


FORM OF ORDER SHEET

Court of _____

Appeal No. 1066/2024


S.No.	Date of order proceedings	Order or other proceedings with signature of judge
1	2	3
1-	29/07/2024	<p>The appeal of Mr. Akhtar Hussain resubmitted today by Mr. Muhammad Rahim Shah Advocate. It is fixed for preliminary hearing before touring Single Bench at Swat on 04.09.2024. Parcha Peshi given to counsel for the appellant.</p> <p>By the order of Chairman</p> <p> REGISTRAR</p>

The appeal of Mr. Akhtar Hussain received today i.e on 11.07.2024 is incomplete on the following score which is returned to the counsel for the appellant for completion and resubmission within 15 days.

- ① According to sub-rule-4 of rule-6 of Khyber Pakhtunkhwa Service Tribunal rules 1974 respondent no. 1 is un-necessary/improper party, in light of the rules ibid and on the written direction of the Worthy Chairman the above mentioned respondent number be deleted/struck out from the list of respondent.
- 2- In the heading of appeal necessary parties has not been made.
- 3- Appeal has not been flagged/marked with annexures marks.
- 4- Three copies/sets of the appeal along with annexures i.e. complete in all respect for Tribunal and one for each respondent may also be submitted with the appeal.

No. 335 /Inst./2024/KPST,

Dt. 11/7 /2024.


OFFICE ASISTANT
SERVICE TRIBUNAL
KHYBER PAKHTUNKHWA
PESHAWAR.

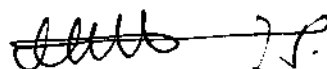
M. Rahim Shah Adv.
Supreme Court at Swat.

Sir,
Re-submitted after removing
the objections. All the necessary
parties has been included.



25/7/24

Sir,
Re submitted after removing The
objections. All the necessary parties has
been included.



27/7/24

BEFORE THE SERVICE TRIBUNAL KPK, PESHAWAR

Service Appeal No. 1066 /2024

Akhitar Hussain.....Appellant

VERSUS

Promotion Committee and other Respondents

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8.	Wakalat Nama		

Appellant
Through Counsel


Muhammad Rahim Shah

Advocate, Supreme Court of Pakistan

Cell No. 0345-9524225

&


Arif Khan

Advocate High Court

Cell No.0346-9446061

Office: 3rd Floor Continental Plaza Makaanbagh Mingora Swat

10

BEFORE THE SERVICE TRIBUNAL KPK, PESHAWAR

Service Appeal 1068 /2024

Akhtar Hussain S/O Akbar Hussain R/O Rahim Abad, Mingora District Swat. presently service as Class -IV at Government Nursing College Saidu Sharif Swat .

..... **Appellant**

VERSUS

1. Government of Khyber Pakhtunkhwa through Secretary Health at Peshawar.
2. Director General P.H.S.A Khyber Pakhtunkhwa at Peshawar.
3. Ijaz Ul Haq Junior Clerk at Government Paramedical Institute at Medical Technology, Saidu Sharif Swat.

.....**Respondents**

**APPEAL UNDER SECTION 4 OF THE GOVT. OF
KHYBER PAKHTUNKHWA, SERVICE TRIBUNAL ACT,
1974 AGAINST THE ORDERS**

Respectfully Sheweth;

1. That the appellant was initially recruited as Class-IV on 25-03-2016 by the competent authority after completion of the codal

2. That appellant rendered meritorious to the department without any complaint of the official and no complaint whatsoever has been made by the officials.
3. That the appellant being qualified having the requisite qualifications of merit to the post of Junior Clerk through the procedure of promotion given in the relevant rules seniority cum fitness.
4. That on 01-11-2023 the respondents circulated the seniority list of the Class-IV employee of the department wherein appellant stood in serial No.51 while, respondent No.3 stood on serial No.48 and appointed on 25-03-2016. **(Copy of seniority list is attached as annexure "B")**
5. That the appellant is meritorious and highly qualified. **(Copies of academic record are attached as annexure "C")**
6. That the appellant being aggrieved from the promotion order dated 22-01-2024 submitted a departmental appeal for the promotion, which is still pending respondent No.3 through diary No. 771 dated 12-03-2024 (**Copies of order dated 22-01-2024 & departmental appeal are annexed as annexure "D & E"**)
7. That the appellant being aggrieved from the actions of respondents having left no other remedy except to file the instant appeal inter alia on the following grounds.

GROUND

- A. That order of the promotion committee is illegal, against the law & violated the golden principle of

furthermore the 40% quota reserve for class-IV employee was violated by promoting the junior incumbent.

B. That the respondent No.1 utterly disregard the seniority list prepared by the department while promoting the most junior incumbent, thus violated the basic fundamental rights enshrined in the constitution.

C. That the respondent No.3 is illegally promoted by the respondent No.2 though he was appointed on 25-03-2016, while the appellant is also appointed on 25-03-2016 , committed gross illegality, therefore liable to struck down.

D. That the seniority list circulated by the respondent No.1 & 2 depriving the appellant committed gross illegality liable to be struck down and inalienable right of the appellant was infringed.

E. That the act of departmental authority is unlawful violated the mandatory provision of law available on the subject.

F. That the impugned order is the result of colorable exercise of their authority of respondents No. 1 & 2 misreading and non-reading of material present on file.

G. That the actions and inactions of the respondents are ultra vires, illegal, against the rules on the subject because the impugned orders were passed against the law.

H. That the respondents are not treating the Appellant in accordance with law and rules.

I. That the action and inaction of the respondents are clearly in disregard of the fundamental rights of the appellant.

J. That, other grounds will be agitated during the course of argument with prior permission.

It is therefore, most humbly prayed that on acceptance of instant appeal; the office order No.3 /PHSA/ Admin/ Office order 2023-2024/133 dated 22-01-2024 of the respondent No.3 may kindly be declare is illegal, unlawful, void ab initio and liable to be struck down and the appellant may kindly be promoted the post of Junior Clerk (BPS—11) with all back benefits.

Any other relief which are proper in the instant circumstances of the case may also be granted.

Appellant

Through Counsel



Muhammad Rahim Shah
Advocate Supreme Court

BEFORE THE SERVICE TRIBUNAL KPK, PESHAWAR

Service Appeal No. _____/2024

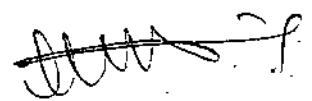
Akhtar Hussain **Appellant**

VERSUS

Promotion Committee and other **Respondents**

CERTIFICATE

As per instruction of my client no such like appeal , earlier has been filed by the appellant on the subject matter before this Hon'able Court.



ADVOCATE

BEFORE THE SERVICE TRIBUNAL KPK, PESHAWAR

Service Appeal No. _____/2024

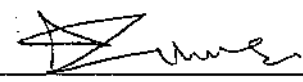
Akhtar Hussain **Appellant**

VERSUS

Promotion Committee and other **Respondents**

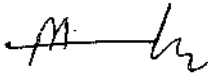
AFFIDAVIT

I, **Akhtar Hussain S/O Akbar Hussain R/O Rahim Abad, Mingora District Swat** do hereby solemnly affirm and declare on oath that the contents of the accompanying service appeal are true and correct to the best of my knowledge and belief, and not has been kept concealed from this Honourable court.



DEPONENT

Akhar Hussain



ATTESTED

Ms. Minhas Yousufzai Advocate

District Courts Swat

OATH COMMISSIONER

S.No. 121 Date: 9/7/2024

BEFORE THE SERVICE TRIBUNAL KPK, PESHAWAR

Service Appeal No. _____/2024

Akhtar Husain **Appellant**

VERSUS

Promotion Committee and another **Respondents**

ADDRESSES OF THE PARTIES

APPELLANT

Akhtar Hussain S/O Akbar Hussain R/O Rahim Abad,
Mingora District Swat. presently service as Class -IV at
Government Nursing College Saidu Sharif Swat .

CNIC:15607-0351152-7 ,MOB: 0342-9170758

RESPONDENTS

- Grant of K.P.K Through Secretary health.*
1. ~~Secretary Government Provincial Health~~
~~Department Peshawar~~
 2. Director General ^{P.H.S.A} Khyber Pakhtuknhwa at Peshawar.
 3. Ijaz Ul Haq Junior Clerk at Government Paramedical Institute at Medical Technology, Saidu Sharif Swat.

Appellant,

through Counsel



Muhammad Rahim Shah
Advocate Supreme Court



Provincial Health Services Academy (PHSA)

Health Department, Government of Khyber Pakhtunkhwa,

Near Northern Bypass, Duranpur Road Peshawar

☎ #. 091-2614124

Fax #. 091-2614223, 2614224

Exchange ☎ #. 091-2614223, 2614224

Website: www.phsa.edu.pk, E-mail: info@phsa.edu.pk

OFFICE ORDER.

Consequent upon the recommendation of Departmental Selection Committee PHSA, Mr. Akhtar Hussain S/O Akbar Hussain resident of Rahimabad, Mohallah Islamabad, Mingawara, Tehsil Babozai District Swat is hereby appointed as Sweeper (BPS-03) (6535-260-14335) plus usual allowances as admissible under the rules on regular basis subject to the following terms and conditions.

1. His appointment will be on probation period initially for a period of one year and extendable to continue till further orders.
2. He is liable to serve anywhere in PHSA network, Health Department throughout the Province of Khyber Pakhtunkhwa.
3. If he is declared medically fit by Medical Superintendent, Police & Services Hospital Peshawar.
4. He will be governed by the Khyber Pakhtunkhwa Civil Services Rules issued for the post time to time.
5. If he wishes to resign from service, he will have to submit resignation in writing by giving prior notice of one month period in lieu of acceptance of resignation and will continue to work till his resignation is accepted by the competent authority.

If the above terms and conditions are acceptable to him, he would report to the Principal, Paramedical Institute of Medical Technology (PIMT) Swat within 15 (fifteen) days of the receipt of this office order, otherwise the offer/order will be considered as cancelled/withdrawn.

--sd/--

DIRECTOR

PHSA, PESHAWAR.

Dated: 25/03/2016.

No. 215/PHSA/Admn/Appointment/2015-16/1310-14

Copy forwarded for information to:

1. Accounts General Khyber Pakhtunkhwa, Peshawar.
2. District Accounts Officer, Swat.
3. Principal, PIMT, Swat.
4. PS to Secretary Health, Government of Khyber Pakhtunkhwa, Peshawar.
5. Mr. Akhtar Hussain S/O Akbar Hussain resident of Rahimabad, Mohallah Islamabad, Mingawara, Tehsil Babozai District Swat.

ADMINISTRATIVE OFFICER
PHSA, PESHAWAR.

**TENTATIVE SENIORITY LIST SSC AND ABOVE QUALIFICATION CLASS.IV (BPS-03-04) WORKING IN PHSA & ALLIED INSTITUTES AS
STOOD ON 01.11.2023**

S#	Name /Father Name	Date of Birth	Domicile	Academ ic Qualific ation	Date of 1 st entry in Govt. Service	Promotion / Upgradation	Date of Promotion/ Upgradation	BPS at the time of Promotion	Place of Posting	Remarks
1	2	3	4	5	6	7	8	9	10	11
1.	Ali Rehman s/o Taza Gul	13.04.1971	Swat	SSC	26.01.1991 (BPS-2) Naib Qasid	Upgradation	30.06.2015	(BPS-4)	DHDC Swat	P/F reviewed
2.	Haji Muhammad s/o Tawab Khan	23.12.1969	Peshawar	SSC	30.08.1997 (BPS-4) Cook	Upgradation	30.06.2015	(BPS-4)	PHSA	P/F reviewed
3.	Muhammad Sultan s/o Malik Aman	23.10.1975	ATD	SSC	16.9.1998 (BPS-2) Naib Qasid	Upgradation	30.06.2015	(BPS-4)	PIMT ATD	P/F reviewed
4.	Mulazim Hussain s/o Shah Nawaz	01.07.1971	D.I. Khan	SSC	23.11.1999 (BPS-2) Naib Qasid	Upgradation	30.06.2015	(BPS-4)	PIMT D.I.Khan	P/F reviewed
5.	Munsif Ali s/o Farzan Ali	10.04.1985	Mardan	F.A	10.04.1985 (BPS-2) Naib Qasid	Upgradation	30.06.2015	(BPS-4)	DHDC Mardan	P/F reviewed
6.	Shahid Mehmood s/o Allah Wasaya	24.04.1984	D.I. Khan	SSC	24.05.2004 (BPS-3) Bearer	Upgradation	30.06.2015	(BPS-3)	PIMT D.I.khan	P/F reviewed
7.	Hassan Ali s/o Shareef Ullah	15.02.1988	Mardan	SSC	25.06.2007 (BPS-3) Bearer	Upgradation	30.06.2015	(BPS-3)	GCON Mardan	P/F reviewed
8.	Tasleem Arif s/o Taj Muhammad	20.10.1986	Batagram	SSC	01.08.2007 (BPS-3) Cook	Upgradation	30.06.2015	(BPS-3)	DHDC Abbottabad	P/F reviewed
9.	Hameed Hussain s/o Gul Zameer	14.04.1987	Mardan	SSC	21.06.2008 (BPS-3) Chowkidar	Upgradation	30.06.2015	(BPS-3)	GCON Mardan	Personal File not provided

	Wasal Khan	12.04.1988	Mardan	SSC	21.06.2008 (BPS-3) Sweeper	Upgradation	30.06.2005	(BPS-3)	DHDC Mardan	PI reviewed
11.	Hafeez ur Raman s/o Ubaid Khan	02.03.1978	Chitral	SSC	28.06.2002 (BPS-3) Chowkidar	Upgradation	30.06.2005	(BPS-3)	DHDC Chitral	PI reviewed
12.	Muhammad Ali s/o Gulab Shah	08.03.1982	Swat	SSC	03.11.2008 (BPS-3) Chowkidar	Upgradation	30.06.2005	(BPS-3)	GCOM Swat	PI reviewed
13.	Khuram Shehzad s/o Afsar Khan	2.5.1980	ATD	SSC	12.11.2008 (BPS-2) Naib Qasid	Upgradation	30.06.2005	(BPS-4)	DHDC ATD	PI reviewed
14.	Abdul Waheed s/o Abdul Aziz	10.6.1978	Kohat	SSC	05.12.2008 (BPS-3) Chowkidar	Upgradation	30.06.2005	(BPS-3)	SON Kohat	PI reviewed
15.	Ismail Khan s/o Shebaz Khan	02.01.1975	Peshawar	SSC	13.10.2009 (BPS-3) Mali	Upgradation	30.06.2005	(BPS-3)	SON Hayatabad	PI reviewed
16.	Shahid Ali s/o Shoukat Ali	05.01.1975	Peshawar	SSC	13.10.2009 (BPS-3) Chowkidar	Upgradation	30.06.2005	(BPS-3)	SON LRI Pech	PI reviewed
17.	Rohul Amin s/o M. Amin	16.03.1983	Peshawar	SSC	13.10.2009 (BPS-3) Bearer	Upgradation	30.06.2005	(BPS-3)	PGC	PI reviewed
18.	Ramazani Khan s/o Ali Gohar	25.04.1990	Peshawar	F.A	14.10.2009 (BPS-3) Chowkidar	Upgradation	30.06.2005	(BPS-3)	SON KTH	PI reviewed
19.	Waseem Bhatti s/o Mushtaq Bahtti	27.09.1983	DIKHAM	SSC	23.10.2009 (BPS-3) Chowkidar	Upgradation	30.06.2005	(BPS-3)	SON DIKHAM	PI reviewed
20.	Shoukat Ali S/O Muhammad Akbar	01.12.1993	Swat	SSC	02.08.2007 On Fix Pay 24.10.2009 Chowkidar	Upgradation	30.06.2005	(BPS-3)	PGP Peshawar	PI reviewed
21.	Murtaza Ali s/o Shafiq Hussain	01.01.1984	Kohat	F.A	04.02.2010 (BPS-3) Chowkidar	Upgradation	30.06.2005	(BPS-3)	SON KOHAT	PI reviewed
22.	M.Usman s/o M.Nawaz	29.03.1973	Mardan	SSC	22.03.2010 (BPS-3) Chowkidar	Upgradation	30.06.2005	(BPS-3)	DHDC SWAT	PI reviewed

23.	Ghafoor Ahmad s/o Musharaf Khan	06.04.1979	Peshawar	SSC	01.04.2010 (BPS-3) Chowkidar	Upgradation	30.06.2015	(BPS-3)	DHDC CHITRAL	P/F reviewed
24.	Adnan Ghuri s/o Yousaf Masih	05.08.1982	Peshawar	SSC	15.10.2010 (BPS-3) Sweeper	Upgradation	30.06.2015	(BPS-3)	PHSA	P/F reviewed
25.	Hamayun Khan s/o Fazal khaliq	02.01.1967	Peshawar	SSC	16.03.2011 (BPS-2) Naib Qasid	Upgradation	30.06.2015	(BPS-4)	PHS NISHTERAB AD	P/F reviewed
26.	Muhammad Jehan s/o Sultan Muhammad	02.03.1969	Mardan	F.A	21.03.2011 (BPS-3) Sweeper	Upgradation	30.06.2015	(BPS-3)	CON Kohat	P/F reviewed
27.	Noor khan s/o Agha khan	02.03.1978	Peshawar	SSC	21.03.2011 (BPS-3) Chowkidar	Upgradation	30.06.2015	(BPS-3)	PHSA	P/F reviewed
28.	Musafar khan s/o Gul Riaz	02.08.1992	Peshawar	B.A	21.03.2011 (BPS-3) Chowkidar	Upgradation	30.06.2015	(BPS-3)	PHSA	P/F reviewed
29.	Muhammad Usman s/o Abdul Wahid	06.06.1992	Peshawar	SSC	19.05.2011 (BPS-2) Naib Qasid	Upgradation	30.06.2015	(BPS-4)	ZAB PGPI	P/F reviewed
30.	Sartaj Ali s/o Umar Khan	03.04.1985	Nowshehra	F.A	11.07.2011 (BPS-2) Naib Qasid	Upgradation	30.06.2015	(BPS-4)	SoN LRH	P/F reviewed
31.	Tahir Khan s/o Rangeen Khan	01.01.1991	DIK	SSC	06.09.2011 (BPS-3) Mali	Upgradation	30.06.2015	(BPS-3)	SoN DIK	Personal File not provided
32.	Muhammad s/o Qayum Mukaram Shah	15.02.1988	Peshawar	SSC	16.01.2012 (BPS-3) Bearer	Upgradation	30.06.2015	(BPS-3)	PHS Hayatabad	P/F reviewed
33.	Waqar s/o Fazal Rabi	14.04.1992	Peshawar	F.A	01.03.2012 (BPS-2) Naib Qasid	Upgradation	30.06.2015	(BPS-4)	PHS Hayatabad	P/F reviewed
34.	Rashid Ashraf s/o M. Ashraf	04.02.1990	ATD	SSC	30.04.2012 (BPS-3) Lab Attendant	Upgradation	30.06.2015	(BPS-3)	PIMT ATD	P/F reviewed
35.	Rasool Shah s/o Noor Ali Shah	25.04.1985	Karak	SSC	13.04.2013 (BPS-2) Naib Qasid	Upgradation	30.06.2015	(BPS-4)	PGCN	P/F reviewed

36.	Kamran s/o Fazal Rabi	01.02.1992	Nowshera	SSC	16.04.2013 (BPS-3) Bearer	Upgradation	30.06.2015	(BPS-3)	DHDC Mardan	P/F reviewed
37.	Asif Ullah s/o Habib Ullah	06.08.1982	Peshawar	F.A B.A	17.05.2013 (BPS-2) Naib Qasid	Upgradation	30.06.2015	(BPS-4)	PGCN	P/F reviewed
38.	Syed Manzoor Ali s/o Syed Jamal Shah	10.04.1987	Mardan	B.A	07.08.2013 (BPS-3) Chowkidar	Upgradation	30.06.2015	(BPS-3)	SoN Mardan	P/F reviewed
39.	Ibrar Hussain s/o Gul Faraz	01.05.1993	ATD	F.A	26.12.2013 (BPS-3) Chowkidar	Upgradation	30.06.2015	(BPS-3)	PHS ATD	P/F reviewed
40.	Junaid Ahmad s/o Fazli Ahmad	08.04.1995		SSC	29.12.2014 (BPS-3) Bearer	Upgradation	30.06.2015	(BPS-3)	DHDC Chitral	P/F reviewed
41.	M. Sadheer s/o M. Taj	02.04.1989	ATD	SSC	30.09.2015 (BPS-3) Chowkidar	Upgradation	30.06.2015	(BPS-3)	PIMT ATD	P/F reviewed
42.	Ghareeb Nawaz s/o Dost Muhammad	05.09.1979	ATD	SSC	30.09.2015 (BPS-3) Lab Attendant	Upgradation	30.06.2015	(BPS-3)	SoN ATD	P/F reviewed
43.	Taimoor Khan s/o Fareed Ullah	01.01.1982	Peshawar	SSC	08.01.2016 (BPS-3) Cook	Upgradation	30.06.2015	(BPS-3)	PHS HAYATABA D	P/F reviewed
44.	Fazal e Haq s/o Fazal e Rabbi	15.02.1982	Peshawar	F.A	08.01.2016 (BPS-3) Chowkidar	Upgradation	30.06.2015	(BPS-3)	SON KTH	P/F reviewed
45.	Ibad Gul s/o Shahab Gul	04.01.1987	Peshawar	F.A	08.01.2016 (BPS-4) Naib Qasid	Upgradation	30.06.2015	(BPS-3)	PHS HAYATABA D	P/F reviewed
46.	Shoaib Ahmad s/o Bakhtiar Ahmad	05.08.1990	Peshawar	B.A	09.01.2016 (BPS-3) Cook	Upgradation	30.06.2015	(BPS-3)	PGCN	P/F reviewed
47.	M.Zahir shah s/o M.Ghafoor	01.04.1984	Swat	FSC	25.03.2016 (BPS-4) Naib Qasid	Upgradation	30.06.2015	(BPS-3)	PIMT SWAT	P/F Reviewed

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C. J. J. J.

M. R.

S. J.

48.	Ijaz Ul Haq s/o Fazal e Haq	11.02.1991	Swat	FSC	25.03.2016 (BPS-4) Naib Qasid	Upgradation	30.06.2015	(BPS-3)	PIMT SWAT	File not provided
49.	Inam Ullah s/o Zahir Rawan	03.09.1994	Swat	FSC	25.03.2016 (BPS-3) Lab attendant	Upgradation	30.06.2015	(BPS-3)	PIMT SWAT	Personal File not provided
50.	Nawaz Hussain S/O Ayaz-Hussain	06.10.1995	Swat	FSC	25.03.2016 (BPS-4) T/O	Upgradation	30.06.2015	(BPS-3)	PIMT Swat	Personal File not provided
51.	Akhtar Hussain s/o Akbar Hussain	15.03.1996	Swat	SSC	25.03.2016 (BPS-3) Sweeper	Upgradation	30.06.2015	(BPS-3)	PMIT SWAT	P/F reviewed
52.	Imran Khan s/o Fazal Rehman	8.6.1986	Swat	SSC	08.03.2018 (BPS-3) Bearer	Upgradation	30.06.2015	(BPS-3)	PIMT SWAT	P/F reviewed
53.	Hazarat Noor s/o Hazrat Gul	09.03.1991	Peshawar	SSC	27.03.2018 (BPS-3) Chowkidar	Upgradation	30.06.2015	(BPS-3)	PHS NISHTERAB AD	P/F reviewed
54.	Asif Ullah s/o Sakin Ullah	02.04.1987	Nowshera	F.A	02.08.2018 (BPS-4) Naib Qasid	Upgradation	30.06.2015	(BPS-3)	DHDC SWAT	P/F reviewed
55.	Azeem Ullah s/o Mukhtiar Khan	10.02.1995	Peshawar	F.A	02.08.2018 (BPS-3) Chowkidar	Upgradation	30.06.2015	(BPS-3)	ZAB PGPI	P/F reviewed
56.	Safi Ullah s/o Nasir Ullah	24.08.1996	Nowshera	FSC/DA E	02.08.2018 (BPS-3) Chowkidar	Upgradation	30.06.2015	(BPS-3)	PHSA	P/F reviewed
57.	Asad Iqbal s/o Umer Zada	02.04.1983	Mardan	SSC	03.09.2018 (BPS-3) Chowkidar	Upgradation	30.06.2015	(BPS-3)	SON LRH	P/F reviewed
58.	Asad Ghulam Yousaf s/o Amen Ul Haq	13.04.1988	Mardan	B.A	17.09.2018 (BPS-3) Bearer	Upgradation	30.06.2015	(BPS-3)	PHS HAYATABA D	P/F reviewed
59.	Sulieman Shah s/o Abdul Ghafoor	02.01.1991	Nowshera	M.A	17.09.2018 (BPS-3) Bearer	Upgradation	30.06.2015	(BPS-3)	SON LRH	P/F reviewed

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60.	Mubashir Hussain s/o Bashir Ahmad	18.08.1990	Peshawar	SSC	27.09.2018 (BPS-3) Sweeper	Upgradation	30.06.2015	(BPS-3)	SON LRH	P/F reviewed
61.	Mehmood Alam S/O Gul Alam	10.05.1979	Peshawar	F.A	09.08.2019 (BPS-3) Security Guard	Upgradation	30.06.2015	(BPS-3)	PGPI Peshawar	P/F reviewed
62.	Laiq ur Rehman s/o Taj Ali Khan	16.01.1986	Bannu	SSC	09.08.2019 (BPS-3) Sweeper	Upgradation	30.06.2015	(BPS-3)		P/F reviewed
63.	Ijaz Khan S/o Fazal Elahi	11.06.1989	Charsada	Matric	09.08.2019 (BPS-3) Security Guard	Upgradation	30.06.2015	(BPS-3)	PGPI Peshawar	P/F reviewed
64.	Muhammad Kifayat S/O Ismail Khan	01.04.1990	Peshawar	F.A DIT Diploma anesthesi	09.08.2019 (BPS-3) Security Guard	Upgradation	30.06.2015	(BPS-3)	PGPI Peshawar	P/F reviewed
65.	Abdullah S/O Fayaz Ud Din	08.04.1994	Charsadda	Matric	09.08.2019 (BPS-3) Security Guard	Upgradation	30.06.2015	(BPS-3)	PGPI Peshawar	P/F reviewed
66.	Hazrat Bilal S/O Hamid Ur Rehman	05.03.1998	Charsadda	F.A	09.08.2019 (BPS-3) Security Guard	Upgradation	30.06.2015	(BPS-3)	PGPI Peshawar	P/F reviewed
67.	Atiq Ur Rehman S/O Hafeez Ur Rehman	02.12.1998	Peshawar	F.A	09.08.2019 (BPS-3) Naib Qasid	Upgradation	30.06.2015	(BPS-3)	PGPI Peshawar	P/F reviewed
68.	Muhammad Sheraz S/O Mumtaz Muhammad	20.05.1999	Peshawar	SSC	09.08.2019 (BPS-3) Cook 25.02.2021 Naib Qasid	Upgradation	30.06.2015	(BPS-3)	PGPI Peshawar	P/F reviewed
69.	Rehman Ullah s/o Gul M.khan	02.05.1997	Bannu	F.A	10.08.2019 (BPS-3) Sweeper	Upgradation	30.06.2015	(BPS-3)	SON Bannu	P/F reviewed
70.	Shoaib Afridi S/O Bahawal Shah Afridi	06.04.1999	Khyber Agency	FSC	16.08.2019 (BPS-3) Naib Qasid	Initial Appointment	NIL	(BPS-3)	PGPI	P/F reviewed

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71.	Basrullah jan s/o Bahadur Khan	15.10.1992	Lakki Marwat	Matric	20.08.2019 (BPS-3) Chowkidar	Initial Appointment	NIL	(BPS-3)	DHDC Bannu	P/F reviewed
72.	Muhammad Ali s/o Muhammad Noor	21.08.1994	Peshawar	FA	20.08.2019 (BPS-3) Chowkidar	Initial Appointment	NIL	(BPS-3)	PGCN	P/F reviewed
73.	Shabir Jan S/O Muhammd Ghayas	01.02.1985	Charsadda	B.A	26.08.2019 (BPS-3) G/O	Initial Appointment	NIL	(BPS-3)	PGPI Peshawar	P/F reviewed
74.	Muhammad Yousaf S/O Jameel Ahmad	18.08.2001	Mardan	SSC	03.09.2019 Sweeper (BPS-3) Chowkidar	Initial Appointment	NIL	(BPS-3)	DHDC Abbottabad	P/F reviewed
75.	Muhammad Yousaf S/O Liaq Ali	15.02.1988	Nowshera	B.A	17.09.2019 (BPS-3) Sweeper	Initial Appointment	NIL	(BPS-3)	PGPI Peshawar	P/F reviewed
76.	Miss Muna s/o Miskin Khan	13.04.1988	Nowshera	B.A	17.09.2019 (BPS-3) AAYA	Initial Appointment	NIL	(BPS-3)	PHS HAYATABA D	P/F reviewed
77.	Fazal e Amin s/o Hazrat Amin	05.03.1996	Peshawar	SSC	08.10.2019 (BPS-3) Sweeper	Initial Appointment	NIL	(BPS-3)	SON HMC	P/F reviewed
78.	Sadaqat Ali S/O Muhammad Aslam	23.09.1993	Abbottabad	SSc Diploma in Associa te Enginee ring	12.11.2019 Sweeper (BPS-3)	Initial Appointment	NIL	(BPS-3)	DHDC Abbottabad	P/F reviewed
79.	Anwar Ali Khan s/o Noor Ullah khan	25.03.1992		SSC	26.12.2019 (BPS-3) Bearer	Initial Appointment	NIL	(BPS-3)		Personal File not provided
80.	Muhammad Daud s/o Qaseed Gul	05.02.2000	Peshawar	FA	31.05.2021 (BPS-3) Bearer	Initial Appointment	NIL	(BPS-3)	PGCN	P/F reviewed
81.	Farhan Khan s/o Nawab Sher	03.05.2002	Peshawar	Matric	31.05.2021 (BPS-3) Cook	Initial Appointment	NIL	(BPS-3)	PHSA	P/F reviewed
82.	Anwar Khan S/O Alam Khan	05.02.1987	Peshawar	B-A DIT	05.07.2021 (BPS-3) Cook	Initial Appointment	NIL	(BPS-3)	Swat	P/F reviewed

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83.	Naseer Ullah Khan S/O Jamrud Khan	20.04.1995	Peshawar	D.Com DIT	13.08.2021 (BPS-3) Naib Qasid	Initial Appointment	NIL	(BPS-3)	PHSA	P/F reviewed
84.	Niaz Ali S/O Noor Aji	---	Bannu	FSc	16.08.2021 (BPS-3) Naib Qasid	Initial Appointment	NIL	(BPS-3)	GCN Bannu	P/F reviewed
85.	Zeeshan Umar S/O Gul Zaman	08.06.1993	Abbottabad	SSC Diploma Electrician	05.09.2021 Sweeper (BPS-3)	Initial Appointment	NIL	(BPS-3)	DHDC Abbottabad	P/F Reviewed
86	Muhammad Aamir	01.04.1999	D.I.KHAN	FSC	09/08/2019 (BPS-3) Bearer	Initial Appointment	NIL	(BPS-3)		P/F Reviewed
87	Hidayat Ullah S/O iqbal Hussain	14-08-1988	Di Khan	SSc	24.09.2019 Cook (BPS-03)	Initial Appointment	NIL	(BPS-3)	PIMT DI Khan	P/F Reviewed
88	Haneef Ullah S/o Fazl e Mula	25.4.2000	Swat	F.A	6.7.2021 (BPS-03) Cook	Initial Appcintment	NIL	(BPS-3)	PIMT Swat	P/F Reviewed
89	Inayat Khan S/o Sher Bahadar Khan	3.3.1998	Swat	SSC	12.11.2019 (BPS-3) Sweeper	Initial Appointment	NIL	(BPS-3)	PIMT Swat	P/F Reviewed
90	Asif Khan S/o Quli Khan		Laki Marwat		19.9.2018 Cook Bps-3	Initial Appointment	NIL	(BPS-3)	PIMT DI Khan	P/F reviewed only office order attached
91	Muhammad Ismail S/o Mir Zali Khan		Laki Marwat		19.9.2018 Cook Bps-3	Initial Appointment	NIL	(BPS-3)	PIMT DI Khan	P/F reviewed only office order attached

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92	Muhammad Sulaiman S/o Farhan Ud'Din	9.1.1995	nowshera	B.A	9.8.201 Sweeper BPS-03	Initial Appointment	NIL	(BPS-3)	ZAB PGPI	P/F Reviewed
93	Adnan Mazhar Sethi S/O Khwaja Mazhar Jamil Sethi	18.10.1991	Peshawar		20.08.2019 Mali (BPS-3)	Initial Appointment	NIL	(BPS-3)	ZAE PGPI	P/F Reviewed
94	Muhammad Toheed S/O Abdul Waheed	09.01.1992	peshawar	F.A	11.06.2019 Naib Qasid (BPS-03)	Initial Appointment	NIL	(BPS-3)	PHSA	P/F Reviewed
95	Rashid Ahmad S/O Fazal Rahman	01.03.1984	Swat	F.A	20.08.2019 Bearer (BPS-03)	Initial Appointment	NIL	(BPS-3)	DHDC SWAT	P/F Reviewed
96	Haider Hussain S/O Sherd Ullah	15.11.1976	Swat		27.12.2012 Sweeper (BPS-01)	Initial Appointment	NIL	(BPS-3)	DHDC SWAT	P/F Reviewed
97	Mr Fazal Mobin S/O Sultan Muhammad	01.05.1993	Swat		18.04.1993 Sweeper (BPS-01)	Initial Appointment	NIL	(BPS-3)	DHDC SWAT	P/F Reviewed
98	Rasheed Ullah S/o Zarwali Khan	13.02.2000			20.08.2019 Bearer (BPS-03)	Initial Appointment	NIL	(BPS-3)		P/F Reviewed

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99.	Muhammad Pervez S/O Haji Thal Khan	12.03.1979			9.08.2019 Naib Qasid (BPS-03)	Initial Appointment	NIL	(BPS-3)	ZAB-PGPI	P/F Reviewed
100	Hidayat Ullah S/o Balqias Khan	01.01.1999			05.03.2018 bearer (BPs-03)	Initial Appointment	NIL	(BPS-3)	DHDC Bannu	P/F Reviewed

M. Shahid
Deputy Director (HRD)
PHSA Peshawar

Director
PHSA Peshawar

SERIAL NO.

Am. C)

(19)

001073

BOARD OF SECONDARY EDUCATION

KARACHI

STATEMENT OF MARKS

S.S.C. EXAMINATION

(FOR SUCCESSFUL CANDIDATES ONLY)

EXAMINATION ANNUAL 2012 ROLL NUMBER 348314
 GROUP SCIENCE
 NAME AKHTAR HUSSAIN
 FATHER'S NAME AKBAR HUSSAIN
 SCHOOL/PRIVATE UNIQUE CHILDREN'S SECONDARY SCHOOL
 17/253, TARA CHAND ROAD, KEAMA RI

SUBJECTS					
COMPONENT - I		MARKS	COMPONENT - II		MARKS
SINDHI SALEES	63	131	MATHEMATICS	05	100
URDU NORMAL	68	/150			
ENGLISH (COMP) PAPER I	46	112	BIOLOGY THEORY	8	55
ENGLISH (COMP) PAPER II	66	/150	BIOLOGY PRACTICAL	12	15
PAKISTAN STUDIES		68	PHYSICS THEORY	72	85
		/75	PHYSICS PRACTICAL	13	15
ISLAMIAT		69	CHEMISTRY THEORY	68	85
		/75	CHEMISTRY PRACTICAL	13	15

GRAND TOTAL: *723 OUT OF 850

GRADE: A-ONE

GRADE IN COMPONENT III AWARDED BY THE SCHOOL IN

XXXXXXXXXXXXXXXXXX

GRADE: XXXX

Rafia Mallah
A-2012

(RAFIA MALLAH)

DATED: 23-07-2012

*5 MARKS OF NOCK EXAM 2011 ADDED TO TOTAL MARKS

CONTROLLER OF EXAMINATIONS

Inspector
POLICE, SWAT

E. & O. E.

For Important Notes Please Turn Over

42

Sl.No.
ZA-034592

Roll No.
348314

Board of Secondary Education, Karachi



Secondary School Certificate Examination, 2012

SCIENCE GROUP

Certified that **ARHTAR HUSSAIN**
 Son/Daughter of **AKBAR HUSSAIN**
 whose date of birth is **FIFTEENTH DAY OF MARCH** one thousand nine hundred
NINETY SIX has duly passed the Secondary School Certificate Examination held in
 the month of **APRIL 2012** as a **REGULAR** Candidate in the subjects mentioned below
 and has been placed in GRADE **A-one** He/She obtained **723** Marks out of **850**

COMPONENT I.	COMPONENT II
SINDHI SALEES	MATHEMATICS
URDU NORMAL	BIOLOGY
ENGLISH	PHYSICS
PAKISTAN STUDIES	CHEMISTRY
ISLAMIAT	

COMPONENT III

He/She offered
 XXXXXXXXXXXXXXXXXXXX
 as Vocational Subjects and has
 been awarded grade **XXXX**
 by his/her Institution on the
 basis of Internal Assessment.

DATED 07-JULY-2014



[Signature]
Mrs. Hoor Mazhar
 Secretary

Note: This certificate is issued without alteration or erasure.
 Please also see on the reverse.

Serial No. 000000

BOARD OF SECONDARY EDUCATION KARACHI
Secondary School Certificate (Annual/Supplementary) Examination 2012



Migration Certificate

Mr./Miss ARNTAR HUSBAIN

Son/Daughter of AFGAR HUSBAIN

who appeared at the **S.S.C. Part I/II Examination** 2012

with Roll No. 248514 and declared passed / failed /

cleared in A-ONE Grade / Papers is hereby permitted to

migrate from the jurisdiction of this Board and has no objection for

continuing his/her studies at another Board / University.

Handwritten note: to Afzar Husain N/S

Dated: 08-12-2012

Signature: Arntar Husain
Controller of Examinations
Board of Secondary Education
Karachi

Handwritten notes:
Arntar Husain
Arntar Husain
Arntar Husain
Arntar Husain
Arntar Husain

12

S. No. 277

Roll No. 348314

Unique Children's Sec. School

(REGISTERED & RECOGNISED)

17/253, TARA CHAND ROAD, KEAMARI, KARACHI.



PROVISIONAL CERTIFICATE

Secondary School Certificate (Annual / Supply) 20 12

This is to certify that Abbot Hussain

S/O., D/O. Abbot Hussain

has been declared successful in the Secondary School Certificate Examination conducted by the Board of Secondary Education, Karachi in Science/Arts Group held in the month of April

Grade "A-One"

Attested

as a regular candidate and has been placed in

M. M. M. M.
District Officer Fisheries,
Karachi

His/Her date of birth 15-03-96
Fifteenth the Day of March 1996

To the best of my knowledge and belief he/she bears a good moral character.

UNIQUE CHILDREN'S SEC. SCHOOL
17/253, TARA CHAND ROAD, KEAMARI,
KARACHI - 75200.

DATED 23-08-2012

PRINCIPAL

copy of cert. kept...



MUQADDAS COMPUTER INSTITUTE

Near Usman Ghani (r) Masjid, Masan Road, Tashqand Colony, Keamari, Karachi.

Certificate

Roll No. 104

Roll No. _____

S. No. 359

S. No. _____

AKTHAR HUSSAIN

It is Certified that Mr. / Ms. _____

No. D/o. AKBER HUSSAIN

Has Successfully Completed The Course of study

Prescribed by This Institute. Typing Windows M.s Word M.s Excel M.s Power Point Internet Hardware

and is awarded the Certificate of Achievement. Course duration THREE months. He / She has

been Placed in grade A



Date of Issue. 27-2-2010

Am D



PROVINCIAL HEALTH SERVICES ACADEMY
Government of Khyber Pakhtunkhwa
Department of Health



OFFICE ORDER

Consequent upon the recommendation of Department Promotion committee meeting held on 15/01/2024. Mr. Ijaz Ul Haq Naib Qasid (BPS-03), attached to Paramedical Institute of Medical Technologies (PIMT) Swat, is hereby promoted to the post of Junior Clerk (BPS-11) with immediate effect in the best public interest.

Subsequent to the above, Mr. Ijaz Ul Haq Junior Clerk (BPS-11) is hereby posted to PIMT Swat against the vacant post.

DIRECTOR GENERAL (Health),
PHSA PESHAWAR.

No. 3 /PHSA/Admn/Office order/2023-24/ 133

Dated. 22/01/2024

- Accountant General Khyber Pakhtunkhwa Peshawar.
- Principal Paramedical Institute of Medical Technologies Swat
- Section Officer -VI Govt. of Khyber Pakhtunkhwa Health Department.
- Deputy Director I.T PHSA Peshawar.
- District Account Officer Swat.
- Mr. Ijaz Ul Haq Junior Clerk (BPS-11).

Amended
Ijaz Ul Haq
Qasid

Ijaz
DIRECTOR GENERAL (Health),
PHSA PESHAWAR.



Am E

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BEFORE THE DIRECTOR HEALTH, KHYBER
PAKHTUNKHWA, PESHAWAR

Akhtar Hussain

V/S

Promotion Committee through Chairman Dr. Shaharyar Govt.

Provincial Health Services Academy at Peshawar & others

INDEX

S #	Description	Annexure	Pages #
1.	Departmental appeal	---	
2.	Copy of appointment order	A	
3.	Copy of promotion order	B	
4.	Copy of seniority list	C	
5.	Copies of academic record	B	

Appellant

Akhtar Hussain

Akhtar Hussain

Cell No: 0344-2288015

BEFORE THE DIRECTOR HEALTH, KHYBER
PAKHTUNKHWA, PESHAWAR

Departmental Appeal No _____ of 2024

Akhtar Hussain son of Akbar Hussain resident of Rahim Abad,
Mingora, District Swat presently service as Class-IV at Govt.
Paramedical Institute, Saidu Sharif, Swat.

.....Appellant

VERSUS

1. Promotion Committee through Chairman Dr. Shaharyar
Govt. Provincial Health Services Academy at Peshawar.
2. Ijazul Haq Junior Clerk at Govt. Paramedical Institute of
Medical Technology, Saidu Sharif, Swat

.....Respondents

DEPARTMENTAL APPEAL AGAINST THE
OFFICE ORDER NO. 03/ PHSA/ADMN/
OFFICE ORDER/ 2023-24 / 133 DATED 22-01-
2024, WHEREBY THE RESPONDENTS NO. 2 TO
4 HAS BEEN ILLEGALLY PROMOTED TO THE
POST OF JUNIOR CLERK.

Brief facts giving raise to appellant to file the instant appeal are as under;

Respectfully Sheweth,

1) That the appellant was initially recruited as Class-IV on 25-03-2016 by the competent authority after completion of all formalities. (copy of appointment order is attached here with as Annexure "A")

2) That appellant rendered meritorious to the department without any complaint of the official and no complaint whatsoever has been made by the officials.

3) That the appellant being qualified having the requisite qualifications of merit to the post of Junior Clerk through the procedure of promotion has been given in the relevant rules seniority come fitness. Therefore, the respondent No. 1 violated the said rules by promoting the juniors staffs / respondent No. 2. (Copy of office order is attached as annexure "B")

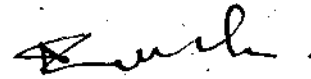
4) That on 01-11-2023, the department issued seniority list wherein the respondent No. 2 stood on serial No. 48, appointed on 25-03-2016, while the appellant was intentionally excluded from the seniority list. (Copy of seniority list is attached as annexure "C")

5) That the order of the promotion committee is illegal, against the law & violated the golden principle of seniority come fitness, though the appellant is the most senior person in the list of class-iv employee, furthermore the 40% quota reserve

for class-IV employee was violated by promoting the junior incumbent.

- 6) That the respondent No. 1 utterly disregard the seniority list prepared by the department while promoting the most junior incumbent, thus violated the basic fundamental rights enshrined in the constitution.
- 7) That the respondent No. 2 is illegally promoted by the respondent No. 1, though he was appointed on 25-03-2016 committed gross illegality, therefore liable to struck down.
- 8) That the seniority is the continues cause of action which can be agitated at any time so, the appellant is fit for promotion on the strength of length of service, but the act of respondents toward appellant is very harsh so, the act of respondents is amount to be contempt on the reasons the respondents have no mandate under the law to ignore the appellant for the propose promotion.
- 9) That the act of departmental authority is unlawful, violative of all norms of justice so, the appellant entitled to promotion without influence extraneous consideration.
- 10) That the appellant is meritorious and highly qualified.
(Copies of academic record are attached as annexure "D")
- 11) That the impugned order is the result of mis-reading & non-reading of material present on case file.

Therefore in view of the above submissions, it is most humbly prayed that on acceptance of the instant appeal the office order No. 03/ PHSA/ADMN/OFFICE ORDER/ 2023-24 / 133 Dated 22-01-2024 of the respondent No. 2 may kindly be declared as illegal, unlawful, void-ab-initio and liable to be struck down and the appellant may kindly be promoted to the post of Junior Clerk (BPS-11) with all back benefits. Any other relief which are proper in the instant circumstances of the may also be granted.



Appellant

Akhtar Hussain
Dated: 11-03-2024

بعدالت جناب سروس لٹریٹو نل پشاور

مورخہ
مقدمہ
دعویٰ
جرم
2024 -
منجانب
مدرسہ اعلیٰ وکٹریہ
بنام
اختر حسین

باعث تحریر آنکھ

مقدمہ مندرجہ عنوان بالا میں اپنے طرف سے واسطے پیروی و جواب دہی وکل کاروائی متعلقہ آن مقام پشاور محمد رحیم شاہ خان + عارف شاہان ایڈووکیٹس مقرر کر کے اقرار کیا جاتا ہے کہ صاحب موصوف کو مقدمہ کی کل کاروائی کا کامل اختیار ہوگا۔ نیز وکیل صاحب کو راضی نامہ و تقرر ثالث و فیصلہ بر حلف دینے جواب دہیا اور اقبال دعویٰ اور درخواست ہر قسم کی تصدیق زر اور اس پر دستخط کرنے کا اختیار ہوگا۔ نیز بصورت عدم پیروی یا ڈگری ایک طرف اپیل کی برآمدگی اور منسوخ مذکور کے مکمل یا جزوی کاروائی کے واسطے اور وکیل یا مختار قانونی کو اپنی ہمراہ یا اپنی بجائے تقرر کا اختیار ہوگا۔ اور صاحب مقرر شدہ کو بھی جملہ مذکورہ بالا اختیارات حاصل ہونگے اور اسکا ساختہ برواختہ منظور و قبول ہوگا۔ اور دوران مقدمہ میں جو خرچہ و ہرجانہ التوائے مقدمہ کے سبب سے ہوگا اسکے مستحق وکیل صاحب ہونگے۔ نیز بقایا و خرچہ کی وصولی کرتے وقت کا بھی اختیار ہوگا۔ اگر کوئی تاریخ پیشی مقام دورہ پر ہو یا حد سے باہر ہو تو وکیل صاحب پابند نہ ہونگے کی پیروی مقدمہ مذکور لہذا وکالت نامہ لکھ دیا کہ سند رہے

المرقوم 15 ماہ 7 2024

العبد
گواہ شد
العبد
اختر حسین وکٹر اکبر حسین
محمد رحیم شاہان وکٹریہ
العبد
گواہ شد
العبد

Accepted by M. Rahim Shah
M. Rahim Shah
M. Rahim Shah
M. Rahim Shah

پشاور بمقام