

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

SERVICE APPEAL NO. 1927/2023

Murad khanAppellant

Versus

Government of Khyber Pakhtunkhwa & othersRespondents

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DEPONENT

04-04-2024
Peshawar -

BEFORE THE HONORABLE KHYBER PAKHTUNKHWA

SERVICE TRIBUNAL PESHAWAR Khyber Pakhtunkhwa
Service Tribunal

SERVICE APPEAL NO.1927 OF 2023

Diary No. 12003

Dated 29-03-2024

Murad Khan:..... Appellant

Versus

Govt. of Khyber Pakhtunkhwa and others..... Respondents

PARAWISE COMMENTS ON BEHALF OF RESPONDENT NO.01 TO 03

Respectfully Sheweth:

Preliminary Objections:-

1. That the appellant has got no cause of action or locus standi to file the instant appeal.
2. That the appellant has filed the instant appeal just to pressurize the respondents.
3. That the instant appeal is against the prevailing Law and Rules.
4. That the appeal is not maintainable in its present form and also in the present circumstances of the issue.
5. That the appellant has filed the instant appeal with mala-fide intention hence liable to be dismissed.
6. That the appellant has not come to this Honorable Tribunal with clean hands.
7. That the appeal is barred by law and limitation.
8. That the instant appeal is bad for mis-joinder of unnecessary and non-joinder of necessary parties.

ON FACTS:

1. Pertain to record.
2. Pertain to record.
3. Pertain to record.
4. Pertain to record.
5. Pertain to record.
6. Pertain to record.
7. Seniority list of Naib Qasid for promotion to Junior Clerk is attached (Annex-I), he will get promoted on his own turn according to list issued by DHO office Mardan he stands on serial number-2
8. Pertain to record.

GROUND

1. Department cannot even think to disobey law, appellant will get promoted on his own turn according to list issued by DHO office Mardan he stands on serial number-2
2. Answer is given in para No. 1
3. Department cannot even think to disobey law Answer is given in para No.1
4. Answer is given in para no.1
5. Pertain to record.
6. Department cannot even think to disobey law Answer is given in para No.1
7. Answer is given in para no. 1
8. Department cannot even think to disobey law Answer is given in para No. 1
9. No comments.

PRAYER:

It is therefore humbly prayed that on acceptance of the instate parawise comments, the instant appeal of the appellant may very graciously be dismissed with costs.



Director General Health Services
Khyber Pakhtunkhwa Peshawar
(Respondent No. 01)

DR. SHOUKAT ALI



District Health Officer,
Mardan

District Health Officer,
Mardan

(Respondent No. 02)

DR. JAVED IQBAL



Medical Superintendent

Medical Superintendent,
Mardan

Mardan

(Respondent No. 03)

DR. JAVED IQBAL

(Annexed - I)

SENIORITY LIST OF NAIB QASID BPS-03 DISTRICT HEALTH OFFICE MARDAN

As on 14/02/2024

S.No	Name/Father Name	Date of Appointment as Naib Qasid	Place of Posting	DOB	Domicile	Education	Remarks
1.	Shah Hussain S/O Said Hussain	10/10/2006	DHO Office Mardan	02/05/1992	Mardan	Matric	
2.	Murad Khan S/O Meer Alam Khan	12/07/2007	TDH Katlang	06/04/1984	Mardan	B.A/DIT	
3.	Mr. Fazli Akbar S/O Abdul Baqi	03/01/2008	TB Program	30/12/1977	Mardan	FA	
4.	Mr. Sardar Muhammad S/O Saod Faqir	01/12/2008	DHO Office Mardan	01/07/1972	Mardan	Nil	
5.	Mr. Gul Zaman S/O Muhammad Zaman	01/01/2010	DHO Office Mardan	1969	Mardan	Nil	
6.	Mr. Nadir Sher S/O Zarshed	07/01/2011	THQ Takht Bhai	04/03/1989	Mardan	FA	
7.	Mr. Syed Mansoor Shah S/O Syed Zubair Shah	01/07/2013	DHO Office Mardan	02/02/1997	Mardan	FA/DIT	
8.	Mr. Irfan Ullah S/O Afzal Khan	20/08/2015	THQ Takht Bhai	14/02/1989	Mardan	BA/DIT	
9.	Abdullah S/O Raees Khan	31/10/2019	DHO Office Mardan	15/02/1997	Mardan	FA/DIT	
10.	Mr. Abdul Shakoor S/O Wazir	15/05/2020	DHO Office Mardan	1977	Mardan	Nil	
11.	Mr. Majid Ali S/O Hafiz Ullah	15/05/2020	DHO Office Mardan	30/06/1980	Mardan	Nil	
12.	Mr. Almal Khan S/O Shaukat Ali Khan	29/10/2021	TDH Hospital	02/03/2002	Mardan	Matric	
13.	Mr. Ishtiaq Khan S/O Yousaf Khan	01/11/2021	TBC Mardan	15/05/1992	Mardan	D.Com	
14.	Mr. Iftikhar Shah S/O Tahir Shah	01/11/2021	DHO Office Mardan	15/04/1997	Mardan	FA	
15.	Mr. Maaz Muhammad S/O Riaz Muhammad	02/11/2021	DHO Office Mardan	01/04/1995	Mardan	FA/DIT	
16.	Mr. Hamid Ali S/O Pervaz Khan	03/11/2021	DHO Office Mardan	05/04/1995	Mardan	Matric	

Note: - All the above mention official are directed to submitted their academic documents/typing/Computer 1 year diploma in this office.

District Health Officer
Mardan

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TRIBUNAL, PESHAWAR**

SERVICE APPEAL NO. 1927/2023

Murad Khan.....Appellant

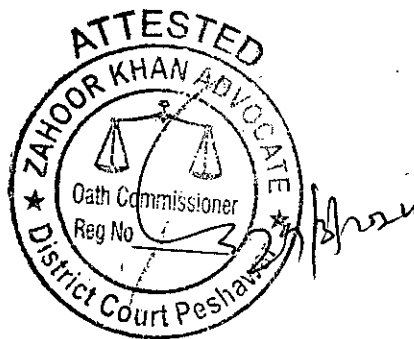
Versus

Government of Khyber Pakhtunkhwa & othersRespondents

Affidavit

I, Dr. Shoukat Ali, Director General Health Services, Khyber Pakhtunkhwa, Peshawar, under the directions of the Competent Authority, do hereby solemnly affirm that the contents of the parawise Comments on behalf of Respondents are true and correct to the best of my knowledge and belief and nothing has been concealed from this Hummable Tribunal. It is further stated on oath that in this appeal, the answering respondents have neither been placed ex-parte nor cost imposed or their defense has been struck off.


Deponent





**RATE GENERAL HEALTH SERVICES
PAKHTUNKHWA PESHAWAR**

*Requests 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 Director
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**