

BEFORE THE HONORABLE KHYBER PAKHTUNKHWA SERVICE
TRIBUNAL PESHAWAR
SERVICE APPEAL NO. 1682 OF 2022

1. Secretary Health Govt. of Khyber Pakhtunkhwa Peshawar
 2. Director General Health Services Khyber Pakhtunkhwa Peshawar
-Applicants

Versus

Razi Muhammad S/O Mr. Ali Ahmad Chief Clinical Technician Pharmacy
(BPS-16) MMC (MTI), Mardan..... Respondent

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Deponent



(Dr. Muhammad Saleem)
Director General Health Services
Khyber Pakhtunkhwa

BEFORE THE HONORABLE KHYBER PAKHTUNKHWA SERVICE

TRIBUNAL PESHAWAR

SERVICE APPEAL NO. 1682 OF 2022

Khyber Pakhtunkhwa
Service Tribunal

Diary No. 15037

Dated 16-8-24

1. Secretary Health Govt. of Khyber Pakhtunkhwa Peshawar
2. Director General Health Services Khyber Pakhtunkhwa Peshawar

.....Applicants

Versus

Razi Muhammad S/O Mr. Ali Ahmad Chief Clinical Technician Pharmacy
(BPS-16) MMC (MTI), Mardan.....Respondent

**APPLICATION FOR REMITTANCE OF COST IMPOSED DATED
17/04/2024**

Respectfully Sheweth,

1. That the above cite case is pending in the Honorable Tribunal and is fixed for hearing on 10/10/2024.
2. That the applicants received the summon alongwith Service Appeal for submission of reply on 10/10/2023.
3. That the absence of the representative of the applicants was not intentional or will-full but due to busy in some others routine cases in the Honorable Tribunal.
4. That no prejudice will be cost to the respondent if orders dated 17/04/2024 set aside, rather, it would offer an opportunity for the applicants to put forth their side of facts before this Honorable Tribunal. So that this Honorable Tribunal may reach at the just and proper decision of the case.

Due non-availability of the specific head of account to pay of the cost of Rs: 7000/- It is therefore humbly prayed that remit the penalty imposed on 17/04/2024 may kindly be set aside in the interest of justice, and applicants please be allowed to file / submit parawise comments.

(Applicants through)



(Dr. Muhammad Saleem)
Director General Health Services
Khyber Pakhtunkhwa

BEFORE THE HONORABLE KHYBER PAKHTUNKHWA SERVICE
TRIBUNAL PESHAWAR
SERVICE APPEAL NO. 1682 OF 2022

- 1. Secretary Health Govt. of Khyber Pakhtunkhwa Peshawar
 - 2. Director General Health Services Khyber Pakhtunkhwa Peshawar
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Razi Muhammad S/O Mr. Ali Ahmad Chief Clinical Technician Pharmacy
(BPS-16) MMC (MTI), Mardan.....Respondent

Affidavit

I, Dr. Muhammad Saleem, Director General Health Services, Khyber Pakhtunkhwa, Peshawar, do hereby solemnly affirm that the contents of the Application is true and correct to the best of my knowledge and belief and nothing has been concealed from this Honorable Tribunal.

Deponent



(Dr. Muhammad Saleem)
Director General Health Services
Khyber Pakhtunkhwa

Attested By



(3)

BEFORE THE KHYBER PAKHTUNKHWA SERVICE TRIBUNAL
PESHAWAR

SERVICE APPEAL No. 1682 /2022

Razi Muhammad Son of Mr. Ali Ahmad,
~~Chief~~ Clinical Technician Pharmacy BS-16
MMC (MTI), Mardan.....**APPELLANT**

V E R S U S

- Government of Khyber Pakhtunkhwa
Through Secretary Health,
At Khyber Road, Peshawar
- Government of Khyber Pakhtunkhwa
Through Director General Health Service, Peshawar
.....**Respondents**

SERVICE APPEAL U/S 4 OF THE KHYBER PAKHTUNKHWA SERVICES TRIBUNAL ACT 1974, AGAINST THE IMPUGNED NOTIFICATION/ORDER NO .SOH-III/8-60/2021 DATED 11-01-2022 OF THE HEALTH DEPARTMENT AND SUBSEQUENTLY THE NOTIFICATION /ORDER NO. SOH-III/8-60/2021 DATED 02-08-2022 ISSUED BY THE HEALTH DEPARTMENT WHEREBY ALL THE COLLEAGUES OF THE APPELLANT WERE PROMOTED ACCORDINGLY AND POSTED/TRANSFERRED INTO THE CATEGORY OF CLINICAL TECHNOLOGIST BS-17 BUT THE ACTUALIZATION OF PROMOTION OF THE PRESENT APPELLANT WAS TOTALLY IGNORED AND HARSHLY DISCRIMINATED.

Respectfully Sheweth:

13th Dec. 2023

1. Learned counsel for the appellant and Mr. Asad Ali Khan, Assistant Advocate General present.

2. Nobody is present on behalf of the respondents. Therefore, they are placed ex-parte. The appeal is admitted to regular hearing subject to all just and legal objections. Appellant is directed to deposit security fee within 10 days. To come up for arguments on 17.04.2024 before D.B. P.P given to the parties.

(Kalim Arshad Khan)
Chairman

Mutazem Shah

17.04.2024

Appellant present in person. Mr. Asif Masood Ali Shah, Deputy District Attorney alongwith Safiullah, Focal Person for the respondents present.

Representative of the respondents requested for further time to submit reply/comments. Another opportunity is granted subject to payment of cost of Rs. 2000/-. Reply/comments within a fortnight and case to come up for arguments on 16.05.2024 before the D.B. The respondents shall deposit cost of Rs. 7000/-. (Rs. 5000/- imposed on 28.02.2024 in misc. application No. 45/2024 and Rs. 2000/- to-day). P.P given to the parties.

(Farecha Paul)
Member(I)

(Rashida Bano)
Member (J)

Fazle Subhan, P.S



(5)

**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
Office # 091-9210269 Fax # 091-9210230*

AUTHORITY LETTER

Muhammad Yousaf Jamal Focal Person Litigation Section Directorate General Health Services Khyber Pakhtunkhwa is hereby authorized to attend/defend the court cases and file Parawise Comments / Reply on behalf of the undersigned before the Honorable Khyber Pakhtunkhwa Service Tribunal and its Camp Courts.

**Director General Health Services
Khyber Pakhtunkhwa, Peshawar**