

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

Khyber Pakhtunkhwa  
Service Tribunal

Diary No. 11766

Dated 15-03-2024

Service Appeal No. 1510/2023

Asghar Ali etc

Versus

Naeemullah etc.

**APPLICATION FOR SETTING ASIDE EX-**  
**PARTE ORDER DATED 20/09/2023 ON**  
**BEHALF OF APPLICANT/RESPONDENT**  
**NO.31,34 AND 46.**

Respectfully Sheweth:-

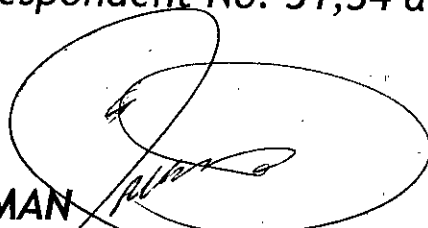
1. That the titled appeal is pending before the Service Tribunal fixed for today.
2. That Applicants/Respondent NO. 31,34 and 46 have been placed Ex-parte vide order dated 20/09/2023.
3. That applicants were not in the knowledge of Ex-Parte Order otherwise they would have been vigilant and appeared before the tribunal to defend their case.
4. That valuable rights of the applicants are involved in the case.

~~03-05~~ 15-03-24

It is therefore, most humbly prayed that Ex-Parte order dated 20-09-2023 may kindly set aside allowing the applicants to defend their rights.

Dated: 15/03/2024

Applicants/Respondent No. 31,34 and 46  
Through

  
KHALID REHMAN  
Advocate Supreme Court

**Verification:-**

Verified that the contents of the present application are true and correct to the best of my knowledge and belief and nothing has been concealed therein.

  
Deponent

**BEFORE THE KHYBER PAKHTUNKHWA SERVICE TRIBUNAL  
PESHAWAR**

SERVICE APPEAL NO. 1510 /2023



Diary No. 6298  
Date: 5/7/2023

Mr. Naem Ullah Office Assistant,  
DGHS Office, Peshawar.

**APPELLANT**

**VERSUS**

1. The Chief Secretary to the Government of Khyber Pakhtunkhwa, Peshawar.
2. The Secretary to the Government of Khyber Pakhtunkhwa Health Department, Civil Secretariat, Peshawar.
3. The Director General Health Services, Directorate General Health Services Khyber Pakhtunkhwa, Ex-FATA Secretariat Warsak Road, Peshawar.
4. The Deputy Director (Admin), Directorate General Health Services Khyber Pakhtunkhwa, Ex-FATA Secretariat Warsak Road, Peshawar.
5. Mr. Farid Iqbal Office Assistant, Women & Children Hospital, Kohat.
6. Mr. Taimor Wali Khan Office Assistant, DHO Office, Upper Dir.
7. Mr. Abdar Khan Office Assistant, DHO Office, Upper Dir.
8. Mr. Hazrat Hayat Office Assistant, DHO Office, Shangla.
9. Mr. Maroof Shah Office Assistant, DHO Office, Shangla.
10. Mr. Muhammad Khaliq Office Assistant, Naseerullah Khan Baber Memorial Hospital Peshawar.
11. Mr. Shamsher Ali Office Assistant, DHO Office, Swat.
12. Mr. Imtiaz Hussain Office Assistant, Directorate General Health Services Khyber Pakhtunkhwa, Ex-FATA Secretariat Warsak Road, Peshawar.
13. Mr. Said Rahim Shah Office Assistant, DHO Office, Bunner.
14. Mr. Faizullah Khan Office Assistant, Directorate General Health Services Khyber Pakhtunkhwa, Ex-FATA Secretariat Warsak Road, Peshawar.

*Handwritten signature and date:*  
5/7/23

**ATTESTED**  
*Handwritten signature*  
EXAMINER  
Khyber Pakhtunkhwa  
Service Tribunal

FORM OF ORDER SHEET

Court of

Appeal No. 1510/2023

S.No. Date of order proceedings

Order or other proceedings with signature of judge

1 21/07/2023

The appeal of Mr. Naeem Ullah by Mr. Taimur Ali Khan Advocate, Peshawar hearing before Single Bench at Peshawar on 26-07-2023.



By the order of  
*[Signature]*

26.07.2023

Learned counsel for the appellant present. Preliminary arguments heard.

Learned counsel for the appellant at the very outset, submitted that similar nature service appeal No. 1284/2023 titled "Om Parkash Versus Secretary to Government of Khyber Pakhtunkhwa, Health Department, Peshawar and others" had already been admitted to full hearing and fixed for reply/comments on 07.09.2023. Therefore, this appeal is also admitted to full hearing subject to all just and legal objections by the other side. The appellant is directed to deposit security and process fee within ten days. To come up for reply/comments on 07.09.2023 before S.B. P.P given to learned counsel for the appellant.

RECORDED  
Peshawar

Certified to be true copy

EXAMINED  
Khyber Pakhtunkhwa  
Service Tribunal  
Peshawar

(Muhammad Akbar Khan)  
Member (I)

07.09.2023



1. Learned counsel for the appellant present. Mr. Asad Ali Khan, Assistant Advocate General alongwith Laeq Ahmad, Computer Operator for official respondents present. None present on behalf of private respondents present.

2. Despite direction expenses of register AD not deposited. Learned counsel for the appellant seeks further time to deposit the same. Appellant is once again directed to deposit the expenses register A.D within 07 days by way of last chance, thereafter notices be issued to private respondents. To come up for written reply/comments on 20.09.2023 before S.B. P.P given to parties.

(Rashida Bano)  
Member (J)

20<sup>th</sup> Sep 2023

1. Learned counsel for the appellant present. Mr. Asif Masood Ali Shah, Deputy District Attorney for official respondents present. Private respondent No. 39 present. None present on behalf of remaining private respondents hence they are placed ex-parte.

2. Reply/comments on behalf of respondents not submitted. Learned Deputy District Attorney for official respondents as well as private respondent No. 39 seeks time to submit reply/comments. Granted. To come up for reply/comments on 27.10.2023 before S.B. P.P given to the parties.

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EXAMINER  
Khyber Pakhtunkhwa  
Service Tribunal  
Peshawar

(Muhammad Akbar Khan)  
Member (E)

Respondents were  
put on notice through  
Reg No.  
Mehamiz

RECEIVED  
SCANNED  
K.P.S.T  
PESHAWAR

\*Kaleem Ullah

\*Kaleem Ullah

Date of Presentation of Application 15-3-24  
Number of Works page = 2  
Copying Fee 10/-  
Urgent 5/-  
Total 15/-  
Name of Copyholder Sh. Gyan  
Date of Completion 15-3-24  
Date of Delivery of Copy 15-3-24