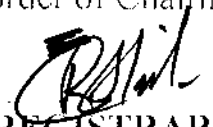


FORM OF ORDER SHEET

Court of \_\_\_\_\_

**Appeal No.** 961/2024


S.No.	Date of order proceedings	Order or other proceedings with signature of judge
1	2	3
1-	09/07/2024	<p>The appeal of Mr. Nizam Ullah resubmitted today by Mr. Mir Zaman Safi Advocate. It is fixed for preliminary hearing before Single Bench at Peshawar on 11.07.2024. Parcha Peshi given to the counsel for the appellant.</p> <p>By the order of Chairman</p> <p> REGISTRAR</p>

The appeal of Mr. Nizam Ullah received today i.e on 28.06.2024 is incomplete on the following score which is returned to the appellant for completion and resubmission within 15 days.

- 1- Copy of retirement order of the father of the appellant mentioned in para-1 of the memo of appeal is not attached with the appeal be placed on it.
- 2- Copy of impugned order is not attached with the appeal be placed on it.
- 3- Annexure-F of the appeal is illegible be replaced by legible/better one.

No. 273 /Inst./2024/KPST,

Dt. 1/7/24 /2024.


  
OFFICE ASSISTANT  
SERVICE TRIBUNAL  
KHYBER PAKHTUNKHWA  
PESHAWAR.

Mir Zaman Saif Adv.  
High Court Peshawar.

Sir,

Objection No. 1 has been removed.  
As per objection No. 2 salaries of the appellant from the date of 1st appointment was not been released, hence no such order regarding stoppage of salaries has been passed.

As per objection No. 3 copies attached as annexure are of the attendance register which <sup>no</sup> need to be better one, hence the same may very kindly be put up before the bench.

  
09/07/2024

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

APPEAL NO. 961 /2022

**NIZAM ULLAH**

**VS**

**HEALTH DEPTT:**

**INDEX**

<b>S.NO.</b>	<b>DOCUMENTS</b>	<b>ANNEXURE</b>	<b>PAGE</b>
1	Memo of appeal	.....	1- 3.
2	Affidavit	.....	4.
3	Retirement order of father of appellant	<b>A</b>	5.
4	Appointment order	<b>B</b>	6.
5	Medical certificate	<b>C</b>	7.
6	Posting order dated 16.08.2022	<b>D</b>	8.
7	Arrival report	<b>E</b>	9.
8	Attendance register	<b>F</b>	10- 28.
9	Departmental appeal	<b>G</b>	29- 30.
10	Wakalat Nama	.....	31.

**APPELLANT**

**THROUGH:**

  
**MIR ZAMAN SAFI**  
**ADVOCATE**

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

APPEAL NO. 961 /2024

Mr. Nizam Ullah, Ward Orderly (BPS-04),  
BHU Pirsabbaq, District Nowshera.

.....APPELLANT

VERSUS

- 1- The Director General Health Services Department, Khyber Pakhtunkhwa, Peshawar.
- 2- The District Health Officer, District Nowshera.
- 3- The District Account Officer, District Nowshera.

.....RESPONDENTS

**APPEAL UNDER SECTION-4 OF THE KHYBER PAKHTUNKHWA SERVICE TRIBUNAL ACT-1974, FOR THE RELEASE OF SALARIES W.E.F. 30.06.2022 TILL DATE AND AGAINST NO ACTION TAKEN ON THE DEPARTMENTAL APPEAL OF APPELLANT WITHIN THE STATUTORY PERIOD OF NINETY DAYS**

**PRAYER:**

That on acceptance of this appeal the respondent Department may very kindly be directed to release the monthly salaries of the appellant w.e.f. 30.06.2022 till date with all other consequential benefits. Any other remedy which this august Tribunal deems fit that may also be awarded in favor of the appellant.

**R/SHEWETH:**

**ON FACTS:**

*Brief facts giving rise to the present appeal are as under:-*

- 1- That appellant was appointed as Ward Orderly (BPS-04) in the respondent department under the deceased employees son's quota vide order dated 30.06.2022 and the services of the appellant were placed at Office of the District Health Officer, District Nowshera. Copies of the retirement order of the father of appellant, appointment order and medical certificate is attached as annexure.....A, B & C.
- 2- That after appointment against the aforementioned post the appellant took over the charge and started performing his duty at the concerned station quite efficiently and upto the entire satisfaction of his superiors.
- 3- That the appellant while performing his duty at Office of the District Health Officer was posted at Basic Health Unit Pirsabbaq, Nowhera vide order dated 16.08.2022. That in compliance to the order dated 16.08.2022 the appellant submitted arrival report at the concerned station and started

performing his duty quite efficiently and upto the entire satisfaction of his superiors. Copies of the order dated 16.08.2022 and arrival report are attached as annexure.....**D & E.**

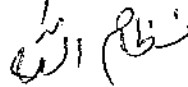
- 4- That it is pertinent to mention that the appellant while regularly performing his duty at the concerned station since his 1<sup>st</sup> appointment but the respondent No.2 has not been released his salaries till date. Copies of the attendance register is attached as annexure.....**F.**
- 5- That the appellant feeling aggrieved from the inaction of the respondent No.2 by not releasing the monthly salaries of the appellant w.e.f 30.06.2022 till date preferred Departmental appeal before the respondent No.1 but no reply has been received so far. Copy of the Departmental appeal is attached as annexure.....**G.**
- 6- That appellant feeling aggrieved and having no other remedy but to file the instant service appeal before this august Tribunal on the following grounds amongst the others.

**GROUND:**

- A- That the action and inaction of the respondent Department by withholding monthly salaries of the appellant without any lawful authority and not releasing the same despite of repeated requests of the appellant is against the law, facts, norms of natural justice and materials on the record, hence not tenable in the eye of law.
- B- That appellant has not been treated by the respondent Department in accordance with law and rules on the subject noted above and as such the respondent violated Article-4 and 25 of the Constitution of Islamic Republic of Pakistan 1973.
- C- That the inaction of the respondent Department by not releasing the monthly salaries of the appellant is falling in arbitrary and malafide intention.
- D- That not releasing the monthly salaries of the appellant is clear violation of Article-11 of the Constitution of Islamic Republic of Pakistan, 1973.
- E- That the action and inaction of the respondents is also violation of the Principle "**WORK DONE MUST BE PAID**".
- F- That the respondent department knowing the fact that the appellant is regularly performing his duty at his concerned place of posting which is evident from the attendance register but despite that the respondent withheld monthly salaries of the appellant, which is illegal, unlawful and unconstitutional.
- G- That the inaction of the respondent Department by not releasing the monthly salaries of the appellant is also violation of the principle of natural justice.
- H- That appellant seeks permission to advance other grounds and proofs at the time of hearing.


It is, therefore, most humbly prayed that the appeal of the appellant may be accepted as prayed for.

**APPELLANT**



**NIZAM ULLAH**

**THROUGH:**



**MIR ZAMAN SAFI  
ADVOCATE**

**CERTIFICATE:**

It is, certified that no other earlier appeal was filed between the parties.



**DEPONENT**

**LIST OF BOOKS:**

- 1- CONSTITUTION OF PAKISTAN, 1973
- 2- SERVICES LAWS BOOKS
- 3- ANY OTHER CASE LAW AS PER NEED

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

APPEAL NO. \_\_\_\_\_/2024

**NIZAM ULLAH**

**VS**

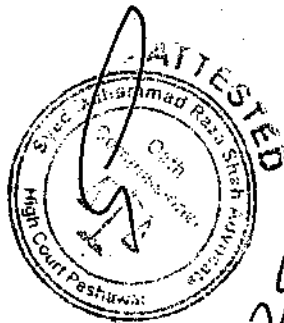
**HEALTH DEPTT:**

**AFFIDAVIT**

I **Mir Zaman Safi**, Advocate High Court, Peshawar on the instructions and on behalf of my client do hereby solemnly affirm and declare that the contents of this **service appeal** are true and correct to the best of my knowledge and belief and nothing has been concealed from this Honorable Court.



**MIR ZAMAN SAFI**  
Advocate  
High Court, Peshawar



28/6/2024

A-5



**OFFICE OF THE DISTRICT HEALTH OFFICER, NOWSHERA**  
Phone & Fax: 0923-580759  
E-Mail: nowshera.dho@gmail.com

**OFFICE ORDER**

Reference Medical Superintendent DHQ Hospital Nowshera letter No 2410, dated 10-05-2022 on account of retirement on medical ground and as per proceeding of standing medical board decision dated 13-04-2022. Mr. Jasar Ullah (Ward Orderly) BPS 05 working under the control of undersigned at BHU Pir Sabbaq is hereby stand retired from service on medical ground w.e. from 13-04-2022. He is also entitle for 365-days leave encashment in lieu of LPR.

Sd  
District Health Officer  
Nowshera

Dated 10/05/2022

No. 3065-69 /DHO NSR  
Copy Forwarded to the:

1. District Accounts Officer Nowshera.
2. Incharge BHU Pir Sabbaq, Nowshera.
3. Incharge Accounts Section DHO Office Nowshera.
4. Official concerned.
5. Office record.

*[Handwritten signature]*

*[Handwritten signature]*  
District Health Officer  
Nowshera



**BETTER COPY OF PAGE-5**

**OFFICE OF THE DISTRICT HEALTH OFFICER, NOWSHERA**

**OFFICE ORDER**

Reference Medical Superintendent DHQ Hospital Nowshera letter No.2440, dated 10.05.2022 on account of retirement on medical ground and as per proceeding of standing medical board decision dated 13.04.2022. Mr. Israr Ullah (Ward Orderly) BPS-05 working under the control of undersigned at BHU Pir Sabbaq is hereby stand retired from service on medical ground w.e. from 13.04.2022. he is also entitle for 365-days leave encashment in lieu of LPR.

Sd/ \_\_\_\_\_  
District Health Officer  
Nowshera

No. 3065-69/DHO NSR

Dated: 10.05.2022



Phone & Fax: 0923-580759

E-Mail: [nowshera\\_dho@gmail.com](mailto:nowshera_dho@gmail.com)

OFFICE ORDER

B-6

Consequent upon approval / recommendation accorded by the Departmental Selection / Appointment Committee constituted for the purpose, MR. NIZAM ULLAH S/O ISRAR ULLAH is hereby appointed as Ward Orderly BPS-04 against the vacant post of Ward Orderly (100% Disease son's quota) at DHO Office Nowshera with immediate effect, with the following term & conditions.

1. The appointment shall be subject to the Medical Fitness and initially on probation for a period of 02-years.
2. The service can be dispensed with during the probation period on un-satisfactory performance.
3. You will not entitle to any TA/DA for Medical Examination and joining the first appointment.
4. In case of any of the documents submitted by you, with your application is found forged / fake, your service shall be liable to terminate without any notice and will also be liable to further legal proceeding.
5. The appointment will be governed by such rules and order issued by the Govt. from time to time.
6. If you wish to resign from service, you will have to submit resignation in writing one month in advance OR deposit one month pay in the Govt. treasury.
7. *If the above terms & conditions are acceptable to you then you should report to DHO Office Nowshera within 07-days after the receipt of this appointment order.*

Sd: \_\_\_\_\_

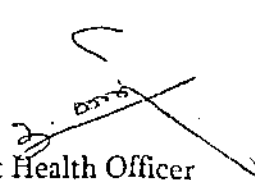
District Health Officer  
Nowshera

No. 4381-85 / DHO NSR

Date: 30/06/2022

Copy forwarded to the:

1. Director General Health Services Khyber Pakhtunkhwa Peshawar.
2. District Accounts Officer Nowshera.
3. Accounts Section DHO Office Nowshera.
4. Mr. Nizam Ullah S/O Israr Ullah Resident of Mohallah Bar Khel, Pir Sabaq, Tehsil & District Nowshera.
5. Office Record.

  
District Health Officer  
Nowshera



D.H.Q. Hospital, Nowshera  
Medical Certificate



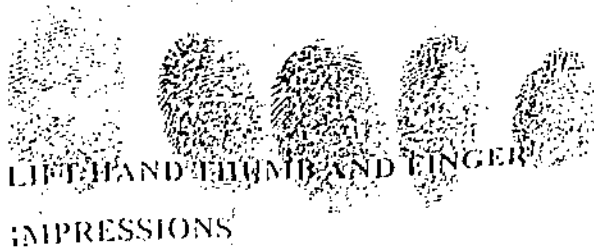
NIC No: 17201-3682688-9

Name of Official: Nizam Allah  
Cast of Race: Muslim  
Father's Name: Israt Allah  
Residence: Mohallah Bad khel, pit Sabag,  
Tehsil and district Nowshera.  
Date of Birth: 16/04/2000  
Exact Height by Measurement: 5-4 inches  
Personal Mark of Identification: Nil  
Signature of Official: [Signature]  
Signature of Head of Officer:

Head of Office

I do hereby certify that I have examined Mr. Nizam Allah a candidate for employment in the Office of the District Health Officer Nowshera and can not discover that he had any disease communicable or other constitutional affection or bodily infirmity except

I do not consider this as disqualification for employment in the office of the as above His age according to his own statement 22 year and by appearance about 22 year.



LEFT HAND THUMB AND FINGER IMPRESSIONS

Medical Superintendent,  
DHQ Hospital Nowshera

[Signature]



**OFFICE OF THE DISTRICT HEALTH OFFICER NOWSHERA**

Phone & Fax: 0923-580759

E-Mail: nowshera.edoh@gmail.com

**OFFICE ORDER**

D-8

On arrival to this office, Mr. Nizamullah (Ward Orderly) BPS-04 is hereby directed to report to Incharge BHU Pirsabbaq Nowshera for official duty in the public interest with immediate effect.


Sd \_\_\_\_\_  
District Health Officer  
Nowshera

No. 2037-39 /DHO NSR

Dated 16/08/2022

Copy forwarded to the:

1. Incharge BHU Pir Sabbaq Nowshera.
2. Incharge Accounts DHO Office Nowshera.
3. Official concerned.

  
District Health Officer  
Nowshera

  
ATTACHED

Approval accepted  
forwarded for  
necessary action

Nizam Ullah  
ward order  
BNV Pirsabag

Date: 17/8/2022  
yours obediently,

R/madam,  
it is noted that a MR  
Nizam Ullah (ward order)  
office order no 2037-39/DNO  
NSR is hereby directed to BNV  
Pirsabag.  
Kindly accept my regards

Subject: Natural report  
The I/C BNV  
Pirsabag  
To

E-9











Dec 2022

ATTENDANCE

REGISTER

Name	1	2	3	4	5	6	7	8	9	10	11	12	13	14	15	16	17	18	19	20	21	22	23	24	25	26	27	28	29	30	31
Dr. Muhammad Ali	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P
Dr. Ahsan Ullah	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P
Dr. Faraz Khan	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P
Dr. Ali Jaffer	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P
Dr. Ali	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P
Dr. Ali Epi Tech	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P

REGISTERED

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January 2025

ATTENDANCE REGISTER

10

No.	Name	1	2	3	4	5	6	7	8	9	10	11	12	13
1	Abdullahi Yusuf	P	P	P	P	P	P	P	P	P	P	P	P	P
2	Muhammad Nizam	P	P	P	P	P	P	P	P	P	P	P	P	P
3	Muhammad Nizam	P	P	P	P	P	P	P	P	P	P	P	P	P
4	Muhammad Nizam	P	P	P	P	P	P	P	P	P	P	P	P	P
5	Muhammad Nizam	P	P	P	P	P	P	P	P	P	P	P	P	P
6	Muhammad Nizam	P	P	P	P	P	P	P	P	P	P	P	P	P
7	Muhammad Nizam	P	P	P	P	P	P	P	P	P	P	P	P	P
8	Muhammad Nizam	P	P	P	P	P	P	P	P	P	P	P	P	P
9	Muhammad Nizam	P	P	P	P	P	P	P	P	P	P	P	P	P
10	Muhammad Nizam	P	P	P	P	P	P	P	P	P	P	P	P	P
11	Muhammad Nizam	P	P	P	P	P	P	P	P	P	P	P	P	P
12	Muhammad Nizam	P	P	P	P	P	P	P	P	P	P	P	P	P
13	Muhammad Nizam	P	P	P	P	P	P	P	P	P	P	P	P	P

Handwritten notes and signatures at the bottom of the page, including a large signature and some illegible text.



Page 202-3

(7)

SECONDANCE

1	Mustafiz Ali	PPPP
2	Murad (M)	PPPP
3	Murad (M)	PPPP
4	M. Nizam	PPPP
5	Muhammad	PPPP
6	Muhammad (M)	PPPP
7	Muhammad (EPI)	PPPP
8	Muhammad (W/M)	PPPP
9	Muhammad (W/M)	PPPP
10	Muhammad (W/M)	PPPP
11	Muhammad (W/M)	PPPP
12	Muhammad (W/M)	PPPP
13	Muhammad (W/M)	PPPP

Handwritten notes and signatures at the bottom of the page, including names like 'Mustafiz Ali' and 'Muhammad'.

April 2017

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NO	NAME	STATUS	REMARKS
(17)	Alhadi Umar	PPPP	
(18)	HASSAM JAGOT	PPPP	
(19)	NUR AZ KIM (W/O)	PPPP	
(20)	Nizam Ullah	PPPP	
(21)	Imzama Khan (W/O)	PPPP	
(22)	Juan Aze Shah (Punjab)	PPPP	
(23)	Abdi Ghaner (Belud)	PPPP	
(24)	NOSKEEDA (WM)	PPPP	
(25)	Usman Afidi	PPPP	
(26)	Epi Taha	PPPP	

(18)

REGISTER

FIDELITY







July 2013

ATTENDANCE REGISTER

No.	Name & Designation	1	2	3	4	5	6	7	8	9	10	11	12	13	14	15	16	17	18	19	20	21	22	23	24	25	26	27	28	29	30	31	Total		
1	DR. Ghani ul Ain	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P		
2	Nosheeda Bibi (N.M)	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	
3	Shahina Begum	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P
4	Nasir Ahmad	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P
5	Maharaj Ali Khan	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P
6	Umar Afzali	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P
7	Epi Tech	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P
8	Adnan Khan	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P
9	Khalid	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P
10	Hassan Iqbal	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P
11	Niaz Ali Khan	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P
12	Nizamullah	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P
13	Khalid	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P
14	Imam Khan	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P
15	Jan Ali Shah	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P
16	Ali (Bashir)	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P
17	Ali (N.M)	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P
18	Nosheeda Bibi (N.Q)	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P	P

RECEIVED

Used for All Project - Nizam Nto on leave - Jan 2013

ACG 2023

ATTENDANCE REGISTER



22

No	Name	1	2	3	4	5	6	7	8	9	10	11	12	13	14
1	Dr. Qamul Ul Ain (N.M.D)	P	P	P	P	P	P	P	P	P	P	P	P	P	P
2	Navvada Tahasum (F.M.D)	P	P	P	P	P	P	P	P	P	P	P	P	P	P
3	Shabbin Begum (L.M)	P	P	P	P	P	P	P	P	P	P	P	P	P	P
4	Nadim Khan (N.T)	P	P	P	P	P	P	P	P	P	P	P	P	P	P
5	Nagras Ali Khan (Epi Tech)	P	P	P	P	P	P	P	P	P	P	P	P	P	P
6	Usama Afridi (Epi Tech)	P	P	P	P	P	P	P	P	P	P	P	P	P	P
7	Aadnan Khan (W/O)	P	P	P	P	P	P	P	P	P	P	P	P	P	P
8	Fiazan Iltaf (W/O)	P	P	P	P	P	P	P	P	P	P	P	P	P	P
9	Nisr Ali Khan (W/O)	P	P	P	P	P	P	P	P	P	P	P	P	P	P
10	Niz amullah (W/O)	P	P	P	P	P	P	P	P	P	P	P	P	P	P
11	Imran Khan (Katch Man)	P	P	P	P	P	P	P	P	P	P	P	P	P	P
12	Jan Ali Shah (Brestij)	P	P	P	P	P	P	P	P	P	P	P	P	P	P
13	Ar Sajid (Katch Man)	P	P	P	P	P	P	P	P	P	P	P	P	P	P
14	Nosheda Bibi (N.Q)	P	P	P	P	P	P	P	P	P	P	P	P	P	P

ATTENDED

visited

All Present

Dr. Qamul  
Navvada  
Shabbin  
Nadim  
Nagras  
Usama  
Aadnan  
Fiazan  
Nisr  
Niz  
Imran  
Jan  
Ar  
Nosheda



October 2013

ATTENDANCE

Dr. Qureshi (M.M.O)	PPPPPP
Naveeda (M.M.O)	PPPPPP
Shabeena (M.M.O)	PPPPPP
Nadeem Khan (L.I.V)	PPPPPP
Nages Ali Khan (M.T)	PPPPPP
Usama - Afidi (Epi)	PPPPPP
Niaz Ali Khan (Epi)	PPPPPP
Hassam - Ullah (W.O)	PPPPPP
Adnan Khan (W.O)	PPPPPP
Nizam Ullah (W.O)	PPPPPP
Imran Khan (W.O)	PPPPPP
Ali Gohar (W.Man)	PPPPPP
Faiz Ali Shah (W.Man)	PPPPPP
Nosheeda - Bi. Bi (Brshti)	PPPPPP
(N.Q.)	PPPPPP

Visit. J. Ellis Khan's  
 Hassan Ullah is a patient.  
 Nages Ali Khan is a patient.  
 W.M.O is also a patient.  
 Sila is a patient.  
 (Date: 17/10/2013)

023

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Jun 2024

ATTENDANCE REGISTER

No.	Name	20	21	22	23	24	25	26	27	28	29	30	31	July
1	DR Qudus Amin	P	P	P	P	P	P	P	P	P	P	P	P	
2	Naveed Tabassam	P	P	P	P	P	P	P	P	P	P	P	P	
3	Muhammed Nizam	P	P	P	P	P	P	P	P	P	P	P	P	
4	Muhammad Nizam	P	P	P	P	P	P	P	P	P	P	P	P	
5	Shabina Begum	P	P	P	P	P	P	P	P	P	P	P	P	
6	Waqas Ali Khan	P	P	P	P	P	P	P	P	P	P	P	P	
7	Lisana Afridi	P	P	P	P	P	P	P	P	P	P	P	P	
8	Adnan Khan (Chief)	P	P	P	P	P	P	P	P	P	P	P	P	
9	Hassan Illyas (M.A)	P	P	P	P	P	P	P	P	P	P	P	P	
10	Imran Khan (W.O)	P	P	P	P	P	P	P	P	P	P	P	P	
11	Ni Zamullah W.O	P	P	P	P	P	P	P	P	P	P	P	P	
12	Jan Ali (Beshki)	P	P	P	P	P	P	P	P	P	P	P	P	
13	Nasheed (N.G)	P	P	P	P	P	P	P	P	P	P	P	P	
14	Ali Ghous (NIM)	P	P	P	P	P	P	P	P	P	P	P	P	
15	Said Amin	P	P	P	P	P	P	P	P	P	P	P	P	
16	Khalid Khan	P	P	P	P	P	P	P	P	P	P	P	P	
17	Samsullah	P	P	P	P	P	P	P	P	P	P	P	P	
18	Murtiullah	P	P	P	P	P	P	P	P	P	P	P	P	
19	Shoaib Ahmad	P	P	P	P	P	P	P	P	P	P	P	P	

ATTENDED

Document Staff



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To,

The Director General,  
Health Services Department,  
Khyber Pakhtunkhwa, Peshawar.

G-29

Subject: **DEPARTMENTAL APPEAL FOR THE RELEASE OF SALARIES WITH EFFECT FROM 30.06.2022 TILL DATE WITH ALL OTHER CONSEQUENTIAL BENEFITS**

Respected Sir,

*Brief facts of the present Departmental appeal are as under:-*

- 1- That appellant was appointed as Ward Orderly (BPS-04) under the 100% deceased employees son's quota vide office order dated 30.06.2022 and services of the appellant was placed at Office of the District Health Officer Nowshera. That in compliance to the order dated 30.06.2022 the appellant submitted his arrival report and started performing his duty with dedication and honesty.
- 2- That later the services of appellant were placed Basic Health Unit Pirsabbaq, District Nowshera vide order dated 16.08.2022. That in compliance to the said order the appellant started performing his duty at the concerned station quite efficiently and upto the entire satisfaction of his superiors.
- 3- That during service of the appellant there is no complaint whatsoever been received to the high ups against the appellant and the appellant is performing her duty till date with devotion, honesty and upto the entire satisfaction of her superiors.
- 4- That despite of the fact that the appellant is regularly performing his duty since his 1<sup>st</sup> appointment but the authority concerned has not been released salaries of the appellant till date. That the appellant time and against requested the authority concerned for the release of his salaries from the date of his 1<sup>st</sup> appointment but the authority concerned refused the same requests of the appellant.
- 5- That it is pertinent to mention here that the appellant is regularly performing his duty till date at the concerned station without any interruption in the duty.
- 6- That the appellant feeling aggrieved preferred the instant departmental appeal before your good self on the following grounds.

*Attested*  
ATTESTED

GROUNDS:

30

- A- That the inaction of the authority concerned by not releasing the monthly salaries of the appellant with effect from the date of 1<sup>st</sup> appointment is against the law, facts, norms of natural justice and materials on the record, hence not tenable in the eye of law.
- B- That the appellant has not been treated by the authority concerned in accordance with law and rules on the subject noted above and as such the authority concerned violated Article-4 and 25 of the Constitution of Islamic Republic of Pakistan, 1973.
- C- That illegal stoppage of salaries of the appellant with effect from the date of 1<sup>st</sup> appointment i.e. 30.06.2022 till date is against the principle of natural justice.
- D- That the act of the authority concerned by withholding of monthly salaries of the appellant is amount to be forced labour which is clear violation of Article-11 of the Constitution of Islamic Republic of Pakistan, 1973.
- E- That the act of the authority concerned by withholding of salaries of the appellant is showing clear malafide on his part.

It is, therefore, most humbly prayed that on acceptance of this departmental appeal the authority concerned may very kindly be directed to release the monthly salaries of the appellant with effect from 30.06.2022 till date with all other consequential benefits. Any other relief which your good self deems fit that may also be awarded in favor of the applicant.

Dated: 21.03.2024.

*M. Qureshi*  
ATTESTED

Your Sincerely

*Nizam Ullah*

NIZAM ULLAH, Ward Orderly (BPS-04),  
BHU Pirsabbaq, Nowshera

VAKALATNAMA

BEFORE THE KHYBER PAKHTUNKHWA SERVICE TRIBUNAL,  
PESHAWAR

OF 2024

Nizam Ullah

(APPELLANT)  
(PLAINTIFF)  
(PETITIONER)

VERSUS

Health Deptt.

(RESPONDENT)  
(DEFENDANT)

I/We Nizam Ullah

Do hereby appoint and constitute **MIR ZAMAN SAFI, Advocate, Peshawar** to appear, plead, act, compromise, withdraw or refer to arbitration for me/us as my/our Counsel/Advocate in the above noted matter, without any liability for his default and with the authority to engage/appoint any other Advocate Counsel on my/our cost. I/we authorize the said Advocate to deposit, withdraw and receive on my/our behalf all sums and amounts payable or deposited on my/our account in the above noted matter.

Dated. \_\_\_ / \_\_\_ /2024



CLIENT



ACCEPTED

MIR ZAMAN SAFI  
ADVOCATE

OFFICE:

Room No.6-E, 5<sup>th</sup> Floor,  
Rahim Medical Centre, G.T Road,  
Hashtnagri, Peshawar.  
Mobile No.0333-9991564  
0317-9743003