


FORM OF ORDER SHEET

Court of _____

Appeal No. 1069/2024

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. Muhammad Ali 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. Muhammad Ali received today i.e on 11.07.2024 is incomplete on the following score which is returned to the counsel for the appellatant 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 Departmental appeal having no date be dated.

5- 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. 332 /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 impleaded.

Sir,

Re - Submitted after removing the
objections. All the necessary parties
has been impleaded.

Rahim

25/7/24.

~~Att. P~~
27/7/24

BEFORE THE SERVICE TRIBUNAL KPK, PESHAWAR

Service Appeal No. 1089 /2024

Muhammad AliAppellant

VERSUS

Promotion Committee and others 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

BEFORE THE SERVICE TRIBUNAL KPK, PESHAWAR

Service Appeal 1069 /2024

Muhammad Ali S/O Gulab Shah R/O College
Coloney Saidu Sharif Swat presently serving as
Chowkidar at Government Paramedical Institute,
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. Noor Khan Junior Clerk at Government
Paramedical Institute of Medical Technology,
Saidu Sharif Swat.
4. Ijazul Haq Junior Clerk at Government
Paramedical Institute of Medical Technology,
Saidu Sharif Swat.

.....**Respondents**

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

Respectfully Sheweth;

1. That the appellant was initially recruited as
Class-IV on 20-10-2008 by the competent
authority after completion of the codal
formalities. (**Copy of appointment order is
attached herewith 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 metric 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^{1,2} circulated the seniority list of the Class-IV employee of the department wherein respondent No.3 stood on 27, appointed on 21-03-2011 & respondent No.4 stood on serial No.48 appointed on 25-03-2016, while the appellant stood on serial No.12. **(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 orders dated 22-01-2024 & 30-01-2024 submitted a departmental appeal for the promotion, which is still pending respondent No.2 through diary No. 770 dated 12-03-2024 (**Copies of orders dated 30.01-2024, 22-01-2024 & of the departmental appeal are annexed as annexure "D"**)

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 seniority cum fitness, though the appellant is the most senior person in the list of class-iv employees, 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 & 4 are illegally promoted by the respondent No.1 though they were appointed on 21-11-2011 & 25-03-2016, while the appellant is appointed on 20-10-2008 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 & 4 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

Muhammad Ali **Appellant**

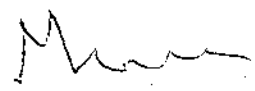
VERSUS

Promotion Committee and others **Respondents**

CERTIFICATE

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

Appellant
Through Counsel



Muhammad Rahim Shah

Advocate Supreme Court

BEFORE THE SERVICE TRIBUNAL KPK, PESHAWAR

Service Appeal No. _____/2024


Muhammad Ali **Appellant**

VERSUS

Promotion Committee and others **Respondents**

AFFIDAVIT

I, **Muhammad Ali S/O Faqir Gul R/O Amankot, 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.



Muhammad Ali

DEPONENT


ATTESTED

Ms. Minhas Yousufzai Advocate,
District Courts Swat

OATH COMMISSIONER

S.No.: 122 Date: 9/7/2024

BEFORE THE SERVICE TRIBUNAL KPK, PESHAWAR

Service Appeal No. _____/2024

Muhammad Ali **Appellant**

VERSUS

Promotion Committee and others **Respondents**

ADDRESSES OF THE PARTIES

APPELLANT

Muhammad Ali S/O Faqir Gul R/O Amankot, Mingora District Swat, presently service as Laboratory Attendant at Government Paramedical Institute, Saidu Sharif Swat.

CNIC:15602-8511028-1, MOB: 0347-8738684

RESPONDENTS

- Court of K.P.K through Secretary health at Peshawar*
1. ~~Chairman, Promotion Committee through Chairman Dr. Shaharyar, Government Provincial Health service Academy at Peshawar.~~
 2. Director General ~~Health~~ *P.H.S.A* Khyber Pakhtunkhwa at Peshawar.
 3. Noor Khan Junior Clerk at Government Paramedical Institute of Medical Technology, Saidu Sharif Swat.
 4. Ijazul Haq Junior Clerk at Government Paramedical Institute of Medical Technology, Saidu Sharif Swat.

Appellant,

through Counsel

Muhammad Rahim Shah Khan
Advocate Supreme Court

Am A

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C/C
Abdullah

OFFICE OF THE VICE PRINCIPAL SCHOOL OF NURSING, SWAT

OFFICE ORDER

On the recommendation of the departmental selection committee, meeting held on 20-10-2008 at Office of the Vice Principal School of Nursing, Saidu-sharif Swat, Mr. Muhammad Ali S/O Mr. Gulab Shah resident of Muhallah Bunr Green Chowk Mingora District Swat, is hereby appointed as Chowkidar (BPS-01) @2970-90-5670 on contract basis.

His appointment in the Health Department Govt. of N.W.F.P will be subject to the following term and condition.

1. He will be on probation initially for a period of two years extendable for further period, but not exceeding one year.
2. His service can be dispensed with during the probation period, if his work and conduct found unsatisfactory.
3. His appointment will be subject medical fitness and verification of character and antecedents.
4. He will not be entitled to any TA/DA for medical examination and joining the first appointment.
5. He will not be entitled for pension or gratuity, however in lieu thereof, will be entitled for reception of such amount contributed by his towards the contributory fund along with the contribution made by the Government to his account in the said fund as laid down in Govt. of N.W.F.P Establishment and Administration Department Notification No. E&A (1-13)/2005 dated 10/08/2005.
6. If he wished to resign from service he will have to submit resignation in writing one month in advance OR deposit one-month pay in the Govt. treasury. However he will continue to serve the Govt. till his resignation is accepted by the competent authority.

If the above terms and conditions are accepted to him, he should report to Vice Principal School of Nursing Swat, for duty in 15 days after the receipt of this order.

- sd -
VICE PRINCIPAL,
SCHOOL OF NURSING,
SWAT.

No. 657 S/O / PF / Swat Dated 11/11/2008

Copy forwarded to the:-

1. Director Provincial Health Services Academy, N.W.F.P, Peshawar.
2. Director General Health Services, N.W.F.P, Peshawar.
3. District Accounts Officer, Swat.
4. PS to Minister for Health Govt. of N.W.F.P.
5. PS to Minister for Environment Govt. of N.W.F.P.
6. Account Section of this office.
7. Mr. Muhammad Ali S/O Mr. Gulab Shah resident of Muhallah Bunr Green Chowk Mingora District Swat.

Signature
11/11/08
VICE PRINCIPAL,
SCHOOL OF NURSING,
SWAT.

**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	Academic Qualification	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

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	s/o Wasal Khan				(BPS-3) Sweeper	Upgradation	31.03.2005	(BPS-3)	DHDC Mardan	PI reviewed
11.	Hafeez ur Raman s/o Ubaid Khan	02.03.1978	Chitral	SSC	28.06.2008 (BPS-3) Chowkidar	Upgradation	30.06.2008	(BPS-3)	DHDC Chitral	PI reviewed
12.	Muhammad Ali s/o Gulab Shah	08.03.1982	Swat	SSC	05.11.2008 (BPS-3) Chowkidar	Upgradation	30.06.2008	(BPS-3)	GEON Swat	PI reviewed
13.	Khuram Shehzad s/o Afsar Khan	2.5.1980	ATD	SSC	12.11.2008 (BPS-2) Naib Qasic	Upgradation	30.06.2008	(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	30.06.2008	(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	30.06.2009	(BPS-3)	PHD Muzaffargarh	PI reviewed
16.	Shahid Ali s/o Shoukat Ali	05.01.1975	Peshawar	SSC	15.10.2009 (BPS-3) Chowkidar	Upgradation	30.06.2009	(BPS-3)	SON LRI Peon	PI reviewed
17.	Rohul Amin s/o M. Amin	16.03.1983	Peshawar	SSC	11.10.2009 (BPS-3) Bearer	Upgradation	30.06.2009	(BPS-3)	PGC Faisalabad	PI reviewed
18.	Ramazan Khan s/o Ali Gohar	25.04.1990	Peshawar	F.A	14.10.2009 (BPS-3) Chowkidar	Upgradation	30.06.2009	(BPS-3)	SON KTH	PI reviewed
19.	Waseem Bhatti s/o Mushtaq Bahtti	27.09.1983	DIKHAN	SSC	23.10.2009 (BPS-3) Chowkidar	Upgradation	30.06.2009	(BPS-3)	PHD D.I.KHAN	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	30.06.2009	(BPS-3)	PGP Peshawar	PI reviewed
21.	Murtaza Ali s/o Shafiq Hussain	01.01.1984	Kohat	B.A	04.02.2010 (BPS-3) Chowkidar	Upgradation	30.06.2010	(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	30.06.2010	(BPS-3)	DHDC SWAT	PI reviewed

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	Gnaroor Ahmad s/o Musharaf Khan	06.04.1979	Peshawar	SSC	(BPS-3) Chowkidar	Upgradation			CHITRAL	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 khalig	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	Newshehra	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

	Kamran s/o Fazal Rabi	01.02.1992			(BPS-3) Bearer				Mardan	reviewed
37.	Asif Ullah s/o Habib Ullah	06.08.1982	Peshawar	F.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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[Signature]

	Ijaz Ul Haq s/o Fazal e Haq	11.02.1991	Swat	FSC	25.03.2016 (BPS-4) Naib Qasid	Upgradation				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)	DHQC 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.	Suliaman 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 anesthesia	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

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 Ali	---	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 Appointment	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)	ZAB 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. Shalikh
Deputy Director (HRD)
PHSA Peshawar

Director
PHSA Peshawar

Board of Intermediate & Secondary Education

SAIDU SHARIF SWAT

DETAILED MARKS CERTIFICATE
Secondary School Certificate Examination



(GENERAL GROUP)

Session 1999

(Annual/Supplementary)

No. 32554

Name Muhammad Ali Khan

Father's Name Gulad Shah Roll No. 8370

SUBJECTS	Total number of marks allotted	MARKS OBTAINED	
		In Figures	In Words
1. English	150	56	/
2. Urdu	150	67	
3. Islamiat Comp.	75	50	
4. Pakistan Studies	75	27	
5. Gen. Mathematics	100	33	
6. General Science	100	33	
7. IS;	100	41	
8. Pa.	100	38	
Total	850	345-D	Three hundred & Forty five

Note : Errors/omissions excepted.

Prepared by [Signature]

Checked by [Signature]

Date _____ 19 _____

[Signature]

Controller of Examinations
Board of Intermediate & Secondary Education
SAIDU SHARIF SWAT

S. No. 0010121

Roll No. 8370



BOARD OF INTERMEDIATE AND SECONDARY EDUCATION



Saidu Sharif, Swat N.W.F.P. Pakistan

Secondary School Certificate Examination

SESSION 19 99 (ANNUAL/SUPPLEMENTARY)XX

THIS IS TO CERTIFY THAT MOHAMMAD ALI KHAN

Son/Daughter of GULAB SHAH

and a student of GOVT. HIGH SCHOOL NO. 1 MINGORA SWAT

has passed the *Secondary School Certificate Examination* of the Board of Intermediate and Secondary Education, Saidu Sharif, Swat held in _____ 19 ____ as a *Regular/Private candidate*. He/She obtained 345 Marks out of 850 and has been placed in Grade D Representing FAIR

The Candidate passed in the following subjects:

- | | | | |
|------------|---------------------|-----------|---------------------|
| 1. English | 3. Islamiyat | 5. MATHS | 7. G: SCIENCE |
| 2. Urdu | 4. Pakistan Studies | 6. PASHTO | 8. ISLAMIC STUDIES. |

Internal Grade

Date of birth according to admission form is EIGHTH MARCH
one thousand nine hundred and EIGHTY TWO (08-03-1982)

Asstt. Secretary

Secretary

This certificate is issued without alteration or erasure.

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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. Noor Khan Chowkidar (BPS-03), attached to Provincial Health Services Academy Peshawar, is hereby promoted to the post of Junior Clerk (BPS-11) with immediate effect in the best public interest.

Subsequent to the above Mr. Noor Khan Junior Clerk (BPS-11) is hereby placed at the disposal of Principal Paramedical Institute of Medical Technologies (PIMT) Swat for further adjustment against vacant post.

DIRECTOR GENERAL (Health),
PHSA PESHAWAR.

No. 29 /PHSA/Admn/Office order/2023-24/ 337

Dated. 31/01/2024

- Accountant General, Khyber Pakhtunkhwa Peshawar.
- Principal PIMT Swat.
- Section Officer --VI Govt. of Khyber Pakhtunkhwa Health Department.
- District Accounts Officer Swat.
- Deputy Director I.T PHSA Peshawar.
- Accounts Officer, PHSA Peshawar.
- Mr. Noor Khan Junior Clerk (BPS-11).

Amir Saad
PHSA Peshawar

DIRECTOR GENERAL (Health),
PHSA PESHAWAR.

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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

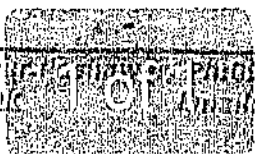
- Accountant General Khyber Pakhtunkhwa Peshawar.
- Principal Paramedical Institute of Medical Technologies Swat
- Section Officer -VI Govt. of Khyber Pakhtunkhwa Health Department.
- Deputy Director I.T PHSA Peshawar.
- District Account Officer Swat.
- Mr. Ijaz Ul Haq Junior Clerk (BPS-11).

Attended

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DIRECTOR GENERAL (Health),
PHSA PESHAWAR.



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BEFORE THE DIRECTOR HEALTH KHYBER
PAKHTUN KHWAH PESHAWAR

Departmental appeal.....of 2024

1) Muhammad Ali S/o Gulab shah gulkdo no 2 saidu sharif swat

.....Appelants

VERSUS

1) Promotion committee through chairmen Dr.shaharyar
Government provincian health services academy at peshawar

2) Noor Khan junior clerk at government premedical institute of
medical technology saidu sharif swat.

3) Ijaz ul haq junior clerk at government premedical institute of
medical technology saidu sharif swat.

.....Respondents

DEPARMENTAL APPEAL AGAINST THE OFFICE
ORDER NO 29 /PHSA/ADMN/OFFOCE ORDER
2024/2024/337 DATED30/01/2024.OFFICE ORDER
NO 3 PHSA /PHSA/ADMN/OFFOCE ORDER
2024/2024/133 DATED22/01/2024.OFFICE ORDER,
WHERE BY THR RESPONDENTS NO 2&3 HAS
BEEN ILLEGALLY PROMOTED TO THE POST OF
JUNIOR CLARK.

Respectfully Sheweth:

Brief facts of the raise to appellant to file the instant appeal are
as under.

1) That, the appellant was initially recruited as class IV on
20/01/2008 by the competent authority after completion of the
codal formalities .copy of the appointment order is attached hear
with as Annexure " A".

- 2) *The 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 matric to the post of junior clerk through the producer of promotion has been given in the relevant rules seniority come fitness therefore, the respondents no 1 violated the said rules by promoting the junior staff/respondents no2 to 3 .copies of the office order are attached as annexure "B".*
- 4) *That on 01/11/2023 the department issued seniority list wherein the respondent no 2 stood on serial no 27 appointed on 21/03/2011 respondent no 3 stood on serial no 48 appointed on 25/03/2016 ,while the appellant was excluded from the seniority list. copy of the seniority list as attached as annexure "C"*
- 5) *That the order of the promotion committee is illegal against the law & violated the golden principal of seniority come fitness through the appellants is the most senior person in the list of class -iv employee further more the 40%quota reserve for class IV employee was violated by promoting the junior incumbent .*
- 6) *That the respondent no 1 uttrelly 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 to 3 are illegally promoted by the respondent no 1 through they were appointed on 21/03/2011 and 25/03/2016 committed gross illegality therefore libale to struck down .*
- 8) *That the seniority is the continues causes of action which can be agitated at any time so, the appellants 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 appellants entitled to promotion without influence extraneous consideration .
- 10) That the impugned order is the result of mis -reading & non reading of material present on case file .

THEREFORE IN VIEW OF THE ABOVE SUBMISSIOINS ,IT IS MOST HUMBLY PRAYED THAT ON ACCEPTANCE OF THE INSTANT APPEAL THE OFFICE ORDER NO 29 /PHSA/ADMN/OFFOCE ORDER 2024/2024/337 DATED30/01/2024.OFFICE ORDER NO 3 PHSA /PHSA/ADMN/OFFOCE ORDER 2024/2024/133 DATED22/01/2024.OFFICE ORDER, WHERE BY THR RESPONDENTS NO 2&3 MAY KINDLY DECLARED AS ELEGALE ,UNLAW FUL ,AND LIABLE TO BE STRUCK DOWN AND THE APPELANT MAY KINDLY BE PROMOTED TO THE POST OF JUNIOR CLERK (BPS,11) WITH ALL THE BACK BENEFITS.ANY OTHER RELIEF WITCH ARE PROPER IN THE INSTANT CIRCUMSTANCES OF THE MAY ALSO BE GRANTED .

M Ali

Appellant

Muhammad ali

بعدالت جناب سروس ٹریبونل بمقام پشاور

منجانب محمد علی

2024-7-9

مورخہ

مقدمہ محمد علی بنام لہرو مویش لیمیٹیڈ لمبرہ

دبھوئی

بہرم

باعث تحریر آنکے

مقدمہ مندرجہ عنوان بالا میں اپنے طرف سے واسطے پیروی و جواب دہی و کل کارروائی متعلقہ آن مقام پشاور محمد رحیم شاہ خان + عارف خان ایڈووکیٹس مقرر کر کے اقرار کیا جاتا ہے کہ صاحب موصوف کو مقدمہ کی کل کارروائی کا کامل اختیار ہوگا۔ نیز وکیل صاحب کو راضی نامہ و تقرر حالت و فیصلہ برحلف 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 کارروائی 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 دہر جانہ 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

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المرقوم

العبد

گواہ شد

M. A. Khan

محمد علی دلہر گل خان شاہ
سلسلہ کل لہرو سوات

العبد

گواہ شد

M. Rahim Shah Khan

Attested & Accepted
by Adv. A. F. Khan
کیلئے منظور ہے۔

M. Rahim Shah Khan

9/7/24

بمقام