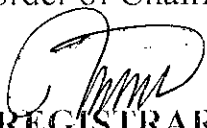


FORM OF ORDER SHEET

Court of _____

Appeal No. 662/2024

S.No.	Date of order proceedings	Order or other proceedings with signature of judge
1	2	3
1-	15/05/2024	<p>The appeal of Mr. Akhtar Hussain resubmitted today by Mr. A. Rahim Khan Jadoon Advocate. It is fixed for preliminary hearing before Single Bench at Peshawar on <u>17-5-2024</u> Parcha Peshi given to the counsel for the appellant.</p> <p>By the order of Chairman</p> <p> REGISTRAR</p>

BEFORE THE KHYBER PAKHTUNKHWA SERVICE TRIBUNAL
PESHAWAR

Service Appeal No. _____/2024

Akhtar Hussain

VERSUS

Government of Khyber Pakhtunkhwa

**APPLICATION FOR FIXATION OF THE CAPTIONED ABOVE
SERVICE APPEAL BEFORE PESHAWAR BENCH**

Respectfully Sheweth,

The Applicant/Appellant very humbly submits as under:

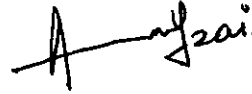
1. That the aforementioned Service Appeal is appended to this application, and it is further stated that the Applicant/Appellant is filing this instant Appeal through a Special Attorney.
2. That the Applicant/Appellant seeks to pursue the instant appeal before the Principal Seat/Peshawar Bench of this Honorable Tribunal.

In light of the above submissions, it is humbly prayed that upon acceptance of this application, the attached appeal may kindly be fixed for a hearing before the Principal Seat/Peshawar Bench of this Honorable Tribunal on any suitable date.

Any other relief not specifically asked for may very kindly be granted to the Appellant/Applicant.

APPLICANT/APPELLANT

through



Asad Ullah Yousafzai

(ADVOCATE)

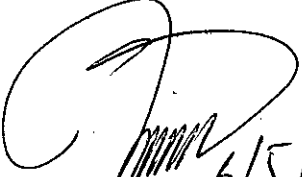
Dated: 15/05/2024

The appeal of Mr. Akhtar Hussain received today i.e on 03.05.2024 is incomplete on the following score which is returned to the counsel for the appellat for completion and resubmission within 15 days.

- 1- According to sub-rule-4 of rule-6 of Khyber Pakhtunkhwa Service Tribunal rules 1974 respondent no. 3 & 4 are un-necessary/improper parties, in light of the rules ibid and on the written direction of the Worthy Chairman the above mentioned respondent number be deleted/struck out from the list of respondent.
- 2- Memorandum of appeal is not signed by the appellat.
- 3- Annexures of the appeal are unattested.
- 4- Appeal has not been flagged/marked with annexures marks.
- 5- Affidavit is not attested by the Oath Commissioner.
- 6- Page no. 22 of the appeal is illegible be replaced by legible/better one.
- 7- Copies of charge sheet, statement of allegations, show cause notice, enquiry report and replies there to are not attached with the appeal be placed on it.
- 8- Three copies/sets of the appeal along with annexures i.e. complete in all respect for Tribunal and one for each respondent may also be submitted with the appeal.

No. 1084 /S.T,

Dt. 6-5 /2024.



6/5/24

REGISTRAR
SERVICE TRIBUNAL
KHYBER PAKHTUNKHWA
PESHAWAR.

M.Rahim Khan Jadoon Adv.
High Court Peshawar.

Respected Sir,

- 1- Objection 1 is removed.
- 2- The instant appeal is filed by Appellant through Special Attorney, hence the appeal is signed by Special Attorney (Hayimand Khan).
- 3- Objection 3 is hereby removed.
- 4- Objection removed.
- 5- Objection removed.
- 6- This is the best available copy of page # 22 available with the Appellant, hence the same objection may be removed.
- 7- No copies of Charge Sheet etc has been provided to the Appellant, thus not available.
- 8- Objection removed.

Appellant
through 
Counsel 14/5/24

BEFORE THE KHYBER PAKHTUNKHWA SERVICE TRIBUNAL PESHAWAR

Service Appeal No 662/2024

Akhtar Hussain

Versus

Government of Khyber Pakhtunkhwa and another

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6.	Copy of Duty Assumption Letter & Notifications	"D"	17
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ط. ج. مندرخان

APPELLANT (Attorney)

Through

A.Rahim Khan Jadoon,

Noorullah,

Advocate High Court(s),

Asad Ullah Yousafzai,

Fathma Khattak.

Advocates

Contact: 03339153139

BEFORE THE KHYBER PAKHTUNKHWA SERVICE TRIBUNAL PESHAWAR

Service Appeal No. 662/2024Khyber Pakhtunkhwa
Service TribunalDiary No. 12532Dated 03-05-2024

Alhtar Hussain son of Shah Jehan,
Senior Research Officer, Agriculture Department
R/o Mohallah Bakhtmand Khan, Village Rahim Abad,
Tehsil Babuzai, District Swat.
through Special Attorney.

.....Appellant

Versus

1. Government of Khyber Pakhtunkhwa,
through Chief Secretary,
Establishment Block, Civil Secretariat, Peshawar.
2. Secretary to the Government of Khyber Pakhtunkhwa,
Agriculture Department,
Civil Secretariat, Peshawar.
3. Director General, Agriculture Research Department KP,
Near Agriculture Farms, University of Agriculture,
Peshawar.
4. Director, Agriculture Research Institute,
Takhtaband, Tehsil Babuzai, District Swat.

.....Respondents

SERVICE APPEAL UNDER SECTION-4 OF THE
KHYBER PAKHTUNKHWA SERVICE TRIBUNALS ACT,
1974 FOR REINSTATMENT TO SERVICE.

Filed to-day

Registrar

May it please this Honorable Court:

1. That the Appellant was initially appointed as a Research Officer in the Agriculture Department (hereinafter referred to as "the department") on 02.04.2007. Since the commencement of his tenure, the Appellant has diligently served the department with utmost dedication and commitment, without any cause for complaint from the Respondents. Throughout his service, the Appellant has consistently demonstrated exemplary conduct and professionalism, maintaining an unblemished career record. Notably, the Appellant was duly promoted to the position of Senior Research Officer (BS-18) and was working in Agriculture Research Institute, Swat under Respondent No.4. Following his promotion, the Appellant continued to serve the department with heightened zeal, exhibiting unwavering dedication and diligence in the discharge of his duties.

(Copy of Initial Appointment Letter attached as Annexure- "A")

2. That in the year 2018, the Appellant went on 150 days leave due to alteration of his residential house and other compelling circumstances. Specifically, the Appellant's wife encountered complications during her pregnancy, necessitating his presence at home to

BEFORE THE KHYBER PAKHTUNKHWA SERVICE TRIBUNAL PESHAWAR

Service Appeal No. 662/2024

Akhtar Hussain son of Shah Jehan,
Senior Research Officer, Agriculture Department
R/o Mohallah Bakhtnand Khan, Village Rahim Abad,
Tehsil Babuzai, District Swat.
through Special Attorney,
Hajimand Khan.

.....Appellant

Versus

1. Government of Khyber Pakhtunkhwa,
through Chief Secretary,
Establishment Block, Civil Secretariat, Peshawar.
2. Secretary to the Government of Khyber Pakhtunkhwa,
Agriculture Department,
Civil Secretariat, Peshawar.

.....Respondents

**SERVICE APPEAL UNDER SECTION-4 OF THE
KHYBER PAKHTUNKHWA SERVICE TRIBUNALS ACT,
1974 FOR REINSTATMENT TO SERVICE.**

May it please this Honorable Court:

1. That the Appellant was initially appointed as a Research Officer in the Agriculture Department (hereinafter referred to as "the department") on 02.04.2007. Since the commencement of his tenure, the Appellant has diligently served the department with utmost dedication and commitment, without any cause for complaint from the Respondents. Throughout his service, the Appellant has consistently demonstrated exemplary conduct and professionalism, maintaining an unblemished career record. Notably, the Appellant was duly promoted to the position of Senior Research Officer (BS-18) and was working in Agriculture Research Institute, Swat. Following his promotion, the Appellant continued to serve the department with heightened zeal, exhibiting unwavering dedication and diligence in the discharge of his duties.
(Copy of Initial Appointment Letter attached as Annexure- "A")

2. That in the year 2018, the Appellant went on 150 days leave due to alteration of his residential house and other compelling circumstances. Specifically, the Appellant's wife encountered complications during her pregnancy, necessitating his presence at home to

provide care and support. This leave was duly granted to the Appellant vide Notification No. SOE (AD) 1-170/2012, dated 01.10.2018.

(Copy of Appellant's Wife Reports are attached as Annexure- "B")

3. That during the aforementioned leave period, the health condition of the Appellant's wife deteriorated, compelling the Appellant, along with his wife and children, to seek advanced medical treatment in Canada for her pregnancy complications. Despite these earnest efforts, tragically, the newborn baby did not survive even after seeking medical attention in Canada. The loss of their newborn child inflicted profound anguish and despair upon the Appellant, and particularly exacerbated the emotional distress experienced by the mother of the newborn, the Appellant's wife.

(Copy of the Child Death Certificate is attached as Annexure- "C")

4. That Despite the profound grief, shock, and depression experienced by the Appellant's wife, the Appellant made the difficult decision to return to Pakistan as his leave period approached its expiration. Despite the emotional turmoil and the heart-wrenching circumstances surrounding the loss of their newborn child, the Appellant displayed commendable dedication to his duty. He ensured timely compliance with his obligations and rejoined his duties on 01.04.2019, as stipulated under Notification No. SOE (AD) 1-170/2012, dated 17.06.2019.

(Copy of Duty Assumption Report/Notifications are attached as Annexure- "D")

5. That on 30.04.2019, Director General Agriculture Research, Khyber Pakhtunkhwa issued a communication to the department alleging that the Appellant had failed to assume duty following the conclusion of his leave period. This assertion is inherently unfounded, as the Appellant did indeed resume his duties promptly upon the expiry of his authorized leave. The actions of Respondent No. 3 in issuing such a communication are evidently driven by malicious intent, devoid of any legitimate basis.

(Copy of Letter dated 30.04.2019 is attached as Annexure- "E")

6. That Given the profound grief, shock, and overwhelming sense of loneliness experienced by the Appellant's wife in the wake of their newborn's passing, the Appellant, out of genuine concern and compassion, submitted another application for leave on humanitarian grounds. He harbored the earnest hope that this plea for leave would be duly considered, particularly given the substantial leave balance available to him. Consequently, in July 2019, the Appellant temporarily left the country in order to provide much-needed support and companionship to his grieving wife during this exceptionally challenging period.

7. That as elaborated in the preceding paragraph, the Appellant had anticipated that his application for leave on humanitarian grounds would be favorably considered, enabling him to travel to Canada to provide solace and support to his grieving wife. However, to his profound dismay, the Appellant learned from one of his colleagues that the department had issued a warning notice against him in the newspaper, instructing him

to resume his duties. Regrettably, circumstances posed significant obstacles to the Appellant's ability to comply with this directive. The onset of the global COVID-19 pandemic resulted in widespread lockdown measures, rendering international travel exceedingly difficult. Despite his earnest intentions, the Appellant encountered considerable challenges in returning to Pakistan and rejoining his duties, as no flights were available amid the stringent travel restrictions imposed worldwide.

(Copy of News Paper Notice is attached as Annexure- "F")

8. That following the relaxation of flight restrictions, the Appellant managed to return home on 04.10.2020, with the intention of resuming his duties. However, upon his arrival, he was confronted with the distressing reality that Respondent No. 2 had terminated his employment in an abrupt and unjust manner. This termination was effectuated vide Order No. SOE (AD)/ 1-170/2012, dated 09.06.2020, citing the purported reason of unauthorized absence from duty since 01.04.2019. It is imperative to emphasize, as delineated in the preceding paragraphs, that the Appellant had indeed reported for duty on 01.04.2019, thus contradicting the grounds for his termination provided by Respondent No.2.

(Copy of the Impugned Termination Order is attached as Annexure- "G")

9. That the Appellant was profoundly distressed by the unjust termination order, especially considering his status as the sole provider for his family's livelihood. In response to this unjust action, the Appellant lodged an appeal to the Chief Minister through the appropriate channel, addressed to the Secretary, dated 06.11.2020. This appeal was subsequently conveyed to DG Agriculture Research, Khyber Pakhtunkhwa by Director Agriculture Research Institute, Takhtaband, Swat, vide letter No. 2090/DAR(N)/ARI, Mingora, Swat, dated 04.12.2020.

(Copy of the Appeal is attached as Annexure- "H")

(Copy of the letter dated 04.12.2020 is attached as Annexure- "I")

10. That despite the Appellant's diligent efforts to seek redressal of his grievances through proper channels, the concerned authority remained conspicuously silent, failing to provide any response, whether affirmative or negative, to his appeal. Despite the considerable passage of time, no acknowledgment or reply was extended to the Appellant. In a bid to elicit a response, the Appellant resorted to sending follow-up communications through Respondent No. 2 dated 16.06.2021, and subsequently on 21.01.2022. Regrettably, both attempts were met with the same lack of responsiveness from Respondent No. 2. Undeterred by the repeated lack of acknowledgment, the Appellant persisted in his pursuit for justice, initiating a third and final follow-up on 11.12.2023, submitted to Respondent No. 2, and received on 15.12.2023, under Diary No. 5268. Finally the Appellant after a long delay received a response from Respondent No.2 vide a letter No.SOE-I(AD)/General/RW/24/307 dated 05.04.2024 whereby the appeal of Appellant was dismissed, thus compelling the Appellant to seek recourse through this service appeal.

(Copy of the Follow-up Letters are attached as Annexure- "J")

(Copy of the Impugned response letter dated 05.04.2024 is attached as Annexure "K")

11. That the Appellant, deeply aggrieved and significantly prejudiced by the impugned termination order No. SOE (AD)/ 1-170/2012 dated 09.06.2020, and response from Respondent No.2 vide a letter No.SOE-I(AD)/General/RW/24/307 dated 05.04.2024, is compelled to file the instant Appeal on the following grounds, among others:-

Grounds Warranting this Appeal:

- a. Because, the impugned termination order so made by Respondent No.2 is smacked with malafide, and is illegal, wrong, unlawful, against the vested rights of the Appellant, unauthorized, unconstitutional and thus *void ab-i-nitio*.
- b. Because, the impugned termination order represents a gross injustice, considering the Appellant's dedicated service for the department.
- c. Because, the prolonged delay in providing a resolution to the Appellant's appeals and representations has caused undue hardship and uncertainty, further exacerbating the injustice faced by the Appellant
- d. Because, the cumulative effect of the injustice done to the Appellant has resulted in significant prejudice and hardship for the Appellant, both professionally and personally, necessitating urgent redressal through this appeal
- e. Because, the Respondents are acting in a manner clearly reeking highhandedness, caprice and victimization.
- f. Because, the termination order was issued erroneously, as it falsely asserts that the Appellant was absent from duty since 01.04.2019. However, verifiable records confirm that the Appellant dutifully resumed his responsibilities on the stipulated date, rendering the termination unjustified and based on misinformation.
- g. Because, the termination was executed without affording the Appellant the fundamental right to a fair and impartial hearing. This omission constitutes a grave violation of the principles of natural justice, which dictate that individuals must be given a reasonable opportunity to present their case before any adverse action is taken against them.
- h. Because, the Appellant's absence from duty stemmed from humanitarian circumstances, specifically his wife's critical health condition and the subsequent loss of their newborn child. These extraordinary circumstances necessitated the Appellant's presence and support, illustrating his commitment to familial responsibilities amid adversity.

- i. **Because**, despite the Appellant's diligent pursuit of due process through formal appeals and follow-ups, the concerned authorities failed to acknowledge his pleas for a fair hearing and dismissed his service appeal. This blatant disregard for procedural fairness deprived the Appellant of his rightful opportunity to seek redress through legitimate channels.
- j. **Because**, the termination constitutes a flagrant violation of the Appellant's employment rights, including the right to fair treatment, due process, and protection against arbitrary dismissal. Such arbitrary actions undermine the foundational principles of law.
- k. **Because**, as the sole provider for his family's livelihood, the Appellant's termination has inflicted severe financial hardship and emotional distress upon his dependents. The abrupt loss of income further exacerbates the Appellant's predicament, underscoring the disproportionate impact of the termination on vulnerable family members.
- l. **Because**, the Appellant's ability to return to Pakistan and resume duties was impeded by the unprecedented challenges posed by the global COVID-19 pandemic, including widespread travel restrictions and logistical obstacles. These extraordinary circumstances merit due consideration and compassionate leniency in evaluating the Appellant's actions.
- m. **Because**, the termination order was issued in a prejudicial manner, devoid of adequate investigation or consideration of extenuating circumstances. This prejudicial approach compromises the fairness and impartiality of the decision-making process, thereby perpetuating injustice against the Appellant.
- n. **Because**, throughout his tenure, the Appellant has exhibited unwavering dedication, professionalism, and exemplary conduct in the discharge of his duties. His impeccable track record underscores his commitment to upholding professional standards and further underscores the unjust nature of the termination.
- o. **Because**, the unjust termination has inflicted irreparable damage to the Appellant's professional reputation and career prospects. Such adverse consequences extend beyond immediate financial ramifications and may impede future employment opportunities, compounding the injustice suffered by the Appellant.
- p. **Because**, the Appellant has rendered dedicated and loyal service to the department throughout his prime years, contributing significantly to its objectives and operations. Termination at this stage of his career, where alternative employment prospects are limited, constitutes a grave injustice. It jeopardizes not only his financial security but also undermines his sense of purpose and self-worth.

Furthermore, it disregards his years of commitment and loyalty to the department, making it imperative for a thorough reconsideration of the decision

q. Any other grounds with leave of the Court and in the best interest of Justice.

It is therefore, most humbly prayed that on acceptance of this Appeal, this Honorable Tribunal may very graciously hold, declare and direct:-

- I. That the impugned termination order No. SOE (AD)/ 1-170/2012 dated 09.06.2020 is illegal, unlawful and unjustified and thus be set aside.
- II. That the Appellant be reinstated to his former position (Senior Research Officer) within the department. Additionally, compensation should be provided to the Appellant for the duration of time during which he unjustly remained terminated.
- III. **IN ALTERNATE**, the termination of Appellant from service may kindly be changed to compulsory retirement thus making him eligible to receive all legal entitlements i.e pension, GP Fund etc.

Any other relief (s) not specifically asked for and deemed appropriate in the instant case may also be issued in favor of the Appellant.

حاج محمد خان
APPELLANT (Attorney)

Through
A.Rahim Khan Jadoon

Noorullah,
Advocate High Court(s),

Asad Ullah Yousafzai,

Fathma
Fathma Khattak.

Advocates

Contact: 03339153139

BEFORE THE KHYBER PAKHTUNKHWA SERVICE TRIBUNAL
PESHAWAR

Service Appeal No _____/2024

Akhtar Hussain

Versus

Government of Khyber Pakhtunkhwa and another

AFFIDAVIT

I, Hajimand Khan S/o Nowsherawan (Special Attorney) Resident of Mohallah Muthkhel, Qambar, Tehsil Babuzai, District Swat do hereby solemnly declare that the accompanying appeal is true and correct to the best of my Knowledge and belief and nothing has been concealed from this Honorable Tribunal.

حاجیمند خان

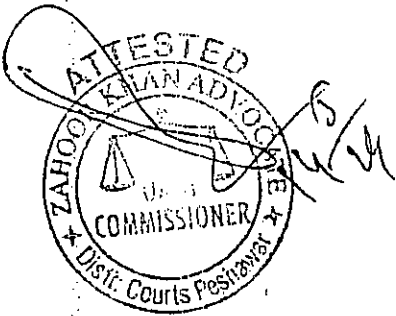
DEPONENT

CNIC: 15602-5885264-3

Mobile: 0306-5747967

Identified By:

Asad Ullah Yousafzai
Asad Ullah Yousafzai



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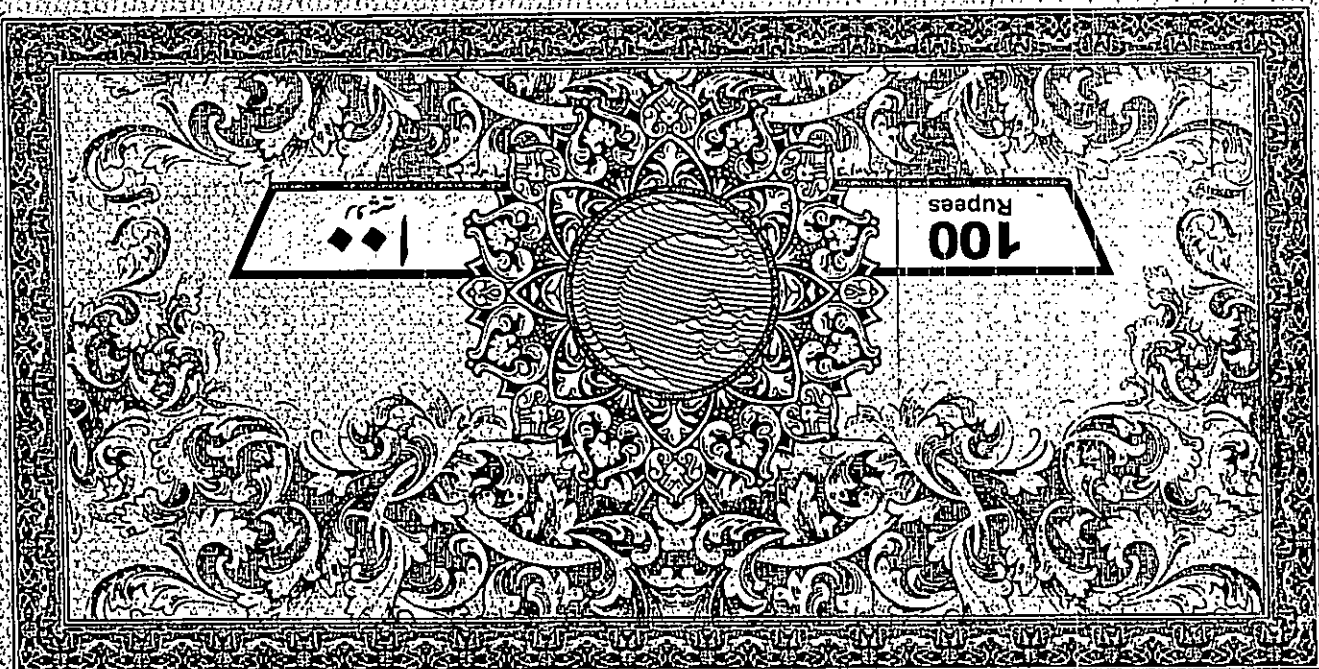
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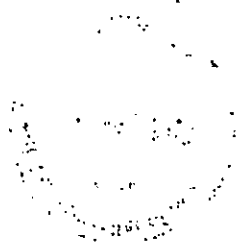
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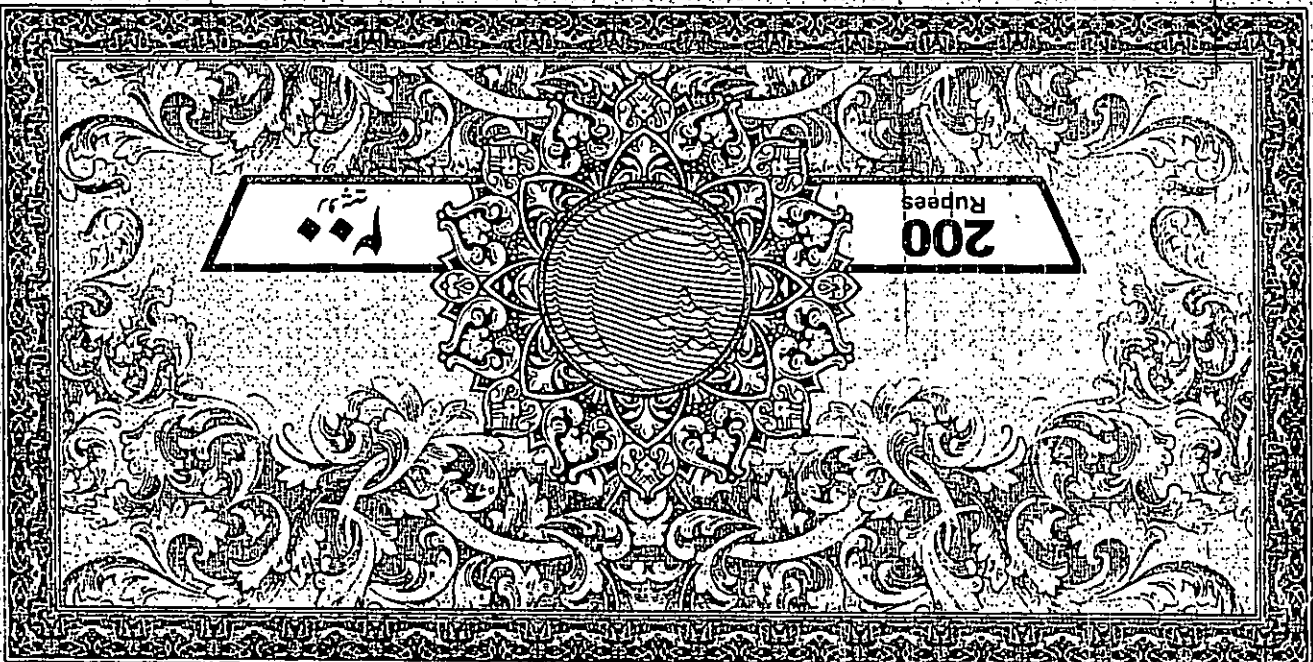


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BEFORE THE KHYBER PAKHTUNKHWA SERVICE TRIBUNAL PESHAWAR

Service Appeal No _____/2024

Akhtar Hussain

Versus

Government of Khyber Pakhtunkhwa and another

Addresses of the PartiesAppellant

Akhtar Hussain son of Shah Jehan,
Senior Research Officer, Agriculture Department
R/o Mohallah Bakhtmand Khan, Village Rahim Abad,
Tehsil Babuzai, District Swat.

Respondents

1. Government of Khyber Pakhtunkhwa,
through Chief Secretary,
Establishment Block, Civil Secretariat, Peshawar.
2. Secretary to the Government of Khyber Pakhtunkhwa,
Agriculture Department,
Civil Secretariat, Peshawar.

جاوید خان

APPELLANT (Attorney)

Through

A.Rahim Khan Jadoon,

Noorullah,

Advocate High Court(s),

Asad Ullah Yousafzai,

Fathma Khattak.

Advocates

Contact: 03339153139

(A) (12)

GOVERNMENT OF NWFP
AGRI: LIVESTOCK AND CO-OP: DEPTT:

Dated Peshawar, the 6-3-2007.

NOTIFICATION

NO. SOE(AD)9-3/06-07.

Consequent upon recommendations of the NWFP Public Service Commission, the competent authority is pleased to appoint the following as Research Officer in BS-17 (Rs. 7140-535-1784) plus usual allowances as admissible under the rules) on regular basis with immediate effect under the provision of Government of NWFP Establishment & Administration Department circular bearing No.SOR-6(E&AD)13-1/2005 dated 10-8-2005.

- i. Mr. Akhtar Ali s/o Usaman Ali Malakand Agency.
- ii. Mr. Amjad Ali s/o Muhammad Arshad, Swabi.
- iii. Mr. Akhtar Hussain s/o Shah Jehan, Swat.
- iv. Mr. Mushtaq Ahmad s/o Razi Shah, Mardan.
- v. Mr. Hoor-ul-Ain Nawab D/o Dr. Nawab Khan Marwat Lakki Marwat.

2. On their appointment, they are hereby posted/adjusted as follow subject to the condition given below:-

Sl. No.	Name of Officer	Place of Posting.	Remarks.
1.	Mr. Akhtar Ali.	Research Officer, Sugar Crops Research Institute, Mardan.	Again vacant post.
2.	Mr. Amjad Ali.	Research Officer, Sugar Crops Research Institute, Mardan.	do
3.	Mr. Mushtaq Ahmad	Research Officer, Sugar Crops Research Institute, Mardan.	do
4.	Mr. Akhtar Hussain.	Research Officer, Agril: Research Station Mingora, Swat.	do
5.	Miss Hoor-ul-Ain Nawab.	Research Officer, vegetable Section, Agril: Res. Institute, Tarnab, Peshawar.	do

TERMS AND CONDITIONS.

1. Their services will be considered regular but without pension or Gratuity in term of Section-19 of the NWFP Civil Servant Act, 1973 as amended vide NWFP Civil Servants (Amendment) Act, 2005. They will however be entitled to contributory Provident Fund in such a manner and at such rates as may be prescribed by the Government.
2. Their services will be liable to termination on one month's notice from either side. In case of resignation without notice, their two month's pay/allowances, shall be forfeited to Government.
3. The appointee should join their post within 30 days of the issue of this notification. The Director General, Agriculture Research System, NWFP would furnish a certificate to the effect that the candidates have joined the post or otherwise, after one month of issue of this Notification, failing which their candidature will expire automatically and no subsequent appeal etc shall be entertained.

Attested

Lady Dr.

Samina Rahmat

M.B.B.S (Pesh) R.M.P
M.C.P.S (Pak)

Gynaecologist

Lecturer: Saidu Medical College
Shah Medical & Surgical Hospital
Near Center Hospital
Saidu Sharif Swat.



لیڈی ڈاکٹر شمینہ رحمت

ایم بی بی ایس (پشاور) آر ایم پی
ایم سی پی ایس (پاک)

گائنا کالوجسٹ

لیکچرار: سید میڈیکل کالج
شاہ میڈیکل اینڈ سرجیکل ہسپتال
نزد سنٹرل ہسپتال سیدو شریف سوات

Name Uzma / Rabi Akmal

Age

Date 05/09/18

Clinical Record

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Attested

چھٹی بروز (ہفتہ، اتوار)

فون: 0946-723313 موبائل: 0321-9796184



SADIA IMAGING CENTER

COLOR & POWER DOPPLER ULTRASOUND CLINIC

Consultant Radiologist
Dr. SADIA IMTIAZ
M.B.B.S, D.M.R.D
PMDC # 8358-N
Radiologist & Ultrasound Specialist
Saidu Teaching Hospital Swat.

Name: Uzma

Age: 32 years

Date: 05.09.2018

CONSULTANT; DR. SAMINA RAHMAT

ULTRASOUND OBSTETRICS

- Single, viable, foetus is seen in cephalic presentation.
- Foetal heart and limb motion seen and heart rate is 149 beats per minute.
- Placenta is fundal posterior terminating high. Maximum thickness is 50.6 mm. Maturity grade I.
- There is markedly reduced amount of amniotic fluid and AFI is 5.1cm.
- Biparietal diameter is 49.2 mm, which is equal to 21 weeks and 0 days.
- Femur length measures 34.2 mm gestational age corresponds to 21 weeks and 0 days.
- Estimated gestational age is 21 weeks 0 days
- E.D.D-----16/01/2019.

DOPPLER ASSESMENT OF UMBILICAL ARTERY

Umbilical artery shows normal colour filling and saw-toothed spectral waveform with peak systolic velocity of 15.3 cm/sec and enddiastolic velocity of 9.6 cm/sec giving the RI of 0.59 PI of 1.14 and S/D ratio of 2.41. So there is no evidence of fetoplacental insufficiency.

CONCLUSION: Single alive fetus composite gestational age of 21 weeks and 0 days \pm 02 weeks with Severe Oligohydramnios.


Attested


Dr. Sadia Imtiaz
MBBS, DMRD

Clinic: Anwar Clinical Lab Basement Opp, Swat Serena Hotel Saidu Sharif Swat. Cell: 0345-9519049

Lady Dr.

Samina Rahmat

M.B.B.S (Pesh) R.M.P.
M.C.S (Pak)



(B) (15)
لیڈی ڈاکٹر کمینہ رحمت

ایم بی بی ایس (پشاور) آر ایم پی
ایم سی بی ایس (پاک)

گائڈنا کالوجسٹ

لیکچرار: سید و میڈیکل کالج
شاہ میڈیکل اینڈ سرجیکل ہسپتال
نزد سنٹرل ہسپتال سید و شریف سوات

Gynaecologist

Lecturer: Saidu Medical College
Shah Medical & Surgical Hospital
Near Center Hospital
Saidu Sharif Swat.

Name Uzma / Rahim Abdul

Age 32yr Date 26-09-18

Clinical Record

Rx

CP₄ = 4.4
5 4.4

40
AIN checked

Obs. U/S

- SAUP
- Cephalic
- POS. 16ue.
- LDD
- Plat-Post
- Lie. ~~to~~ head
- C-aly true

1 - F. Movements true

J

R.

TAs Rahim 204

کے ساتھ - 10

TAs Ferricure

کے ساتھ - 10

She can travel abroad with Gestational Ammenorhea of 4 months

Dr. Samina
LECTURER
Saidu Medical College Swat

Attested

چھٹی بروز (ہفتہ، اتوار)

فون: 0946-723313 موبائل: 0321-9796184

C 16

This certificate is an official document and when not being utilized it should be stored in a secure place similar to a passport.



1577151

SR: 4195603-1

NOTICE

This certificate is not valid if plasticized or altered. There are several security features within this certificate which allow authorities to detect attempts to counterfeit or alter it. Therefore, it is for your protection that this certificate is not plasticized or laminated as this makes the special characteristics less effective for examination or validation.

Uzma
192 Taracove Estate Dr NE
Calgary, Alberta
T3J 4R2

IMPORTANT: This certificate is a valuable legal document. Please keep it in a secure place.

VITAL STATISTICS		ED451837	
Name of Deceased	<i>Khan, Sameena</i>		
Sex	<i>F</i>		
Age	<i>2 Hours</i>		
Date of Death	<i>Nov 03, 2018</i>		
Place of Death	<i>Calgary</i>		
Marital Status	<i>Never Been Married</i>		
Usual Residence	<i>*****</i>		
Registration Date	<i>Dec 05, 2018</i>	Registration Number	<i>2018-08-023776</i>
Date Issued	<i>Apr 03, 2019</i>		
Certified extract from REGISTRATION OF DEATH Filed at Edmonton, Alberta, Canada			
Attested		<i>[Signature]</i> Registrar	

DVS 3151 (2018/06)



NOTIFICATION

In pursuance of Section Officer (Estt) Government of Khyber Pakhtunkhwa Agriculture Livestock & Cooperative Department notification No. SOE (AD)1-170/2012, dated 01-10-2019, Mr. Akhtar Hussain has assumed the charge of the post of Research Officer, office of the Director Agriculture Research Institute (ARI), Mingora-Swat on 01-04-2019 (F.N).

Sd/-
 DIRECTOR GENERAL


No. 9422-24 /Estt/DGAR,

Dated Pesh: the, 17/06 /2019

Copy to:-

1. The Director Agriculture Research Institute Mingora Swat w/r to his letter No. 1255-56/ Estt/DAR, dated 15-05-2019.
2. The District Accounts Officer, Swat.
3. The Officer concerned.

For information and necessary action.


 DIRECTOR GENERAL

*A.O give a copy to
 Akhtar Hussain SRO please*

No. 1666/21-6-019




 Attested

(E)

(14)



GOVERNMENT OF KHYBER PAKHTUNKHWA
DIRECTORATE GENERAL AGRICULTURE RESEARCH
KHYBER PAKHTUNKHWA, 25130, PESHAWAR
☎ 091-9221271 web: www.dgares.kp.gov.pk ☎ 091-9221270
E-mail: dgaresresearch@gmail.com

Dated the Peshawar 30/04/2019

No 7832-33 /Estt/DGAR

The Section Officer (Estt)
Government of Khyber Pakhtunkhwa,
Agriculture Livestock & Cooperative Department
Peshawar.

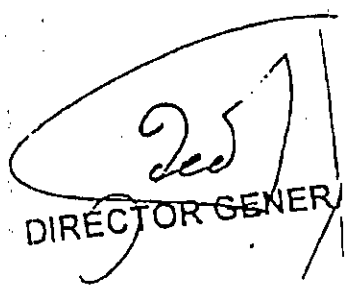
Subject: APPLICATION FOR THE GRANT OF 150 DAYS LEAVE.

In continuation to this office letter No. 7265-66/Estt/DGAR date 16-04-2019 on the subject cited above, Mr. Akhtar Hussain, Senior Research Officer was granted 150 days earned leave (90 days on full Pay and 60 days on half pay) for addition & alteration of his residential house w.e.f 01-11-2018 to 31-03-2019 vide notification No. SOE (AD) 1-170/2012, dated 01-10-2018.

The officer concerned proceeded abroad without NOC during mentioned period and still he is out of country. The Director, ARI, Mingora-Swat approached vide letter No. 5838/DGAR dated 04-04-2019 regarding the where about the officer concerned. The Director, ARI, Mingora-Swat vide letter No.907 /Estt/DAR/ARI/Mingora-swat dated 05-04-2019 replied that his office does not know where about of the officer concerned and also didn't assume his charge which was suppose to be on 01-04-2019.

Therefore, the case is once again submitted for your information further necessary action please.

Encl: As Above.


DIRECTOR GENERAL


Attested

حکومت خیبر پختونخوا، محکمہ زراعت، امور حیوانات و امداد باہمی

برگاہ آپ انجمن حسین شاہ ولد شاہ جہان سیکرٹری سیرق آفیسر (BPS-18) ذریعہ قسطنی
 انشٹیٹیوٹ بیکورہ سوات اپنی جائے ذیول سے 01.04.2019 سے بغیر کسی منظوری کے
 مسلسل غیر حاضر ہو۔ آپ کو بذریعہ چٹھی نمبر SOE(AD)1-170/2012 مورخہ
 06.11.2019 مطلع کیا گیا تھا کہ اپنی ذیول کی جگہ پر حاضری کریں لیکن آپ نے
 سرکاری احکام پر عملدرآمد نہیں کیا۔ آپ کو بذریعہ اخباری نوٹس بدنامی سے مطلع کیا جاتا ہے کہ اس
 نوٹس کی اشاعت کے چند روزوں کے اندر اندر اپنی ذیول پر حاضر ہو جائیں اور اپنی غیر حاضری
 کی معقولہ وجوہات بیان کریں بصورت دیگر آپ کے خلاف نظم و ضبط کے قواعد بحریہ
 2011 کے ذیلی قاعدہ 9 کے تحت انتہائی کارروائی عمل میں لائی جائے گی جس کے نتیجے
 میں آپ کو سرکاری نوکری سے استعفیٰ بھی کیا جاسکتا ہے۔



محکمہ
 محکمہ زراعت و امور حیوانات و امداد باہمی
 حکومت خیبر پختونخوا، پشاور

Attested



GOVERNMENT OF
KHYBER PAKHTUNKHWA
AGRICULTURE LIVESTOCK & COOPERATIVE
DEPARTMENT

(9)

20

EVC
(Ciproflaxa)

Dated Peshawar, the June 9th, 2020

NOTIFICATION

NO. SOE (AD)/1-170/2012: - WHEREAS, Mr. Akhtar Hussain Shah, Senior Research Officer (BS-18) o/o Director Agriculture Research Institute, Mingora Swat was absent from duty w.e.f 01.04.2019, without any information / permission of the competent authority.

2. WHEREAS, the officer was served with an absentee notice to join duty within 15 days on his mailing address. The officer failed to comply with the directions to join duty within stipulated time.

3. Whereas, absentee notice was published in the leading newspapers directing him to report for duty. The officer failed to report for duty.

4. Whereas, the procedure reflected in Rule-9 of the E&D Rules-2011 was followed and the Competent Authority in terms of Rule 2(1)(c)(f) of Efficiency & Discipline Rules, 2011 read with Rule-4(1)(a) of Appointment, Promotion & Transfer Rules-1989; after having considered the charges, evidence on record, has been pleased to impose the major penalty of "Removal from Service" upon Mr. Akhtar Hussain Shah, Senior Research Officer (BS-18) o/o Director Agriculture Research Institute, Mingora Swat, under Rule-9 of Khyber Pakhtunkhwa Government Servants (Efficiency & Discipline) Rules, 2011 with immediate effect. His willful absence from 01.04.2019 till date is treated as unauthorized absence from duty.

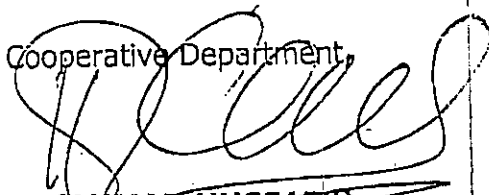
Sd/-
SECRETARY AGRICULTURE

Endst. of Even No. & Date.

Copy forwarded for information and necessary action to:-

1. The Director General, Agriculture (Research), Khyber Pakhtunkhwa, Peshawar.
2. The Director, Agriculture (Research) Mingora Swat.
3. The District Accounts Officer, Swat.
4. Officer concerned.
5. P.S to Chief Secretary, Khyber Pakhtunkhwa.
6. P.S to Secretary, Agriculture, Livestock, Fisheries & Cooperative Department, Khyber Pakhtunkhwa, Peshawar.
7. Personal file.

Attested


(AHMAD HUSSAIN)
SECTION OFFICER-ESTT:

(H)

(21)

The Secretary
Khyber Pukhtunkhwa,
Chief Minister Secretariat
Peshawar.

Through Proper Channel.

Subject: Appeal for Restoration of Service as Termination was done on:

- a) Basis of wrong information.
- b) Received warning notice at the time of worldwide lock down due to COVID-19.

Sir,

It is requested in your honor that I have been working as senior research officer in the agricultural research system of Khyber Pakhtunkhwa since April 2, 2007. My service was terminated via order No. SOE (AD)/ 1-170/2012 dated June 9, 2020 (Annexure 1) which states that I have been absent from duty since April 1st, 2019 without any permission of the competent authority, while I had joined my duties on April 1st, 2019 vide notification NO. SOE (AD) 1-170/2012 dated 01-10-2019 (Annexure 2) with a diary No. 9422-24/Estt/DGAR dated 17-06-2019 (Annexure 3). I had joined the duty after the expiry of my leave granted to me vide Notification No. SOE (AD) 1-170/2012 dated 01-10-2018.(Annexure 4).

While on leave I had to move with my wife to Canada as she had serious complications in her pregnancy , but the new born baby could not survive even in Canada (death certificate is attached here via annexure 5), but any way I joined my duties on time i.e. April 1st, 2019 leaving my wife and kids alone abroad.

As my wife was suffering from grief shocks and loneliness after the baby death so, I once again forwarded my application on humanitarian basis for leave hoping that it will be considered as I had enough balance on my leave account and left the country in July 2019.

One of my colleagues told me that the department has issued warning notice in the news paper (Annexure 6), but it was quite hard for me to reach the home country in time because of worldwide lockdown and non availability of flights to Pakistan during the peak period of COVID-


Attested

(H)

22

19. When I reached home and tried to join my duties by then my service was terminated in less than a year time period.

After the flights restrictions were over I reached back home on October 4th 2020 to join my duties but I was already terminated within a short period of eleven months in hassle.

Keeping in mind the provision of wrong information regarding my absence and unfavourable situation for flights during the COVID to join my duties on time I hope that your kind authority would restore my services as being the lonely livelihood earner of my family.

Sincerely Yours



Akhtar Hussain
Senior Research Officer
Agricultural Research Institute
ARI, Mingora, Swat
Dated: November 6, 2020.

Note: All notifications, attendance sheets, doctor receipts & death certificate are attached here.



Attested



AGRICULTURAL RESEARCH INSTITUTE (NORTH), MINGORA, SWAT

P.O Box No. 22, Saidu Sharif, Swat, Khyber Pakhtunkhwa, Pakistan

Ph #. 0946-813611 & 812284, Fax #. 0946-815783

No. 2090 /DAR (NYARI, Mingora, Swat)

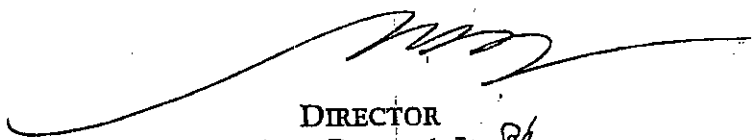
Dated. 4-12-2020

Director General,
Agriculture Research, Khyber Pakhtunkhwa,
Peshawar

Subject: APPEAL FOR RESTORATION OF SERVICE
Memo:

Kindly find enclosed herewith an original self-explanatory application in r/o
Mr. Akhtar Hussain, Ex-Senior Research Officer, Agriculture Research Institute, Mingora,
Swat, for ~~favorable sympathetic consideration~~ please.
further n/a under the rules

Encl. As above.


DIRECTOR
Agriculture Research Institute,
Mingora, Swat

(J) ~~24~~ 24

To,
The Secretary Agriculture Department,
Government of Khyber Pakhtunkhwa.

Subject: Follow-Up on Appeal for Reinstatement - Case Reference

Respected Sir,


I hope this letter finds you well. I am writing to bring to your attention the matter of my removal from service, which was notified Vide Notification No. SOE(AD)/1-170/2012 dated 09.06.2020 and subsequently submitted an appeal for reinstatement through proper channel on 06.11.2020 which was communicated to Director General, Agriculture Research Khyber Pakhtunkhwa by Director Agriculture Research Institute, Swat vide letter No. 2090/DAR(N)/ARI dated 04.12.2020.

Despite the passage of considerable time since the submission of the appeal, I have yet not received any response or acknowledgment of the case's status. As an employee committed to the ideals and responsibilities of public service, I believe in the principles of due process and fairness. I have utmost respect for the policies and procedures that govern our department and trust that every effort is made to ensure justice.

In my appeal, I detailed the grounds for contesting my removal, and I am eager to present any additional information or documentation necessary to facilitate a fair and informed decision. I understand the demands on your time and the complexities of managing a department, but the uncertainty surrounding my professional future is causing significant distress.

I kindly request your immediate attention to this matter and seek a resolution at your earliest convenience.

I appreciate your understanding of the importance of this matter and sincerely hope for a prompt response. Thank you for your time and consideration.


Yours sincerely,
Akhtar Hussain
Senior Research Officer,
Agriculture Research Institute, Swat.


Attested

Dated: 16 June 2021

(J) (25)

To,
The Secretary Agriculture Department,
Government of Khyber Pakhtunkhwa.

Subject: Subsequent Follow-Up on Appeal for Reinstatement

Respected Sir,

I trust this letter finds you in good health and high spirits. I am writing to follow up on my previous correspondence dated 16 June 2021, regarding the matter of my removal from service and the subsequent appeal for reinstatement, with the case reference provided.

Regrettably, since the submission of my initial appeal and the subsequent follow-up letter, I have not received any response or acknowledgment of the status of my case. I understand the complexities involved in managing the affairs of the Agriculture Department, but the lack of communication on this critical matter is causing heightened concern and uncertainty regarding my professional standing. As highlighted in my previous letters, I remain committed to the principles of due process and fairness. The grounds for contesting my removal have been clearly outlined in my appeal, and I stand ready to provide any additional information or documentation necessary for a thorough and informed evaluation.

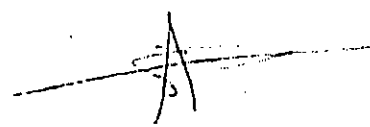
Given the significant time that has elapsed without any communication, I kindly urge you to expedite the review process and provide a prompt response to my appeal. The ambiguity surrounding my professional future is affecting my peace of mind and overall well-being.

I understand the demands on your schedule, but I sincerely request your immediate attention to this matter, emphasizing the urgency it carries for me. I am more than willing to provide any further documentation required for a fair and just resolution.

I appreciate your understanding of the importance of this matter and eagerly await a response that will bring clarity to this situation. Thank you for your time and consideration.

Yours sincerely,


Attested



Akhtar Hussain
Senior Research Officer,
Agriculture Research Institute, Swat.

Dated: 21 January 2022

(J)

(26)

To,
The Secretary Agriculture Department,
Government of Khyber Pakhtunkhwa.

Subject: Third Follow-Up on Appeal for Reinstatement - Urgent Resolution Requested

Respected Sir,

I hope this letter finds you in good health. I am writing to bring to your attention the continued lack of response to my previous correspondences dated 16.06.2021 and 21.01.2022, regarding the matter of my removal from service and the subsequent appeal for reinstatement.

Despite my earnest efforts to seek clarification and resolution, I have not received any acknowledgment or update on the status of my case. This prolonged silence is causing increasing distress and uncertainty regarding my professional future. As an individual committed to the principles of due process and fairness, I believe in the importance of transparent communication and equitable resolution.

I understand the challenges and responsibilities associated with your position, but the prolonged lack of communication is taking a toll on my well-being. The grounds for contesting my removal have been clearly outlined, and I remain prepared to furnish any additional information or documentation required for a thorough evaluation.

Given the urgency and the impact on my professional standing, I respectfully request your immediate attention to this matter. A prompt response will not only alleviate the distress caused by the uncertainty but also contribute to the fair and just resolution of my case.

I am willing to make myself available for a meeting or provide any further documentation deemed necessary for a comprehensive review. Your prompt action on this matter is highly anticipated and appreciated.

Thank you for your understanding, and I sincerely hope for a resolution that brings clarity to this situation.

Yours sincerely,

Akhtar Hussain
Senior Research Officer,
Agriculture Research Institute, Swat.

Dated: 11.12.2023

Attested

Signature
S 268

15/12/23



GOVERNMENT OF KHYBER PAKHTUNKHWA
AGRICULTURE DEPARTMENT
No. SOE-I(AD)/General/RW/24/307
Dated Peshawar, the 05th April, 2024

(K)

(27)


To

Mr. Akhtar Hussain,
Ex-Senior Research Officer,
Agriculture Research Institute, Swat.
R/O: Village Rahim Abad Mohallah Bakht Mand Khan,
Tehsil Babozai, District Swat.

SUBJECT: THIRD FOLLOW-UP ON APPEAL FOR REINSTATEMENT-URGENT
RESOLUTION REQUESTED

I am directed to refer to your application addressed to the Secretary Agriculture Department on the subject noted above and to state that you were required to submit review petition directly to the Hon'ble Chief Minister, Khyber Pakhtunkhwa within stipulated time under Rule-17 of Khyber Pakhtunkhwa Government Servants (Efficiency & Discipline) Rules, 2011 instead of addressing application to the Secretary Agriculture Department after lapse of about four (04) years.


02. Your request/appeal is therefore filed at this stage being not covered under the rules/policy, please.


SECTION OFFICER-EST/E

Endst. No. & Date Even.

Copy Forwarded to the:

1. Director General, Agriculture Research, Khyber Pakhtunkhwa, Peshawar.
2. P.S to Secretary Agriculture Department Khyber Pakhtunkhwa, Peshawar.
3. P.A to Deputy Secretary (Admn). Agriculture Department, Khyber Pakhtunkhwa, Peshawar.
4. Master File


SECTION OFFICER-EST/E


Attested

