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KHYBER PAKHTUNKHWA SERVICE TRIBUNAL, PESHAWAR

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Haroon - vs - Rasheed vs Govt of KPK

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Muharrir Compilation

Incharge Judicial Branch

To

②

The Director Higher Education
Khyber Pakhtun Khwa, Peshawar

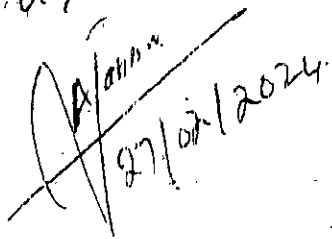
Subject: Provision of Seniority List BPS-20
for the year 2020 and 2021.

Memo.

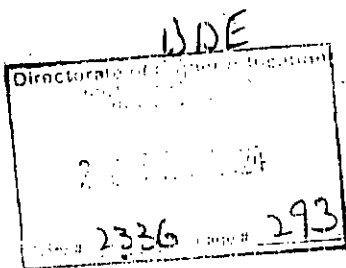
In connection with the Honourable
Court Service Tribunal order No. 563/23 dated 01-02-24
(copy attached), a request on the above subject was
submitted to your office vide diary No. 1818-220
dated 16.02.2024, but the action is still awaited.
It is requested once again, to provide the subject
Seniority List, showing the Seniority position of
mine and Prof. Sharif Gul, for submission to the court.
A timely action will be highly appreciated.

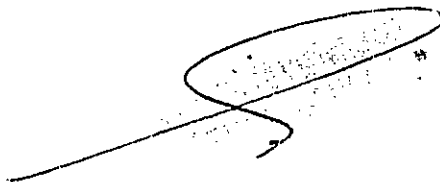
Dated: 27.02.2024.

Regards


27/02/2024

Prof. Abdul Jabbar Retired
Prof. Sharif Gul Retired





①

Service Appeal No. 1819/2022 titled "Haroon Ur Rasheed Vs. Government of Khyber Pakhtunkhwa through Chief Secretary, Civil Secretariat, Peshawar and others" and 41 connected appeals

ORDER

7th May. 2024

Kalim Arshad Khan, Chairman: Through this single order this appeal and all the following connected 41 appeals are being decided together as all are of similar nature. Detail of the connected Appeals, is as under:

S.No.	Service Appeal Nos.	Title
1.	1820/2022	Muhammad Sulaiman
2.	1821/2022	Sahibzada Amir
3.	1822/2022	Izzat Ullah
4.	1823/2022	Hamad
5.	1824/2022	Syed Zafar Ali
6.	1825/2022	Umair Khan
7.	1826/2022	Turkat Auzal
8.	1827/2022	Fazal e Rabi
9.	1828/2022	Muneer Hussain
10.	1829/2022	Jehan Ullah
11.	1830/2022	Muhammad Tayyab
12.	1831/2022	Moeen Qasmi
13.	1832/2022	Muhammad Arif
14.	1833/2022	Sohail Ashiq
15.	1834/2022	Tahir Shah
16.	1835/2022	Ahmad Jan
17.	1836/2022	Imran Khan
18.	1837/2022	Muhammad Altaf
19.	1838/2022	Abdul Shahab
20.	1839/2022	Muhammad Nouman
21.	1840/2022	Shahid Islam
22.	1841/2022	Muhammad Sulaiman
23.	1842/2022	Zia Ul Islam
24.	1843/2022	Zeeshan Ahmad
25.	1844/2022	Fareed Ullah Safi
26.	1845/2022	Waqas Ahmad
27.	1846/2022	Asfandyar Khan
28.	1847/2022	Aqib Zahoor
29.	1848/2022	Ghulam Mujtaba
30.	1849/2022	Shahid Ahmad
31.	1850/2022	Amir Khan
32.	1851/2022	Shahryar Khan
33.	1852/2022	Sabir Shah
34.	1853/2022	Saad Ullah Khan
35.	1854/2022	Sardar Ali
36.	1855/2022	Muhammad Ihtesham
37.	1856/2022	Tahir Hafeez
38.	1857/2022	Nadee Khan

(2)

Service Appeal No. 1819/2022 titled "Haroon Ur Rasheed Vs. Government of Khyber Pakhtunkhwa through Chief Secretary, Civil Secretariat, Peshawar and others" and 41 connected appeals


39.	1858/2022	Waqas Ghulam
40.	1859/2022	Asif Naveed
41.	89/2023	Salman Shah

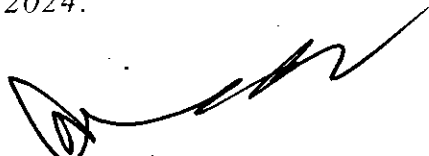
2. Learned counsel for the appellants present. Mr. Asif Masood Ali Shah, Deputy District Attorney present.

3. On 06.03.2023, the Director Litigation, Directorate General Health Services, Khyber Pakhtunkhwa, Peshawar was put on notice to bring the relevant rules which could tell us that there are two different cadres i.e. District Cadre and Directorate Cadre alongwith the details of vacancies sanctioned, filled and vacant available on both the cadres since the year 2010, but till date, the respondents had not provided the documents, directed to be produced in the above order sheet nor is there anyone present on behalf of the respondents.

4. In the absence of the respondents, the stance of the appellants appear to us to be genuine, at least to the extent for their consideration for promotion to next higher grade as per their percentage of quota and in accordance with relevant rules. Order accordingly. The exercise shall be completed at the earliest possible. Costs shall follow the event. Consign. Copy of this order be placed on files of all connected service appeals. Consign.

5. *Pronounced in open Court at Peshawar and given under my hand and seal of the Tribunal on this 7th day of May, 2024.*


(Muhammad Akbar Khan)
Member (E)


(Kalim Arshad Khan)
Chairman

06.02.2024

1. Appellant alongwith his counsel present. Mr. Asad Ali Khan, Assistant Advocate General alongwith Mr. Mastan Ali Shah, Assistant for the respondents present.
2. Representative of the respondents submitted copy of minutes of the meeting held on 23.01.2024 as well as Service Rules of Establishment department alongwith Notification dated 16.07.2019 which are placed on file. Respondents are directed to produce detail of total number of available vacancies of Junior Clerk as well as number of vacancies in DHO Peshawar since 1998 till date on the next date positively. Adjourned. To come up for record as well as arguments on 20.02.2024 before D.B. P.P given to the parties.

SCANNED
KPST
Peshawar

Kamranullah

(Muhammad Akbar Khan)
Member (E)

(Rashida Bano)
Member (J)

18th April, 2024

1. Junior to learned counsel for the appellant present. Mr. Miskeen Khan, Superintendent alongwith Mr. Umair Azam, Additional Advocate General for the respondents present.
2. Junior to learned counsel for the appellant seeks adjournment on the ground that senior counsel is not available today due to illness of his father. Adjourned. To come up for arguments on 07.05.2024 before the D.B. Parcha Peshi given to the parties.

SCANNED
KPST
Peshawar

(Muhammad Akbar Khan)
Member (Executive)

(Kalim Arshad Khan)
Chairman


(4)


1819/22

20th Feb. 2024 01. Counsel for the appellant present. Mr. Asif Masood Ali Shah, Deputy District Attorney for the respondents present.

02. Learned counsel for the appellant requested for adjournment in order to further prepare the brief. Last opportunity is granted. Respondents are also directed to produce record as per order sheet dated 06.02.2024 on the next date positively. To come up for record and arguments on 06.03.2024 before the D.B. PP given to the parties.

SCANNED
K-131
Peshawar


(Fareeha Paul)
Member (E)



(Kalim Arshad Khan)
Chairman


Fazle Subhan, P.S.

06.03.2024 1. Learned counsel for the appellant present. Mr. Asif Masood Ali Shah, learned Deputy District Attorney alongwith Mastan Ali Shah, Assistant for the respondents present.

2. Director Litigation, DGHS, Khyber Pakhtunkhwa be put on notice to bring the relevant rules in accordance with which there are two different cadres i.e District Cadre and Directorate Cadre alongwith with the details of vacancies sanctioned, filled and vacant available on both the cadres since the year 2010. Adjourned. To come up for record and arguments on 18.04.2024 before D.B. P.P given to the parties.

SCANNED
K-131
Peshawar


(Fareeha Paul)
Member (E)


(Rashida Bano)
Member (J)


Kaleem ullah

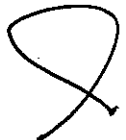
24.01.2024

Junior of learned counsel for the appellant present.
Mr. Safiullah, Focal Person alongwith Mr. Asad Ali Khan,
Assistant Advocate General for the respondents present.

Junior of learned counsel for the appellant requested for adjournment on the ground that learned counsel for the appellant is in hospital at Islamabad due to illness of his father. In this respect, he also submitted an adjournment application, which is placed on file. Adjourned. To come up for arguments on 06.02.2024 before the D.B. Vide order dated 30.11.2023, status-quo has been granted in the matter, therefore, learned counsel for the appellant shall make sure addressing of arguments on the date fixed. Parcha Peshi given to the parties.

SCANNED
KPST
Peshawar


(Muhammad Akbar Khan)
Member (E)


(Salah-ud-Din)
Member (J)

17.01.2024

Clerk of learned counsel for the appellant present.
Mr. Safiullah, Focal Person alongwith Mr. Asad Ali Khan,
Assistant Advocate General for the respondents present.

Clerk of learned counsel for the appellant requested for
adjournment on the ground that learned counsel for the
appellant is in hospital at Islamabad due to illness of his wife.
Adjourned. To come up for arguments on 24.01.2024 before
the D.B. Vide order dated 30.11.2023, status-quo has been
granted in the matter, therefore, learned counsel for the
appellant shall make sure addressing of arguments on the date
fixed. Parcha Peshi given to the parties.

SCANNED
KAD
Rashid

(Muhammad Akbar Khan)
Member (E)

(Salah-ud-Din)
Member (J)


Naeem Amin

21.12.2023

01. Counsel for the appellant present. Mr. Asif Masood Ali Shah, DDA alongwith Laiq Ahmad, Computer Operator for the respondents present.

02. Miss Fareeha Paul, Learned Member (Executive) is on leave, therefore, the Bench is incomplete. To come up for arguments on 10.01.2024 before the D.B. Parcha Peshi given to the parties.

SCANNED
IN
PESHAWAR
Fazle Subhan P.S.



(Rashida Bano)
Member (J)


10th Jan. 2024

1. Learned counsel for the appellant and Mr. Muhammad Jan, District Attorney alongwith Dr. Muhammad Sohail Khattak, Director Litigation for the respondents present.

2. Representative of the respondents sought time to produce record mentioned in order sheet dated 01.11.2023. Granted with direction to do the needful within three days. To come up for arguments on 17.01.2024 before D.B. P.P given to the parties.

SCANNED
IN
PESHAWAR


(Rashida Bano)
Member (J)


(Kalim Arshad Khan)
Chairman

*Mutazem Shah *

30th Nov, 2023

1. Learned counsel for the appellant present. Mr. Muhammad Jan, learned District Attorney alongwith Dr. Syed Idrees, DHO, Peshawar and Mr. Laeeq Ahmed, Computer Operator for the respondents present.
2. Record mentioned in order sheet dated 1st Nov, 2023 have not been submitted. Today DHO, Peshawar present and requested that time may be granted to him to submit the record mentioned in order sheet dated 1st Nov, 2023 on the next date positively, failing which strict action will be taken against the respondents at fault. Adjourned. To come up for arguments 13.12.2023 before D.B. P.P given to the parties. In the meanwhile, respondents are directed not to promote or transfer any official upon the post of Junior Clerks. *Status quo be maintained till the next date.*



(Muhammad Akbar Khan)
Member (E)

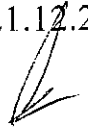


(Rashida Bano)
Member (J)

kamranullah

13.12.2023

1. Learned counsel for the appellant present. Mr. Mr. Muhammad Jan learned District Attorney alongwith Laeeq Ahmad, Computer Operator for the respondents present.
2. Record mentioned vide order sheet dated 01.11.2023 not submitted. Representative of respondents seeks further time for submission of record. Absolute last chance is given. To come up for arguments on 21.12.2023 before D.B. P.P given to the parties.



(Muhammad Akbar Khan)
Member (E)



(Rashida Bano)
Member (J)

KaleemUllah


1st Nov, 2023

1. Learned counsel for the appellant present. Mr. Muhammad Jan, learned District Attorney alongwith Dr. Mastan Ali Shah, Senior Clerk for the respondents present.

2. Arguments to some extent were heard but during course of arguments it came into light that departmental Service Rules framed on 29.03.1982 & 02.06.1983 is not placed on record therefore, respondent are directed to produce the said rules with further direction to produce number of vacancies available on both the cadres with bifurcation that how much vacancies are available in sub-cadre since year 2010. Adjourned. To come up for production of record as well as arguments on 14.12.2023 before D.B. P.P given to the parties.

SCANNED
11/11/2023


(Muhammad Akbar Khan)
Member (E)



(Rashida Bano)
Member (J)

29.11.2023

1. Learned counsel for the appellant present. Mr. Mohammad Jan learned Deputy District Attorney alongwith Laeeq Ahmad, Computer Operator for the respondent respondents present.

2. Record mentioned vide order sheet dated 01.11.2023 not submitted. Representative of respondent seek further time for submission of the same. Last chance is given with direction that respondent No. 4 (DHO, Peshawar) be appear in person alongwith with complete record. Adjourned. To come up for attendance/production of record as well as arguments on 30.11.2023 before D.B. P.P given to the parties.


(Muhammad Akbar Khan)
Member (E)


(Rashida Bano)
Member (J)

FORM OF ORDER SHEET

Court of: _____

Restoration Application No. 421/2023

S.No.	Date of order Proceedings
1	2
1	04.07.2023

Order or other proceedings with signature of judge

**SCANNED
KPST
Peshawar**

3

The application for restoration of appeal No. 1819/2022 submitted today by Mr. Muhammad Hassaan Adil Advocate. It is fixed for hearing before Division Bench at Peshawar on ~~07-07-23~~ 07-07-23. Original file has been requisitioned.


By the order of Chairman



REGISTRAR

7th July, 2023

1. Learned counsel for the applicant present and heard.
2. Instant application is for restoration of appeal, which was dismissed in default on 20.06.2023, while this application has been moved on 04.07.2023. Mr. Asad Ali Khan, Assistant Advocate General for respondents present in the court has raised no objection on restoration of the appeal. Considering the contention of learned counsel for the applicant and in the interest of justice, instant service appeal is restored to its original number. To come up for arguments on 01.11.2023 before D.B.
3. *Pronounced in open court in Peshawar and given under our hands and seal of the Tribunal on this 7th day of July, 2023.*

**SCANNED
KPST
Peshawar**


(Rashida Bano)
Member(J)


(Kalim Arshad Khan)
Chairman

ORDER

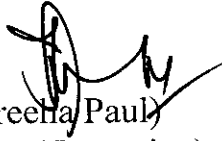
20.06.2023

Nemo for the appellant. Mr. Mastan Ali, Assistant alongwith Mr. Muhammad Jan, District Attorney for the respondents present.

The appeal in hand was called on for hearing after various intervals, however nobody put appearance on behalf of the appellant till rising of the court, therefore, the appeal in hand stand dismissed in default. Parties are left to bear their own costs. File be consigned to the record room.

ANNOUNCED

20.06.2023.



(Fareeha Paul)
Member (Executive)



(Salah-ud-Din)
Member (Judicial)

SCANNED
KP ST
Peshawar

SA 1819/22

29th March, 2023

Counsel for the appellant present. Mr. Fazal Shah Mohmand, Addl. AG alongwith Mastan Ali Shah, Assistant for the respondents present.

SCANNED
KPST
Peshawar

Written reply on behalf of the respondents not submitted. Learned AAG requested for further time. Last opportunity granted. To come up for reply/comments on 11.05.2023 before the S.B. Parcha Peshi given to the parties.


(Fareeha Paul)
Member(E)

11.05.2023

Clerk to counsel for appellant present.

Mr. Asad Ali Khan, Assistant Advocate General for respondents present.

Reply has been submitted by the respondents, which is found placed on file. To come up for arguments on 20.06.2023 before D.B. Parcha Peshi given to the parties.


(Kalim Arshad Khan)
Chairman

Mutazem Shah

SCANNED
KPST
Peshawar

21st Dec, 2022

Learned counsel for the appellant present.

Learned counsel for the appellant submits that the appellant was appointed as Class-IV in the respondent department. He has more than 1 years service at his credit. The appellant deserves to be considered for promotion as Junior Clerk out of 33% quota fixed by the provincial government for Naib Qasid. He preferred departmental appeal on 17.06.2022 which was not responded within stipulated period, hence, the instant service appeal. Therefore, let this appeal be admitted to full hearing subject to all just and legal objections by the other side. . The appellant is directed to deposit security fee within ten days. The respondents be summoned through TCS, the expenses of which be deposited by the appellant within ten days. To come up for written reply/comments on 08.02.2023 before S.B

All fare respondents were put on notice through Tes

**SCANNED
KPST
Peshawar**

*Rs-100/-
Appellant Deposited
Security & Process Fee
A. J. 4/1/23*



(Kalim Arshad Khan)
Chairman

08th Feb. 2023

Learned counsel for the appellant present. Mr. Uzair Azam Khan, Learned Addl. Advocate General for the respondents present.

**SCANNED
KPST
Peshawar**

Reply/comments on behalf of the respondents not submitted. Learned AAG requested for time to contact the respondents and submit reply/comments on the next date. Granted. To come up for written reply/comments on 29.03.2023 before the S.B.



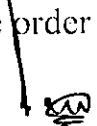
(Farecha Paul)
Member(E)

14

FORM OF ORDER SHEET

Court of _____

Case No. 1819/2022

S.No.	Date of order proceedings	Order or other proceedings with signature of judge
1	2	3
1-	16/12/2022	<p>The appeal of Mr. Haroon-ur-Rasheed resubmitted today by Mr. Muhammad Hassaan Adil Advocate. It is fixed for preliminary hearing before Single Bench at Peshawar on <u>B-1-R-22</u> Notices be issued to appellant and his counsel for the date fixed.</p> <p>By the order of Chairman</p> <p> REGISTRAR</p>

SCANNED
KPST
Peshawar


The appeal of Mr. Haroon ur Rasheed son of Muhammad Dawood received today i.e. on 02.12.2022 is incomplete on the following score which is returned to the counsel for the appellatant for completion and resubmission within 15 days.

- 1- Memorandum of appeal be got signed by the appeal.
- 2- Copy of departmental appeal in respect of appellatant is not attached with the appeal which may be placed on it.

No. 3462 /S.T,

Dt. 05-12 /2022

Muhammad Hassaan Adil Adv.
High Court Peshawar.


 REGISTRAR
 SERVICE TRIBUNAL
 KHYBER PAKHTUNKHWA
 PESHAWAR.

(*) All the objections have been removed.

Hassaan

KHYBER PAKHTUNKHWA SERVICE TRIBUNAL, PESHAWAR

Case Title: Haroon-ur-Rasheed CHECK LIST v/s Govt of KP & others

S#	CONTENTS	YES	NO
1	This Appeal has been presented by: _____	✓	
2	Whether Counsel/Appellant/Respondent/Deponent have signed the requisite documents?	✓	
3	Whether appeal is within time?	✓	
4	Whether the enactment under which the appeal is filed mentioned?	✓	
5	Whether the enactment under which the appeal is filed is correct?	✓	
6	Whether affidavit is appended?	✓	
7	Whether affidavit is duly attested by competent Oath Commissioner?	✓	
8	Whether appeal/annexures are properly paged?	✓	
9	Whether certificate regarding filing any earlier appeal on the subject, furnished?	x	✓
10	Whether annexures are legible?	✓	
11	Whether annexures are attested?	✓	
12	Whether copies of annexures are readable/clear?	✓	
13	Whether copy of appeal is delivered to AG/DAG?	✓	
14	Whether Power of Attorney of the Counsel engaged is attested and signed by petitioner/appellant/respondents?	✓	
15	Whether numbers of referred cases given are correct?	✓	
16	Whether appeal contains cutting/overwriting?	x	✓
17	Whether list of books has been provided at the end of the appeal?	✓	
18	Whether case relate to this court?	✓	
19	Whether requisite number of spare copies attached?	✓	
20	Whether complete spare copy is filed in separate file cover?	✓	
21	Whether addresses of parties given are complete?	✓	
22	Whether index filed?	✓	
23	Whether index is correct?	✓	
24	Whether Security and Process Fee deposited? On _____	✓	
25	Whether in view of Khyber Pakhtunkhwa Service Tribunal Rules 1974 Rule 11, notice along with copy of appeal and annexures has been sent to respondents? On _____	✓	
26	Whether copies of comments/reply/rejoinder submitted? On _____	✓	
27	Whether copies of comments/reply/rejoinder provided to opposite party? On _____	✓	

It is certified that formalities/documentation as required in the above table have been fulfilled.

Name: Barrister M. Hassan Adil

Signature: Hassan

Dated: _____

17

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

**SCANNED
KPST
Peshawar**

Service Appeal No. 1819 /2022

Haroon-ur-Rasheed

VS

Government of KP and Others

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APPELLANT

Through


**BARRISTER
MUHAMMAD HASSAAN ADIL**

18

1

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

Khyber Pakhtunkhwa
Service Tribunal

Diary No. 2136

Dated 02/12/2022

Service Appeal No. 1819 /2022

Haroon-ur-Rasheed


Son of Muhammad Dawood
Resident of Al-Noor Colony, P.O Khazana,
Peshawar

....APPELLANT

Versus

1. Government of Khyber Pakhtunkhwa through Chief Secretary, Civil Secretariate, Peshawar
2. Secretary to Government of Khyber Pakhtunkhwa, Health Department, Civil Secretariate, Peshawar
3. Director General (DG), Health Service, Warsak Road, Peshawar
4. District Health Officer (DHO), Grand Trunk Road, Tehsil and District Peshawar


....RESPONDENTS

Filed to-day

Registrar

02/12/22

APPEAL U/S 4 OF THE KHYBER PAKHTUNKHWA SERVICE TRIBUNAL ACT, 1974 FOR PROMOTION OF THE APPELLANT AGAINST THE POST OF JUNIOR CLERK, WHEREBY THE DEPARTMENTAL APPEAL OF THE APPELLANT DATED 17-06-2022 HAS NOT BEEN RESPONDED BY THE RESPONDENTS.

Re-submitted to -day
and filed.


Registrar
16/12/22

Respectfully Sheweth,

1. That the appellant was appointed on 27.10.2020 (**Annex "A"**) in prescribed manner as Chowkidar (BPS-03) in the respondent no. 04's department. The appellant has rendered services for more than two years in one and the same scale.
2. That the seniority list (**Annex "B"**) of the appellant-Class-IV is maintained separately in the office of respondent no. 04, whereas the seniority list of the employees-Class-IV of the respondent no. 3's office is maintained separately in their office. The services of the employee in the respondent no. 4's office is regulated by the Khyber Pakhtunkhwa Civil Servants (Appointment, Promotion & Transfer) Rules, 1989, hereinafter referred to as the Rules.
3. That the next post in the hierarchy to which the appellant can be promoted is that of Junior Clerk (BPS-11), and 33% quota is reserved by the Rules for the promotions amongst the Daftaries (BPS-04), Naib Qasids (BPS-03), Bailiff (BS-04), etc with 02 years' service experience as such, and who have passed Secondary School Certificate Examination.
4. That, numerous posts of the Junior clerk were advertised by the respondent No. 3 & 4 department. However, the same were filled by the respondent No. 3 by promoting the employees of his office only as well as through initial recruitment since long, but the respondents were taking no steps to fill the same by affording a chance of promotion to the appellant despite of the availability and allocation of post to the office of the respondent no. 04.
5. That though the appellant was having the required qualification (**Annex "C"**) at the time of advertisement of junior clerk post and the vacancies were also available at that time, but he was deprived, illegally, of the benefit of promotion at that juncture.
6. That the appellant along with other colleagues submitted an application / representation dated 17-06-2022 (**Annex "D"**) to the respondent-department for their promotion on the quota reserved for them. In response to application dated 17-06-2022, a letter was issued by respondent No. 03 vide letter no. 1776-856/Promotion cell, dated 18-08-2022 (**Annex "E"**), wherein the respondent No. 03 asked the respondent no. 04 to furnish the details of Junior Clerks who have been initially recruited as well as detail of Matriculate Class-IV who have been promoted in 33% quota. Following this, the respondent no. 04 vide letter No. 14703/DHO dated 01-09-2022 (**Annex "F"**) sent an answer to the respondent

No. 03 wherein the details provided were shown to be **NIL**, because all the posts, either made available / created in the office of respondent no. 04 or become available / vacant due to retirement etc, were used to be filled by the respondent no. 04 from the employees of his office and illegally ignoring the Class-IVs including the appellant from the office of the respondent no. 04. Needless to mention here that a reminder application dated 17-10-2022 (**Annex "G"**) was also submitted to the department by the appellant along with other colleagues but the respondent's department didn't consider it necessary to even take up the file of the appellant into consideration.

7. That the appellant, realizing the violation of his rights, approaches this Hon'ble Court through instant appeal, *inter alia*, on the following grounds amongst others;

GRUNDS:

- A. That the appellant was equipped with all the requisite qualification for promotion to the posts of Junior Clerk (BPS-11) long ago and also the vacancies were available but for no valid reason and illegally, the promotion was withheld and the posts were filled in through promoting the employee from the office of the respondent no. 03 as well as through initial recruitment by the respondent No. 03's office, unlawfully curtailing the right of promotion of the appellant; hence, as per the settled principal of law, the appellant is entitled to the back benefits from the date of his entitlement and the vacancies had occurred.
- B. That the appellant has a right and entitlement to the promotion as well as to the back benefits attached to the post from the day of his entitlement to the promotion and availability of the vacancies occurred.
- C. That the appellant being eligible to promotion in the year 2022 is required to be placed senior to the fresh candidates appointed or promoted after 2022 or after his entitlement as Junior clerk.
- D. That the appellant has been discriminated, which goes against the provision of Articles 25 and 27 of the Constitution, 1973.
- E. That the appellant has not been treated in accordance with law as against the provisions of Article 4 of the Constitution.

- F. That appellant reserve his right to urge additional grounds with leave of the Tribunal, after the stance of the respondents becomes known to him.

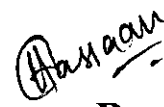
PRAYER:

It is, therefore, most respectfully prayed that on acceptance of the instant appeal, the Hon'ble Tribunal may graciously be pleased to direct the respondents to promote the appellant to the post of Junior Clerk along with the back benefits attached to the post from the day of his entitlement to the promotion and availability of the vacancies occurred. Furthermore, the respondents may also be directed to place the appellant senior to the fresh candidates appointed or promoted after his entitlement as Junior Clerk.

Any other remedy to which the appellant is found fit in law, justice and equity may also be granted.


APPELLANT

Through


BARRISTER
MUHAMMAD HASSAAN ADIL

Advocate High Court

AFFIDAVIT

I, **Haroon-ur-Rasheed** Son of **Muhammad Dawood**, Resident of **Al-Noor Colony, P.O Khazana Payan, Peshawar**, do hereby solemnly affirm and declare on Oath that the contents of accompanying Appeal are true and correct to the best to my knowledge and nothing has been concealed from this hon'ble court.




DEPONENT

BEFORE THE KHYBER PAKHTUNKHWA
SERVICE TRIBUNAL, PESHAWAR.

Service Appeal No. _____/2022

Haroon-ur-Rasheed

VS

Government of KP and Others

**Application for restraining the respondents from taking any
adverse action against the appellant till the final disposal of the
instant appeal.**

Respectfully Sheweth:

- 1) That the above titled appeal is being filed before this hon'ble Tribunal along with instant application.
- 2) That the grounds of main appeal may kindly also be considered as part and parcel of this application.
- 3) That appellant has a good prima-facie case in his favour and is also sanguine about its success.
- 4) That balance of convenience also leans in favour of appellant.
- 5) That if the relief as prayed for in the heading of this application is not granted, the very purpose of titled appeal will become infructuous.

PRAYER:


It is, therefore, prayed that on acceptance of this application, the respondents may graciously be restrained from taking any adverse action against the appellant till the final disposal of the instant appeal.

23



APPELLANT

Through



BARRISTER

MUHAMMAD HASSAAN ADIL

Advocate High Court

AFFIDAVIT

I, **Haroon-ur-Rasheed** Son of **Muhammad Dawood**, Resident of **Al-Noor Colony, P.O Khazana Payan, Peshawar**, do hereby solemnly affirm and declare on Oath that the contents of accompanying Application are true and correct to the best to my knowledge and nothing has been concealed from this hon'ble court.



DEPONENT





OFFICE OF THE DISTRICT HEALTH OFFICER,
PESHAWAR.

(25)

Phone No.091 9225387

Fax No. 091 9225467

Annex - "A"

OFFICE ORDER

On the recommendation of Departmental Selection Committee in its meeting held on 20/10/2020 at 10:00 am under the chairmanship of the undersigned. *Mr. Haroon-ur-Rasheed S/o Muhammad Dawood (Mst. Sania Dawood Ex - LHW MB) resident of Al-Noor Colony Khazana Payaan, District Peshawar is hereby appointed under deceased son's quota in District Health Office Peshawar as Chowkidar BPS -03 in Basic Pay Scale (9610-390-21310) plus all other allowances as admissible to him as per Government rules.*

His appointment in Health Department Govt. of Khyber Pakhtunkhwa will be subject to the following terms and conditions:-

1. He will be on probation initially for a period of one year.
2. His services will be subject to medical fitness.
3. He will not be entitled to any TA/DA for medical examination and joining the first appointment.
4. He will be governed by such rules and orders as may be issued by the Government for the category of Government servant to which he belongs.
5. His services can be dismissed without any notice during the probation period, if his work and conduct found unsatisfactory.
6. If he/she wishes to resign from service he will have to submit resignation in writing 30-days in advance or deposit one month salary in the government treasury. However he will continue to serve the Government till the acceptance of his resignation by the competent authority.
7. He/She will serve in all health facilities under the control of District Health Office Peshawar.

If the above mentioned terms and conditions are acceptable to him/her, He/she should report to District Health Office, Peshawar within 14 days after the receipt of this appointment order.

Sd/-----
District Health Officer,
Peshawar.

No 16932-37 /DHO/E-19
Copy forwarded to the: -

Dated Peshawar the 27/10/2020

1. Accountant General Khyber Pakhtunkhwa, Peshawar.
2. Director General Health Services Khyber Pakhtunkhwa Peshawar.
3. Deputy Commissioner Peshawar.
4. Coordinator DHIS Section DHO office Peshawar.
5. Account Section of this Office.
6. Official Concerned.

ATTESTED


District Health Officer,
Peshawar.

Government of Khyber Pakhtunkhwa
Accountant General Khyber Pakhtunkhwa, Peshawar
Monthly Salary Statement (July-2022)

26

9



Personal Information of Mr HAROON RASHEED d/w/s of MUHAMMAD DAWOOD

Personnel Number: 00963388 CNIC: 1730187672713 NTN:
Date of Birth: 10.02.1993 Entry into Govt. Service: 27.10.2020 Length of Service: 01 Years 09 Months 006 Days

Employment Category: Active Temporary

Designation: MALI 81186485-GOVERNMENT OF KHYBER PAKH
DDO Code: PR8854-District Health Officer RHC Peshawar
Payroll Section: 004 GPF Section: 001 Cash Center:
GPF A/C No: GPF Interest applied GPF Balance: 16,327.00 (provisional)
Vendor Number: -
Pay and Allowances: Pay scale: BPS For - 2022 Pay Scale Type: Civil BPS: 03 Pay Stage: I

Wage type		Amount	Wage type		Amount
0001	Basic Pay	14,840.00	1004	House Rent Allow 45% KP21	3,542.00
1210	Convey Allowance 2005	1,785.00	1300	Medical Allowance	1,500.00
2311	Dress Allowance - 2021	1,000.00	2312	Washing Allowance 2021	1,000.00
2313	Integrated Allowance 2021	600.00	2341	Dispr. Red All 15% 2022KP	1,500.00
2347	Adhoc Rel Al 15% 22(PS17)	1,500.00			0.00

Deductions - General

Wage type		Amount	Wage type		Amount
3003	GPF Subscription	-770.00	3501	Benevolent Fund	-600.00
4004	R. Benefits & Death Comp:	-300.00			0.00

Deductions - Loans and Advances

Loan	Description	Principal amount	Deduction	Balance
------	-------------	------------------	-----------	---------

Deductions - Income Tax

Payable: 0.00 Recovered till JUL-2022: 0.00 Exempted: 0.00 Recoverable: -0.00

Gross Pay (Rs.): 27,267.00 Deductions: (Rs.): -1,670.00 Net Pay: (Rs.): 25,597.00

Payee Name: HAROON RASHEED
Account Number: 000272694286
Bank Details: UNITED BANK LIMITED, 210053 PESHAWAR CITY PESHAWAR CITY, Peshawar

Leaves: Opening Balance: Availed: Earned: Balance:

Permanent Address:

City: PESHAWAR Domicile: - Housing Status: No Official

Temp. Address:

City: Email: haroonurrasheed10021993@gmail.com

ATTESTED

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Seniority List Of Class IV Employees Working Under DHO Peshawar

S.NO	Name	Father Name	NIC Number	Date of Entry in Job	Designation	Qualification
1	Zaffar Ali	Najaf Ali Shah	17301-1698582-3	7/5/1988	Naib Qasid ✓	Matric
2	Tahir Shah	Amir Zada	17301-8905148-5	2/1/1992	Chowkidar ✓	Matric
3	Muhammad Riaz	Nasar Ullah	17301-1675304-7	16/03/1995	Ward Orderly	Matric
4	Hamad	Shahid Hamid	17301-5090803-1	6/4/1997	Ward Orderly ✓	BA
5	Ashfaq Ahmad	Sulaiman Khan	17301-1814298-7	5/1/1999	Chowkidar	Matric
6	Ahmad Jan	Ghazi Khan	17301-1274726-3	30/04/1999	Naib Qasid ✓	FA
7	Salman Shah	Fazle Qadar	17301-7456183-7	9/1/2003	Ward Orderly	FA
8	Fazal Rabi	Jahar Gul	17301-9586454-7	11/8/2006	Ward Orderly	Matric
9	Sahibzada Aamir	Mukhtiar Ahmad	17301-05982459	12/8/2006	Ward Orderly	BA, Health Diploma
10	Muhammad Ishfaq	Mir Akbar	17301-9823680-1	28-11-2006	Ward Orderly	Mphil Microbiology+DIT
11	Sohail Ashiq	Muhammad Ashiq	17301-4002508-5	12/1/2009	Sanitary Petrol	BA
12	Ghulam Mujtaba	Ghulam Mustafa	17301-7148125-9	26/12/2009	Ward Orderly	BA
13	Ijaz Ahmad	Taza Gul	17301-5419523-7	31-12-2009	Chowkidar	FA
14	Munir Hussain	Faqir Hussain	17301-1311673-1	23/02/2010	Naib Qasid ✓	Matric
15	Naveed Khan	Muhammad Nawaz Kham	17301-6584400-1	3/3/2010	Naib Qasid ✓	BA
16	Muhammad Ibrar	Gul Mast Khan	17301-4408732-9	4/3/2010	Behishti	SSC
17	Muhammad Sulaiman	Musafar	17301-6117689-7	24-05-2010	Behishti	BA
18	Sajjad Ahmad	Liaqat Ali Khan	17301-8599458-3	13-06-2011	Behishti	FA
19	Torgat Awzal	Javid Akhtar	16101-7487588-9	19-10-2011	Chowkidar	FA
20	Syed Kifayat Shah	Naurooz Shah	17301-1458161-3	31/12/2011	X-ray Attendent	MA+ Health Diploma
21	Abdul Shahab	Abdul Jabbar	17301-7776929-5	27/12/2012	Behishti	MSC Economics
22	Muhammad Imran	Qaleem Ullah	17301-3090264-1	29/12/2012	Chowkidar	MA
23	Asif Naveed	Naveed Ahmad	17301-5904442-3	31/12/2012	X-ray Attendent	FA
24	Muhammad Altaf	Subhan ullah	17301-5887445-5	29-04-2013	Behishti	DAE
25	Shahid Islam	Faqir Gul	17301-3550466-9	4/2/2014	Ward Orderly	FSC+ Surgical Diploma
26	Asfandyar Khan	Musharaf Khan	17301-6996238-7	4/2/2014	Ward Orderly	BA
27	Shams Ul Athhar	Shams Ul Qamar	17301-8058948-7	27-03-2015	Behishti	SSC
28	Zia-ul-islam	Muhammad Qayum	17301-5067106-3	30/03/2015	Ward Orderly	MA+ Health Diploma
29	Salman Misbah	Misbah Ud din	17101-4426272-5	7/4/2015	Behishti	BA
30	Shahid Islam	Faqir Gul		16-1-2016	Ward Orderly	Surgical Diploma
31	Muhammad Sulaiman	Qabil Khan	17301-8449980-3	3/8/2016	Ward Orderly	FSC
32	Murshid Ali	Gohar Khan	17301-4164590-9	3/8/2016	Naib Qasid	BSC

Annex - "B"

BHU Terai |

ATTESTED

Sardar Ali s/o
Mir AslamSaid Ullah s/o
Subis ZadaDistrict Health Officer
Peshawar

	adeem Khan	Sher Zaman	17301-8762303-1	12/8/2016	Behishti	FA
34	Fareed Ullah	Afridi Khan Safi	17301-4505337-1	3/8/2016	Naib Qasid	BA
35	Umair Khan	Pervaiz Khan	17301-8066889-5	29/05/2017	Naib Qasid	FA
36	Sabir Shah	Zaiban Shah	17201-6576098-3	19/01/2018	Chowkidar	Matric+ Health Diploma
37	Waqar Younis	Shafaras Khan	17301-9197840-5	19/01/2018	Ward Orderly	FSC
38	Syed Ghous Ali Shah	Syed Abid Shah	17301-1800560-9	19/01/2018	Ward Orderly	MA
39	Muhammad Arif	Faiz Muhammad	17301-2618886-7	19/01/2018	Ward Orderly	BSc
40	Muhammad Ihtisham	Dilshad Khan	17301-2621626-3	19/01/2018	Ward Orderly	M.COM
41	Zeeshan Ahmad	Fareed Khan	17301-5237207-1	20/02/2018	Ward Orderly	BA
42	Faisal Ahmad	Habib ur Rehman	17301-6599340-5	3/10/2018	Chowkidar	FA
43	Muhammad Saboor	Manzoor Khan	17301-9784416-5	3/10/2018	Chowkidar	FA+ Health Diploma
44	Farooq Haidar	Khan Bahadur		3/10/2018	Ward Orderly	FA
45	Imran Khan	Izzat Khan	17101-1892366-1	30/10/2018	Chowkidar	FA+Electric Diploma
46	Rahim Shah	Sardar Khan	17301-8692584-1	27/10/2020	Ward Orderly	DAE+ DIT
47	Shehryar Khan	Faqir hussain	17301-2332817-7	27/10/2020	Ward Orderly	MA+DIT Diploma
48	Dehan Ullah	Ihsan Ullah	17301-1797449-1	27/10/2020	Ward Orderly	FA
49	Amir Khan	Zaka Ullah	17301-0416153-5	27/10/2020	Ward Orderly	FSc
50	Muhammad Nouman	Noor Muhammad	17301-3280446-5	27/10/2020	Ward Orderly	BA
51	Muhammad Arif	Usman Khan	17301-86494820-9	27/10/2020	Ward Orderly	BA
52	Mueen Qasmi	Muhammad Hanif	17301-6540441-7	27/10/2020	Ward Orderly	MBA
53	Imran Khan	Abdul Sattar	17301-6952992-5	27/10/2020	Chowkidar	Matric
54	Shahid Ahmad	Habib ur Rehman	17301-6701436-9	27/10/2020	Ward Orderly	FA
55	Haroon Ur Rashid	Muhammad Dawood	17301-8767271-3	27/10/2020	Chowkidar	BA
56	Aqib Zahoor	Zahoor Ud Din	17301-5569170-9	27-10-2020	Chowkidar	Matric
57	Tahir Hafeez	Abdul Hafeez	17301-5242528-1	27-10-2020	Ward Orderly	B.COM
58	Hamza Shah	Jalal Shah	17301-6527388-7	27-10-2020	Ward Orderly	FA
59	Muhammad Tayyab	Masood Ahmad	17301-1955764-1	27-10-2020	Ward Orderly	FSc+Health Diploma
60	Shehryar Hussain	Nighah hussain	17301-6255930-7	27-10-2020	Ward Orderly	BSC Computer Science
61	Momin Khan	Johar Ali	17301-7058253-5	27-10-2020	Ward Orderly	SSC
62	Imran Shah	Sabir Shah	17301-3206617-7	8/12/2020	Ward Orderly	FSC
63	Anwar ul Haq	Zia Ul Haq	17301-5541278-7	2/3/2021	Behishti	FA
64	Salman Khan	Dilawar Khan	17301-3443294-5		Ward Orderly	Matric (Died)

11

ATTESTED

District Health Officer
Peshawar

29

S.No. PB
895686
12

Annex - "c"

BOARD OF INTERMEDIATE & SECONDARY EDUCATION
PESHAWAR

Roll No: 54150
Group: Arts



DETAILED MARKS CERTIFICATE
Secondary School Certificate Examination
Annual 2009 (9th Class)

Haroon Ur Rasheed Son/Daughter of Muhammad Daud
of NEW MODEL PUBLIC SCHOOL BAKHSI PUL PESHAWAR CITY
appeared as Regular Student

Subjects	Marks	MARKS OBTAINED			
		Theory Paper A	Practical Paper B	Total	in Words
1. English	75	17	-	-	
2. Urdu	75	43	-	43	Forty-Three
3. Islamiyat (Comp)	75	40	-	40	Forty Only
4. Maths	75	26	-	26	Twenty-Six
5. General Science	75	53	-	53	Fifty-Three
6. Civics	75	36	-	36	Thirty-Six
7. Islamic Studies	75	52	-	52	Fifty-Two
Total		525			
		Remarks E-I,			

Date of Birth: 10-02-93

Checked by: [Signature]

Issue Date: 16-06-2009

[Signature]
Controller of Examinations

Note: Error(s)/Omission(s) Excepted. Any mistake in above particulars must be intimated within 30 days of the issuance of this DMC.

ATTESTED

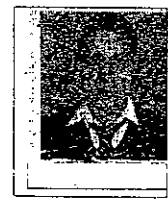
30

S.No. PB

1936717

13

BOARD OF INTERMEDIATE & SECONDARY EDUCATION PESHAWAR



Roll No 147454
Group ARTS

PESHAWAR

PROVISIONAL AND DETAILED MARKS CERTIFICATE
SECONDARY SCHOOL CERTIFICATE EXAMINATION
SESSION ANNUAL-2010

Haroon Ur Rasheed

Son/Daughter of Muhammad Davd

of NEW MODEL PUBLIC SCHOOL BAKHSI PUL PESHAWAR CITY

has secured the marks shown against each subject, in the Secondary School Certificate Examination held in the month of March 2010 as Regular Student

Subjects	Marks	MARKS OBTAINED				Total	in Words
		9th		10th			
		Theory Paper A	Practical Paper B	Theory Paper A	Practical Paper B		
1. English	150	57	--	50	--	107	One Hundred Seven
2. Urdu	150	43	--	41	--	84	Eighty-Four
3. Islamiyat (Comp)	75	40	--	--	--	40	Forty Only
4. Pakistan Studies	75	--	--	44	--	44	Forty-Four
5. Maths	150	26	--	52	--	78	Seventy-Eight
6. General Science	150	53	--	44	--	97	Ninety-Seven
7. Civics	150	36	--	44	--	80	Eighty Only
8. Islamic Studies	150	52	--	46	--	98	Ninety-Eight

Total 1050

628-C

Six Hundred Twenty-Eight Only

Remarks

IS: CIV:

ATTESTED

Date of Birth: 10th February, 1993

Checked by: _____

Issue Date: 16-06-2010

Controller of Examinations

Note: Error(s) / Omission(s) excepted. Any mistake in above particulars must be intimated within 30 days of the issuance of this certificate

31

S.No. PB

1877666

14

BOARD OF INTERMEDIATE & SECONDARY EDUCATION PESHAWAR



Roll No: 30248



DETAILED MARKS CERTIFICATE INTERMEDIATE (ANNUAL) EXAMINATION, 2011 HUMANITIES (Part-I)

Haroon Ur Rasheed Son / Daughter of Muhammad Daud
of The City College Of Arts & Science Shahi Bagh Road Peshawar

has secured the marks shown against each subject in the H S S C Examination held in the month of
April 2011 as a Regular Student

Subjects	Marks	Marks Obtained			
		Theory Paper-A	Practical Paper-B	Total	Marks in Words
English	100	61	--	61	Sixty-One
Urdu	100	67	--	67	Sixty-Seven
Islamic Education	50	35	--	35	Thirty-Five
Economics	100	90	--	90	Ninety Only
Civics	100	66	--	66	Sixty-Six
Computer Science	100	63	25	88	Eighty-Eight
Total :		550		407	Four Hundred Seven Only
Remarks :					

ATTESTED

Checked By : _____

Date of issue : 24-07-2011

Controller of Examinations

Note: Error(s)/Omission(s) excepted. Any mistake in above particulars must be intimated within 30 days of the issuance of this DMC.

32

S. NO. PB

2822896

15

BOARD OF INTERMEDIATE & SECONDARY EDUCATION PESHAWAR



Roll No: 78167

PESHAWAR



PROVISIONAL AND DETAILED MARKS CERTIFICATE INTERMEDIATE (ANNUAL) EXAMINATION, 2012 HUMANITIES (Part-II)

Haroon Ur Rasheed Son / Daughter of Muhammad Daud
of The City College Of Arts & Science Shahi Bagh Road Peshawar
has secured the marks shown against each subject in the H S S C Examination held in the month of
April 2012 as Regular Student

Subjects	Marks	Marks Obtained						Marks in Words
		Part-I		Part-II		Total		
		Theory	Pract	Theory	Pract			
English	200	61	--	51	--	112	One Hundred Twelve	
Urdu	200	67	--	70	--	137	One Hundred Thirty-Seven	
Islamic Education	50	35	--	--	--	35	Thirty-Five	
Pakistan Studies	50	--	--	22	--	22	Twenty-Two	
Economics	200	90	--	54	--	144	One Hundred Forty-Four	
Civics	200	66	--	58	--	124	One Hundred Twenty-Four	
Computer Science	200	63	25	57	24	169	One Hundred Sixty-Nine	

Total : 1100

743-B	Seven Hundred Forty-Three Only
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Remarks :

ATTESTED
(Signature)

Reg: No 0064-B/CCASP-2010

Checked By : _____

Date of issue: 25-07-2012

Controller of Examinations

Note: Error(s)/Omission(s) excepted. Any mistake in above particulars must be intimated within 30 days of the issuance of this certificate

Adm. No. _____

The City College of Arts, Science & Commerce



Peshawar City

Character Certificate

This is to certify that Mr. Hasan Us Rashid
No. Muhammad. Daw was a bonafide student of this college.

He remained on roll of this college w.e.f. 2010 to 2012

His character and conduct during his stay in this college was good.

I wish him every success in his future life.

[Signature]
Accountant

PRINCIPAL
The City College Shahi Bagh
Peshawar
Principal
The City College of
Arts, Science & Commerce
Peshawar City.

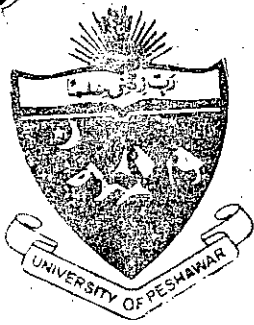
ATTESTED

33

16

34

17



University of Peshawar

Pakistan

Detailed Marks Certificate

Bachelor of Arts.

Part-I

Annual Examination 2014

Govt: College, Peshawar City



Regular

Name: HAROON UR RASHEED

Gender: Male

Roll No: 26362

Father's Name: MUHAMMAD DAUD

Registration No: 2012-GP-8078

Papers	Max Marks	Marks Obtained	
		In Figures	In Words
English(Compulsory)	75	31	Thirty One
Political Science	75	35	Thirty Five
Islamic Studies	75	37	Thirty Seven
Islamiyat (Compulsory)	60	40	Forty Only
	285	143	One Hundred and Forty Three

Errors & omissions are subject to subsequent rectification

Chances Availed: 2

The Examination was taken In Parts

Examination held From 28-May-2014 to 28-Jun-2014

Result Declared on Monday, September 15, 2014

Issue Date: 17-Sep-2014

4:19 pm

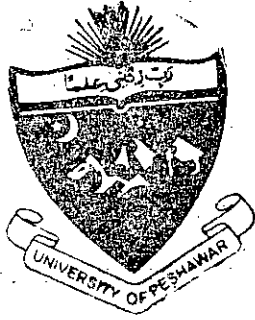
Computerized by RTC

ATTESTED

(Prof. Dr. Rashid Khan)
CONTROLLER OF EXAMINATIONS
UNIVERSITY OF PESHAWAR

35

18



University of Peshawar

Pakistan

Detailed Marks Certificate

Bachelor of Arts.

Part-II

Annual Examination 2014

Govt: College, Peshawar City



Regular

Name: HAROON UR RASHEED

Gender: Male

Roll No: 52075

Father's Name: MUHAMMAD DAUD

Registration No: 2012-GP-8078

Division: 2nd

Papers	Max Marks	Marks Obtained	
		In Figures	In Words
English (Compulsory)	75	34	Thirty Four
Political Science	75	32	Thirty Two
Islamic Studies	75	42	Forty Two
Pakistan Studies	40	20	Twenty Only
Part-I 28382:Annual-2014	285	143	One Hundred and Forty Three
Part-II	550	271	Two Hundred and Seventy One

Errors & omissions are subject to subsequent rectification

Chances Availed: 1

The Examination was taken As a Whole

Examination held From 28-May-2014 to 28-Jun-2014

Result Declared on Monday, September 15, 2014

Issue Date: 17-Sep-2014

4:27 pm

Computerized by RTC

ATTESTED

(Prof. Dr. Rashid Khan)
CONTROLLER OF EXAMINATIONS
UNIVERSITY OF PESHAWAR

36

Annex

Annex - 'D' 19

Dairy No. 9721
Date. 17-06-2022
Health Department

To

The Secretary Health Government of Khyber Pakhtunkhwa,
Health Department,
Peshawar.

Subject: APPEAL/REQUEST FOR PROMOTION OF CLASS-IV STAFF WORKING UNDER DHO PESHAWAR

Sir,

With due respect it is stated that we all the Class-IV qualified staff are deprived from promotion since 1988 till date. 1st there was two cadres in the health directorate against which different meetings was scheduled and now it was decided to merge these cadres into one cadre. But the order is still awaited.

Furthermore, most of our Class-IV staff are well qualified having diploma holders and Master in different subjects. Despite of well deserving and qualified Class-IV staff no promotion was made so far due to the reason that we are sub cadre. The Class-IV staff working in Directorate General Health Services, Khyber Pakhtunkhwa were time and again promoted to the ministerial positions we were ignored.

It is pertinent to mention here that, the seniority of Class-IV staff have already been prepared at DHO Peshawar against which promotion can be possible.

Therefore, it is humbly requested that, we the Class-IV staff may kindly be promoted and promotion quota may kindly be specified since 1988, so as to get the benefit and the two cadres may kindly be merged.

I would be obliged, please.

Dated: 17-06-2022.

Your Sincerely,

All qualified Class-IV staff

- SSII (2&D)
- AS - (REV)
- AS - (MT)
- CH - (SRU)
- DFO
- DS - (2&D)
- DS - (G-3)
- SO - B-I
- SO - B-II

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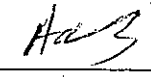
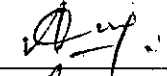
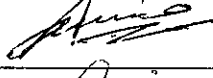
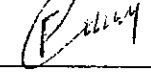
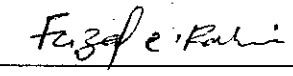
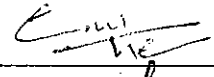
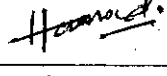
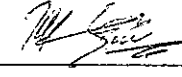
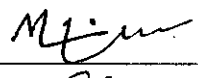
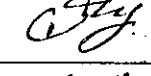
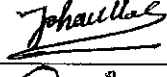
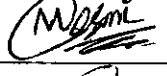
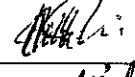
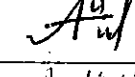
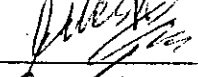



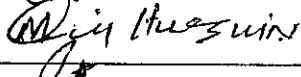
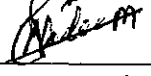
[Signatures: T-Arwal, S, Bahadur, Shahab, Nurva, etc.]

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P.T.O.

Abdul Umar Muhammad Tahir
Jasman Amir Muhammad Amir
Fuzal Utsho Abdul Qabir
Nasim Adis Safar Amir
Sudhakar I Muhammad Muhammad
Hamid

Names, Scales and Signatures of Candidates

<u>Sr No.</u>	<u>Name of Candidate</u>	<u>Scale</u>	<u>Signature</u>
1.	Abdul Shahab	BPS-01	
2.	Ahmad Jan	BPS-01	
3.	Amir Khan	BPS-04	
4.	Aqib Zahoor	BPS-03	
5.	Asfandyar Khan	BPS-02	
6.	Asif Naveed	BPS-02	
7.	Fareedullah Safi	BPS-03	
8.	Fazal-e-Rabi	BPS-02	
9.	Ghulam Mujtaba	BPS-02	
10.	Hamad	BPS-02	
11.	Haroon-ur-Rasheed	BPS-03	
12.	Imran Khan	BPS-03	
13.	Izzat Ullah	BPS-01	
14.	Jahanullah Khan	BPS-01	
15.	Mueen Qasmi	BPS-04	
16.	Muhammad Altaf	BPS-03	
17.	Muhammad Arif	BPS-04	
18.	Muhammad Ihtisham	BPS-04	
19.	Muhammad Nouman	BPS-04	
20.	Muhammad Sulaiman	BPS-03	
21.	Muhammad Tayyab	BPS-04	
22.	Muneer Hussain	BPS-01	
23.	Nadeem Khan	BPS-03	


ATTACHED

24.	Saadullah Khan	BPS-01	Saadullah Khan
25.	Sabir Shah	BPS-03	Sabir
26.	Sahibzada Amir	BPS-02	Amir Ahmad
27.	Sardar Ali	BPS-01	Sardar Ali
28.	Shahid Ahmad	BPS-04	Shahid
29.	Shahid Islam	BPS-02	Shahid
30.	Salman Shah	BPS-05	
31.	Shehryar Khan	BPS-04	Shehryar
32.	Sohail Ashiq	BPS-01	Sohail
33.	Muhammad Suliman	BPS-04	Muhammad
34.	Syed Zaffar Ali	BPS-04	Syed Zaffar
35.	Tahir Hafeez	BPS-04	Tahir
36.	Tahir Shah	BPS-01	Tahir
37.	Turkat Auzal	BPS-03	Turkat Auzal
38.	Umair Khan	BPS-03	Umair
39.	Waqas Ahmad	BPS-02	Waqas
40.	Waqas Ghulam	BPS-01	Waqas
41.	Zeeshan Ahmad	BPS-04	Zeeshan
42.	Zia-ul-Islam	BPS-02	Zia-ul-Islam

ATTESTED

Annex



DIRECTORATE GENERAL HEALTH SERVICES
KHYBER PAKHTUNKHWA, PESHAWAR

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Annex - "E"

No. 1776-856 Promotion Cell Dated Peshawar the 18/08/2022

To

1. All District Health Officers in Khyber Pakhtunkhwa
2. All Medical Superintendents of Hospitals in Khyber Pakhtunkhwa.

Subject: APPEAL / REQUEST FOR PROMOTION OF CLASS-IV STAFF

Memo:

Reference to the subject noted above, please furnish the detail of Junior Clerks who have been initially recruited as well as detail of Matriculate Class-IV who have been promoted in 33 % quota on the following format:-

Proforma for Junior Clerks from Class-IV on 33% Quota.

S No.	Name / Father Name	Date of Entry into Govt: Service.	Qualification	Date of Promotion to J/C in 33% Quota.
01.				
02.				

Proforma for Junior Clerks initially recruited.

S No.	Name / Father Name	Date of Entry into Govt: Service.	Qualification	Date of Initial Recruitment as Junior Clerk.
01.				
02.				

Additional Director General (HR)
 Directorate General Health Services
 Khyber Pakhtunkhwa, Peshawar

ATTESTED





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Annex - "F"

21

OFFICE OF THE DISTRICT HEALTH OFFICER PESHAWAR
PHONE NO. 091-9225887

No. 14703 /DHO dated Pesh: 21/09/2022

To,

The Director General Health Services,
Khyber Pakhtunkhwa,
Peshawar.

SUBJECT: APPEAL/REQUEST FOR PROMOTION OF CLASS-IV STAFF

Sir,

Reference your letter No. 11776-856/Promotion Cell dated: 18.08.2022.

The requisite information is hereby submitted as mentioned below:

Proforma for Junior Clerks from Class-IV on 33% Quota.

S.No	Name/Father Name	Date of Entry into Govt: Service	Qualification	Date of Promotion to J/C in 33% Quota
	Nil	Nil	Nil	Nil

Proforma for Junior Clerks initially recruited.

S.No	Name/Father Name	Date of Entry into Govt: Service	Qualification	Date of initial Recruitment as Junior Clerk.
	Nil	Nil.	Nil	Nil

District Health Officer
Peshawar

ATTESTED

Ann

(41)
SOFT REMINDER

Annex "G"

The Secretary Health Government of Khyber Pakhtunkhwa,
Health Department,
Peshawar.

17/10/2022
Health Department

(22)

Subject: APPEAL/REQUEST FOR PROMOTIONS OF CLASS-IV STAFF WORKING UNDER DHO
PESHAWAR

Sir,

With due respect it is stated that we all the Class-IV qualified staff are deprived from promotion since 1988 till date. 1st there was two cadres in health Directorate against which different meetings was scheduled and now it was decided to merge these cadres into one cadre. But the order is still awaited.

Furthermore, most of our Class-IV staff are well qualified having Diploma holders and Master in different subjects. Despite of well deserving and qualified Class-IV staff no Promotion was made so far due to the reason that we are sub cadre. The Class-IV staff working in Directorate General Health Services Khyber Pakhtunkhwa were timely promoted to Ministerial Positions but we were ignored.

It is pertinent to mentioned that the seniority list of Class-IV Staff have already been prepared at DHO Peshawar against which promotions can be possible.

Therefore, it is humbly requested that, we the Class-IV staff may kindly be promoted and promotion quota may kindly be specified since 1988, so as to get the benefits and the two cadre may kindly be merged.

We would be obliged, please.

Date: 13.10.2022

Yours Sincerely,
All Qualified Class-IV Staff

*Chilla
Mujta*

[Handwritten signature]

[Handwritten signature]
ATTESTED

(42)

SCANNED
KPST
Peshawar

BEFORE THE KHYBER PAKHTUNKHWA SERVICE TRIBUNAL
PESHAWAR

Khyber Pakhtunkhwa
Service Tribunal

Service appeal No.1819/2022

Diary No. 5235

Dated 9/5/2023

Haroon ur Rasheed

-----Petitioner

Versus

Govt of Khyber Pakhtunkhwa & Others

-----Respondents

INDEX

S. No	Description of Documents	Annexure	Page No.
01	Affidavit		01
02	Parawise Comments		02-03
03	Copy of Seniority List	A	04-6
04	Authority Letter		07

[Signature]
Deponent

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BEFORE THE KHYBER PAKHTUNKHWA SERVICE TRIBUNAL
PESHAWAR

Service Appeal No.1819 to1859 /2022.

Haroon ur Raheed &Others Vs Govt: of KP (Health) -----Petitioner

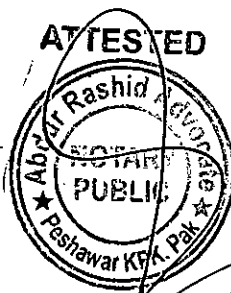
AFFIDAVIT

I Dr, Mubarak Zeb khan S/O Mr, Alam Zeb Khan DHIS Coordinator, Office of DHO Peshawar, do hereby solemnly affirm and declare on oath that content of the instant replay are true and correct to the best of my knowledge & belief and nothing has been concealed from this honorable Court.
Furthermore it is added that all the 41 service Appeals having same nature & having same stance /materials.

DEPONENT



Dr, Mubark Zeb
DHIS Coordinator
Office of DHO Peshawar
NIC No: 17101-6493994-5



4/5/2023

BEFORE THE KHYBER PAKHTUNKHWA SERVICE TRIBUNAL
PESHAWAR

Service Appeal No. 1819/2022.

Haroon ur Raheed.....Appellant

Versus

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

PARAWISE REPLY ON BEHALF OF RESPONDENTS No.01 to 04.

Respectfully Sheweth:

Preliminary Objections:-

1. That the appellant has got neither cause of action nor did locus standi to file the instant appeal.
2. That the appellant has filed the instant appeal just to pressurize the respondents.
3. That the instant appeal is against the prevailing Law and Rules.
4. That the appeal is not maintainable in its present form and also in the present circumstances of the issue.
5. That the appellant has filed the instant appeal with mala-fide intention hence liable to be dismissed.
6. That the appellant has not come to this Honorable Tribunal with clean hands.
7. That the appeal is barred by law and limitation.
8. That the Honorable Tribunal has no Jurisdiction to adjudicate upon the matter.
9. That the instant appeal is bad for mis- joinder of unnecessary and non-joinder of necessary parties.
10. That there is no original or appellate order which is pre requisites of section 4 of the Khyber Pakhtunkhwa Service Tribunal Act 1974 hence under 2006 SCMR 1630 the honorable Tribunal has no jurisdiction to adjudicate the matter.

FACTS

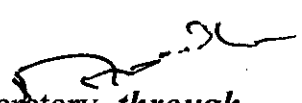
1. Pertains to record.
2. Incorrect , Needless to mention that as the appellant is working at District level, his Seniority list is maintained in Respondent No.4 office and is attached as **Annexure-A**.
3. Correct to the extent of promotion of class-iv employees to the post of junior clerk on the basis of 33% reserved quota in accordance with the rules.
4. Incorrect. There is no vacant post available where the appellant may be promoted as junior clerk. It is worth to mention that no post of junior clerk has been advertised, nor did anyone recruited against the same.


- 5. Already explained in para-04.
- 6. Incorrect. Already replied in para 04 above. It is worth to mention that a joint departmental appeal has been filed in violation of the appeal rules therefore, the instant appeal is badly time barred.
- 7. No comments.

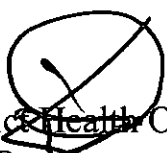
GROUND:-

- A: - Incorrect, as there is not a single vacant post of junior clerk (BPS-11) in the office of Respondent Department to which the appellant may be promoted.
- B: - Incorrect, the appellant is not entitled for promotion to the post of junior clerk as there is no vacant post of junior clerk in their share under 33% reserved quota.
- C: - Incorrect. The appellant has been placed at his proper place in the seniority list
- D: - The Respondents have already acted in accordance with law and rules.
- E: - Incorrect, already explained in above paras.
- F: - The respondents seek leave to raise additional grounds at the time of arguments.

It is therefore requested that on acceptance of the instant parawise comments the appeal of the appellant may kindly be dismissed.


 Chief Secretary *through*
 Secretary Health Khyber Pakhtunkhwa
 Peshawar
 (Respondents No-01&02)


 Director General Health Services
 Khyber Pakhtunkhwa Peshawar
 (Respondent No-03)

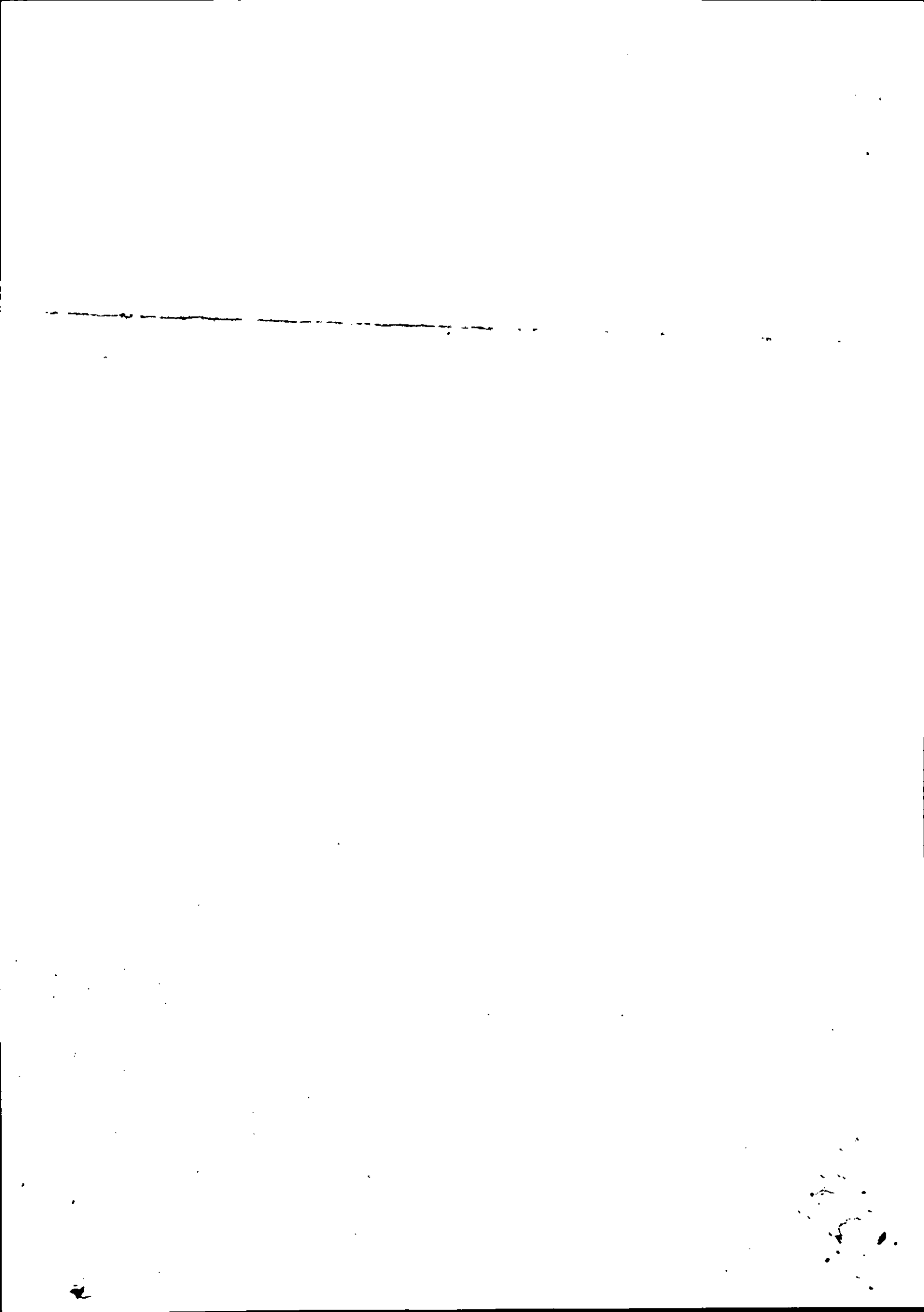

 District Health Officer
 Peshawar
 (Respondent No-04)

Seniority List Of Class IV Employees Working Under DHO Peshawar

O	Name	Father Name	NIC Number	Date of Entry in Job	Designation	Qualification
1	Zaffar Ali	Najaf Ali Shah	17301-1698582-3	7/5/1988	Naib Qasid	Matric
2	Tahir Shah	Amir Zada	17301-8905148-5	2/1/1992	Chowkidar	Matric
3	Muhammad Riaz	Nasar Ullah	17301-1675304-7	16/03/1995	Ward Orderly	Matric
4	Hamad	Shahid Hamid	17301-5090803-1	6/4/1997	Ward Orderly	BA
5	Ashfaq Ahmad	Sulaiman Khan	17301-1814298-7	5/1/1999	Chowkidar	Matric
6	Ahmad Jan	Ghazi Khan	17301-1274726-3	30/04/1999	Naib Qasid	FA
7	Salman Shah	Fazle Qadar	17301-7456183-7	9/1/2003	Ward Orderly	FA
8	Muhammad Zubair	Ibrahim	17301-8067632-3	22/11/2003	Naib Qasid	FA
9	Fazal Rabi	Sahar Gul	17301-9586454-7	11/8/2006	Ward Orderly	Matric
10	Sahibzada Aamir	Mukhtiar Ahmad	17301-05982459	12/8/2006	Ward Orderly	BA. Health Diploma
11	Muhammad Ishfaq	Mir Akbar	17301-9823680-1	28-11-2006	Ward Orderly	Mphil Microbiology+DIT
12	Sohail Ashiq	Muhammad Ashiq	17301-4002508-5	12/1/2009	Sanitary Petrol	BA
13	Ghulam Mujtaba	Ghulam Mustafa	17301-7148125-9	26/12/2009	Ward Orderly	BA
14	Ijaz Ahmad	Taza Gul	17301-5419523-7	31-12-2009	Chowkidar	FA
15	Munir Hussain	Faqir Hussain	17301-1311673-1	23/02/2010	Naib Qasid	Matric
16	Naveed Khan	Muhammad Nawaz Kham	17301-6584400-1	3/3/2010	Naib Qasid	BA
17	Muhammad Ibrar	Gul Mast Khan	17301-4408732-9	4/3/2010	Behishti	SSC
18	Muhammad Sulaiman	Musafar	17301-6117689-7	24-05-2010	Behishti	BA
19	Sajjad Ahmad	Liaqat Ali Khan	17301-8599458-3	13-06-2011	Behishti	FA
20	Torgat Auzal	Javid Akhtar	16101-7487588-9	19-10-2011	Chowkidar	FA
21	Syed Kifayat Shah	Naurooz Shah	17301-1458161-3	31/12/2011	X-ray Attendent	MA+ Health Diploma
22	Saad Ullah Khan	Sahib Zada	17301-16557279	21/12/2011	Chowkidar	BA
23	Abdul Shahab	Abdul Jabbar	17301-7776929-5	27/12/2012	Behishti	MSC Economics
24	Muhammad Imran	Qaleem Ullah	17301-3090264-1	29/12/2012	Chowkidar	MA
25	Asif Naveed	Naveed Ahmad	17301-5904442-3	31/12/2012	X-ray Attendent	FA

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26	Muhammad Altaf	Subhan ullah	17301-5887445-5	29-04-2013	Behishti	DAE
27	Shahid-Islam	Faqir Gul	17301-3550466-9	4/2/2014	Ward Orderly	FSC+ Surgical Diploma
28	Asfandyar Khan	Musharaf Khan	17301-6996238-7	4/2/2014	Ward Orderly	BA
29	Shams Ul Athhar	Shams Ul Qamar	17301-8058948-7	27-03-2015	Behishti	SSC
30	Zia-ul-Islam	Muhammad Qayum	17301-5067106-3	30/03/2015	Ward Orderly	MA+ Health Diploma
31	Salman Misbah	Misbah Ud din	17101-4426272-5	7/4/2015	Behishti	BA
32	Shahid Islam	Faqir Gul		16-1-2016	Ward Orderly	Surgical Diploma
33	Muhammad Sulaiman	Qabil Khan	17301-8449980-3	3/8/2016	Ward Orderly	FSC
34	Murshid Ali	Gohar Khan	17301-4164590-9	3/8/2016	Naib Qasid	BSc
35	Nadeem Khan	Sher Zaman	17301-8762303-1	12/8/2016	Behishti	FA
36	Fareed Ullah	Afridi Khan Safi	17301-4505337-1	3/8/2016	Naib Qasid	BA
37	Umair Khan	Pervaiz Khan	17301-8066889-5	29/05/2017	Naib Qasid	FA
38	Sabir Shah	Zaiban Shah	17201-6576098-3	19/01/2018	Chowkidar	Matric+ Health Diploma
39	Waqar Younis	Shafaras Khan	17301-9197840-5	19/01/2018	Ward Orderly	FSC
40	Syed Ghous Ali Shah	Syed Abid Shah	17301-1800560-9	19/01/2018	Ward Orderly	MA
41	Muhammad Arif	Faiz Muhammad	17301-2618886-7	19/01/2018	Ward Orderly	BSc
42	Muhammad Ihtisham	DilShad Khan	17301-2621626-3	19/01/2018	Ward Orderly	M.COM
43	Zeeshan Ahmad	Fareed Khan	17301-5237207-1	20/02/2018	Ward Orderly	BA
44	Faisal Ahmad	Habib ur Rehman	17301-6599340-5	3/10/2018	Chowkidar	FA
45	Muhammad Saboor	Manzoor Khan	17301-9784416-5	3/10/2018	Chowkidar	FA+ Health Diploma
46	Farooq Haidar	Khan Bahadur		3/10/2018	Ward Orderly	FA
47	Imran Khan	Izzat Khan	17101-1892366-1	30/10/2018	Chowkidar	FA+Electric Diploma
48	Rahim Shah	Sardar Khan	17301-8692584-1	27/10/2020	Ward Orderly	DAE+ DIT
49	Shehryar Khan	Faqir hussain	17301-2332817-7	27/10/2020	Ward Orderly	MA+DIT Diploma
50	Jehan Ullah	Ihsan Ullah	17301-1797449-1	27/10/2020	Ward Orderly	FA



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51	Arif Khan	Zaka Ullah	17301-0416153-5	27/10/2020	Ward Orderly	FSc
52	Muhammad Nouman	Noor Muhammad	17301-3280446-5	27/10/2020	Ward Orderly	BA
53	Muhammad Arif	Usman Khan	17301-86494820-9	27/10/2020	Ward Orderly	BA
54	Mueen Qasmi	Muhammad Hanif	17301-6540441-7	27/10/2020	Ward Orderly	MBA
55	Imran Khan	Abdul Sattar	17301-6952992-5	27/10/2020	Chowkidar	Matric
56	Shahid Ahmad	Habib ur Rehman	17301-6701436-9	27/10/2020	Ward Orderly	FA
57	Haroon Ur Rashid	Muhammad Dawood	17301-8767271-3	27/10/2020	Chowkidar	BA
58	Aqib Zahoor	Zahoor Ud Din	17301-5569170-9	27-10-2020	Chowkidar	Matric
59	Tahir Hafeez	Abdul Hafeez	17301-5242528-1	27-10-2020	Ward Orderly	B.COM
60	Hamza Shah	Jalal Shah	17301-6527188-7	27-10-2020	Ward Orderly	FA
61	Muhammad Tayyab	Masood Ahmad	17301-1955764-1	27-10-2020	Ward Orderly	FSc+Health Diploma
62	Shehryar Hussain	Nighah hussain	17301-6255930-7	27-10-2020	Ward Orderly	BSC Computer Science
63	Momin Khan	Johar Ali	17301-7058253-5	27-10-2020	Ward Orderly	SSC
64	Imran Shah	Sabir Shah	17301-3206617-7	8/12/2020	Ward Orderly	FSC
65	Anwar ul Haq	Zia Ul Haq	17301-5541278-7	2/3/2021	Behishti	FA
66	Salman Khan	Dilawar Khan	17301-3443294-5		Ward Orderly	Matric
67	Muhammad Aftab udin	Shahab u din	17301-4947979-7	27-10-2020	Chowkidar	Matric

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**OFFICE OF THE DISTRICT HEALTH OFFICER
PESHAWAR
Phone No. 091-9225387**

AUTHORITY LETTER

Syed Mastan Ali Shah Litigation Assistant ,Office of DHO Peshawar,
NIC No: 17101-0365818-9 is authorized to submit parawise comments reply in the
case Service appeal NO.1819/2022 titled Haroon Ur Rahman Vs Govt of KP in
Service Tribunal ,Peshawar.

*District Health Officer,
Peshawar*

**District Health Officer
Peshawar**

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

Restoration Appli no. 421/2023

C.M. Application No: _____/2023

IN

Service Appeal No. 1819 /2022

**SCANNED
KPST
Peshawar**

Haroon-ur-Rasheed

VS

Government of KP and Others

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2.	Order Sheet dated 20-03-2023	"A"	3

[Signature]
APPELLANT

Through

[Signature]

**BARRISTER
MUHAMMAD HASSAN ADIL**

(5)

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

Restoration Apple. No. 421/2023

C.M. Application No: _____/2023

IN

Service Appeal No. 1819 /2022

Haroon-ur-Rasheed Son of Muhammad Dawood, Resident of Al-Noor Colony, P.O
Khazana Payan, Peshawar

....APPELLANT Khyber Pakhtunkhwa
Service Tribunal

Vs

Diary No. 6278
Dated 4/7/2023

1. Government of Khyber Pakhtunkhwa through Chief Secretary, Civil Secretariate, Peshawar
2. Secretary to Government of Khyber Pakhtunkhwa, Health Department, Civil Secretariate, Peshawar
3. Director General (DG), Health Service, Warsak Road, Peshawar
4. District Health Officer (DHO), Grand Trunk Road, Tehsil and District Peshawar.

....RESPONDENTS

**APPLICATION FOR RESTORATION OF THE ABOVE-TITLED APPEAL WHICH
WAS DISMISSED IN DEFAULT ON 20-06-2023.**

Respectfully Sheweth;

- 1) That the above captioned appeal was fixed for hearing on 20.06.2023 before this Hon'ble Tribunal and the same was dismissed for non-prosecution on the same date.
- 2) That the titled appeal was initially admitted and notice was issued to the respondents, consequently which they submitted their comments before the Hon'ble Tribunal on 11th May, 2023.
- 3) That on the same day i.e., 11th May, 2023, after the conclusion of proceedings, the appeal was fixed for final arguments before the D.B and the reader of the Hon'ble Tribunal gave next date, i.e., 22nd June, 2023 for hearing to the clerk of the counsel as well as to the appellant. However, on 22nd June, 2023, the appellant/applicant was astonished when he came to know that his appeal, which was ordered to be argued on the next date, was fixed on 20th June, 2023 and due to non-appearance of counsel and the appellant, the appeal was dismissed in default. **(Copy of the Orde Sheet is annexed as "Annexure - A")**
- 4) That non-appearance of the counsel for the appellant/applicant on the date fixed was neither intentional nor deliberate, but due to the reason:-
 - a. That the date given to the appellant/applicant was 22nd June, 2023 but the same was then fixed before the Hon'ble Tribunal on 20th June, 2023, having no notice of the same to the appellant.

- b. That, furthermore, the counsel of the appellant/applicant has also recorded the next date as 22nd June, 2023 in his diary, but the case was fixed on 20th June, 2023, having no knowledge of the same to the counsel either.
- c. That it doesn't appeal to the prudent mind that a person who is appellant/applicant in an application/case would refuse to appear in his own case and that too when the case is of such serious nature.
- 6) That non-presence of the appellant/applicant as well as his counsel was due to the reason mentioned above.
- 7) That valuable rights of the appellant/applicant are involved in the case in hand, which requires decision on merit.
- 8) That any other ground deemed appropriate would be raised at the time of arguments with the permission of Hon'ble court.

Therefore, it is, prayed that, on acceptance of instant application, the titled appeal may graciously be restored and be decided on merit.

Muhammad Hassan
APPLICANT

Through

Muhammad Hassan

BARRISTER

MUHAMMAD HASSAN ADIL

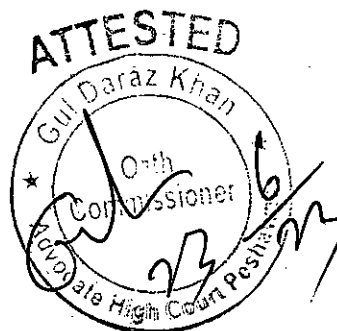
Advocate High Court

Dated: 22-06-2023

AFFIDAVIT

I, **Haroon-ur-Rasheed** Son of **Muhammad Dawood**, Resident of **Al-Noor Colony, P.O Khazana Payan, Peshawar**, do hereby solemnly affirm and declare on Oath that the contents of accompanying Application are true and correct to the best to my knowledge and nothing has been concealed from this hon'ble tribunal.

Muhammad Hassan
DEPONENT



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1

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



Khyber Pakhtunkhwa
Service Tribunal

Case No. 2136

Dated 02/12/2022

Service Appeal No. 1819 /2022

Haroon-ur-Rasheed

Son of Muhammad Dawood
Resident of Al-Noor Colony, P.O Khazana,
Peshawar

....APPELLANT

Versus

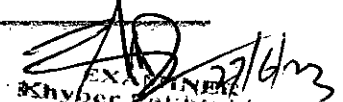
1. Government of Khyber Pakhtunkhwa through Chief Secretary, Civil Secretariate, Peshawar
2. Secretary to Government of Khyber Pakhtunkhwa, Health Department, Civil Secretariate, Peshawar
3. Director General (DG), Health Service, Warsak Road, Peshawar
4. District Health Officer (DHO), Grand Trunk Road, Tehsil and District Peshawar

....RESPONDENTS

02/12/22

APPEAL U/S 4 OF THE KHYBER PAKHTUNKHWA SERVICE TRIBUNAL ACT, 1974 FOR PROMOTION OF THE APPELLANT AGAINST THE POST OF JUNIOR CLERK, WHEREBY THE DEPARTMENTAL APPEAL OF THE APPELLANT DATED 17-06-2022 HAS NOT BEEN RESPONDED BY THE RESPONDENTS.

ATTESTED


EXAMINER
Khyber Pakhtunkhwa
Service Tribunal
Peshawar

16/12/22

(54) Haroon-ur-Ragheed



ORDER
20.06.2023

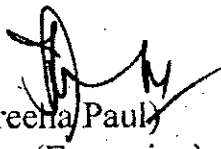
Nemo for the appellant. Mr. Mastan Ali, Assistant alongwith


Mr. Muhammad Jan, District Attorney for the respondents, present.

The appeal in hand was called on for hearing after various intervals, however nobody put appearance on behalf of the appellant till rising of the court, therefore, the appeal in hand stand dismissed in default. Parties are left to bear their own costs. File be consigned to the record room.

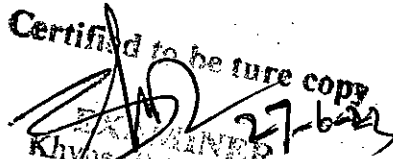
SCANNED
KPST
Peshawar

ANNOUNCED
20.06.2023.


(Fareeha Paul)
Member (Executive)


(Salah-ud-Din)
Member (Judicial)

Naeem Amin

Certified to be true copy

27-6-23
Khyber Pakhtunkhwa
Service Tribunal
Peshawar

Date of Presentation of Application 22-6-23
Number of Words page 2
Copying Fee 10/-
Urgent -
Total 10/-
Name of Copyist Shahzad
Date of Completion of 27-6-23
Date of Delivery of Copy 27-6-23

55

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

Khyber Pakhtunkhwa
Service Tribunal

**SCANNED
KPST
Peshawar**

Diary No. 9053

C.M. Application No: 1819 /2023

Dated 15-11-2023

IN

Service Appeal No. 1819 /2022

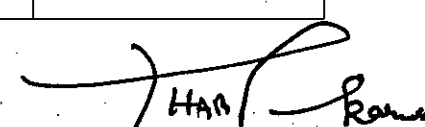
Haroon-ur-Rasheed

VS

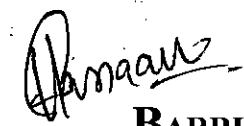
Government of KP and Others

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5.	Wakalatnama		


APPELLANT / APPLICANT

Through


BARRISTER
MUHAMMAD HASSAAN ADIL

Dated: 10-11-2023

56

1

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

C.M. Application No: _____/2023

IN

Service Appeal No. 1819 /2022

Haroon-ur-Rasheed

Son of Muhammad Dawood,
Resident of Al-Noor Colony, P.O Khazana Payan,
Peshawar

....APPLICANT

Vs

1. Government of Khyber Pakhtunkhwa

Through Chief Secretary, Civil Secretariate,
Peshawar

2. Secretary to Government of Khyber Pakhtunkhwa,

Health Department, Civil Secretariate,
Peshawar

3. Director General (DG),

Health Service, Warsak Road,
Peshawar

4. District Health Officer (DHO),

Grand Trunk Road,
Tehsil and District Peshawar.

....RESPONDENTS

**APPLICATION FOR INTERIM RELIEF THEREBY
RESTRAINING THE RESPONDENTS FROM MAKING
APPOINTMENTS AGAINST THE VACANCIES OF JUNIOR
CLERK IN THE DIRECTORATE GENERAL HEALTH
SERVICES, KHYBER PAKHTUNKHWA.**

Respectfully Sheweth;

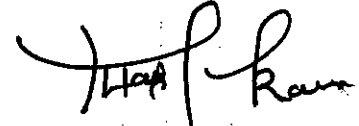
- 1) That the above-captioned appeal is pending for adjudication before this Hon'ble tribunal and is fixed for 14.12.2023.
- 2) That the brief facts necessitating the filling of instant application are that on 11.10.2023, the Departmental Promotion Committee, in its meeting, recommended the promotion of Naib Qasids to the post of Junior clerk (BPS-11) with immediate effect, which was duly followed and they were promoted to the said post on 30-10-2023 by the promoting authority.

(Copy of the impugned list of the Naib Qasids' promotion to the post of junior clerks is hereby annexed as Annexure – "A" respectively)

- 3) That the matter regarding the promotion of Class – IV to the post of junior clerk in Directorate Health department is already sub-judice before this Hon'ble tribunal, wherein on the previous date, the Hon'ble tribunal has ordered the respondents to produce the record of junior clerks posts and vacancies since 2010.
- 4) That the respondents tried to mislead this Hon'ble tribunal because in their reply / comments, submitted before this Hon'ble tribunal, they have specifically contended that not even a single vacant post of junior clerk is available in the respondent's department, in response to which the appellant submitted an application for bringing on record some documents regarding the availability of vacant posts in the department. However, the department is now, illegally, promoting junior employee / Naib Qasids to the post of Junior clerks just to fill up the vacancies, so that the department could contend regarding the non-availability of any post, which clearly transpires *mala fide* on part of the respondents.
- 5) That petitioner has prima-facie, a strong case and is very sanguine about its success, besides, balance of convenience also leans in favour of grant of interim relief.
- 6) That if the respondents were not restrained from promoting other employees and leaving the present appellant / applicant unpromoted despite his being eligible for promotion and no fault on his part, such act of the respondent's department would cause an irreparable loss to the present applicant / appellant.
- 7) Any other ground deemed appropriate would be raised at the time of arguments, with the permission of this Hon'ble tribunal.


PRAYER:

It is therefore, humbly prayed that on acceptance of this application, the impugned promotions to the post of junior clerk may kindly be suspended and the respondents be restrained from making promotions against the impugned posts till the final decision of the appeal.



APPLICANT / APPELLANT

Through



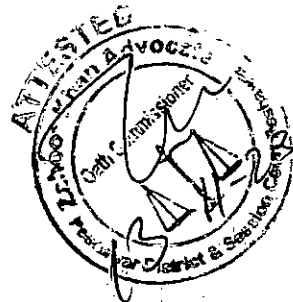
BARRISTER

MUHAMMAD HASSAAN ADIL

Dated: 10-11-2023

AFFIDAVIT

I, **Haroon-ur-Rasheed** Son of Muhammad Dawood, Resident of Al-Noor Colony, P.O Khazana Payan, Peshawar, do hereby solemnly affirm and declare on Oath that the contents of accompanying Application are true and correct to the best to my knowledge and nothing has been concealed from this hon'ble tribunal.


DEPONENT



Annexure - "A" (59)

**DIRECTORATE GENERAL HEALTH SERVICES
KHYBER PAKHTUNKHWA PESHAWAR**

All communications should be addressed to the Director General Health Services Peshawar and not to any official by name. E-Mail Address: K.P.K.dgshs@yahoo.com
Office # 091-9210269 Exchange # 091-9210187, 9210196 Fax # 091-9210230

OFFICE ORDER

Consequent upon approval accorded by the Departmental Promotion Committee in its meeting held on 11/10/2023, under the Chairmanship of Director General Health Services Khyber Pakhtunkhwa, Peshawar, the following Matriculate Class-IV are hereby promoted to the post of Junior Clerk (BPS-11) against the vacant posts reserved under 33% quota with immediate effect:-

S. No	Name of Official	Present Place of Posting
01	Muhammad Adil	DGHS Office Peshawar
02	Gulrajud Din, Naib Qasid	DGHS Office Peshawar
03	Musarat Shah, Naib Qasid	DGHS Office Peshawar
04	Sadat Khan Naib Qasid	DGHS Office Peshawar
05	Shehzad Ali, Naib Qasid	DGHS Office Peshawar
06	Sikandar Khan, Naib Qasid	DGHS Office Peshawar
07	Abdul Aziz, Naib Qasid	DGHS Office Peshawar

On their promotion to the post of Junior Clerk (BPS-11) the following Posting/transfer are hereby ordered:-

S. No	Name of Officials	From	To
01	Muhammad Adil	Budget SNE (Merged area)	Ministerial Promotion Cell
02	Gulrajud Din, Junior Clerk	Homeo Section	Homeo Section
03	Musarat Shah, Junior Clerk	Gate No.4	HRMIS Section
04	Sadat Khan, Junior Clerk	Medical Section	Medical Section
05	Shehzad Ali, Junior Clerk	DG Staff	Personnel Section
06	Sikandar Khan, Junior Clerk	Public Health Section	Public Health Section
07	Abdul Aziz, Junior Clerk	DHO, Nowshera	DHO, Nowshera

Arrival / Departure should be submitted to this Directorate for record.

SDXXXX
Director General Health Services
Khyber Pakhtunkhwa Peshawar

No. 2784-90/Ministerial Promotion Cell

dated 30/10/2023

Copy forwarded to the.

- 1 AG Office Khyber Pakhtunkhwa, Peshawar.
- 2 Deputy Director (Accounts) DGHS, Peshawar.
- 3 District Health Officer, Nowshera.
- 4 Incharge Concerned Sections.
- 5 PA to DGHS Khyber Pakhtunkhwa, Peshawar.
- 6 Mr. Bilal Khan President Class-IV DGHS Peshawar.
- 7 Officials concerned.

For information and necessary action.


Director General Health Services
Khyber Pakhtunkhwa Peshawar

CS CamScanner

ATTSTED

(60)
KHYBER PAKHTUNKHWA SERVICE TRIBUNAL PESHAWAR

PROFORMA FOR EARLY HEARING

FORM 'A'

Khyber Pakhtunkhwa
Service Tribunal
Peshawar
Diary No. 9275

To be filled by the Counsel/Applicant

21/11/23

Dated

9275
21/11/23

Case Number	1819 - 1859 / 2022		
Case Title	Haroon - wr - Rasheed & others vs Govt of ICP & others		
Date of Institution			
Bench	SB		DB ✓
Case Status	Fresh		Pending ✓
Stage	Notice		Reply Argument ✓
Urgency to clearly stated.	The Hon'ble Tribunal directed the department to produce the record of Junior Clerk posts till date from 2010. However, the department promoted the main clerks & are filling the posts.		
Nature of the relief sought.	Civil Misc. Application has been filed by the appellants. It may kindly be fixed for tomorrow.		
Next date of hearing	14-12-2023.		
Alleged Target Date	22-11-2023.		
Counsel for	Petitioner ✓	Respondent	In person

Application accepted
Notices be issued to the
respondents for 29-11-2023
along with connected appeals.

23/11/23

Signature of counsel/party

61

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

C.M Application No. _____/2023

IN

Service Appeal No. 1819 -1059/2022

Haroon ur Rasheed and Others

Vs

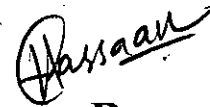
Government of KP and Others

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APPLICANT

Through



BARRISTER

MUHAMMAD HASSAAN ADIL

Advocate High Court

Dated: 21-11-2023

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

C.M Application No. ____/2023

IN

Service Appeal No. 1819 -1859/2022

Haroon ur Rasheed and Others

VERSUS

Government of KP and Others

APPLICATION FOR EARLY HEARING

Respectfully Sheweth:-

1. That the above titled case is pending adjudication before this Hon'ble tribunal and is fixed for 14-12-2023.
2. That the titled appeals are pertain to the promotion of the appellants, wherein on the last date the Hon'ble Tribunal directed the respondent department to produce the record of junior clerk post from 2010 till date. However, to the utter surprise, the department on 11.10.2023, the Departmental Promotion Committee, in its meeting, recommended the promotion of Naib Qasids to the post of Junior clerk (BPS-11) with immediate effect, which was duly followed and they were promoted to the said post on 30-10-2023 by the promoting authority.
3. That now the facts necessitating the filing of instant application are that if the posts in question turn out to be filled by the department, which is their intention, then the appeal of the appellants would be infructuous and the appellant will be greatly prejudiced.
4. That if the above-referred appeals have not been fixed earlier, the main appeal of the appellant would become infructuous and the valuable rights of the appellants would be violated and abused. Similarly, there is no bar on it in fixing the same appeal earlier rather it would be in the interest of justice.

In view of above, it is therefore, most humbly prayed that on acceptance of this application, the above titled appeals no. 1819 – 1859 /2022, may kindly be fixed for an early date preferably on 22nd November, 2023.

Haroon
APPLICANT

Through

Hassaan
BARRISTER

MUHAMMAD HASSAAN ADIL
Advocate High Court

Dated: 21-11-2023

AFFIDAVIT

I, **Haroon-ur-Rasheed** Son of Muhammad Dawood, Resident of Al-Noor Colony, P.O Khazana Payan, Peshawar, do hereby solemnly affirm and declare on Oath that the contents of accompanying Application are true and correct to the best to my knowledge and nothing has been concealed from this hon'ble tribunal.

Haroon
DEPONENT



64

BEFORE THE KHYBER PAKHTUNKHWA SERVICE TRIBUNAL, PESHAWAR

Service Appeal No. 1819/22

Haroon Rasheed

VERSUS

Health & others

APPLICATION FOR ADJOURNMENT

Respectfully Sheweth;


1. **That** the above titled case is pending adjudication before this Hon'ble Tribunal which is fixed for today i.e. 24.01.2024.
2. **That** the father of the counsel for the appellant in the present case, and in connected 42 appeals fixed for today, is admitted in Hospital at Islamabad and he is accompanying his father at hospital, hence is unable to appear and assist this Honorable Tribunal.
3. **That** for the reason stated herein above, counsel for the appellant in the present case and in connected 42 appeals is unable to appear before this Honorable Tribunal, hence this application.

It is therefore, most humbly prayed, that on acceptance of this application this Hon'ble Court may please adjourned the above titled case.

Through **APPELLANT**

BARRISTER MUHAMMAD HASSAN ADIL
Advocate High Court

Through


Ahmad Hamza
Advocate, Peshawar.

Dated: 24.01.2024

65

BEFORE THE KHYBER PAKHTUNKHWA SERVICE TRIBUNAL
PESHAWAR

Service Appeal No. 1819/2022.

Haroon ur Raheed.....Appellant

Versus

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

REPORT SUBMISSION ON BEHALF OF RESPONDENTS NO. 04.

Subject: Mintues of the meeting in Service Appeal No.1819/2022 to 1859/2022 Titled Haroon-ur- Rashid and 40 others Vs Govt of Khyber Pakhtunkhwa Regarding promotion of Class-IV under 40% Quota to the post of Junior Clerk (BPS-11)

Respectfully Sheweth,

Regarding the above mentioned Service Appeals in Khyber Pakhtunkhwa Peshawar , it is stated that a meeting was conducted under the Chairmanship of Addle: Director General (Admin) DGHS Khyber Pakhtunkhwa Peshawar dated.29-01-2024 to solve the issue once for all as per direction of Honourble Service Tribunal Court Peshawar.

(Minutes of the meeting are annexed-A)

As per meeting the tentative / provisional Seniority list of Class-IV as attached **(Annexed-B)**

As per Honourble Service Tribunal Peshawar as well as DGHS directions the promotion of Class-IV employees to the post of junior clerks (BPS-11) may be considered on availability of vacant position as per Service Rules and recommendation of DPC as defined in the ESTA CODE.

District Health Officer,
Peshawar

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(Annex-A)

DIRECTORATE GENERAL HEALTH SERVICES
KHYBER PAKHTUNKHWA PESHAWAR

2022/2024

Ministerial Promotion Call Dated Peshawar the

2022/10/17/2024

1. All District Health Officers in Khyber Pakhtunkhwa
2. All Medical Superintendents of Hospitals in Khyber Pakhtunkhwa


Subject

MINUTES OF THE MEETING IN SERVICE APPEAL NO. 1819/2022 TO 1859 OF 2022 TITLED HAROON-UR-RASHEED AND 40 OTHERS VERSUS GOVERNMENT OF KHYBER PAKHTUNKHWA THROUGH SECRETARY HEALTH DEPARTMENT AND OTHERS REGARDING PROMOTION OF CLASS-IV EMPLOYEES UNDER 40% QUOTA TO THE POST OF JUNIOR CLERK (BPS-11)

The promotion of Class-IV employees was discussed in a meeting held on 2022/10/24 and the following decision were made.

- i. All DHOs & Medical Superintendents may be informed to maintain proper Seniority list of Class-IV employees working under their control and share with this Directorate. Their promotion to the post of Junior Clerk (BS-11) may be processed as per rules issued by Govt. of Khyber Pakhtunkhwa, Establishment Department vide Notification bearing No.SOE.IV (E & AD)/1-35/2014 dated 18/07/2019. (Copy attached).
- ii. The promotion case of 41 Class-IV of DHO Office Peshawar which is under trail in the Service Tribunal vide above referred service appeal will also be considered by the DHO Peshawar on availability of vacant posts of Junior Clerk (BS-11), as per rules, being competent authority.

You are requested to maintain proper seniority list of Class-IV employees working under your control and share with this Directorate and the promotion of Class-IV employees to the post of Junior Clerk (BS 11) may be considered on availability of vacant positions as per attached Service Rules and recommendation of DPC as defined in the ESTA CODE.


ADDITIONAL DIRECTOR GENERAL (ADMIN)
DIRECTORATE GENERAL HEALTH SERVICES
KHYBER PAKHTUNKHWA, PESHAWAR

Copy to

- 1 Registrar Service Tribunal Khyber Pakhtunkhwa Peshawar
- 2 Deputy Secretary Legal Govt. of Khyber Pakhtunkhwa Health Department
- 3 Section Officer (Lit-II) Govt. of Khyber Pakhtunkhwa Health Department
- 4 Director (Litig. P.S.) DGHS-KP
- 5 Deputy Director (Admin) DGHS KP
- 6 Assistant Director (Lit-II) DGHS KP Peshawar.

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DIRECTORATE GENERAL HEALTH SERVICES
KHYBER PAKHTUNKHWA PESHAWAR

MINUTES OF THE MEETING IN SERVICE APPEAL NO.1819/2022 TITLED HAROON-UR-RASHEED & 40 OTHERS VS GOVERNMENT OF KP.

A meeting was held in the office of Additional Director General (Admin) DGHS KP on 22/01/2024 at 12:00 PM to discuss the Service Appeal No 1819/2022 Titled Haroon-ur-Rasheed VS Govt. of KP and others

The following attended the meeting.

- 1. Addle: Director General (Admin) DGHS KP. (Chairman)
- 2. District Health Officer Peshawar. (Member)
- 3. Director (Litigation) DGHS KP (Member)
- 4. Deputy Director (Admin) DGHS KP (Member)

The Committee was briefed about the back ground of the Service Appeal No. 1819/2022 Titled Haroon-ur-Rasheed and 40 others VS Govt. of KP regarding promotion of Class-IV employees working under the control of DHO Peshawar. The mater was discussed in detail and after thread bar discussion it was decided that:

1. All DHOs & Medical Superintendents may be informed to maintain proper Seniority list of Class-IV employees working under their control and share with this Directorate. Their promotion to the post of Junior Clerk (BS-11) may be processed as per rules issued by Govt: of Khyber Pakhtunkhwa, Establishment Department vide Notification bearing No.SOE.IV (E & AD)/1-35/2014 dated 18/07/2019. (Copy attached)

2. The promotion case of 41 Class-IV of DHO Office Peshawar which is under trial in the Service Tribunal vide above referred service appeal will also be considered by the DHO Peshawar on availability of vacant posts of Junior Clerk (BS-11) as per rules being competent authority.

The meeting ended with vote of thanks.

1. Addle Director General (Admin) DGHS KP. [Signature] 22/1/2024

2. District Health Office Peshawar. [Signature]

3. Director (Litigation) DGHS KP. [Signature]

4. Deputy Director (Admin) DGHS KP. [Signature]



68

GOVERNMENT OF KHYBER PAKHTUNKHWA
ESTABLISHMENT DEPARTMENT
(ESTABLISHMENT WING)

Dated Peshawar, the 18th July, 2019

NOTIFICATION

No.SOE.IV(E&AD)/1-35/2014:-

In pursuance of the provisions contained in sub-rule (2) of rule 3 of the Khyber Pakhtunkhwa Civil Servants (Appointment, Promotion and Transfer) Rules, 1989, the Establishment and Administration Department, in consultation with the Finance Department, is hereby directs that in this Department's Notification No.SOE.IV (E&AD)/1-35/2012 dated 6th December, 2012, the following amendments shall be made, namely:

AMENDMENTS

In the APPENDIX, for Serial No.4, the following shall be substituted, namely:

1.	2.	3.	4.	5.
4.	Junior Clerk.	(i) FA/ F.Sc with second division or equivalent qualification from a recognized Board; and (ii) a speed of thirty (30) words per minute in typing.	18 to 30 years.	(a) Forty per cent by promotion, on the basis of seniority-cum-fitness, from amongst Daftaris, Gestetner Operators, Qasids and Naib Qasids including holders of other equivalent posts in the Secretariat with two years service as such, who have passed FA/F.Sc Examination or its equivalent qualification from a recognized Board; and (b) sixty per cent by initial recruitment. <u>Note:</u> For the purpose of promotion, there shall be maintained a common seniority list of Daftaris, Gestetner Operators, Qasids, Naib Qasids etc. with reference to the dates of their acquiring the FA/ F.Sc qualification:

W

1.	2.	3. 69	4.	5. Provided that- <ul style="list-style-type: none">(i) if two or more officials have acquired the FA/F.Sc qualification in the same session, the inter se seniority in the lower post shall be maintained for the purpose of determining seniority in the higher post;(ii) where a senior official does not possess the requisite qualification at the time of filling up a vacancy, the official next junior to him possessing the requisite qualification shall be promoted in preference to the senior official or officials: <p>Provided further that The condition of FA/F.Sc or its equivalent qualification from a recognized Board, as laid down at clause (a) shall not apply for a period of four years from the date of commencement of this Notification to the existing matriculate incumbents of the post of Daftaris, Gestetner Operators, Qasids and Naib Qasids including holders of other equivalent posts for promotion to the post of Junior Clerk (BS-11)."</p>
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AV

CHIEF SECRETARY
KHYBER PAKHTUNKHWA

✓

No. SOE-IV(E&AD)/1-35/2014, dated 18th July, 2019

Copy forwarded for information and necessary action to: -

1. All Administrative Secretaries to Government of Khyber Pakhtunkhwa, Civil Secretariat, Khyber Pakhtunkhwa Peshawar.
2. The Senior Member of Board of Revenue.
3. The Principal Secretary to Governor, Governor's Secretariat, Khyber Pakhtunkhwa
4. The Principal Secretary to Chief Minister, Khyber Pakhtunkhwa.
5. The Secretary Provincial Assembly, Khyber Pakhtunkhwa.
6. The Secretary, Khyber Pakhtunkhwa Public Service Commission.
7. Deputy Director (IT), Establishment & Administration Department with the request to upload on the official website.
8. PS to Chief Secretary Khyber Pakhtunkhwa.
9. PS to Secretary Establishment Department,
10. PS to Special Secretary (Estt), Establishment Department.
11. PS to Special Secretary (Reg), Establishment Department.
12. PA to Addl. Secretary (Estt/ Reg), Establishment Department.
13. PA to Addl. Secretary (HRD Wing) Establishment Department.
14. All the Deputy Secretaries in Establishment Department.
15. All Section Officers, Establishment Department, Khyber Pakhtunkhwa Peshawar,
16. The Manager Government Printing Press for publication in the Extra Ordinary Gazette with the request to provide 50 copies of Gazette.


(HAZRAT JAMAL)
SECTION OFFICER (E-IV)

OL



(71)
OFFICE OF THE DISTRICT HEALTH OFFICER,
PESHAWAR.

Annexure-B

Phone No.091 9225387
Fax No. 091 9225467

No. 1538-43 /DHO
To

Dated Peshawar The 30/01/2024.

1. All Deputy District Health Officer- in District Peshawar
2. Medical Superintendent Cat-D Hospital Govt: Maternity Hospital Peshawar
3. All Medical Superintendent Cat-D Hospital in District Peshawar
4. Medical Superintendent ESH Nahaqi Peshawar
5. Senior Medical Officer Incharge RHCs in District Peshawar
6. All Medical Officers of sub health facilities in District Peshawar

Subject: - **TENTATIVE/PROVINCIAL SENIORITY LIST OF CLASS-IV STAFF OF DISTRICT HEALTH OFFICE PESHAWAR**

Provincial Seniority List of all Class-iv staff who possess the higher qualification prepared by this office is sent herewith for the purpose of circulation amongst all Class-iv staff working under control for their information and confirmation about accuracy of the seniority list. In case of any objection with regard o the contents of the seniority-list, the same may please be communicated to this office for reconsideration and rectification, within 15 days of the receipt of this communication.

District Health Officer,
Peshawar.

CC:/DHO

1. Director General Health Services, Khyber Pakhtunkhwa Peshawar.
2. Section Officer (General) Khyber Pakhtunkhwa Health Department Peshawar
3. Account Section

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Tentative/Provisional Seniority List Of Class IV Employees Working Under DHO Peshawar (Subject to Verification)

S.NO	Name	Father Name	NIC Number	Date of Entry in Job	Domicile	Designation	Qualification	FA/Fsc Passing Date	Health Facility
1	Ahmad Jan	Ghazi Khan	17301-1274726-3	30/04/1999	Peshawar	Naib Qasid	FA	2014	BHU Pakha Ghulam
2	Salman Shah	Fazle Qadar	17301-7456183-7	9/1/2003	Peshawar	Ward Orderly	FA	2006	CD Din Bahar
3	Muhammad Zubair	Ibrahim	17301-8067632-3	22/11/2003	Peshawar	Naib Qasid	FA	2010	TBC
4	Sahibzada Aamir	Mukhtiar Ahmad	17301-05982459	12/8/2006	Peshawar	Ward Orderly	BA. Health Diploma	2006	BHU Dalazak
5	Muhammad Ishfaq	Mir Akbar	17301-9823680-1	28-11-2006	Peshawar	Ward Orderly	Mphil Microbiology+Health	2010	DHO Office
6	Sohail Ashiq	Muhammad Ashiq	17301-4002508-5	12/1/2009	Peshawar	Sanitary Petrol	BA	2010	DHO Office
7	Waqas Ghulam	Ghulam Masih	17301-7887451-5	14/1/2009	Peshawar	Sweeper	FA	2008	TBC Nowshera
8	Ijaz Ahmad	Taza Gul	17301-5419523-7	31-12-2009	Peshawar	Chowkidar	FA	1992	CD Hussain Abad
9	Naveed Khan	Muhammad Nawaz Khan	17301-6584400-1	3/3/2010	Peshawar	Naib Qasid	BA	2009	RHC Putwar
10	Khan zeb	Jehab Zeb	17301-6641635-7	3/3/2010	Peshawar	X-ray Attendent	FA	2009	CD Gul Bahar
11	Muhammad Sulaiman	Musafar	17301-6117689-7	24-05-2010	Peshawar	Behishti	BA	2010	BHU Hazarkhani
12	Sajjad Ahmad	Liaqat Ali Khan	17301-8599458-3	13-06-2011	Peshawar	Behishti	FA	2011	ESH Nahaqi
13	Saad Ullah Khan	Sahib Zada	17301-16557279	21/12/2011	Peshawar	Chowkidar	BA	2011	Badaber
14	Syed Kifayat Shah	Naurooz Shah	17301-1458161-3	31/12/2011	Peshawar	X-ray Attendent	MA+ Health Diploma	2000	Putwar
15	Muhammad Imran	Qaleem Ullah	17301-3090264-1	29/12/2012	Peshawar	Chowkidar	MA	2003	Wadpagga
16	Muhammad Altaf	Subhan ullah	17301-5887445-5	29-04-2013	Peshawar	Behishti	DAE	2012	CD Tehkal
17	Musafar	Gulab Sher		3/2/2014	Peshawar	Behishti	F.A	2017	Nahaqi
18	Shahid Islam	Faqir Gul	17301-3550466-9	4/2/2014	Peshawar	Ward Orderly	FSC+ Surgical Diploma	2009	Badaber
19	Asfandyar Khan	Musharaf Khan	17301-6996238-7	4/2/2014	Peshawar	Ward Orderly	BA	2008	Gara Tajik
20	Zia-ul-islam	Muhammad Qayum	17301-5067106-3	30/03/2015	Peshawar	Ward Orderly	MA+ Health Diploma	2012	CD Zaryab

District Health Officer
Peshawar

21	Salman Misbah	Misbah Ud din	17101-4426272-5	7/4/2015	Peshawar	Behishti	BA	2014	BHU Gul Bela
22	Muhammad Sulaiman	Qabil Khan	17301-8449980-3	3/8/2016	Peshawar	Ward Orderly	FSC	2014	CD Din Bahar
23	Murshid Ali	Gohar Khan	17301-4164590-9	3/8/2016	Peshawar	Naib Qasid	BSc+ Health	2010	CD Clerk
24	Fareed Ullah	Afridi Khan Safi	17301-4505337-1	3/8/2016	Peshawar	Naib Qasid	BA	2010	CD Khalid Town
25	Nadeem Khan	Sher Zaman	17301-8762303-1	12/8/2016	Peshawar	Behishti	FA	2017	DHO Office
26	Umair Khan	Pervaiz Khan	17301-8066889-5	29/05/2017	Peshawar	Naib Qasid	FA	2018	DHO Office
27	Sabir Shah	Zaiban Shah	17201-6576098-3	19/01/2018	Peshawar	Chowkidar	FSc + Health Diploma	2023	DHO Office
28	Waqar Younis	Shafaras Khan	17301-9197840-5	19/01/2018	Peshawar	Ward Orderly	FSC + Radiology Diploma	2021	CH Mattani
29	Syed Ghous Ali Shah	Syed Abid Shah	17301-1800560-9	19/01/2018	Peshawar	Ward Orderly	MA	2006	CH Mattani
30	Muhammad Arif	Faiz Muhammad	17301-2618886-7	19/01/2018	Peshawar	Ward Orderly	BSc	2011	Gara Tajik
31	Muhammad Ihtisham	DiShad Khan	17301-2621626-3	19/01/2018	Peshawar	Ward Orderly	M.COM	2010	Deputy District Health Officer-
32	Zeeshan Ahmad	Fareed Khan	17301-5237207-1	20/02/2018	Peshawar	Ward Orderly	BA	2014	BHU Jogani
33	Faisal Ahmad	Habib ur Rehman	17301-6599340-5	3/10/2018	Peshawar	Chowkidar	FA	2013	RHC Takhtabad
34	Rahim Shah	Sardar Khan	17301-8692584-1	27/10/2020	Peshawar	Ward Orderly	DAE+ DIT	2013	CD Corporation
35	Shehryar Khan	Faqir hussain	17301-2332817-7	27/10/2020	Peshawar	Ward Orderly	MA+DIT Diploma	2004	CD Zargar Abad
36	Jehan Ullah	Ihsan Ullah	17301-1797449-1	27/10/2020	Peshawar	Ward Orderly	FA	2005	Nahaqi
37	Muhammad Nouman	Noor Muhammad	17301-3280446-5	27/10/2020	Peshawar	Ward Orderly	BA	2011	BHU Kharakai
38	Muhammad Arif	Usman Khan	17301-86494820-9	27/10/2020	Peshawar	Ward Orderly	BA	2016	Dalazak
39	Mueen Qasmi	Muhammad Hanif	17301-6540441-7	27/10/2020	Peshawar	Ward Orderly	MBA Finance	2008	DHO Office
40	Shahid Ahmad	Habib ur Rehman	17301-6701436-9	27/10/2020	Peshawar	Ward Orderly	FA	2010	CBD-II
41	Haroon Ur Rashid	Muhammad Dawood	17301-8767271-3	27/10/2020	Peshawar	Chowkidar	BA	2012	BHU Gul Bela
42	Tahir Hafeez	Abdul Hafeez	17301-5242528-1	27-10-2020	Peshawar	Ward Orderly	B.COM	2015	CD Nothia Qadeem
43	Muhammad Tayyab	Masood Ahmad	17301-1955764-1	27-10-2020	Peshawar	Ward Orderly	FSc+Health Diploma	2018	Regi
44	Shehryar Hussain	Nighah hussain	17301-6255930-7	27-10-2020	Peshawar	Ward Orderly	BSC Computer Science	2017	
45	Humayun Khan	Rasool Khan	17301-8853550-5	2/3/2021	Peshawar	Lab Attendent	BA	2010	Badaber

District Health Officer

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46	Habib Ur Rehman	Ameer Ur Rehman	17301-4562611-1	27-05-2022	Peshawar	Behishti	FA	2008	
47	Fazle Raziq	Abdul Majeed	17301-4012295-3	27-05-2022	Peshawar	Ward Attendent	MA	2014	BHU High Court
48	Sufi Muhammad Bilal	Sufi Muhammad Ijaz		27/05/2022	Peshawar	Ward Attendent	FA	subject to verification	
49	Hamid Ali Durrani	Awal Khan Durrani		27/05/2022	Peshawar	Ward Orderly	B.COM	subject to verification	
50	Syed Shah Hussain	Syed Hayat Shah	17101-3558786-5	27/05/2022	Peshawar	Lab Attendent	MA	subject to verification	CD Nouthia Jadeed
51	Asif Mustafa	Mahmood Ud Din		15/02/2010	Peshawar	Ward Orderly	B.A	subject to verification	
52	Israr Ahmad	Waqar Ahmad		15/02/2010	Peshawar	Tube Well Operator	F.A	subject to verification	
53	Torgat Auzal	Javid Akhtar	16101-7487588-9	19-10-2011	Peshawar	Chowkidar	FA	subject to verification	
54	Iftexhar Gul	Wafadar Gul		30/10/2011	Peshawar	Ward Orderly	FA	subject to verification	
55	Ahmad Yar	Gulshan Khan		30/11/2011	Peshawar	Ward Orderly	FA	subject to verification	
56	Izhar Khalil	Sher Akabar		19/01/2018	Peshawar	Ward Attendent	BA	subject to verification	
57	Imtiaz Khan	Muhammad Ilyas		19/01/2018	Peshawar	Ward Attendent	FA	subject to verification	
58	Inam Ullah	Ihsan Ullah		19/01/2018	Peshawar	Ward Attendent	BA/Radiology Diploma	subject to verification	
59	Saboor Zareen	Manzoor Khan	17301-9784416-5	3/10/2018	Peshawar	Chowkidar	FA+ Health Diploma	subject to verification	
60	Farooq Haidar	Khan Bahadur		3/10/2018	Peshawar	Ward Orderly	FA	subject to verification	

District Health Officer
Peshawar

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61	Imran Khan	Izzat Khan	17101-1892366-1	30/10/2018	Peshawar	Chowkidar	FA+Electric Diploma	subject to verification	
62	Amir Khan	Zaka Ullah	17301-0416153-5	27/10/2020	Peshawar	Ward Orderly	FSc	subject to verification	
63	Sardar Ali	Mir Aslam		11/6/2012	Peshawar	Chowkidar	MA	subject to verification	
64	Hamza Shah	Jalal Shah	17301-6527188-7	27-10-2020	Peshawar	Ward Orderly	FA	subject to verification	
65	Marof Shah	Maqbol Shah		14/02/2014	Peshawar	Ward Orderly	F.A	subject to verification	
66	Imran Shah	Sabir Shah	17301-3206617-7	8/12/2020	Peshawar	Ward Orderly	FSC	subject to verification	
67	Anwar ul Haq	Zia Ul Haq	17301-5541278-7	2/3/2021	Peshawar	Behishti	FA	subject to verification	
68	Inayat U Rehman	Muhammad Yaqoob		23/08/2021	Peshawar	Daftari	BA	subject to verification	
69	Umair Khuram	Aziz Ahmad	17301-5051648-7	27/05/2022	Peshawar	Ward Attendent	BA	subject to verification	
70	Shams Ul Arifeen	Muhammad Hashim Khan			Peshawar	Behishti	M.A Islamiyat	subject to verification	


 District Health Officer
 Peshawar

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GOVERNMENT OF NWFP
ESTABLISHMENT & ADMINISTRATION DEPARTMENT
(REGULATION WING)

Dated Peshawar, the December 21, 1982

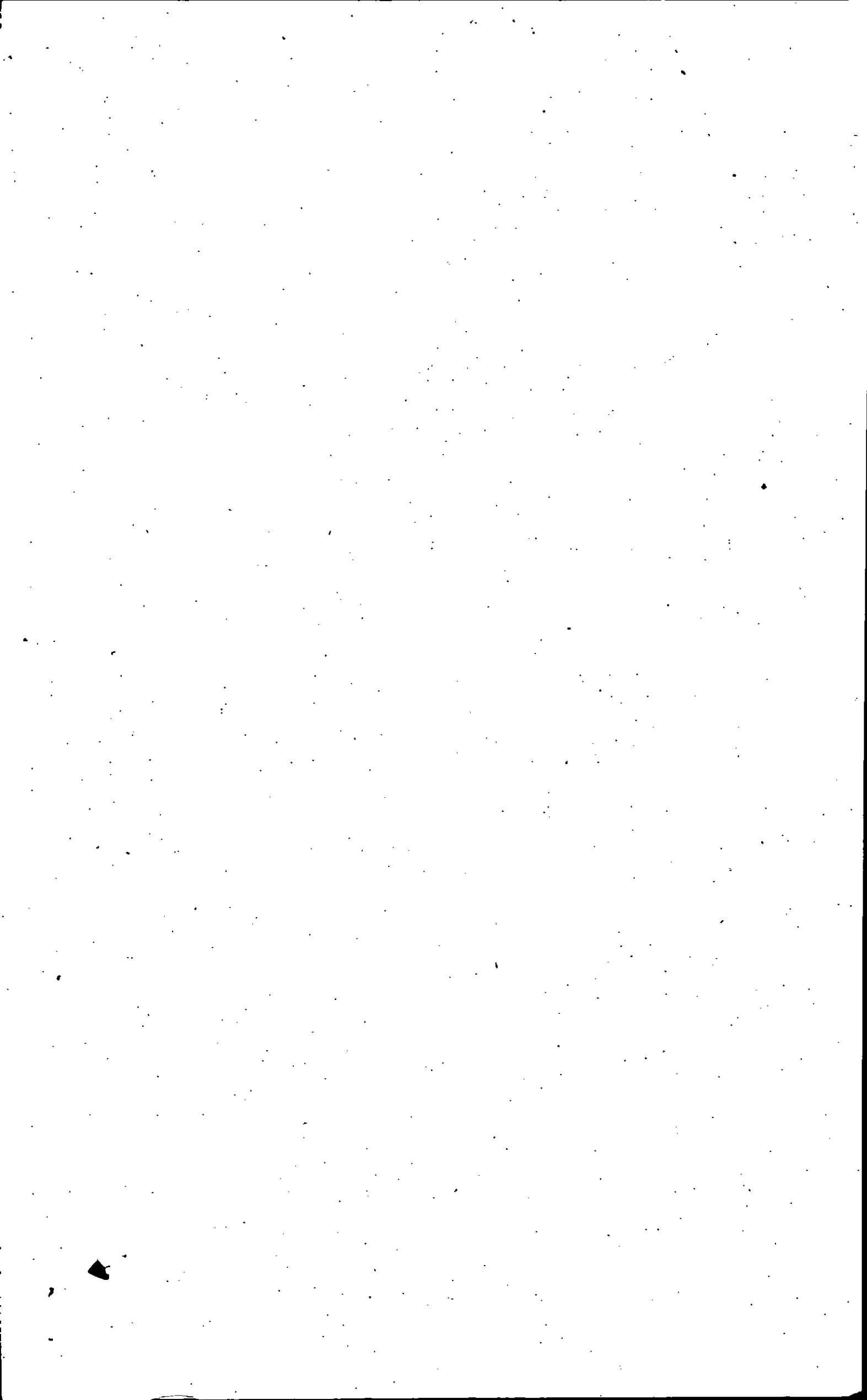
NOTIFICATION

NO.SORI (S&GAD) 4-7/86 (A):- In pursuance of the provisions contained in Sub Rule (2) of Rule-3 of the North-West Frontier Province Civil Servants (Appointment, Promotion and Transfer) Rules, 1975, and in supercession of all previous rules, issued in this behalf, the Services & General Administration Department, in consultation with the Finance Department, hereby lays down the method of recruitment, qualifications and other conditions specified in column 3 to 5 of the Appendix to this Notification, which shall be applicable to posts in the North-West Frontier Province, Civil Secretariat specified in column 2 of the said appendix.

APPENDIX

S.No	Nomenclature of posts	Minimum qualification for appointment by initial recruitment	Age limit	Method of Recruitment
1.	Superintendent			By promotion, on the basis of seniority-cum-fitness from amongst holders of the post of Assistant with at least five years services as such.
2.	Private Secretary			By promotion, on the basis of seniority-cum-fitness from amongst holders of the post of Personal Assistant with at least two years services as such ¹

¹ Substituted vide Notification No. SOR-I (S&GAD) 4-7/80, dated 10.11.1984 read with Notification No SOE.IV (E&AD) 1-35/2002 dated 27/11/2002.



3.	Assistant	Degree from a recognized University	18 - 30 years	³ @ (a) 25% by initial recruitment; and (b) 75% by promotion on the basis of seniority-cum-fitness, from amongst Senior Clerk with at least five years service as Junior and Senior Clerk.
4.	Personal Assistant			By promotion, on the basis of seniority-cum-fitness from amongst holders of the post of Senior Scale Stenographers with at least three years services as such.
5.	Senior Scale Stenographer		18 - 30 years	⁴ By promotion, on the basis of seniority-cum-fitness from amongst the Stenographers (BPS-12) with at least five years service as such; provided that if no suitable candidate is available for promotion then by initial recruitment.
6.	Senior Scale Stenographer (Urdu)	(i) Matriculation or equivalent qualification from a re-cognized Board. (ii) A speed of 80 words per minute in Shorthand in Urdu and 60 words per minute in typing.	18 - 30 years	a) By initial recruitment; or b) By promotion, on the basis of seniority-cum-fitness from amongst holders of the post of Stenographer (Urdu) with at least three years services as such.
7.	Stenographer	(i) ⁵ Intermediate or equivalent qualifications from a recognized Board; and (ii) ⁶ A speed of 50 words per minute in Shorthand in English and 35 words per minute in typing and Knowledge of Computer in using MS Word, MS Excel.	18 - 30 years	By initial recruitment

² Substituted vide Notification No. SOR-I (S&GAD) 4-1/80, (Vol.III) dated 12/06/1999

³ Substituted vide Notification No. SOR.I (S&GAD) 4-7/80, dated 05/10/1989, SOR-I (S&GAD) 4-7/80, dated 05/10/1985 & No.SOR.IV (S&GAD) 3-2/96(A), dated 16/9/1996

⁴ Substituted vide Notification No. SOR.IV (S&GAD) 1-1/95, dated 11/01/1996.

⁵ Substituted vide Notification No. SOR.IV (S&GAD) 3-16/94(A), dated 10/4/1996 &

⁶ Substituted vide Notification No.SOE.IV (E&AD) 1-35/2002 dated 26/09/2002.

8.	Senior Clerk			By promotion, on the basis of seniority-cum-fitness from amongst the post of Junior Clerk with two years services as such.
9.	Junior Clerk	i) Matriculation or equivalent qualification from a recognized Board; and ii) A speed of 30 words per minute in typing.	18 - 30 years	(a) 33% by promotion from amongst Daftaries, G/Operator, Qasid and Naib Qasids including other equivalent posts in the Secretariat with two years service as such, who have passed S.S.C.Examination; and (b) 67% by initial recruitment.

Note: - For the purpose of promotion, there shall be maintained a common seniority list of Daftaries, Gestetner Operators, Qasids, Naib Qasids etc with reference to the dates of their acquiring the Secondary School Certificate provided that: -

- i. If two or more official have acquired the SSC in the same session, the official having longer service shall rank senior to other officials.
- ii. Where a senior official does not possess the requisite experience at the time of filling up a vacancy, the official next junior to him possessing the requisite experience shall be promoted in preference of the senior official or officials.

SECRETARY TO GOVT. OF NWFP
ESTABLISHMENT & ADMINISTRATION DEPARTMENT.

7. Substituted vide Notification No: SOR.IV (S&GAD) 1-1/95(D), dated 13/3/1997.

Endst: NO.SORI (S&GAD) 4 - 7/86 (A)

Dated Peshawar, the December 21,1982

Copy forwarded for information to the: -

1. All Administrative Secretaries in NWFP.
2. Secretary to Governor, NWFP.
3. All Section Officers/Estate Officer, E & A Department.

SECTION OFFICER (R.I)

Updated on 31st March, 2004
By E.IV Section, E&AD

129835

Barrister M. Hassaan Adil
ایڈووکیٹ

BC-116028 بار کونسل ایسوسی ایشن نمبر:

03038373453 رابطہ نمبر:



پشاور بار ایسوسی ایشن، خیبر پختونخواہ

Peshawar

Service Tribunal Peshawar

بجالات جناب:

Appellant	مخائب:	Sr. Appeal	دعوی:
یادون سرسید		-	علت نمبر:
بنام		-	مورد:
گورنمنٹ آرٹس کالج بی وکٹریہ		-	جرم:
		-	تھانہ:

بابت تحریر آگہ

یادون سرسید وکٹریہ داؤد کنہ خزانہ ڈاکٹیٹ پشاور

مقدمہ مندرجہ عنوان بالا میں اپنی طرف سے واسطے پیروی و جواب دہی کاروائی متعلقہ

آن مقام پشاور کیلئے بیرسٹر محمد حسبان محمول کو وکیل مقرر کر کے اقرار کیا جاتا ہے کہ صاحب موضوع کو مقدمہ کی کل کاروائی 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 زریں پر دستخط کرنے کا اختیار ہوگا، نیز بصورت عدم پیروی یا ڈگری بیکطرفہ 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 کاروائی کے واسطے اور وکیل یا مختار قانونی کو اپنے ہمراہ لیا جائے تقرر کا اختیار ہوگا اور صاحب مقرر شدہ کو وہی جملہ مذکورہ اختیارات حاصل ہوں گے اور اس کا ساختہ پر داختم 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: 26-11-2025

مقام پشاور

نوٹ: اس وکالت نامہ کی فونو کاپی ناقابل قبول ہوگی۔

(80)

بعدالت

Hon'ble Service Tribunal, Psh.

SCANNED
KPSST
Peshawar

Appellant/Applicant

2023 منجانب

مورثہ 13/11/2023

Govt of
ICP & others
Haroon
Rasheed بنام

مقدمہ Stay App

دعویٰ

جرم

باعث تحریر آنکہ

مقدمہ مندرجہ عنوان بالا میں اپنی طرف سے واسطے پیروی و جواب دہی وکل کاروائی متعلقہ

آن مقام پشاور کیلئے لیسٹر محمد حسان عادل

مقرر کر کے اقرار کیا جاتا ہے۔ کہ صاحب موصوف کو مقدمہ کی کل کاروائی کا کامل اختیار ہوگا۔ نیز وکیل صاحب کو راضی نامہ کرنے کے تقرر ثالث و فیصلہ پر حلف دیئے جواب دہی اور اقبال دعویٰ اور بصورت ڈگری کرنے اجراء اور وصولی چیک و روپیہ ارضی دعویٰ اور درخواست ہر قسم کی تصدیق زرائیں پر دستخط کرانے کا اختیار ہوگا۔ نیز صورت عدم پیروی یا ڈگری یکطرفہ یا اپیل کی برآمدگی اور منسوخی نیز دائر کرنے اپیل نگرانی و نظر ثانی و پیروی کرنے کا محتاج ہوگا۔ از بصورت ضرورت مقدمہ مذکور کے کل یا جزوی کاروائی کے واسطے اور وکیل یا مختار قانونی کو اپنے ہمراہ یا اپنے بجائے تقرر کا اختیار ہوگا۔ اور صاحب مقرر شدہ کو بھی وہی جملہ مذکور با اختیارات حاصل ہوں گے اور اس کا ساختہ پر داختم منظور و قبول ہوگا دوران مقدمہ میں جو خرچہ ہر جانہ التوائے مقدمہ ہوں گے سب سے وہوگا۔ کوئی تاریخ پیشی مقام دورہ پر ہو یا حد سے باہر ہو تو وکیل صاحب پابند ہوں گے۔

کہ پیروی مذکور کریں۔ لہذا وکالت نامہ لکھ دیا کہ سندر ہے۔
Attested & Accepted
Hamaq

2023ء

ماہ لز صبر

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المرقوم

العبد گ واہ العبد

کے لئے منظور ہے۔

لیسٹر عمر

مقام

بارون ریشدر و لبر محمد داؤد سندھ کنٹرانہ پایان پشاور

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BARRISTER MUHAMMAD HASSAAN ADIL

Address: Khurshid Building 17-A The Mall Road, Peshawar Cantt

Email: mha50@student.london.ac.uk

Contact No. 0303-8373453, BC No. 85490, B.F # 106308, CNIC # 17301-4151097-9

BEFORE THE KHYBER PAKHTUNKHWA SERVICE TRIBUNAL, PESHAWAR.

POWER OF ATTORNEY

Haroon-ur-Rasheed and Other

VS

Government of KP & Others

In the matter of case, I, Haroon-ur-Rasheed Son of Muhammad Dawood, Resident of Al-Noor Colony, P.O Khazana Payan, Peshawar, do hereby nominate and appoint;

BARRISTER MUHAMMAD HASSAAN ADIL, to appear, plead act and answer on my behalf in the above office/Court/tribunal or any appellate court/tribunal or any court/tribunal/office to which the business is transferred in the above matter and to sign and file petitions, statement, accounts, exhibits, compromises or other documents whatsoever, in connection with the said matter or any matter arising there from and also to apply to receive all documents or copies of documents, depositions etc. and to apply for and issue summons and other writs or to apply for and get issued any arrest, attachment or other execution, warrants or order and to conduct any proceeding that may arise there out and to apply for all sums or submit the above matter to arbitration.


And to do all acts legally necessary to manage and conduct the said case in all respects whether herein specified or not, as may be proper and expedient.

And I/we hereby agree to ratify and confirm all lawful acts done on my/our behalf under or by virtue of these presents or of the usual practice in such matter.

Provided always that if the case may be dismissed in default if it be proceeded ex-parte the said counsel shall not be held responsible for the same. All costs awarded in favour shall be the right of the counsel or his nominee, and if awarded against shall be payable by me/us.

IN WITNESS WHEREOF, I/we have hereto signed at Peshawar on this 20th November, 2023.

Accepted subject to the terms


EXECUTANT



BARRISTER
MUHAMMAD HASSAAN ADIL