

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

Service Appeal No. 441/2024

Mr. Arshad Mehmood S/o Hazrat Ali R/o Ward Attendant BPS-04, DHO Nowshera.

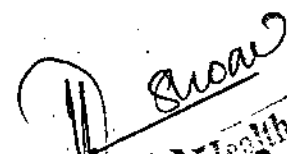
... (Appellant)

...VERSUS...

Government of Khyber Pakhtunkhwa & others

... (Respondents)

S.NO.	Description of Documents	Annexes	Pages
1.	Para-wise Comments on behalf of Respondent no. 1		1 & 2
2.	Copy of Source	A	3
3.	Affidavit		4
4.	Authority Letter		5


Respondent No. 2
Dr. Muhammad Shoaib
District Health Officer
Nowshera.

12-06-24

BEFORE THE HONOURABLE KHYBER PAKHTUNKHWA SERVICE
TRIBUNAL PESHAWAR

Service Appeal No. 441/2024

Mr. Arshad Mehmood S/o Hazrat Ali, Ward Attendant (BPS-04), DHO Office,
Nowshera.

... (Appellant)

Khyber Pakhtunkhwa
Service Tribunal

Diary No. 13379

...VERSUS...

1. Director General Health Department, Khyber Pakhtunkhwa, Peshawar
2. District Health Officer, Nowshera.

11-06-24
... (Respondents)

PARA-WISE COMMENTS/WRITTEN STATEMENT ON BEHALF
OF THE RESPONDENT NO. 2 (DHO, NOWSHERA)

Respectfully Sheweth:

Preliminary Objections:

- 1) The appellant has no cause of action to file appeal against the respondents.
- 2) The appeal is bad for non-joinder of necessary parties. The appellant should have impleaded the District Accounts Officer and hierarchy thereof.
- 3) The instant appeal is not maintainable against respondents..

Facts:

1. Para-1 is correct.
2. Para-2 is correct.
3. Para-3 is correct. However, it is respectfully added that the appellant was appointed by respondent No. 2.
4. Para-4 is correct.
5. Para-5 is correct. is correct. However, it is respectfully added that the appellant was appointed by respondent No. 2. Mentioning respondent No. 3, might be due to inadvertence.
6. Para-6 is correct.
7. Para-7 is correct. It is respectfully added that after the appointment of the appellant, his Source was prepared and sent to District Accounts Officer,

Shwail
District Health Officer
Nowshera

BEFORE THE HONORABLE KHAYER PAKHTUNKHWA SERVICE
TRIBUNAL PESHAWAR

Service Appeal No. 4412024

Mr. Arshad Mehmood No. Hazrat Ali Ward, Attock (BI-2-04) DHO Office
Nowsheera
... (Appellant)

... (Respondent)

1. Director General Health Department, Khayber Pakhtunkhwa, Peshawar
2. District Health Officer, Nowsheera
... (Respondents)

PARA-WISE COMMENT/WITTEN STATEMENT ON BEHALF
OF THE RESPONDENT NO. 2 (DHO, NWSHEERA)

Respectfully Sheweth:

Preliminary Objections:

- 1) The appellant has no cause of action to file appeal against the respondents.
- 2) The appeal is bad for non-joinder of necessary parties. The appellant should have included the District Accounts Officer and hierarchy thereof.
- 3) The instant appeal is not maintainable against respondents.

Facts:

1. Para-1 is correct.
2. Para-2 is correct.
3. Para-3 is correct. However, it is respectfully added that the appellant was appointed by respondent No. 2.
4. Para-4 is correct.
5. Para-5 is correct. However, it is respectfully added that the appellant was appointed by respondent No. 3. Mentioning respondent No. 3, might be due to inadvertence.
6. Para-6 is correct.
7. Para-7 is correct. It is respectfully added that after the appointment of the appellant, his source was prepared and sent to District Accounts Officer.

Nowshera for salary. Hence, it was the responsibility of the DAO to have released the salary of the appellant. But, they are reluctant for reasons known to them.

(Copy of Source Attached Annexure 'A')

8. Para-8. No comments.
9. Para-9. Legal, no comments.

Grounds:

- A. Incorrect. The appellant has been treated by the replying respondents according to Law Rules and Policy.
- B. As replied in Para A.
- C. As replied in Para A.
- D. As replied in Para A.
- E. As replied in Para A.
- F. As replied in Para A.
- G. Legal ground. No comments.
- H. No comments.
- I. Legal ground. No comments.

It is, therefore, very humbly submitted that this office has taken up the case with the DAO, Nowshera, while the appellant has not impleaded the DAO. Hence, the necessary party may be impleaded.

(Respondent No. 2)

Musaw
DR. MUHAMMAD SHOAIB
DISTRICT HEALTH OFFICER
Nowshera

Nowshera for salary. Hence, it was the responsibility of the DAO to have released the salary of the appellant. But they are reluctant for reasons known to them.

(Copy of source Attached Annexure 'A')

8. Para-8 No comments

9. Para-9 Legal, no comments

Grounds:

A. Incorrect. The appellant has been treated by the replying respondents according to

Law Rules and Policy.

B. As replied in Para A.

C. As replied in Para A.

D. As replied in Para A.

E. As replied in Para A.

F. As replied in Para A.

G. Legal ground. No comments.

H. No comments.

I. Legal ground. No comments.

It is therefore, very humbly submitted that this office has taken up the case with the DAO Nowshera. While the appellant has not implored the DAO. Hence, the necessary party may be implored.

(Respondent No 2)

DR. MUHAMMAD SHOAIB
DISTRICT HEALTH OFFICER
Nowshera

Anex 'A'

3

September 2022

P. C. C. B. 80443283
267050

OFFICE OF THE
FOR THE MONTH OF
GDC Code

PERSONNEL ACTIONS - INFO TYPE
01 01 01 711

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District Accounts Office
Nowshera

19 DEC 2022

T.R. No.
Date

T.R. No. 1072
Date

PERSONAL DATA - INFO TYPE 012
13 01 01 711

14 01 01 711

15 01 01 711

16 01 01 711

17 01 01 711

18 01 01 711

19 01 01 711

20 01 01 711

21 01 01 711

22 01 01 711

23 01 01 711

24 01 01 711

PRESENT ADDRESS - INFO TYPE 001
mch: Jhandra khal Plo khargi Payan
Tehsil in Distt: Nowshera

Nowshera

[Signature]
District Health Officer
Nowshera

[Faint, mostly illegible handwritten text and scribbles at the top of the page.]

District Accounts Office
10, 11 & 12, 13
1/25

DATE
TR. No.

[Handwritten scribbles and marks, including a star-like symbol.]

[Faint handwritten text at the bottom of the page.]

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

(4)

Service Appeal No. 441/2024

Arshad Mehmood S/o Hazrat Ali R/o Ward Attendant BPS-04, DHO
Nowshera.

... (Appellant)

...VERSUS...

Government of Khyber Pakhtunkhwa and Others ... (Respondents)

AFFIDAVIT

Dr. Muhammad Shoaib District Health Officer, Nowshera do hereby solemnly affirm and declare on oath that the contents of the Para-wise Comments on the behalf of Respondent no. 2 is true and correct to the best of my knowledge **behalf and nothing has been concealed from this Honorable Court.** It is further stated on oath that in this Appeal, the answering respondent neither has been placed Ex-Parte nor their defense has been struck off/cost.

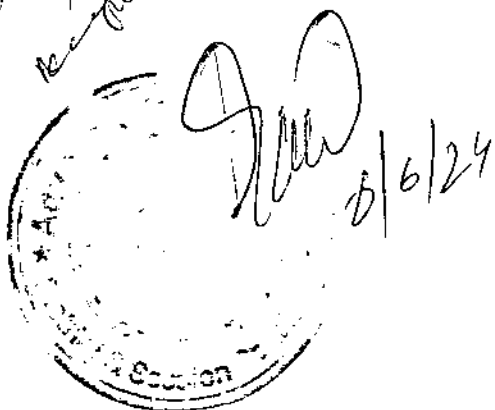
Deponent *Shoaib*
District Health Officer
Nowshera

Name: DR. MUHAMMAD SHOAIB

CNIC: 17201-0746971-9

Contact number: _____

Recd
3
Recd
Shoaib
5/6/24



BEFORE THE HONORABLE KHYBER PAKHTUNKHWA
SERVICE TRIBUNAL PESHAWAR

Service Appeal No. 141/2024

Arshad Mahmood 2-o Hazrat Ali Road Ward Atendant BP2-04, DHO
Nowshera,

... (Appellant)

...VERSUS...

Government of Khyber Pakhtunkhwa and Others ... (Respondents)

AFFIDAVIT

Dr. Muhammad Shoaib District Health Officer, Nowshera do hereby solemnly
affirm and declare on oath that the contents of the Petitioner's Comments on the
Petition of Respondent no. 2 is true and correct to the best of my knowledge
and nothing has been concealed from this Honorable Court. It is further
stated on oath that in this Appeal, the answering respondent neither has been
placed Ex-Parte nor their defense has been struck off cost.

Deponent

Name: DR. MUHAMMAD SHOAIB

CNIC: 17201-674897-9

Contact number: _____



OFFICE OF THE
DISTRICT HEALTH OFFICER NOWSHERA

Phone & Fax: +92 923 580 759, Email: nowshera.edo@gmail.com

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AUTHORITY LETTER

Dr. Asghar Khan PMO BPS-19 and Mr. Adnanzeb, In-charge Litigation cell, DHO Office Nowshera of this office is hereby authorized to submit Para-wise Comments in Appeal no 441/2024 in the case of Mr. Arshad Mehmood S/o Hazrat Ali on behalf of the undersigned, for further proceeding.


DR. MUHAMMAD SHOAIB
DISTRICT HEALTH OFFICER
NOWSHERA



AUTHORITY LETTER

In light of the PMO BP-19 and Mr. Adnan's discharge in return with
DHO Office Nowshera at an office is hereby authorized to submit Parwana
Comments in Appeal no 441 2024 in the case of Mr. Arshad Akhmed 2 to
Facet AB on behalf of the undersigned, for further proceedings.

DR. ZEENAT SHAIKH
DISTRICT HEALTH OFFICER
Nowsheera