

BEFORE THE HONORABLE KHYBER PAKHTUNKHWA SERVICE

TRIBUNAL PESHAWAR

SERVICE APPEAL NO. 401 OF 2024

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

.....**Applicants**

Versus

Naveed Akhter Driver Maternity Hospital Peshawar.....**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. 401 OF 2024

Khyber Pakhtunkhwa
Service Tribunal

Diary No. 15128

Dated 22/8/24

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

.....Applicants

Versus

Naveed Akhter Driver Maternity Hospital Peshawar.....Respondent

**APPLICATION FOR SETTING ASIDE EX-PARTE ORDER DATED
26/06/2024**

Respectfully Sheweth,

- 1. That the above cite case is pending in the Honorable Tribunal and is fixed for hearing on 26/09/2024.
- 2. That the applicants received the summon alongwith Service Appeal for submission of reply on 02/04/2024.
- 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 26/06/2024 set aside rather it would offer an opportunity for the appellants 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.

It is therefore humbly prayed that the Ex-Party order dated 26/06/2024 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. 401 OF 2024

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

Versus

Naveed Akhter Driver Maternity Hospital Peshawar.....Respondent

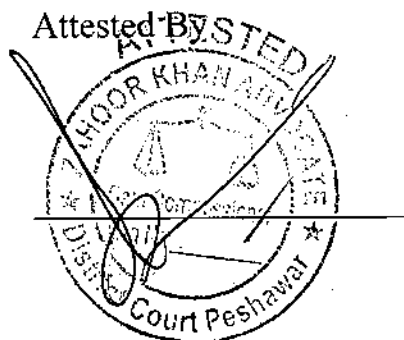
Affidavit

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
(Applicants)



BEFORE THE KP SERVICE TRIBUNAL PESHAWAR

SERVICE APPEAL NO. 401 /2024

Naveed Akhter Driver
Maternity Hospital Peshawar.

(APPELLANT)

VERSUS

1. The Director General Health Service , Khyber Pakhtunkhwa Peshawar.
2. The secretary to Govt; of KP Health deptt; Civil Secretariat Peshawar.

(RESPONDENTS)

APPEAL UNDER SECTION 4 OF THE KP SERVICE TRIBUNALS ACT, 1974 AGAINST THE IMPUGNED PREMATURE TRANSFER ORDER DATED 29.01.2024 AND ALSO AGAINST THE REJECTION ORDER DATED 28-02-2024 WHEREBY DEPARTMENTAL APPEAL OF THE APPELLANT WAS REJECTED FOR NO GOOD GROUNDS.

PRAYER:

THAT ON THE ACCEPTANCE OF THIS APPEAL THE ORDER DATED 29.01.2024, 28.02.2024 MAY BE SET ASIDE, BEING PREMATURE AND AGAINST THE POST AND TRANSFER POLICY. ANY OTHER REMEDY WHICH THIS AUGUST TRIBUNAL DEEMS FIT AND APPROPRIATE THAT MAY ALSO BE AWARDED IN FAVOUR OF THE APPELLANT.

SA 401/2024

11.06.2024 01. Appellant present in person. Mr. Arshad Azam, Assistant Advocate General alongwith Yousaf Jamal, Assistant for the respondents present.

02. Reply/comments not submitted despite last chance. Last opportunity is further extended on payment of cost of Rs. 2000/-. To come up for reply/comments and cost on 26.06.2024 before the S.B. PP given to the parties.

SCANNED
KPST
Peshawar

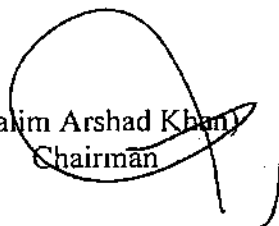

(Fareeha Paul)
Member(E)

Fazle Subhan, P.S

26th June, 2024

1. Learned counsel for the appellant present. Mr. Umair Azam, Additional Advocate General for the respondents present.

2. Written reply/comments on behalf of the respondents have not been submitted despite last chance as well as imposition of cost of Rs. 2000/-, therefore, they are placed ex-parte. To come up for arguments on 26.09.2024 before D.B.


(Kalim Arshad Khan)
Chairman

Adnan Shah, P.A

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**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**