

**BEFORE THE HONORABLE KHYBER PAKHTUNKHWA SERVICE**

**TRIBUNAL PESHAWAR**

**SERVICE APPEAL NO. 531 OF 2024**

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

.....**Applicants**

**Versus**

Muhammad Shakeel S/O Muhammad Jameel, Naib Qasid (BPS-03) Services Hospital Peshawar.....**Respondent**

**Index**

S.No.	Description of Documents	Annex	Pages
1	Application		1
2	Affidavit		2
3	Service Appeal 1 <sup>st</sup> Page		3
4	Order Dated 20/05/2024		4
5	Authority Letter		5



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

**BEFORE THE HONORABLE KHYBER PAKHTUNKHWA SERVICE**

**TRIBUNAL PESHAWAR**

**SERVICE APPEAL NO. 531 OF 2024**

**Khyber Pakhtunkhwa  
Service Tribunal**

Diary No. 15713

1. Secretary Health Govt. of Khyber Pakhtunkhwa Peshawar. Dated 11-09-24  
2. Director General Health Services Khyber Pakhtunkhwa Peshawar  
..... Applicants

**Versus**

Muhammad Shakeel S/O Muhammad Jameel, Naib Qasid (BPS-03) Services  
Hospital Peshawar..... Respondent

**APPLICATION FOR SETTING ASIDE EX-PARTE ORDER DATED  
20/05/2024**

Respectfully Sheweth,

1. That the above cite case is pending in the Honorable Tribunal and is fixed for hearing on 02/10/2024.
2. That the applicants received the summon alongwith Service Appeal for submission of reply on 06/05/2024.
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 20/05/2024 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 20/05/2024 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. 531 OF 2024**

1. Secretary Health Govt. of Khyber Pakhtunkhwa Peshawar.
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.....Applicants

**Versus**

Muhammad Shakeel S/O Muhammad Jameel, Naib Qasid (BPS-03) Services Hospital Peshawar..... Respondent

**Affidavit**

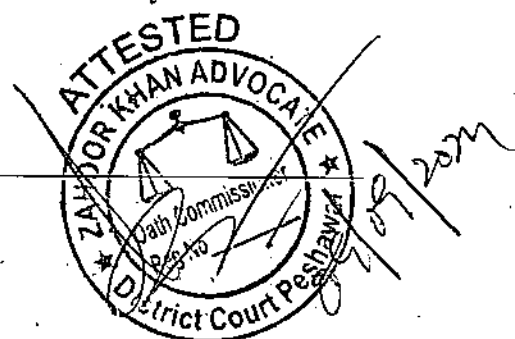
I, Dr. Muhammad Saleem, Director General Health Services, Khyber Pakhtunkhwa, Peshawar, do hereby solemnly affirm that the contents of the Application is true and correct to the best of my knowledge and belief and nothing has been concealed from this Honorable Tribunal.

**Deponent**



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

Attested By



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BEFORE THE HON'BLE SERVICE TRIBUNAL KPK, PESHAWAR

Service appeal No. 581 /2024

Muhammad Shakeel S/O Muhammad Jameel, Naib Qasid, (BPS-03), Services Hospital, Peshawar.

..... Appellant

VERSUS

1. Government of Khyber Pakhtunkhwa, through Secretary, Health Peshawar.
2. Director General Health Services, Peshawar
3. Gulraj Uddin S/O Kamal Uddin Naib Qasid Now Jr. Clerk, Mardan.
4. Musarrat Shah S/O Zakir Shah Chowkidar Now Jr. Clerk, Charsadda.
5. Sadat Khan S/O Daulat Naib Qasid Now Jr. Clerk, Peshawar.
6. Abdul Aziz S/O Fazal Mabood Naib Qasid Now Jr. Clerk, Peshawar.
7. Sikandar Khan S/O Ikhtiar Ali, Naib Qasid Now Jr. Clerk, Nowshera

Khyber Pakhtunkhwa  
Service Tribunal

Diary No. 12078

Dated 02-04-2024

*Public Health Section Health Deptt. Nowshera*

..... Respondents.

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SERVICE APPEAL UNDER SECTION 4 OF THE KHYBER PAKHTUNKHWA SERVICE TRIBUNAL ACT, 1974 THE NOTIFICATION NO. 2784-90/MINISTERIAL PROMOTION CELL DATED 30-10-2023 MAY KINDLY BE DECLARED ILLEGAL, AND INEFFECTIVE UPON THE RIGHTS OF THE APPELLANT.

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PRAYER IN APPEAL:

ON ACCEPTANCE OF THIS APPEAL, THE APPELLANT MAY BE DIRECTED TO BE PROMOTED BEING SENIOR TO THE PRIVATE RESPONDENTS NO. 3 TO 7 OR ANY OTHER RELIEF THIS HON'BLE TRIBUNAL DEEM FIT IN THE INTEREST OF JUSTICE MAY BE GRANTED.

Respectfully Sheweth.

The Appellant humbly submits as under:-

20<sup>th</sup> May, 2024

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

2. Nobody is present on behalf of the respondents nor  
reply has been submitted. Therefore, respondents are placed  
ex-parte. To come up for arguments on 31.07.2024 before  
D.B. P.P given to the appellant's counsel.

(Kalim Arshad Khan)  
Chairman

\*Mutazem Shah\*

31<sup>st</sup> July, 2024

Appellant alongwith his learned counsel present. Mr. Yousaf Jamal, Assistant alongwith Mr. Asif Masood Ali Shah, Deputy District Attorney for official respondents and private respondents in person present.

Representative of official respondents as well as private respondents stated that they are going to file an application for setting-aside ex-parte proceedings initiated against them vide order dated 20.05.2024, therefore, they may be given some time to submit the application. They are directed to submit the same within a fortnight. To come up for further proceedings/arguments on 02.10.2024 before the D.B. Parcha Peshi given to the parties.

(Rashida Bano)  
Member (Judicial)

(Aurangzeb Khattak)  
Member (Judicial)

\*Naeem Amin\*



**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**