefore, notice be issued to the respondents with the direction to direct the representative to attend the court and submit written reply on the next date positively. Adjourned. To come up for written reply/comments on 26.10.2017 before S.B at Camp Court D.I.Khan.

  
(Muhammad Amin Khan Kundi)  
Member  
Camp Court D.I. Khan

26.10.2017

Clerk to counsel for the appellant present. Mr. Farhaj Sikandar District Attorney Mr. Qaisar Nadeem Gul, DPE for the respondents present and requested for time to file written reply. Request accepted. To come up for written reply on 29.12.2017 before S.B. at Camp Court D.I.Khan

  
(Muhammad Hamid Mughal)  
Member (J)  
Camp Court D.I.Khan


26.09.2016

Counsel for the appellant present and requested for adjournment. Request accepted. To come up for preliminary hearing on 26.12.2016 before S.B at Camp Court D.I.Khan.

  
Member  
Camp Court D.I.Khan

26.12.2016


Counsel for appellant is not in attendance. He had sent written arguments which are not suffice to decide the matter. Mr. Sadam Hussain learned counsel appeared on behalf of Barrister Adnan counsel for appellant and requested for adjournment as on next date after consulting the appellant his proper counsel who will appear for preliminary arguments. To come up for preliminary hearing on 23.01.2017 before S.B at Camp Court D.I.Khan.

  
ASHFAQUE TAJ  
MEMBER  
Camp Court D.I.Khan

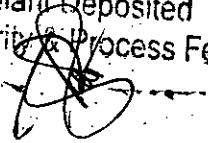
25.01.2017

Counsel for appellant present. Preliminary arguments heard. Learned counsel for appellant contended that their appeal is in time that they have filed an application for extension of study due to prevailing circumstances of that time i.e the appellant was suffering from Cancers for which he was under treatment (chemotherapy), secondly the study was not complete and in last that no proper address was within responded and he had never been served.

Points raised need consideration. The appeal is admitted for regular hearing subject to deposit of security and process fee with 10 days whereafter notices be issued to the respondents for written reply/comments for 29.03.2017 before S.B at Camp Court D.I.Khan.

  
ASHFAQUE TAJ  
MEMBER  
Camp Court D.I.Khan

Appellant Deposited  
Security & Process Fee




162/2016

13.7.2016

Appellant with counsel present. Counsel for the appellant submitted copy of appointment order of the appellant dated 13.10.2008 vide which the appellant was appointed as Senior Registrar Surgery Mufti Mahmood Teaching Hospital, D.I.Khan on regular basis under the provisions of Civil Servants Act, 1973.

The appeal pertains to territorial limits of D.I.Khan Division as such the same is assigned to S.B at Camp Court D.I.Khan for further proceedings/Preliminary hearing on 30.08.2016.

  
Chairman  
Camp Court, Swat

29.08.2016

Counsel for the appellant present and requested for adjournment. To come up for preliminary hearing on ~~26~~ 28.09.2016.

  
Member  
Camp court D.I.Khan

06.04.2016

Counsel for the appellant has sent application for adjournment. Adjourned for Preliminary hearing to 4.5.2016 before S.B at Camp Court, Swat.

  
Chairman  
Camp Court, Swat.

04.05.2016

Counsel for the appellant a present. The matter pertains to the territorial jurisdiction of D.I.Khan Bench. Apart from the above, record does not suggest that the appellant is a civil servant within the meaning of Section 4 of the Khyber Pakhtunkhwa Service Tribunal Act, 1974 or otherwise. Learned counsel for the appellant seeks adjournment. Let preliminary arguments be heard at camp court, Swat whereafter further orders are to be made regarding hearing of the appeal. To come up for Preliminary hearing before S.B at Camp Court, Swat on 08.6.2016.

  
Chairman  
Camp Court, Swat

08.6.2016

Appellant in person present. Requested for adjournment. Adjourned for preliminary hearing to 13.07.2016 before S.B.at Camp court, Swat.

  
Chairman  
Camp Court, Swat

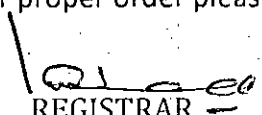




Form- A

FORM OF ORDER SHEET

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

Case No. 162/2016

S.No.	Date of order Proceedings	Order or other proceedings with signature of judge or Magistrate
1	2	3
1	22.02.2016	<p>The appeal of Dr. Salim Iqbal presented today by Mr. Adnan Khan 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>
2		<p>This case is entrusted to Touring S. Bench at Swat for preliminary hearing to be put up thereon <u>09-03-2016</u></p> <p style="text-align: right;"> CHAIRMAN</p>
	09.03.2016	<p>Appellant in person present. Counsel for the appellant is not in attendance due to strike of the Bar. Adjourned for preliminary hearing before S.B to 6.4.2016 at Camp Court Swat.</p> <p style="text-align: right;"> Chairman Camp Court Swat</p>

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

Appeal No. 162v of 2016

Dr. Salim Iqbal.....Appellant

VERSUS

Secretary Health, Government of Khyber Pakhtunkhwa at Peshawar and  
Others.....Respondents

INDEX

S. No.	Description	Annexure	Pages No.
1.	Appeal with affidavit and certificate		1-4
2.	Addresses of the parties.		5
3.	Copy of letter dated 21-10-2014	A	6
4.	Copy of letter from the University regarding non-completion of study	B	7
5.	Copy of letter from Garthnavel Hospital Glasgow	C	8
6.	Copy of Notification No. SOH-I/592/2010 dated 10-10-2015	D	9
7.	Copy of memo of appeal	E	10-14
8.	Special Power of attorney		15-17
9.	Wakalat Nama		18

Appellant  
Through Counsel



Dr. Adnan Khan, Barrister-at-Law  
Office: Adnan Law Associates,  
Opposite Grassy Ground Mingora Swat  
Cell No. 0346-9415233

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

Appeal No. 162 of 2016

H.W.P. Province  
Service Tribunal  
Diary No. 129  
Dated 22-2-2016

Dr. Salim Iqbal, (Ex-Assistant Professor Urology, Gomal Medical College, D.I. Khan) resident of House No.2, Haji Ghamy Lar near Telephone Exchange (PTCL) Makan Bagh Mingora Swat.

.....Appellant

**VERSUS**

- ✓ 1. Government of Khyber Pakhtunkhwa, through Chief Secretary, Peshawar
- ✓ 2. Secretary Health, Government of Khyber Pakhtunkhwa at Peshawar.
3. Chief Executive, DHQTH/MMMTH, D.I. Khan.
- ✓ 4. Principal Gomal Medical College, D.I. Khan.

.....Respondents

**APPEAL UNDER SECTION 4 OF THE SERVICES TRIBUNAL ACT, 1974 AGAINST THE ORDER OF DISMISSAL FROM SERVICE AND IMPOSITION OF MAXIMUM PENALTY ON THE APPELLANT**

**Prayer:**

*On acceptance of instant appeal the impugned order No. SOH-I/1-592/2010 dated 07-10-2015 may be set aside and the appellant be restored as Assistant Professor in his parent department.*

Respected Sir,

1. That the appellant being appointed as a Medical Officer in the Health Department, prior to the impugned order was serving as Assistant Professor (BPS-18) in Urology Department of Gomal Medical College, D.I. Khan.
2. That in connection with pursuing higher studies abroad the appellant got admission in Glasgow Caledonian University

*Handwritten notes:*  
22/2/16.

and was awarded study leave/Ex-Pakistan leave by the competent authority.

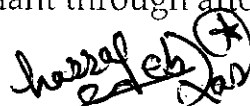
3. That the said study leave sanctioned to the appellant was due to expire on 28<sup>th</sup> October 2014. Prior to expiration of the same, the appellant filed before respondent No. **2** an application for extension of leave due to non-completion of studies and other compassionate grounds (Copy Letter dated 21<sup>st</sup> October 2014 is attached as Annexure "A", while letter from the University confirming non-completion of studies as Annexure "B").
4. That because of serious health related issues, the appellant could not leave the UK without being permitted by the doctors. The appellant is suffering from Pulmonary Fibrosis: a life threatening condition for which he has to stay in the UK for further investigation/Chemotherapy as there is no proper treatment available in Pakistan for such like disease (Copy of Letter from Garthnavel Hospital Glasgow is attached as Annexure "C").
5. That so far no action, whatsoever, has been taken on the said application by the competent authority as yet.
6. That all of a sudden, to the utmost surprise of the appellant and without any prior notice or explanation, respondent No. **2** published through local newspapers, a public notice that penalty of "Removal of Service" has been imposed on the appellant.
7. That through personal sources of the appellant, the appellant secured copy of the relevant order, which confirmed the imposition of major penalty on the appellant as supra (Copy of Notification No. SOH-I-592/2010 dated 10-10-2015 is attached as Annexure "D").
8. That feeling aggrieved with the above mentioned order, the appellant filed a departmental appeal under Rule 3 of the KP Civil Servant (Appeal) Rules 1986 to respondent No. **1**, which has not been responded as yet (Copy of memo of appeal is attached as Annexure "E").
9. That the appellant now assails the said dismissal order through this departmental appeal inter alia on the following grounds;

GROUND:

1. That no plausible reason whatsoever has been mentioned by respondent No.2 while making the impugned order. The impugned order being arbitrary is liable to be set aside.
2. That the impugned order has been made without any notice to the petitioner. Through the impugned notification, it has been held that notices were issued to the appellant on his foreign address inter alia. Needless, to say that foreign address of the appellant is not registered in official records of the respondents, and hence, sending alleged notices on the said address is out of question in the circumstances. It is a settled law by now that order adverse to an individual cannot be made without any prior notice to the said individual. Therefore, the impugned order violates the canons of fair play, justness and due process of law. Hence, the same is liable to be set aside on this score as well.
3. That the appellant was having a legitimate expectation that his application for extension of leave will be considered by respondent No.2. At least the appellant should have been informed in time that the said application is not worth consideration and the same has been dismissed. Thus the action being taken unilaterally is nullity in the eyes of law.
4. That the appellant's absence from service was not deliberate either, rather the same was due to compelling and compassionate reasons as mentioned above. This aspect of the matter ought to have been considered by the respondents.
5. That further grounds with leave of this Hon'ble Tribunal will be raised at the time of oral submissions.

In view of the above, it is humbly prayed that on acceptance of this appeal, the impugned order of dismissal from service may be declared illegal and be set aside accordingly. The appellant may be allowed to continue his service as Assistant Professor as per the law of the land in vogue.

Appellant through attorney

  
Hassan Zeb Qazi



Certificate:

Certified that the contents of this appeal are correct to the best of my knowledge and belief.

Appellant through attorney

*Hassan Zeb Qazi* (with star symbol)

Hassan Zeb Qazi

Affidavit:

I, Adnan Khan (Counsel for appellant) as per instruction of my client do solemnly affirm and declare that no such appeal has earlier been filed before this Hon'ble Tribunal or elsewhere on this subject matter.

Deponent

*Adnan Khan*

Dr. Adnan Khan, Barrister-at-Law

**ATTESTED**  
*Muhammad Mushtaq Khan*  
**Muhammad Mushtaq Khan**  
**OATH COMMISSIONER**  
 District Courts Swat.  
 upto 17/11/2017.  
 No. *06* Date. *16.2.2016*

BEFORE THE HON'BLE KHYBER PAKHTUNKHWA SERVICE  
TRIBUNAL, PESHAWAR

**Service** Appeal No. \_\_\_\_\_ of 2016

Dr. Salim Iqbal .....Appellant

VERSUS

Secretary Health, Government of Khyber Pakhtunkhwa at Peshawar and others  
.....Respondents

ADDRESSES OF THE PARTIES

PETITIONER:

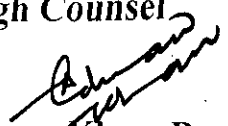
Dr. Salim Iqbal, Ex-Assistant Professor Urology, Gomal Medical College, D.I. Khan) resident of House No.2, Haji Ghamy Lar near Telephone Exchange (PTCL) Makan Bagh Mingora Swat.

RESPONDENTS:

1. Secretary Health, Government of Khyber Pakhtunkhwa at Peshawar.
2. Chief Executive, DHQTH/MMMTH, D.I. Khan.
3. Principal Gomal Medical College, D.I. Khan.

Appellant

Through Counsel

  
Dr. Adnan Khan, Barrister-at-Law  
Advocate High Court

6

Ann. "A"

To

Secretary Health  
Health Secretariat  
Peshawar KPK.  
Dated, 21<sup>st</sup> Oct 2014

**Subject; Extension in Ex-Pakistan Study leave without pay on Medical Grounds.**

Dear sir

Stated that I am on Ex-Pakistan study leave for my PhD course, which going to an end on 29th Nov, 2014.

I am suffering from Pulmonary Fibrosis, for which I Have to undergo further investigation to start Chemotherapy as attached letter from Garthnavel Hospital Glasgow UK.

Secondly As stated in the attached letter from Caledonia university UK my class study have been completed but my research work and thesis need to be resubmitted after correction which need 9-10 months as well my Knee replacement surgery is due on 15 May 2014 which I need to pursue.

So it is kindly request to grant an extension for only 1 year without pay so that I may able to complete my treatment for pulmonary Fibrosis and Knee replacement surgery as well for resubmission of my thesis. Thanks

Your,s sincerely



Dr. Salim Iqbal  
A.P Urology  
Mufti Mehmood Teaching Hospital,  
D I Khan

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BE TRUE COPY**



Barrister  
*Dr. Adnan Khan*  
Advocate High Court



7

Ann. "B"



GLASGOW  
CALEDONIAN  
UNIVERSITY

REF: 20080942

Dated 10-10-2014

Dr. Saleem Iqbal  
11-Oran Place  
Glasgow Scotland  
G20 8BB UK

**TO WHOM IT MAY CONCERN**

**Ref 20080942 / 2009**

I can confirm that Mr. Salim Egbal has now completed his class teaching sessions but his research work and thesis have due to be completed by next year towards his PhD course life science ( Prostate Cancer ) JACS CODE: B990 so for the awards of PhD degree.

For any further informations, please don't hesitate to contact the under signed.

*Julie Fisher*  
Julie Fisher

International Admissions Manager

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BE TRUE COPY**

*Adnan Khan*

Barrister  
*Dr. Adnan Khan*  
Advocate High Court



Eqbal Salim

CHI: 1010625659

Letter to Patient: Letter to patient



Gartnavel General Hospital  
1053 Great Western Road  
Glasgow  
G12 0YN

Salim Eqbal  
11 ORAN PLACE  
Glasgow  
Lanarkshire  
G20 8BB

Main Switchboard: 0141 211 3000  
Department: Respiratory medicine  
Contact Tel: 0141 211 3482  
Enquiries to: [deborah.mortimer@ggc.scot.nhs.uk](mailto:deborah.mortimer@ggc.scot.nhs.uk)  
Letter Date: 14/11/2014  
Reference: ER/AD  
Dictated Date: 12/10/2014  
Transcribed Date: 12/10/2014

Dear Whom it may concern,

Dr Eqbal has pulmonary fibrosis which has progressed over a 2 year period. He is currently undergoing investigation and management within the specialist respiratory clinic at Gartnavel General. It may take a period of several months to fully assess his condition and consider response to treatment. I would be grateful if these issues could be taken into account when considering his request to stay in the UK.

I would be willing to provide further medical details assuming Dr Eqbal has given his written informed consent.

Yours sincerely

*RMA*

PP Ewen Ross

Consultant Physician in Respiratory

Electronically Signed: Dr. Ewen Ross, Consultant

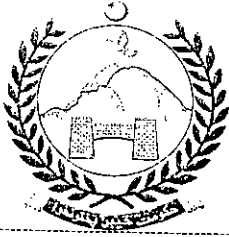
cc:

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Barrister  
*Dr. Adnan Khan*  
Advocate High Court

9

Ann "D"



GOVERNMENT OF KHYBER PAKHTUNKHWA  
HEALTH DEPARTMENT

Dated Pesh: the 7<sup>th</sup> Oct; 2015

**NOTIFICATION**

**No.SOH-I/1-592/2010**

WHEREAS Dr. Salim Iqbal, Assistant Professor Urology (BS-18) Gomal Medical College, D.I.Khan is absent from duty since expiry of his extra ordinary leave (without pay) i.e 29/10/2014.

2. AND WHEREAS notices were issued to him on his Foreign address as well as home address and also through leading newspapers with direction to resume duty within 14 days failing which ex-parte action under E&D Rules 2011 will be initiated against him.

3. AND WHEREAS the accused doctor neither reported for duty nor replied to the absence notice.

4. NOW THEREFORE, in exercise of powers conferred under Khyber Pakhtunkhwa, Govt. Servants Efficiency and Disciplinary Rules, 2011, the Competent Authority is pleased to impose major penalty of "**Removal from service**" on Dr. Salim Iqbal, Assistant Professor Urology (BS-18), Gomal Medical College, D.I.Khan with immediate effect and his absence from duty till imposition of penalty shall be treated as un-authorized absence from duty without leave.

SECRETARY HEALTH

**Endst No and date even**

C.C

1. Chief Executive, DHQTH/MMMTH, D.I.Khan.
2. Principal Gomal Medical College, D.I.khan.
3. Medical Supdt; MMMTH/DHQTH, D.I.Khan.
4. Distt: Accounts Officer, D.I.Khan.
5. Computer Programmer, Health Department.
6. P.S to Secretary Health.
7. P.A to Addl. Secretary Health.
8. Doctor concerned.
9. Personal file of the doctor concerned.

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BE TRUE COPY**

*Adnan Khan*  
Barrister  
*Dr. Adnan Khan*  
Advocate High Court

*Shabbir Ahmad*  
(Shabbir Ahmad) 7-10-15  
Section Officer-I

(10)

Annex "E"

# ADNAN LAW ASSOCIATES

Opposite Grassy Ground Mingora Swat  
Ph: 0946-722202 www.adnanlaw.com info@adnanlaw.com



Dated: 04-11-2015

The Secretary to the Worthy Chief Minister, Khyber Pakhtunkhwa,  
Peshawar.

Subject: DEPARTMENTAL APPEAL OF Dr. SALIM IQBAL

Dear Sir,

We have been instructed by our client Dr. Salim Iqbal to represent him in the above matter. Enclosed is the Departmental Appeal along with necessary enclosures to be presented before the Worthy Chief Minister KPK. Contents of the Appeal are self-explanatory. Please address any correspondence directly to this office.

We look forward to hearing from you.

Kind regards,

Dr. Adnan Khan, Barrister-at-Law



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Barrister  
Dr. Adnan Khan  
Advocate High Court

Recm # 2067  
5/11/15

Received  
5/11/15

**BEFORE THE HONOURABLE CHIEF MINISTER, KHYBER  
PAKHTUNKHWA AT PESHAWAR.**

Departmental Appeal No. \_\_\_\_\_/of 2015

Dr. Salim Iqbal, Assistant Professor Urology, Gomal Medical College, D.I. Khan.

.....Appellant

**VERSUS**

- 1) Secretary Health, Government of Khyber Pakhtunkhwa at Peshawar.
- 2) Chief Executive, DHQTH/MMMTH, D.I. Khan.
- 3) Principal Gomal Medical College, D.I. Khan.

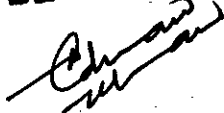
.....Respondents

**Departmental Appeal under Rule 3 of the KP Civil Servant (Appeal)  
Rules 1986.**

Dear Sir,

- 1) That the appellant was serving as Assistant Professor (BPS 18) in Urology Department of Gomal Medical College, D.I. Khan.
- 2) That in connection with pursuing higher studies abroad, the appellant got admission in Glasgow Caledonian University and was awarded study leave/ex-Pakistan leave by the competent authority.
- 3) That the said study leave sanctioned to the appellant was due to expire on 28 October 2014. Prior to expiration of the same, the appellant filed before respondent No. 1 an application for extension of leave due to non-completion of studies and other compassionate grounds (Copy of Letter

**CERTIFIED TO  
BE TRUE COPY**

  
Barrister  
Dr. Adnan Khan  
Advocate High Court

Dated 21 Oct 2014 is attached as Annexure "A", while Letter from the University confirming non-completion of studies as Annexure "B").

- 4) That because of serious health related issues, the appellant could not leave the UK without being permitted by the doctors. The appellant is suffering from Pulmonary Fibrosis: a life threatening condition for which he has to stay in the UK for further investigation / Chemotherapy as there is no proper treatment available in Pakistan for such like diseases (Copy of Letter from Garthnavel Hospital Glasgow is attached as Annexure "C").
- 5) That so far no action, whatsoever, has been taken on the said application by the competent authority as yet.
- 6) That all of a sudden, to the utmost surprise of the appellant and without any prior notice or explanation, respondent No. 1 published through local newspapers, a public notice that penalty of "Removal of Service" has been imposed on the appellant.
- 7) That through personal sources of the appellant, the appellant secured copy of the relevant order, which confirmed the imposition of major penalty on the appellant as supra (Copy of Notification No. SOH-I/1-592/2010 Dated 7/10/2015 is attached as Annexure "D").
- 8) That feeling aggrieved with the said order, the appellant files this appeal *inter alia* on the following grounds;

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Barrister  
*Dr. Adnan Khan*  
Advocate High Court

**GROUND:**

1. That no plausible reasons have been mentioned by respondent No.1 while making the impugned order. Hence, the same being arbitrary, is liable to be set aside.
2. That the impugned order has been made without any notice to the petitioner. Through the impugned notification, it has been held that notices were issued to the appellant on his foreign address inter alia. Needless to say that foreign address of the appellant is not registered in official records of the respondents, and hence, sending alleged notices on the said address is out of question in the circumstances. It is a settled law by now that order adverse to an individual cannot be made without any prior notice to the said individual. Therefore, the impugned order violates the canons of fair play, justness and due process of law. Hence, the same is liable to be set aside on this score as well.
3. That the appellant was having a legitimate expectation that his application for extension of leave will be considered by respondent No. 1. At least the appellant should have been informed in time that the said application is not worth consideration and the same has been dismissed. Thus the action being taken unilaterally is nullity in the eyes of law.
4. That the appellant's absence from service was not deliberate either; rather the same was due to compelling and compassionate reasons as mentioned above. Hence, the matter needs a judicious consideration by your august office.

It is, therefore, humbly prayed that on acceptance of this appeal, the impugned order Endst:SOH-I/1-592/2010 Dated 7/10/2015 may be declared illegal

**CERTIFIED TO  
BE TRUE COPY**

*Adnan Khan*  
Barrister  
*Dr. Adnan Khan*  
Advocate High Court

16

and be set aside accordingly. The appellant may be allowed to continue his service as Assistant Professor in the best public interest and as per the law of the land in vogue.

Appellant  
Through Counsel



Dr. Adnan Khan, Barrister-at-Law

AFFIDAVIT

I, **Adnan Khan** (Counsel for appellant) as per instructions of my client, do hereby solemnly affirm and declare that the contents of this application are true and correct to the best of my knowledge and belief. Furthermore, this application is being filed at the appellant's instance.

DEPONENT



Barrister  
*Dr. Adnan Khan*  
Advocate High Court



CERTIFIED TO  
BE TRUE COPY



Barrister  
*Dr. Adnan Khan*  
Advocate High Court



15

**SPECIAL POWER OF ATTORNEY**

BY

**SALIM EQBAL**

Currently residing at: 11 Oran Place  
Glasgow, G20 6BB, Scotland,  
United Kingdom

IN FAVOUR OF

**Hassan Zeb Qazi & Shah Zeb Qazi S/O Huamayun Qazi**  
Residing at  
Gulkada no 3 Mingora swat Pakistan

**DATED 26th October, 2015**

**KHAN ASSOCIATES**  
318 Maxwell Road,  
Pollokshields,  
Glasgow  
G41 1PJ.

16

**SPECIAL POWER OF ATTORNEY**

I **SALIM EQBAL S/O late Haji Hazrat Hussain a Pakistani Citizen** and holder of Pakistani NIC No: 1560251603109 currently residing at 11 Oran Place, Glasgow, G20 6BB, Scotland, United Kingdom. I was Ex- Assistant Professor Urology Gomal Medical college D I Khan, Pakistan and now residing in UK.

By this Special Power of Attorney, I, Salim Iqbal, hereby appoint **Mr. Hassan Zeb Qazi DOB; 02/04/1985, CNIC No: 1560216765993 & Shah Zeb Qazi DOB; 08/11/1982 CNIC No; S/O Huamayun Qazi** both resident of Gulkada No; 3 Mingora swat Pakistan, ATTORNEYS in my name and on my behalf in the matter of my termination from my services titled "**Salim Eqbal Vs Gomal Medical College D I Khan KPK, Pakistan**" before the Service Tribunal/High Court and to do and execute all or any of the acts and deeds mentioned hereunder:

1. To appear and act on behalf of me before any Court and all other concerned departments in connection with the affairs of the said service matter and execute and file affidavits, applications in connection to the said.
2. To engage an advocate and execute Vakalat Namas in favour of the advocate, to appear before any other autonomous body/authority/health secretary for representing aforementioned purposes.
3. To apply for certified copies of the documents and order and to receive the same.
4. To record statements, summon witnesses, deposit process fee, and cause the attendance of witnesses and to produce documentary as well as oral evidence in connection to any litigation regarding the said matter before the services Tribunal/High Court or any other authority thereof.




5. To file and defend petitions, appear and act in all cases in respect of the said service matter/suit, sign and verify the complaints, written statements miscellaneous applications, reply to the applications, transfer applications, memorandum of appeals, civil revisions, writ petitions, review petitions and applications of all kind and to file them in any such court or office when necessary.

6. To defend protect my interest and also to file appeal , revision, review, writ petition, affidavit, or any application before any other court (either lower court or appellate court, up to the level of high court and supreme court of Pakistan).

Generally to do all such acts and things as my attorneys shall think expedient for the purposes aforesaid as fully and effectually in all respects as I could do myself and I **Salim Eqbal** hereby undertake to ratify and confirm all and whatever my said attorneys shall lawfully do or cause to be done by the virtue of this deed.

**IN WITNESS WHEREOF** these presents consisting of this and one preceding page are subscribed by me at Glasgow on this twenty sixth Day of October Two Thousand and Fifteen after understanding the contents of this deed before **Nisar Khan of Khan Associates** 318 Maxwell Road, Pollokshields, G41 1PJ, Glasgow, United Kingdom.

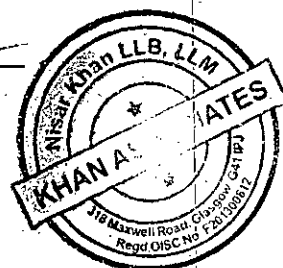


**SALIM EQBAL  
(EXECUTANT)**

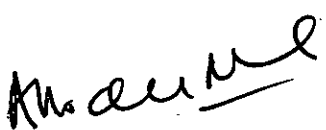




**Nisar Khan  
(KHAN ASSOCIATES)**



**Only Signature of  
applicant attested**

  
**SYED AHSAN RAZA SHAH  
CONSUL GENERAL  
CONSULATE OF PAKISTAN  
GLASGOW**



47-10/ 21-10-2015

The Consulate is not responsible  
for the veracity of the contents  
of this document

بعدالت خیر بخیرخواہ کروڑ ٹریبونل ہندوار

(18)

کورت فیس

قیمت ایک روپیہ

مورخہ 15 فروری 1916ء منجانب  
مقدمہ ڈاکٹر سلیم اقبال بنام سیکرٹری عدلیہ حکومت ضمیر عثوخواہ  
دعویٰ سروسی اسل

جم  
باعث تحریر آنکھ

مقدمہ مندرجہ عنوان بالا میں اپنی طرف سے واسطے پیروی و جواب دہی وکل کاروائی متعلقہ آن مقام ہند اور مینگوہ سوات میں بیسٹری ڈاکٹر عذرا خان مقرر کر کے اقرار کیا جاتا ہے کہ صاحب موصوف کو مقدمہ کی کل کاروائی کا کامل اختیاط ہوگا۔ نیز وکیل صاحب کو راضی نامہ و تقرر ثالث و فیصلہ پر حلف دینے جواب دی اور اقبال دعویٰ اور درخواست ہر قسم کی تصدیق زرا اور اس پر دستخط کرنے کا اختیار ہوگا۔ نیز بصورت عدم پیروی یا ڈگری ایک طرف یا اس کی برآمد ہوگی اور منسوخ مذکور کے نسل یا جزوی کاروائی کے واسطے اور وکیل یا مختار قانونی کو اپنی ہمراہ یا اپنی بجائے تقرر کا اختیار ہوگا۔ اور صاحب مقررہ شدہ کو بھی جملہ مذکورہ بالا اختیارات حاصل ہونگے اور اس کا ساختہ برواختہ منظور و قبول ہوگا۔ اور دوران مقدمہ میں جو خرچہ و ہرجانہ التوا یہ مقدمہ کے سبب سے ہوگا اسکے مستحق وکیل صاحب ہونگے۔ نیز بقایا و خرچہ کی وصولی کرتے وقت کا بھی اختیار ہوگا اگر کوئی تاریخ پیشی مقام دورہ ہر ہو یا حد سے باہر ہو تو وکیل صاحب پابند نہ ہونگے کی پیروی مقدمہ مذکور لہذا وکالت نامہ لکھ دیا ک سند رہے

1916

ماہ فروری

15

جسٹس گاہ شاہ عدہ العبد

Attested

مینگوہ سوات/شاہ عدہ کے لئے منظور ہے



Handwritten signature and name: *Abdul Wahid Khan*  
Abdul Wahid Khan  
Court

بِسْمِ اللَّهِ الرَّحْمَنِ الرَّحِيمِ

الحمد لله رب العالمين

والصلاة والسلام على من لا نبي بعده

وبعد

فإننا نذكر الله تعالى ونسبحه ونحمده

ونعلم أن الله تعالى هو العزيز الحكيم

بسم الله

والصلاة

والسلام

على محمد وآله

وسلم

والحمد لله رب العالمين

بسم الله الرحمن الرحيم

والصلاة والسلام على من لا نبي بعده

Before the Honourable Service Tribunal Khyber Pakhtunkhwa,  
Peshawar (Camp Court at Swat)

Appeal No. 167 of 2016

Dr. Salim Iqbal .....Appellant

VERSUS

Government of Khyber Pakhtunkhwa through Chief Secretary and others.  
.....Respondents

**APPLICATION FOR ADJOURNMENT ON THE GROUND OF  
COUNSEL'S ABSENCE:**


Respectfully Sheweth,

- 1) That the above titled writ petition is pending before this Hon'ble Court, which is fixed for hearing on 06-04-2016.
- 2) That the Appellant's counsel is engaged at Principal Seat of Honourable Peshawar High Court in some other cases, and hence will be unable to appear before the Hon'ble Court on the date fixed i.e 06-04-2016.

It is, therefore, humbly prayed that on acceptance of this application the titled case may be adjourned to a short date.

Appellant

Through counsel

  
Dr. Adnan Khan, Barrister-at-Law,  
Advocate High Court

BEFORE THE HON'BLE KHYBER PAKHTUNKHWA  
SERVICE TRIBUNAL, PESHAWAR

C.M Application 475 of 2016

In Service Appeal No. 162 of 2016

Dr. Salim Iqbal, (Ex-Assistant Professor Urology, Gomal Medical College, D.I. Khan) resident of House No.2, Haji Ghany Lar near Telephone Exchange (PTCL) Makan Bagh Mingora Swat.

.....Appellant

**VERSUS**

- 1. Secretary Health, Government of Khyber Pakhtunkhwa at Peshawar.
- 2. Chief Executive, DHQTH/MMMTH, D.I. Khan.
- 3. Principal Gomal Medical College, D.I. Khan.

.....Respondents

APPLICATION FOR TRANSFER OF THE CAPTIONED  
APPEAL TO THE PRINCIPAL SEAT

Respectfully sheweth,

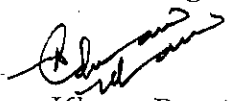
- 1. That the above titled service appeal is pending before this Hon'ble Tribunal which has been argued as to the question of maintainability.
- 2. That initially the appeal was filed at the principal seat, which was later on sent to the Camp Court at Swat. It is worth mentioning that the appellant had made no request for transfer of this appeal to Swat.
- 3. That after preliminary hearing the appeal was transferred to Camp Court D.I.Khan for the reason that respondents No.2 and 3 reside in D.I.Khan
- 4. That the appellant now seeks transfer of the captioned appeal to the principal seat Peshawar, inter alia, on the following grounds;

• GROUNDS:

1. That the appointment order with respect to the appellant's initial and recent job was issued by Secretary Health, who is the competent authority and main respondent in this appeal. Being so, the matter can be legitimately adjudicated upon in Peshawar within the territorial limits of the principal seat.
2. That study leave was granted to the appellant by Secretary Health/respondent No.1. Likewise, the impugned order has also been passed by the said respondent, who resides in Peshawar.
3. That respondents No.2 and 3 are neither the competent authorities in this case nor signatories or executors of any order impugned before this worthy tribunal. The said respondents are no more than the profoma respondents in this matter.
4. That the sole purpose of establishing camp courts in different regions was to facilitate convenience of the private appellants and not official respondents, who are conveniently represented through law offices. Even otherwise the principal seat of this Hon'ble Tribunal can exercise jurisdiction for the whole of province.
5. That needless to say that travelling all the way to D.I.Khan from Swat for this appeal will cause extreme inconvenience and distress to the appellant and his counsel.

In the circumstances, it is, humbly prayed that the captioned appeal be transferred to the principal seat of this Hon'ble Tribunal.

Appellant through Counsel

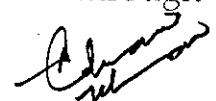


Dr. Adnan Khan, Barrister-at-Law

Certificate:

Certified that the contents of this application are correct to the best of my knowledge and belief.

Appellant through Counsel



Dr. Adnan Khan, Barrister-at-Law



**BEFORE THE HONOURABLE KHYBER PAKHTUNKHWA  
SERVICE TRIBUNAL, PESHAWR.**

Appeal No. /2016

Dr. Salim Iqbal..... (Petitioner)

**VERSUS**

Government of Khyber Pakhtunkhwa etc..... (Respondents)

**THE RESPONDENTS NO 02 & 04 SUBMITTED PARA WISE COMMENTS / REPLY.**

Respectfully Sheweth,

The Respondents humbly submits as under:-

**PRELIMINARY OBJECTIONS**

1. That the appellant has got no cause of action or locus standi to challenge the impugned order.
2. The Appellant by this own conduct estoped to sue the Respondents.
3. The Appellant has not come to the court with clean hands so the appeal of the appellant is straight away liable to be dismissed by imposing heavy cost.
4. The representation as well as appeal in hand are hopelessly time barred on this score alone the appeal may be dismissed.

**DETAIL REPLY ON FACTS**

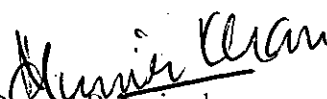
1. Para No.01 is pertained to record, hence no comments.
2. Para No.02 is also related to record, hence no comments.
3. Para No.03 is correct to extent that the appellant submitted application for ex-Pakistan leave for Higher Study which was sanctioned from 30-10-2009 to 29-10-2013 by the competent authority. After the expiry of 1460 days ex-Pakistan leave, he again submitted application for extension of leave for one year period with effect from 01-11-2013 to 28-10-2014 which was sanctioned by the competent authority. The petitioner after expiry the one year leave, an other application was submitted before the competent authority which was regretted by the competent authority vide Govt: Notification No.SOH-I/HD/I-592/2010 dated 08-01-2015, (copy of letter is annexure-A) but the appellant did not join the duty. The remaining Para is incorrect, hence denied.
4. The Para No.04 is incorrect hence denied. The prescription as well as any record in respect of admission in hospital or discharge certificate not annex with appeal and all this shows that this is false and fabricated story which was not supported by the documentary proof. Similarly the appellant this contention is also false one that the alleged disease treatment is not available in Pakistan. Moreover the appellant sent the letter for extension of leave in year 2013 was scan and sent for verification to concerned officer of the university by e-mail. The reply of university was that the said certificate was bogus and doctor concerned was not registered with university. (copy of letter is annexure-B)
5. Para No.05 is incorrect, hence denied.
6. Para No.06 is incorrect, hence denied. The show cause notice was issued to appellant home address as well as foreign address and the two leading national newspapers namely daily Mashriq Peshawar, and daily express news etc but no response given by the appellant inspite having knowledge. Therefore, the competent authority after fulfillment of codal formalities, dismiss the appellant from service. (copies of news cutting are annexure-C)
7. Para No.07 is incorrect, hence denied. The story in respect of personal source is false and fabricated all the proceeding carried out by the competent authority was in the knowledge of appellant.


8. Para No.08 is incorrect, hence denied. The appellant has no cause of action or locus standi to challenge the impugned order.

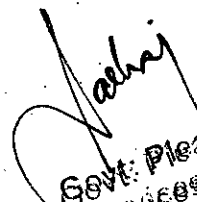
**DETAIL REPLY ON GROUNDS**

- 1 Para No.01 of the ground is incorrect, hence denied. The impugned order issued by the competent authority after fulfillment of all codal formalities resultantly, the appellant was dismissed from service.
- 2 Para No.02 is incorrect, hence denied. The detail reply / comments has already been given in above Paras so no need to narrate again. Moreover the teaching record of the appellant is not good. He was involved during service in criminal case. **(copy of record is annexure-D)**. Moreover he also remained absent from duty and in this respect the news published in different news papers as well as explanation letters have been issued by the competent authorities. **(copy of letter is annexure-E)** The appellant also produced the bogus PER before the Principal Gomal Medical College. The then Principal also sent the said PER to the then Medical Superintendent Abdul Hameed Afridi for verification. The then Medical Superintendent in reply that the PER of appellant contained his bogus signatures, the inquiry was also conducted by Director General Health Department. **(copy of inquiry letter is annexure-F)** Moreover, the appellant departure report from 31-10-2009 instead of going to abroad / England without proper permission from competent authority continued private practice in Shifa Medical Center Boghdada chowk Mardan and proper inquiry was conduct which shown that the appellant instead of leaving for England for higher study, continued private practice, all this reflect the conduct of the appellant indulged in multiple activities against rules / regulation prescribe by the Government. The personal file of the appellant has also not contained any decree. This fact was disclosed when his personal file was checked by the then Medical Superintendent / Principal Gomal Medical College. **(copy of record is annexure-G)**
- 3 That the Para No.03 is incorrect, hence denied. The detail reply is already been given in the above Paras.
- 4 Para No.04 is incorrect hence denied. The appellant was in full knowledge of all the proceeding conducted by the competent authority. Moreover the appellant deliberately absent from duty. This has been proved from record.

In view of above Para wise comments it is humbly prayed that the instant appeal may be dismissed with cost.

  
Dean / Principal  
Gomal Medical College (MTI)  
Dera Ismail Khan  
**(Respondent No.04)**

  
Secretary to Govt. of KPK  
Health Department, Peshawar  
**(Respondents No.01,02)**

*Ke tted*  
  
Govt. Pleadar  
KPK Services Tribunal  
Camp Court D.I.Khan



GOVERNMENT OF KHYBER PAKHTUNKHWA  
HEALTH DEPARTMENT

No.SOH-I/HD/1-592/2010

Dated Pesh: the 8<sup>th</sup> January 2015

Dr. Salim Iqbal,  
11 ORAN PLACE  
Glasgow Scotland  
Lanarkshire  
G20 8BB UK

*Det  
9-1-15*

*C/o Principal Gomal Medical College, D.I.Khan*

SUBJECT:- EXTENSION IN EX-PAKISTAN STUDY LEAVE WITHOUT PAY ON MEDICAL GROUNDS

I am directed to refer to your application dated 21<sup>st</sup> Oct; 2014 on the above subject and to state that Health Department regret its inability to accede to your request for further extension in ex-Pakistan leave.

You are therefore directed to report for duty immediately failing which disciplinary action will be initiated against you under the rules.

*(Signature)*  
(Muhammad Jamil)  
Section Officer-I

Dist: No and date even

C.C

Chief Executive/Principal DHQTH/MMMTH/GMC D.I.Khan.

Medical Supdt; Muffi Mehmood Memorial Teaching Hospital D.I.Khan.

*(Signature)*  
Section Officer-I

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Date: 10/10/13

**TO WHOM IT MAY CONCERN**

Ref 20080948 / 2009

I can confirm that Mr. Salim Eqbal has now completed his class teaching sessions but his research work and thesis have due to be completed by next year towards his PhD course life science ( Prostate Cancer ) JACS CODE: B990 so for the awards of PhD degree.

For any further informations, please don't hesitate to contact the under signed.

Julie Fisher  
International Admissions Manager

**INTERNATIONAL ADMISSIONS MANAGER**

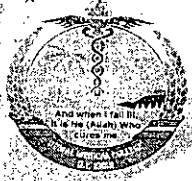
International Admissions  
International Office  
T +44 (0)141 331 8048/8772  
F +44 (0)141 331 8676  
E [internationaladmissions@gcal.ac.uk](mailto:internationaladmissions@gcal.ac.uk)  
[www.gcal.ac.uk](http://www.gcal.ac.uk)

Glasgow Caledonian University  
Cowcaddens Road  
Glasgow G4 0BA  
Scotland, United Kingdom

Principal and Vice-Chancellor Professor Pamela Gilles BSc PGCE MEd MMedSci PhD FRSA FFPH FRCGS Hon FRCPS(Glasg)







**OFFICE OF THE PRINCIPAL /CHIEF EXECUTIVE GOMAL MEDICAL COLLEGE /DHQ/MMM TEACHING HOSPITAL DERA ISMAIL KHAN**

Exchange # 0966-9280338-39  
Fax:# 0966-9280340

Office # 0966-9280341  
Email: [gmc\\_principal@yahoo.com](mailto:gmc_principal@yahoo.com)

No.GMC/Estt:/ PF/ 471  
To

Dated. 03 / 02 / 2014

The Secretary  
Government of Khyber Pakhtunkhwa  
Health Department  
Peshawar

Diary No 1473  
Dated 14/12/14  
Health Department

Subject: **FRAUDULENT CERTIFICATE PROVIDED BY DR. SALIM IQBAL ASSISTANT PROFESSOR UROLOGY GOMAL MEDICAL COLLEGE DIKHAN**

Reference your office letter No. SOH-1/HD/1-592/2010 dated 20/12/2013

We Scanned the said certificate and sent it on email to the issuing authority for verification. (Annexure: 1)

We received the reply from issuing authority, stating that "the document which has been provided has not been sent by GCU and is fraudulent. The University can confirm that it does not have a record of a student of this name being enrolled on the stated course. (Annexure: 2)

You are therefore requested to please mark Dr. Saleem Iqbal absent from the date of expiry of leave i.e. 29-10-2013 and take necessary disciplinary action against him.

SSA  
AS  
SPI  
12/22  
gmp

*[Signature]*  
PRINCIPAL/CHIEF EXECUTIVE

16/11 No 14



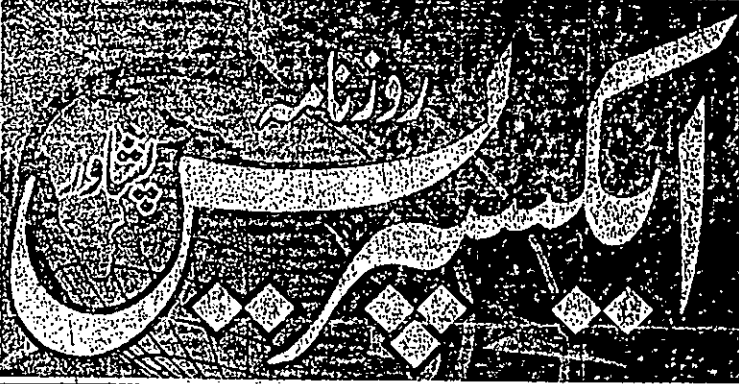
مجلس تدریس و تحقیق

مجلس تدریس و تحقیق اور اسلامی اسکول مدرسہ اسلامیہ کراچی، پاکستان  
29/10/2011 سے 29/11/2011 تک  
02/2011-2012  
Ph.D  
15 دنوں کے اندر  
2011 کے مطابق

مدرسہ اسلامیہ کراچی  
اسلامی اسکول مدرسہ اسلامیہ کراچی

INF/DIK/07

DAILY EXPRESS



SATURDAY, MARCH 15, 2014

پاکستان کے 11 خبروں سے ایک وقت مطلع ہونے والا واحد اخبار

### نیشنل سٹیو حاضری

آپ کا سٹیو حاضری (National Student) پروگرام اور اس کی سہولتیں کانگریس اور اسٹوڈنٹس یونین کے ذریعے  
 29/10/2013 سے سٹیو حاضری کے تحت آپ کو سٹیو حاضری کے لیے GMC/Est/596-97 سے سٹیو حاضری  
 14/2/2014 کو سٹیو حاضری کے تحت آپ کو سٹیو حاضری کے لیے Ph.D کے تحت سٹیو حاضری کے لیے  
 آپ کو سٹیو حاضری کے تحت آپ کو سٹیو حاضری کے لیے سٹیو حاضری کے لیے سٹیو حاضری کے لیے  
 سٹیو حاضری کے لیے سٹیو حاضری کے لیے سٹیو حاضری کے لیے سٹیو حاضری کے لیے  
 سٹیو حاضری کے لیے سٹیو حاضری کے لیے سٹیو حاضری کے لیے سٹیو حاضری کے لیے  
 سٹیو حاضری کے لیے سٹیو حاضری کے لیے سٹیو حاضری کے لیے سٹیو حاضری کے لیے  
 سٹیو حاضری کے لیے سٹیو حاضری کے لیے سٹیو حاضری کے لیے سٹیو حاضری کے لیے

پاکستان کے 11 خبروں سے ایک وقت مطلع ہونے والا واحد اخبار

INF(DIK)07



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## نوٹس غیر حاضری

آپ ڈاکٹر سلیم اقبال اسٹنٹ پروفیسر یورالوجی گول میڈیکل کالج ڈیرہ اسماعیل خان  
مورخہ 30/10/2014 سے غیر حاضر ہیں آپ کو بذریعہ خط نمبر 50/PF 1349 مورخہ 31/03/2015 کو گھر  
کے ایڈریس پر اطلاع دی گئی کہ آپ کی چھٹی برائے Ph.D ختم ہو چکی ہے اور آپ ڈیوٹی پر فوراً حاضر ہو  
جائیں اور تاحال غیر حاضری کی وجہ بتائیں لیکن آپ ابھی تک ڈیوٹی پر حاضر نہیں ہوئے۔  
لہذا آپ کو آخری بار بذریعہ نوٹس ہذا مطلع کیا جاتا ہے کہ اشتہار کے چھپنے کے بعد 15 دن کے  
اندراپنی ڈیوٹی پر حاضر ہوں۔ اور طویل غیر حاضری کی وجہ بھی بیان کریں۔ بصورت دیگر آپ کے خلاف خیبر  
پختونخواہ کارکردگی و نظم و ضبط کے قانون 2011 کے مطابق یکطرفہ کارروائی کی جائے گی جس میں آپ کی سروس  
سے برطرفی کی جاسکتی ہے۔

سید سلیم اقبال  
پرنسپل / چیف ایگزیکٹو

گول میڈیکل کالج ڈیرہ اسماعیل خان

۹۶

۲۹

### نوٹن غیر حاضری

آپ ڈاکٹر نسیم اقبال اسٹینٹ پروفیسر یورالوجی کول میڈیکل کالج ڈیرہ اسماعیل خان مورخہ 30/10/2014 سے غیر حاضر ہیں آپ کو بذریعہ خط نمبر 50/PF/1349- مورخہ 31/3/2015 کو گھر کے ایڈریس پر اطلاع دی گئی کہ آپ کی طبیعتی برائے PH.D ختم ہو چکی ہے اور آپ ڈیوٹی پر فوریاً مقرر ہو جائیں اور تاحالی غیر حاضری کی وجہ بتائیں لیکن آپ ابھی تک ڈیوٹی پر حاضر نہیں ہوئے لہذا آپ کو آخری بار بذریعہ نوٹس بذراصلح کیا جاتا ہے کہ اشتہار کے چھپنے کے بعد 15 دن کے اندر اندر اپنی ڈیوٹی پر حاضر ہوں اور طویل غیر حاضری کی وجہ بھی بیان کریں۔ بصورت دیگر آپ کے خلاف غیر محنت خواہ کارکردگی و نظم و ضبط کے قانون 2011 کے مطابق یکطرفہ کارروائی کی جائے گی جس میں آپ کی سروس سے برطرفی کی جائے گی۔

پرنسپل ایچف اسکول میڈیکل کالج ڈیرہ اسماعیل خان INF/DIK/09

REHMAN GROUP OF TRAVELS

اوز نام مشرف  
29/04/2015

پیکور  
فصل  
مطابق  
لا  
س

۱۸

اور محنت کو غیر جانگشت دیکھنے پر ان خیالات کا اظہار انہوں نے مختلف اجتماعات سے خطاب میں کیا۔

### نوٹس فیورٹوری

آپ ڈاکٹر سلیم اقبال اسسٹنٹ پروفیسر یورالوجی گول میڈیکل کالج ڈیرہ اسماعیل خان مورخہ  
 30/10/2014 سے غیر حاضر ہیں آپ کو بذریعہ خط نمبر 1349-50/PF مورخہ  
 31/03/2015 کو گھر کے ایڈریس پر اطلاع دی گئی کہ آپ کی جھنڈی برائے Ph.D ختم ہو چکی ہے اور  
 آپ ڈیوٹی پر فوراً حاضر ہو جائیں اور تاحال غیر حاضری کی وجہ بتائیں لیکن آپ ابھی تک ڈیوٹی پر حاضر نہیں  
 ہوئے۔ لہذا آپ کو آخری بار بذریعہ فون ہذا مطلع کیا جاتا ہے کہ اشتہار کے چھپنے کے بعد 15 دن کے اندر  
 اندر اپنی ڈیوٹی پر حاضر ہوں اور طویل غیر حاضری کی وجہ بھی بیان کریں بصورت دیگر آپ مختلف غیر  
 مستحقہ کارکردگی و نظم و ضبط کے قانون 2011 کے مطابق یکطرفہ کارروائی کی جائیگی جس میں آپ کی طرف  
 سے برطرفی کی جاسکتی ہے۔

افزائش آئی  
25/09/2015

RESCUE - 1122  
TUNKWA



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& Sec

### Notice for Inv

Items from authorized dealers  
Abbottabad.  
Date of Tender Time limit For

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

In Service Appeal No.162/2016

Dr. Saleem Iqbal.....Appellant/Applicant

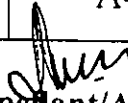
**VERSUS**


Government of Khyber Pakhtunkhwa & others

.....Respondents

**INDEX**

S. No.	Description	Annexure	Pages No.
1.	Civil Miscellaneous Application with certificate		1-2
2.	Copies of documents	A-1	3-12

  
Appellant/Applicant  
Through Counsel

  
Dr. Adnan Khan, Barrister-at-Law  
Office: Adnan Law Associates,  
Opposite Grassy Ground Mingora Swat  
Cell No. 0346-9415233

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

C.M No. \_\_\_\_\_ of 2019

In Service Appeal No.162/2016

Dr. Salim Iqbal..... *Appellant/Applicant*

**VERSUS**

1. Government of Khyber Pakhtunkhwa through Chief Secretary, Peshawar.
2. Secretary Health, Government of Khyber Pakhtunkhwa at Peshawar.
3. Chief Executive, DHQTH/MMMTH, D.I. Khan
4. Principal Gomal Medical College, D.I. Khan.

..... *Respondents*

*Application for placing on file certain documents necessary for  
the just disposal of the Appeal;*

**Respectfully Sheweth:**

1. That the above captioned Service Appeal is pending before this Hon'ble Tribunal, wherein date of hearing is fixed for 07-10-2019.
2. That, the appellant/applicant wants to file the appending documents before this Hon'ble Tribunal (Copies of documents are attached as Annexure "A-1").
3. That the appending documents are necessary for the just disposal of the main appeal.

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

C.M No. \_\_\_\_\_ of 2019

In Service Appeal No.162/2016

Dr. Salim Iqbal..... *Appellant/Applicant*

VERSUS

1. Government of Khyber Pakhtunkhwa through Chief Secretary, Peshawar.
2. Secretary Health, Government of Khyber Pakhtunkhwa at Peshawar.
3. Chief Executive, DHQTH/MMMTH, D.I. Khan
4. Principal Gomal Medical College, D.I. Khan.

..... *Respondents*

*Application for placing on file certain documents necessary for  
the just disposal of the Appeal;*

**Respectfully Sheweth:**

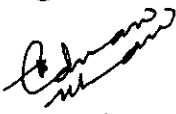
1. That the above captioned Service Appeal is pending before this Hon'ble Tribunal, wherein date of hearing is fixed for 07-10-2019.
2. That the appellant/applicant wants to file the appending documents before this Hon'ble Tribunal (Copies of documents are attached as Annexure "A-1").
3. That the appending documents are necessary for the just disposal of the main appeal.

4. That there is no bar in accepting this application, it is rather in the interest of justice that each party is provided an opportunity to plead his case by way of documentary evidence.

It is, therefore, humbly prayed that on acceptance of this application, the attached documents may be placed on main file of the captioned appeal.


  
Appellant/Applicant

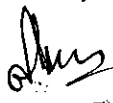
Dr. Salim Iqbal  
Through Counsel

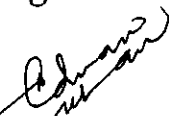
  
Dr. Adnan Khan, Barrister-at-Law,  
Advocate Supreme Court of Pakistan.

CERTIFICATE:

It is certified that no such like application has earlier been filed before this Hon'ble Tribunal on the cited subject.

  
Appellant/Applicant

  
Dr. Salim Iqbal  
Through Counsel

  
Dr. Adnan Khan, Barrister-at-Law,  
Advocate Supreme Court of Pakistan.

03

Letter to Patient: Letter to patient

NHS

Greater Glasgow  
and Clyde

Gartnavel General Hospital  
1053 Great Western Road  
Glasgow  
G12 0YN  
p141 211 3000

Salim Eqbal  
11 Oran Place  
Glasgow  
Lanarkshire  
G20 8BB

Main  
Switchboard:  
Department  
Contact Tel:  
Enquiries to:  
Letter Date:  
Reference:  
Dictated  
Date:  
Transcribed  
Date:

Respiratory medicine  
0141 451 6093  
margaret.lynch@ggc.scot.nhs.uk  
10/11/2015  
ER/AD  
04/11/2015  
09/11/2015

Dear To Whom it May Concern

Salim EqbalS  
11 Oran Place  
Glasgow Lanarkshire  
G20 8BB

Whom  
Dear To ~~whom~~ it May Concern

This letter should be viewed in conjunction with my previous letters dated 9/11/2015 and 25/01/2019. Mr S. Eqbal is suffering from type 2 diabetes and a serious lung disease known as Pulmonary fibrosis. Unfortunately, his health has gotten worse during the last few months and he is currently under investigations to make a full assessment for a potential lung transplant in the near future.

I would be grateful if this could taken into account when considering his application for leave to remain in the UK.

For any further details regarding his health please do not hesitate to contact me.

Yours sincerely

Ewen Ross

Consultant Physician Respiratory Medicine

Electronically signed: Dr Ewen Ross

C.T.C  
AW



4

Letter to Patient: Letter to patient



Gartnavel General Hospital  
1053 Great Western Road  
Glasgow  
G12 0YN  
0141 211 3000

Salim Eqbal  
11 Oran Place  
Glasgow  
Lanarkshire  
G20 8BB

Main  
Switchboard:  
Department:  
Contact Tel:  
Enquiries to:  
Letter Date:  
Reference:  
Dictated  
Date:  
Transcribed  
Date:

Respiratory medicine  
0141 451 6093  
margaret.lynch@ggc.scot.nhs.uk  
10/11/2015  
ER/AD  
04/11/2015  
09/11/2015

Dear To Whom it May Concern,

This gentleman continues under specialist observation for a potentially progressive and serious lung condition. It is a form of lung fibrosis for which he is receiving the drug Pirfenidone. This is a drug that requires specialist supervision. He has been commenced on this on recommendation of our regional interstitial lung disease multidisciplinary meeting. It is not a drug which is widely available and would not be available to him were he unable to remain within the UK. In that circumstance one would anticipate that his lung fibrosis would deteriorate as there are no other recognised widely useful therapies at present.

I would be grateful if this could be taken into account when considering his request to remain within the UK.

Yours sincerely

Ewen Ross

Consultant Physician in Respiratory

Electronically Signed: Dr Ewen Ross, Consultant

cc.

C.T.C  
EW

5



Gartnavel General Hospital  
1053 Great Western Road  
Glasgow G12 0YN

DEPARTMENT OF RESPIRATORY MEDICINE

Direct Line to Secretary: 0141 451 6099

TO WHOM IT MAY CONCERN

25<sup>th</sup> January 2019

Salim Eqbal 1010625659

Flat 1-2, 7 Rupert Street, Glasgow G4 9AP

Dr Eqbal has asked for an update regarding his diagnosis and progress. We had previously provided information at the end of 2015 and this letter should be viewed as supplementary to the information provided at that time.

Dr Eqbal is 56 years old. He was originally reviewed in my clinic in 2014 at which time he complained of exertional breathlessness. Physical examination revealed fine end inspiratory crackles and spirometry revealed a vital capacity of 72% of predicted. TLCO (gas transfer) was 49% of predicted values. An HRCT at that time was compared with a CT pulmonary angiogram performed in February 2012. The CT had demonstrated established pulmonary fibrosis affecting all zones of the lung, most marked in the lower zones and lung periphery. Fibrosis was peripheral with a sub-pleural reticulation traction bronchiolectasis and honeycomb formation. There was no ground glass opacity. No pleural plaques were noted. The pattern, radiologically, looked typical of usual interstitial pneumonia. The appearances were more pronounced than on the CTPA from 2012 when the changes were very non-specific in nature. The diagnosis in this circumstance, therefore, is UIP/IPF. He was discussed at one of our ILD MDTs towards the end of 2014 and was commenced on the antifibrotic Pirfenidone.

He has remained breathless throughout although he has tolerated the Pirfenidone fairly well. He does describe gradually worsening breathlessness such that he is breathless on moderate exertion. A 6 minute walk test in October 2017 demonstrated a total distance of 388 metres which is significantly reduced. Currently, he would have to stop to catch his breath after about 100 metres on the flat.

Since 2014, and since commencing Pirfenidone, there has been a reduction in pulmonary function testing both measured via vital capacity, lung volumes and gas transfer and was therefore switched to the alternative antifibrotic Nintedanib at the end of 2018.

It is likely this gentleman's disease will continue to progress. Current available evidence suggests that antifibrotics will slow the rate of decline of disease but not prevent progression. Predicted survival on an

C.T.C  
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individual basis is difficult but a recent large cohort study from Japan suggested that patients with typical IPF pattern disease had median survival of 5 years. It is therefore likely that his disease will limit his life expectancy although I do think that antifibrotics have likely positively influenced outcome.

Currently the antifibrotics, Pirfenidone and Nintedanib are only available via hospital prescription within the UK and therefore require specialist follow up. They remain costly with a month's treatment costing a little over £2,000 per month. I am unaware of their availability or cost in the developing world.

In summary, this gentleman has typical IPF as per radiology and clinical and physiological assessments. His disease has progressed but my impression is that the rate of change of disease has been slowed by his drug therapy which therefore in my mind should continue.

I hope this information is helpful and would be willing to provide further detailed information should it be required, assuming Dr Eqbal has provided his written informed consent.

Yours sincerely



Dr Ewen Ross, Consultant Respiratory Physician

C.T.G.  
AW

70

Letter to Patient: Letter to patient

**NHS**  
Greater Glasgow  
and Clyde

Gartnavel General Hospital  
1053 Great Western Road  
Glasgow  
G12 0YN  
0141 211 3000

Main  
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Respiratory medicine  
0141 451 6093  
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10/11/2015  
ER/AD  
04/11/2015  
09/11/2015

Salim Eqbal  
11 Oran Place  
Glasgow  
Lanarkshire  
G20 8BB

Dear To Whom it May Concern

This gentleman continues under specialist observation for a potentially progressive and serious lung condition. In this condition life expectancy is often significantly reduced, on average 3 to 5 years depending on the severity of the case. It is a form of lung fibrosis for which he is receiving the drug Pirfenidone. This is a drug that requires specialist supervision. He has been commenced on this on recommendation of our regional interstitial lung disease multidisciplinary meeting. It is not a drug which is widely available and would not be available to him were he unable to remain within the UK. In that circumstance one would anticipate that his lung fibrosis would deteriorate as there are no other recognised widely useful therapies at present.

Yours sincerely

Ewen Ross

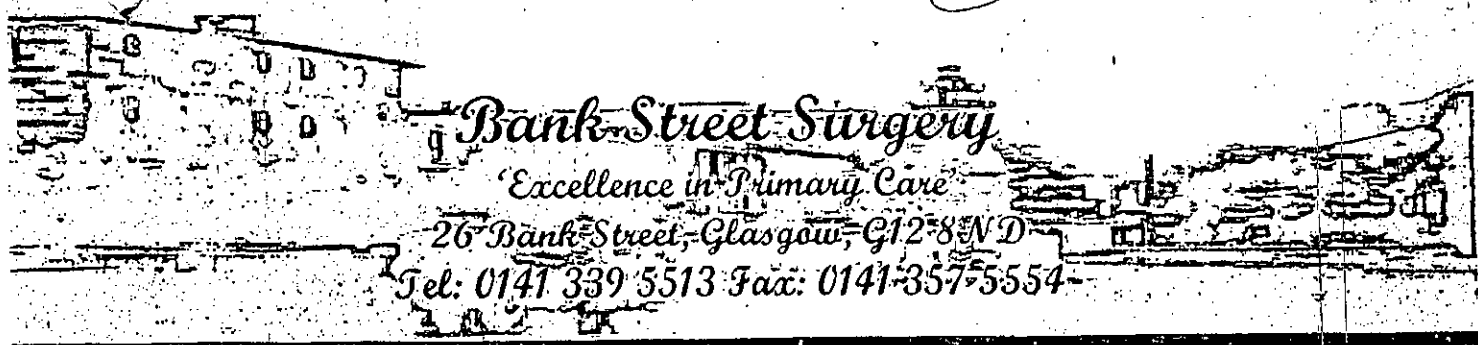
Consultant Physician in Respiratory

Electronically signed: Dr Ewen Ross, Consultant

CC:

C.T.C.  
Mc

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15/06/18

To Whom It May Concern:

Re: Salim Eqbal - D.O.B. - 10/10/1962  
Flat 1-2, 7 Rupert St., Glasgow, G4 9AP

I can confirm that the aforementioned 55 year old gentleman is a patient at Bank Street Surgery. He suffers from a number of medical co-morbidities including Pulmonary Fibrosis for which he attends a Respiratory clinic, Insulin controlled Diabetes with attendance at the Diabetes centre in Gartnavel General hospital and Osteoarthritis. In addition he is awaiting an Ophthalmology review regarding multifocal lens implants.

Furthermore he attends the practice for his health needs as and when required as well as associated clinics such as Retinal screening in relation to his diabetes.

He is on 17 different medications, creams and nasal sprays on repeat prescription.

It would be important for him to attend timeously for appointments to maintain optimum management of these conditions.

Yours Faithfully

CTC  
Aue

DR ASIF J KHAN  
GP

9

DIRECTORATE GENERAL HEALTH SERVICES, N.W.F.P. PESHAWAR.

OFFICE ORDER.

As decided by the Committee in its meeting held on 22.12.1992 in the Office of the Secretary Health NWFP, the following postings and transfers of Medical Officers/Woman Medical Officers are hereby ordered in the interest of Public Service with immediate effect :-

S.NO.	NAME.	FROM.	TO.	REMARKS.
01.	Dr. Attaur Rehman.	SMO, RHC: Gulabad Dir.	RHC: Ziarat Talash (Dir).	Vice No. 2 below.
02.	Dr. Faqir Mohammad.	SMO, RHC, Ziarat, Talash (Dir).	RHC, Gulabad, (Dir).	Vice No. 1 above.
03.	Dr. Gul-Man Shah.	MO, BIU, Karo Dars (Dir).	BIU, Rashakai (Nowshera).	Against the vacant post.
04.	Dr. Amir Rehman.	MO, TB Hospital, Rang Mohallah Malakand Agy.	BIU Osakai, Dir.	-do-
05.	Dr. Haya Said.	MO, Para Medl: Institute S. Sherif, Swat.	MO, DHO: Hosp: Timergarah.	-do-
06.	Dr. Mohammad Iqbal.	MO, SMO, Swat (Under posting to BIU, Tirat, Swat).	CDS, Office, DHO, Office, Swat.	-do-
07.	Dr. Fazal Ali.	MO, BIU, Bagh, Swat.	BIU Taghma (Swat).	-do-
08.	Dr. Saadat Anwar.	MO, SMO, Malakand.	BIU, Kharkai Dherai Dir.	-do-
09.	Dr. Mohammad Riaz.	MO, D.M.C, Chamla, Swat.	MO, BIU Narai Ubo Malakand Agency.	-do-
10.	Dr. Sardar Ali.	MO, S.G. of Hosp: S. Sherif, Swat.	D.M.C, Chamla, Swat.	Vice No. 9 above.
11.	Dr. Mohammad Uzair.	MO, DHO: Hosp: Timergarah.	District Jail, Timergarah.	Against the vacant post.
12.	Dr. Saleem Iqbal.	MO, BIU, Rehmat Kot Swat.	District Jail Swat.	-do-
13.	Dr. Mohammad Nawaz.	MO, BIU Tangi, Payoon, Dir.	BIU, Beshgram Dir.	-do-
14.	Dr. Mohammad Uzair.	MO, BIU Mian Killa Swat.	BIU Dherai, Swat.	Vice No. 15
15.	Dr. Mohammad Saeed.	MO, BIU, Dherai Swat.	BIU, Mian Killa Swat.	Vice No. 14

G/1...2...

C.T.C  
Me





# DRIVING LICENCE

11



1. EQBAL  
 2. SALIM  
 3. 10.10.1962 PAKISTAN  
 4a. 12.10.2017 4c. DVLA  
 4h. 04.05.2026  
 5. EQBAL610102S99UY 24  
 7.



8. 1/2 7 RUPERT STREET, GLASGOW, G4 9AP

9. AM/A/B1/B11/k/p/q

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	9.	10.	11.	12.
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A2				
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12: 116

FC81169099

1. Name 2. First name 3. Date and place of birth  
 4a. Date of issue 4b. Date of expiry 4c. Issued by  
 5. Licence number 10. Valid from 11. Valid to 12. Codes

C.T.C  
Aw