BEFORE THE KHYBER PAKHTUNKHWA SERVICE TRIBUNAL, PESHAWAR.

S.A No:- 1413/2024

Dr. Ghafoor Ahmad	Versus	Govt: of KP etc
Appellant		Respondents
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	INDEX	

S#	Description of the Documents	Annex	Pages
* . •			
1.	Reply on behalf of private respondent No 4 with	*	1-3
	affidavit		
2.	Copies of charge report and other documents	"A" & "B"	
	issued by replying respondent		4-12
3.	Wakalat Nama		13

Dated:- 25/09/2024

Private Respondent No 4 Or. Iftikhar MO THQ Hospital Puran Shangla

Through:-

Naila Jan Advocate Supreme Court



BEFORE THE KHYBER PAKHTUNKHWA SERVICE TRIBUNAL, PESHAWAR.

S.A No:- 1413/2024

Dr. Ghafoor Ahmad	Versus	Govt: of KP etc

.....Respondents

 \$\dagger\$
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THE APPLICATION FOR SUSPENSION.

Respectfully Sheweth:-

.. Appellant

Preliminary Objections:-

Service Tribunal Diary No. 16024

- 1. That the applicant/appellant has got no cause of action to file the present application.
- 2. That the application is not maintainable in its present form.
- 3. That the applicant/appellant suppressed the material facts from this Honourable, Tribunal.
- 4. That the application is false, frivolous, entitling the answering respondent for special compensatory costs.
- 5. That the instant application is against the prevailing law and rules on the subject.
- 6. That the instant application has been filed in utter violation of Section 4 of the Khyber Pakhtunkhwa Service Tribunal Act, 1974.

7. That all the three ingredients are in favour of the answering respondent.

On Facts:-

- *I* That Para No 1 of the application need no reply.
- 2. Para No 2 of the application pertains to record, hence need no reply.
- 3. Para No 3 of the application is incorrect, hence denied. All the three ingredients necessary for the stay are in favour of the replying respondent. The appellant was adjusted against the post of MS THQ Hospital SPMK Puran Shangal on the basis of OPS, it is further to bring into the notice of this Honoruable Tribunal that it is the prerogative of the competent authority to post a civil servant on OPS as a stop gap arrangement, however, the civil servant has no right to claim vested right on the basis of OPS, he may be transferred from the post as and when the competent authority deems fit as Shangal is hard area and normal tenure for hard areas is one year, whereas the appellant even on the basis of OPS, the appellant remained posted and spent two years on the said post, therefore, the appellant has no right to claim further posting on the same post.

4. Para No 4 of the application pertains to official respondents, however the replying respondent assumed the charge on 10/08/2024 and since than performing his duties with full devotions. (Copies of charge report and other documents issued by replying respondent are attached as annexure "A" & "B").

It is, therefore, requested that the application may kindly be dismissed with costs \cap

Dated: - 25/09/2024

Private Respondent No 4
Dr. Iftikhar MO THQ Hospital
Puran Shangla

Through:-

Naila Jan Man John Advocate Supreme Court

AFFIDAVIT:-

It is, stated on oath that the contents of the accompanying **reply** are true and correct to the best of my knowledge and belief and nothing has been concealed from this Honourable Court.



DEPOMENT

GOVERNMENT OF KHYBER PAKHTONKHWA CERTIFICATE OF TRANSFER OF CHARGE.

Cartified that I, Or.IFTIKHAR AHMAD CO-ORDINATOR LHW PROG:BPS-17

Have this day before muon taken over charge of the office look after the work of MS Tho relinquished

SPMK THO Hospital Puran District Shangla. With reference to the Order of the Khyber Pakhtunkhwa Government No. SOII (E-V)2-2/2024 6317-24 Dated: 06³³ August, 2024 Transferring Mr. Particulars of cash and Important / Secret / Confidential documents handed over / taken over are noted on the reverse. Signature of relived Government Servant Station, SPMK THQ (H) Puran Designation: -Signature of Government Dated:- 09/08/2024 Servant receiving Charge ____ Designation. Coordinator LHW Prog: BPS-17 Endos No. 4.71-79. /MS/SPMK (Puran)/PF Dated 100/08/2024. From: Medical Superintendent SPMK Category "C" Hospital Puran Shangla. To. 1. The Director General Health Services Khyber Pakhtunkhwa Peshawar. 2. The Regional Director Health Malakand Division at Makanbagh Swat The PS to Secretary Health Govt; of Khyber Pakhtunkhwa Peshawar
 The Deputy Commissioner District Shangla. 5. The District Health Officer District Shangla. 6. The District Accounts Officer Shangla. 7. The A/C Section of this office. 8: The concern officer Personal File.

Was transfer from Dr.IFTIKHAR AHMAD COORDINATOR LHW PROG: BPS-17

The charge of the office of MS Category "C" Hospital Puran Shangla

On the fore noon of the 09/08/2024

MEDICAL SUPERINTENDENT SPMIC Cat: "C" HOSPIJAL PURAN SHANGLACE

handare company that is the same of







OFFICE OF THE MEDICAL SUPERINTENDENT SHAHEED PIR MOHAMMAD KHAN, CATEGORY "C" HOSPITAL PURAN DISTRICT SHANGLA.

Emall: Spinish-purun@gmall.com	4 4 4 A	Phones	0996 883353
No. 7 5/- yc-/MS/SPMK(H)HMC	Datod. 7	<u>j.</u> 1	○管 12024.
To,			

The District Health Officer District Shangla.

Subject:-

REPLACEMENT OF HMC CHAIRMAN

R/Sir,

In light of the transfer of Dr.Ghafoor Ahmad Ex-Medical Superintendent SPMK Category "C" Hospital Puran, vide Secretary Health Government of Khyber Pakhtunkhwa Peshawar office Notification No.SOH9E-V)2-2/2024/ 6317-24 dated 6th August 2024.

Therefore you are requested to please notify the Dr.fftlkhar Ahmad Medical Superintendent / the undersigned as Chairman of Health Management Committee of SPMK Category "C" Hospital Puran in the best public interest.

MEDICAU SUPÉRINTENDENT SPMK Cat: "C" Hospiful Puran Shangla."

Endost: No & Date Even:

Copy forwarded to the:-

- 1. Director General Health Services Khyber Pakhtunkhwa Peshawar.
- 2. Regional Director General Health Malakand Division at Swat.

3. Deputy Commissioner District Shangla.

For information please.

MEDICAL SUPERINTENDENT SPMK Cat: "C" Hospital Puran Shangla."

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DISTRICT HEALTH OFFICER DISTRICT SHANGLA

199- 0996- 850653 &R- 0996- 850824

E-mailtedohshanola@email.com

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No. 3594- 99

Our Feith Cornection free Pakintan

/DHO/SH/PCMC/24/7

Dated: 32

108/2024

NOTIFICATION:

Reference Department Health Notification to the 35/Gen.Notification/2024/1601 Dated: 15-07-2024. The undersigned has been pleased to recite the following Health Care Management Committees (HMCs), of District Shangla with the composition noted against each, with immediate effect, in the best public interest.

5 No Name Designation 1 Dr. Hickhar Ahmad (MS) Chairperson 2 Dr. Riaz Ahmad (DMS) Secretary 3 Dr. Najma Regum (WMO) Member 4 Tehsil Municipal Officer (TMO) Member 5 Mr. Liagat Ali (Community Representative) Member
2 Dr. Riaz Ahmad (DMS) Secretary 3 Dr. Najma Regum (WMO) Ntember 4 Tehsil Municipal Officer (TMO) Member
3 Dr. Najma Begum (WMO) Member 4 Fehall Municipal Officer (TMO) Member
3 Dr. Najma Begum (WMO) Member 4 Tehsil Municipal Olficer (TMO) Member
4 Fehstl Municipal Officer (TMO) Member
6 Or. Tarig Ahmad (Community Representative) Member
Nies Rifapat LHV (Female member) Member
2-Cat: D Hospital Bisham Designation

 -	2-Cat: D Hospital official	Designation
SNO	Name	Chairperson
	Dr. Mansoor Ahmad (MS)	Secretary
2	Dr. Sanauliah (DMS)	Member
	Dr. Shafiqa Ali (WMO)	Member
4	Tehsil Municipal Officer (TMO)	Member
5	Dr. Muhammad Sohall (Community Representative)	Member
6_	Mr. Ikram Shah (Community Representative)	Member
	Miss, Razia Shahid LHS (Female Member) 3-Cat: D Hospital Chakiss	Designation

<u></u> ' _	3-Cat: D Hospital Chaklsar Designation	
S No	Name Chairperson	
1	Dr. Dii Nawaz (MS) Secretary -	-
2	Dr. Yasar Alam (DMS) Member	
3	Or. Latafat Nasim (WMO) Tahril Municipal Officer (TMO) Nember	
4	(Tensil Vision Microsoft Representative)	
5	Mr. Sher Afghan (Community Representative) Mr. Sher Afghan (Community Representative) Member	
6	Mr. Sher Arghan (Common member) Miss. Mussarat LHV (Female member)	
7	Miss. Mussarat Chi II and muldel	ure

The above committees shall function in accordance with the approved guidelines issued by the government of Khyber Pakhtunkhwa time to time. Sdxxv.

DISTRICT HEALTH OFFICER SHANGLA

Endst: No. & Date Even:

Copy forwarded for information to:

- 1- The Secretary Govt: of Khyber Pakhtunkhwa Health Department, Peshawar
- 2- The Director General Health Services, Khyber Pakhtunkhwa, Peshawar.
- 3- The Regional Director Health Malakand at Swat.
- 4- The Deputy Commissioner, Shangla.
- 5- The above Named Officers/officials and community members
- 6- The Manger Bank of Khyber Alpura, Puran and Bisham Branch.

DISTRICT HEALTH OFFICER SHANGLAL



OFFICE OF THE MEDICAL SUPERINTENDENT SHAHEED PIR MOHAMMAD KHAN, CATEGORY "C" HOSPITAL PURAN DISTRICT SHANGLA.

	HOSPITAL PUR	AN DISTRICT SHANGLA.
		Phone: 8996.841151
till Speech p	nisan-a gmail.cuin	12024
	Com IMSISPMK(H)IHMC	Dated, 34 1 7 8 12024.
<u>احانت ، No</u>		
To,		
	The Manager	
	Bank of Khyber Alach Puran	
	REPLACEMENT OF HMC CH	AAIRMAN.
Subject:-	REPLACEMENT OF HIVE S.	
Memo,		eveneta Hordication No.3594-
	Reference to the District Health	h Officer District Shangla Hotification 110.3594- egarding the replacement of Chairman of HMC (Copy attached)
Онале	/SH/PCMC/24/7 dated 28/08/2024, re	icopy attached)
SPMN C	IteRoth C Hospital	of Suprature of
	s hoggy is humb	ally requested to please consider closoital Puran in
	by Chairman of Health Management Co	ommittee of SPMR Category "C"
- the 0051	Diffuse intervention of	ommittee of SPMK Category C Hospital are of the New Chairman HMC SPIAK Category "C"
Hospita	Puran as is under.	
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3		Medical Superintendent
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1.	Director General Health Serveries Regional Director Health (Malakan	d) at Taimargara.
2.		
3.	Deputy Commissioner District Shan District Health officer District Shan	gla.
4.	District realth of For info	ormation please.
		Medical Superintende
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DISTRICT HEALTH OFFIC



OFFICE OF THE MEDICAL SUPERINTENDENT

SHAHEED PIR MOHAMMAD KHAN, CATEGORY "C" HOSPITAL PURAN DISTRICT SHANGLA.

Spmkh puran@gmall.com

Phona:

0996 853151

No. 368 - 71 /MS/SPMK(H).

Dated. 20 / 6 8 / 2024.

Subject: -

MEETING / IJLAS.

It is stated that the Hospital Management Committee (HMC) meeting/Ijlas (24) has Meino been schedule to be held on 02/09/2024 under the chairmenship of the undersigned at Madical Superintendent Office of SPMK Category "C" Hospital Puran at 11:00AM.

Therefore you are requested to please attend/ ensure your presence for the subject meeting/ijlas on mentioned date venue and time below.

Date of meeting.

02/09/2024.

Venue.

MS Office SPMK Cat:"C" Hospital Puran.

Time.

11:00AM.

The committee members are following.

MS

1. Dr.lftikhar Ahmad Secretary/Member. DMS 2. Dr.Riez Ahmad Mamber. WMO 3. Dr. Najma bogum Member. 4. TMO Puran Member. 5. Mr.Liagat Ali Member.

6. Dr.Tarla Ahmad

Member. LHV

7. Mrs.Rafaqat bibi

Chairperson.

Endost: No & Date Even:

Copy forwarded to the:-

1. Director General Health Serveries Khyber Pakhtunkhwa Peshawar.

2. Regional Director Health (Malakand).

3. Deputy Commissioner District Shangla.

4. District Health officer District Shangla.

5. Focal Person Health management Committee Shangia.

6. The above members of HMC committee.

For information please.

MEDICAL

SPMK Cat: "C" Hospital Puran Shangla.

> SPMK Cat: "C" Hospital Puran Shangla.(





OFFICE OF THE MEDICAL SUPERINTENDENT SHAHEED PIR MOHAMMAD KHAN, CATEGORY *C* HOSPITAL PURAN DISTRICT SHANGLA.

Email: Spmkh.puran@gmail.com

Phone

0998 853151

No. _S.7.73_/MS/SPMK(H).

MINUTES OF THE MEETING.

Meeting:-Agenda:- Health Management Committee (HMC) 24th Meeting.

Purchase of Batteries, Repair of stabilizers/Electricity, purchase new UPS, Purchase of Life Saving Drugs/Emergency

Drugs for Emergency Unit, Hiring Electrician daily wages bases and purchase of Contingency Item, Equipment's/ Items

repair

Venue:-

Office of the Medical Superintendent SPMK Category "Hospital

Puran.

Timing:-

11.00(AM).

Date:

02/09/2024.

Meeting started with few versus from Holy Quran. Meeting chaired by Dr.Iftikhar Ahmad Medical Superintendent SPMK Categor; "C" Hospital Puran District Shangla, (Chairperson HMC) and the following participants have attended the meeting.

1.	Dr.Iftikhar Ahmad	MS	Chairman
	Dr.Riaz Ahmad	DM5	Secretary
_	Dr.Najma Begum	WMO	Member
	Rep: of TMO	TMO	Member
	Mr.Liagat Ali	Local Notable	Member
	Dr.Tariq Ahmad	Local Notable	Member
	Mrs.Rifaqat bibi	Local Notable	Member

The Chair welcomed all the participants after threadbare discussion. The following decision has been made.

	DEEL HIGOE.			
S#	Agenda Point	Discussion	Decision	Responsibility
1	1. Purchase of Batteries for UPS X-Ray Department. 2. Repair of stabilizer/Electri city,	Being the Chairperson Dr.Iftikhar Ahmad briefed all the members of HMC regarding the objectives, purpose, targets, goals, achievements, of HMC at SPMK Category "C" Hospital Puran. It was discussed	Puran decided	Chairperson and Secretary of Health Management Committee of SPMK Category "C" Hospital

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the Chair renterand that the above decisions must be followed with non-sprins the meting andward with the votes of thanks to and from the Chair.

Chaltparson (HMC)
SPMK Catagory "C" Hospital
Puran District Shangla

Secretary (HMC)
SPMK Cats "C" Hospital
Puran Ulstrict Shangle

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OFFICE OF THE MEDICAL SUPERINTENDENT SHAHEED PIR MOHAMMAD KHAN, CATEGORY "C" --- SUDAN DICTOICT CHANGLA.



OFFICE OF THE MEDICAL SUPERINTENDENT SHAHEED PIR MOHAM TAD KHAN CATEGORY "C HOSPITAL PURAL DISTRICT SHANGLA.

Phone: 0996 853151	 	Spmkh.	,puran(നുന്നപ്പി.com
NO 313 CL /MS/THQ.	Dated	7 /	7	7.7024

OFFICE ORDER.

Consequent upon the recommendation/Approval of the Hospital Management Committee in its meeting held on 02/09/20. 4 under the Chairmanship of the undersigned, and dire need of electrician to SPMK Category π inspitue $\partial u r \otimes r$ the following durly verger behaveby directed to work under the control of the underspaced to electrician till further order in the large interest of Hospital as well as public, with effect from 02/09/2024.

ĺ		Name	Father Name	Position	Resident	Monthly Salary
		Mr.Salman	Mr.Abdul	Electrician	Nimkalay	20000/-
	_		Wahab	i	Puran	'

Dr.lltikhar Ahmad MEDICAL SUPERINTENDENT SPMK Cat: "C" Hospital Puran Sharra

Endost:No & Date Even:-

Copy forwarded to the:-

1. Director General Health Services Khybe: Pakhtunkhwa Peshawar

2. Regional Director Health Malakand Division at Mingora Swat.

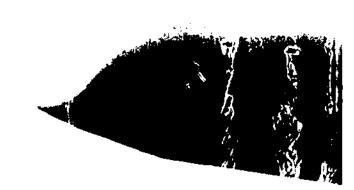
3. Deputy Commissioner District Shangla. 4. District Health Officer District Shangia with the request to please grant approval in the best public interest as well as smooth running of the Hospital.

5. Official concerned.

6. Master File.

For information please.

MEDICAL SUPERINTENDENT SPMK Cat: "C" Hospital Puran Shangla



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property 15,2029 خ التر عفور الحريثام طورين دعوى 7. باعث تحرمرآ نكه مقدمه مندرج عنوان بالامين ابي طرف سے واسطے بيروي وجواب دي وكل كارواكي متعلقية أن مقام المتعلم والكرافي المالية المعلم المالية المالية المالية المالية المالية المالية المالية المالية المالية مقرركر كے اقراركيا جاتا ہے۔ كەصاحب موصوف كومقدمه كى كل كارواكى كا كامل اختيار ، وكا - نيز وكيل صاحب كورامني تامه كرية وتقرر ثالت وفيعله برحلف دَسيع جواب دبي اورا تبال دعوي اور بعمورت ومحرى كرف آجراء اورصولي چيك دروبيها رغرضي دعوى اور درخواست برشم كي تفرّ ليق زرايي بردستخط كران فاختيار موكان بروصورت عدم بيردى يا ذكرى يكظرف ياايل كى برامد كى ادرمنسوخى نیز دائز کرنے ایل مکرانی ونظر وانی دبیروی کرنے کا اختیار موگا۔ ازبصورت ضرورت مقدمه ندکور کے کل ماجزوی کا روائی کے واسطے اور وکیل مامخنار قانونی کواسیے ہمراہ بااسیے بچاہئے تقرر کا اختیار موگا _اورصاحب مقررشده کوچمی و بی جمله ندکوره بااختیارات حاصل موں مے اوراس کاساخت برواخت منظور تبول موكا _ دوران مقدمه س جوخ جدد مرجان التواع مقدمه كسب س وموكا _ کوئی تاری بیتی مقام دورہ پر ہویا حدے باہر ہوتو ویل صاحب پابند ہوں گے۔ کہ پیروی بذكوركر مي لهذا وكالهنة نامهكهديا كيسندر بيري .2024 09 1 ك لي منظور ع-