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REGISTERED
No. C.P.L.A.213-P/2024 - SCJ
SUPREME COURT OF PAKISTAN

Islamabad, dated 08-07-2024

From The Registrar,
Supreme Court of Pakistan,
Islamabad.

**Khyber Pakhtunkhwa
Service Tribunal**

To ✓ The Registrar,
Khyber Pakhtunkhwa Service Tribunal,
Peshawar.

Diary No. 14358

Dated 19-07-2024

Subject: CIVIL PETITION NO. 213 - P OF 2024

Govt. of Khyber Pakhtunkhwa through Secretary Health Department,
Peshawar and others.

Versus

Muhammad Khayyam

**On appeal from the Judgment/Order of the Khyber Pakhtunkhwa
Service Tribunal, Peshawar dated 18/12/2023 in Appeal-53/2022.**

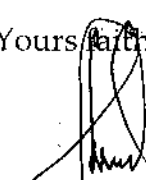
Dear Sir,

I am directed to enclose herewith a certified copy of the Order/Judgment
of this Court dated 01/07/2024 dismissing the above cited case in the terms stated
therein for information and further necessary action.

Please acknowledge receipt of this letter along with its enclosure
immediately.

Encl: Order/Judgment:

Yours faithfully,


**(MUHAMMAD SHAHID HABIB)
ASSISTANT REGISTRAR (IMP)
FOR REGISTRAR**

48/24

SUPREME COURT OF PAKISTAN
(Appellate Jurisdiction)

Bench-III

Mr. Justice Munib Akhtar
Mr. Justice Shahid Waheed

C.P.L.A.213-P/2024

(Against the judgment dated 18.12.2023 passed by the KP Service Tribunal, Peshawar in Service Appeal No.53/2022)

Govt. of Khyber Pakhtunkhwa through ...Petitioner(s)
Secretary Health Department, Peshawar and
others

Versus

Muhammad KhayyamRespondent(s)

For the Petitioner(s) : Mr. Zahid Yousaf Qureshi, AOR
Ziaullah, Deputy Secretary Health KP
Dr. Ahsan, DHO Mardan

For the Respondent(s) : NR

Date of Hearing : 01.07.2024

ORDER

Munib Akhtar, J: We have had the assistance of learned counsel for the petitioners and have considered the questions of law that have been proposed for our consideration. On our asking, the learned counsel has chosen the first question as the best question of law that can be put forward by the Provincial Government in the facts and circumstances of the case. We have considered the impugned judgment of the learned Service Tribunal, which ultimately sent the matter back to the concerned department for a *de-novo* inquiry. Although, learned counsel has sought to persuade us to the contrary, we with respect are not satisfied that any substantial question of law of public importance within the meaning of Article 212(3) of the Constitution is raised as would require interference by this Court. Accordingly, this petition is dismissed and leave to appeal is refused.

sd/- - - - J
sd/- - - - J

Certified to be True Copy

Court Associate
Supreme Court of Pakistan
Islamabad

