


FORM OF ORDER SHEET

Court of _____

Appeal No. _____ **1700/2024**

S.No.	Date of order proceedings	Order or other proceedings with signature of judge
1	2	3
1-	01 /10/2024	<p>The appeal of Mr. Ismail Khan resubmitted today by Mr. Zafer Gul Daudzai Advocate. It is fixed for preliminary hearing before Single Bench at Peshawar on 04.10.2024. Parcha Peshi given to counsel for the appellant.</p> <p>By order of the Chairman</p> <p> REGISTRAR</p>

The appeal of Mr. Ismail Khan received today i.e on 12.09.2024 is incomplete on the following score which is returned to the counsel for the appellant for completion and resubmission within 15 days.

- 1- Address of appellant and respondent no.2 are incomplete be completed according to Khyber Pakhtunkhwa Service Tribunal Rules 1974.
- 2- Memorandum of appeal is not signed by the appellant.
- 3- Copy of stoppage of salary (impugned) order is not attached with the appeal be placed on it.
- 4- Annexures of the appeal are not in sequence.
- 5- Necessary party be made in the heading of appeal.
- 8- According to sub-rule-4 of rule-6 of Khyber Pakhtunkhwa Service Tribunal rules 1974 respondent nos.1 & 4 are unnecessary/improper parties, 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.

No. 782 /Inst./2024/KPST,

Dt. 13/9 /2024.

Amatullah
ADDITIONAL REGISTRAR
SERVICE TRIBUNAL
KHYBER PAKHTUNKHWA
PESHAWAR.

Zafeer Gul Daudzai Adv.
High Court at Nowshera.

Respected Sir.

objection no 1, 2, 4, 5 & 8 removed while application for providing order regarding stoppage of salary was not considered nor any reply to the application was given. the application is annexed as Annexure "D".

Advocate

25/9/24

**BEFORE THE HON'BLE SERVICE TRIBUNAL, KHYBER PAKHTUNKHWA,
PESHAWAR**

Service Appeal No. 1700 /2024

ISMAIL KHAN S/O LAL GHAFAR posted at B.H.U BADRASHI NEAR KAKA SAHIB
ROAD DISTRICT NOWSHEHRA.

.....**Appellant**

Versus

The D.G health Department, Khyber Pakhtunkhwa Peshawar &
others

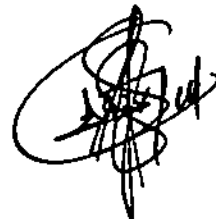
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Appellant

Through

Zafeer gul daudzai



 Abdul malik
&

Wahid ullah 
Advocates, High Court
Peshawar

Dated: 09/09/2024

Cell#03349207486

BEFORE THE HON'BLE SERVICE TRIBUNAL, KHYBER PAKHTUNKHWA,
PESHAWAR

Service Appeal No. 1700 /2024

ISMAIL KHAN S/O LAL GHAFAR posted at B.H.U BADRASHI NEAR KAKA SAHIB
ROAD DISTRICT NOWSHEHRA.

.....**Appellant**

Versus

1. THE D.G HEALTH DEPARTMENT, KHYBER PAKHTUNKHWA
PESHAWAR.
2. THE DISTRICT ACCOUNT OFFICER NOWSHERA.
3. DISTRICT HEALTH OFFICER NOWSHERA

.....**Respondents**

**APPEAL U/S 4 OF THE KHYBER PAKHTUNKHWA
SERVICE TRIBUNAL ACT, 1974 for release of the
salary to the appellants.**

Prayer in Appeal:-

**On acceptance of the instant appeal, the respondents
may kindly be directed to release the salary of
appellant along with back benefits .**

**Any other remedy which this August Tribunal deems
fit that may also be awarded in favour of the appellant.**

Respectfully Sheweth:

Brief Facts:-

1. That appellant was appointed as ward orderly BPS-4 in the health department on 13.10.2022 at District nowshera and started her duty quite efficiently and up to the entire satisfaction of her superiors. (Copies of the appointment order annexed as Annexure "A").
2. That salary for the month of October and November were duly issued to the appellant. (Copy of pay slip is annexed as Annexure "B").

BEFORE THE HON'BLE SERVICE TRIBUNAL, KHYBER PAKHTUNKHWA,
PESHAWAR

Service Appeal No. 1700 /2024

ISMAIL KHAN S/O LAL GHAFAR R/O MOHALLA IBRAHIM KHEL P.O NOWSHEHRA
BADRASHI TEHSIL AND DISTRICT NOWSHEHRA.

.....Appellant

Versus

1. The D.G health Department, Khyber Pakhtunkhwa Peshawar.
2. The ACCOUNT OFFICE NOWSHERA Khyber Pakhtunkhwa,
Peshawar.
3. Accountant general Khyber pakhtunkhwa

.....Respondents

**APPEAL U/S 4 OF THE KHYBER PAKHTUNKHWA
SERVICE TRIBUNAL ACT, 1974 FOR RELEASE OF
THE SALARY TO THE APPELLANTS.**

Prayer in Appeal:-

**On acceptance of the instant appeal, the respondents
may kindly be directed to release the salary of
appellant along with back benefits .**

**Any other remedy which this August Tribunal deems
fit that may also be awarded in favour of the appellant.**

Respectfully Sheweth:

Brief Facts:-

1. That appellant was appointed as ward BEHISHTI BPS-3 in the health department on 30.06.2022 at District Nowshera and started her duty quite efficiently and up to the entire satisfaction of her superiors. (Copy of the appointment order annexed as Annexure "A").
2. That salary for the month of October and November were duly issued to the appellant. (Copy of pay slip is annexed as Annexure "B").

- 3. That after November the salary of the appellant was stopped illegally and unjustly.
- 4. That the appellant is still serving as a ward attendant and is performing duty with zeal and zest but despite of service on regularly basis the respondents are not issuing salary to the appellant.
- 5. That the appellant approached the office of worthy D.H.O Nowshehra as well as account office but his grievance was not addressed.
- 6. That the appellant filed departmental appeal to his department on 05/06/2024 but the same has not been replied yet.
- 7. That under compelling circumstances having no other remedy to prefer the instant service appeal before this Hon'ble Tribunal inter alia on the following grounds;

GROUNDS:

- A. That the act of the appellant is against the law, facts, norms of natural justice and materials on the record, hence not tenable and liable to be set aside.
- B. That the appellant has not been treated by the respondents in accordance with law and rules on the subject noted above and as such the respondents violated Article 4 and 25 of the Constitution of Islamic Republic of Pakistan, 1973.
- C. That any other ground will be raised at the time of arguments with the prior permission of this Hon'ble Tribunal.

It is, Therefore, most humbly prayed that on acceptance of this instant appeal, Respondents may graciously be directed to release the salaries of the appellant forthwith including the arrears.

Appellant

Through

Zafeer gul daudzai
Abdul malik
&

Wahid ullah
Advocates, High Court
Peshawar
Cell#03349207486

Dated: 09/09/2024

**BEFORE THE HON'BLE SERVICE TRIBUNAL, KHYBER
PAKHTUNKHWA, PESHAWAR**

Service Appeal No. _____/2024

ISMAIL KHAN S/O LAL GHAFAR R/O MOHALLA IBRAHIM KHEL P.O NWSHEHRA
BADRASHI TEHSIL AND DISTRICT NWSHEHRA.

.....**Appellant**

Versus

*The D.G health Department, Khyber Pakhtunkhwa Peshawar &
others*

AFFIDAVIT

I, ISMAIL KHAN S/O LAL GHAFAR R/O MOHALLA IBRAHIM KHEL P.O NWSHEHRA BADRASHI TEHSIL AND DISTRICT NWSHEHRA 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 nothing has been concealed from this Hon'ble Court.

Identified by

**Zafeer gul daudzai
Advocate, High Court
Peshawar**



Swair

DEPONENT
CNIC# 17201-3075049-9
Cell# 0311-9355735

Swair
9-9-24

**BEFORE THE HON'BLE SERVICE TRIBUNAL, KHYBER
PAKHTUNKHWA, PESHAWAR**

Service Appeal No. _____/2024

ISMAIL KHAN S/O LAL GHAFAR posted at B.H.U BADRASHI NEAR KAKA SAHIB
ROAD DISTRICT NOWSHEHRA.

.....Appellant

Versus

The D.G health Department, Khyber Pakhtunkhwa Peshawar &
others

ADDRESSES OF PARTIES


APPELLANT:

ISMAIL KHAN S/O LAL GHAFAR posted at B.H.U BADRASHI NEAR KAKA SAHIB
ROAD DISTRICT NOWSHEHRA.

RESPONDENTS:

4. THE D.G HEALTH DEPARTMENT, KHYBER PAKHTUNKHWA
PESHAWAR.
5. THE DISTICT ACCOUNT OFFICER NOWSHERA.
6. DISTRICT HEALTH OFFICER NOWSHERA

Appellant

Through
Zafeer gul daudzai
Abdul malik
&
Wahid ullah 
Advocates, High Court

Dated: 09/09/2024

Peshawar
Cell#03349207486



5 Annexure "A"

OFFICE OF THE DISTRICT HEALTH OFFICER NOWSHERA

Phone & Fax: 0923-580759

E-Mail: nowshera.edoh@gmail.com

OFFICE ORDER

Consequent upon approval / recommendation accorded by the Departmental Selection / Appointment Committee constituted for the purpose, MR. ISMAIL KHAN S/O LAAL GHAFAR is hereby appointed as Behishti BPS-03 against the vacant post of Behishti at DHO Office Nowshera with immediate effect, with the following term & conditions.

1. The appointment shall be subject to the Medical Fitness and initially on probation for a period of 02-years.
2. The service can be dispensed with during the probation period on un-satisfactory performance.
3. You will not entitle to any TA/DA for Medical Examination and joining the first appointment.
4. In case of any of the documents submitted by you; with your application is found forged / fake, your service shall be liable to terminate without any notice and will also be liable to further legal proceeding.
5. The appointment will be governed by such rules and order issued by the Govt. from time to time.
6. If you wish to resign from service, you will have to submit resignation in writing one month in advance OR deposit one month pay in the Govt. treasury.
7. If the above terms & conditions are acceptable to you then you should report to DHO Office Nowshera within 07-days after the receipt of this appointment order.

Sd _____


District Health Officer
Nowshera

Date: 30/06/2022

No. 4260-69 / DHO NSR

Copy forwarded to the:

1. Director General Health Services Khyber Pakhtunkhwa Peshawar.
2. District Accounts Officer Nowshera.
3. Accounts Section DHO Office Nowshera.
4. Mr. Ismail Khan S/O Laal Ghafar Resident of Ibrahim Khel, Badrashi, Nowshera.
5. Office Record.

Attested


District Health Officer
Nowshera

(B)

Annexure "A"

Nowshera

S#: 1

P Sec:001 Month:October 2023
NR4661 -Category D Hospital

Nizamp

Pers #: 01056533 Buckle:
Name: ISMAIL KHAN
 CHOWKIDAR
CNIC No.1720130750499
GPF Interest Free

NTN:
GPF #:
Old #:

CATEGORY D HOSPITAL NIZAM

NR4661 -

PAYS AND ALLOWANCES:	
0001-Basic Pay	14,260.00
1001-House Rent Allowance 45%	2,120.00
1210-Convey Allowance 2005	1,785.00
1300-Medical Allowance	1,500.00
2311-Dress Allowance - 2021	1,000.00
2312-Washing Allowance 2021	1,000.00
2313-Integrated Allowance 2021	600.00
2341-Dispr. Red A11 15% 2022KP	1,442.00
2347-Adhoc Rel A1 15% 22(PS17)	1,442.00
Gross Pay and Allowances	30,140.00

DEDUCTIONS:

GPF Balance	1,150.00	Subrc:	1,150.00
3501-Benevolent Fund			600.00
4004-R. Benefits & Death Comp:			300.00

Total Deductions

2,050.00
28,090.00

D.O.B
07.09.1991

LFP Quota:
THE BANK OF KHYBER SHER SHAH ROAD

NOWSH

01 Years 04 Months 001 Days

20092132727

Nowshera

S#: 2

P Sec:001 Month:October 2023
NR4661 -Category D Hospital

Nizamp

Pers #: 01056533 Buckle:
Name: ISMAIL KHAN
 CHOWKIDAR
CNIC No.1720130750499
GPF Interest Free

NTN:
GPF #:
Old #:

CATEGORY D HOSPITAL NIZAM

NR4661 -

PAYS AND ALLOWANCES:
2378-Adhoc Relief A11 2023 35%

4,991.00

Attested
[Signature]

BA

untitled

Gross Pay and Allowances
DEDUCTIONS:

30,140.00

GPF Balance 1,150.00

Subrc:

Total Deductions

2,050.00

28,090.00

NOWSH

D.O.B
07.09.1991

LFP Quota:
THE BANK OF KHYBER SHER SHAH ROAD

01 Years 04 Months 001 Days

20092132727

Attested
\$

7

To,
The D.G Health
Khyber Pakhtunkhwa, Peshawar

Attested
\$

Ameen - C

DEPARTMENTAL APPEAL FOR RELEASE OF SALARY OF APPELLANT

Respected sir,

1. The appellant is law abiding citizen of Pakistan and is permanent resident of district Nowshera.
2. That the appellant was appointed in health department on 30.06.2022.(copy of appointment order is annexed)
3. That salary for the month of October and November 2023 were issued to the appellant. (Copy of pay roll is annexed)
4. That after November the salary of the appellant was stopped illegally and unjustly.
5. That the appellant is still serving and performing duty with zeal and zest.
6. That the appellant approached the office of worthy D.H.O Nowshera as well as the office of account officer but the grievance of appellant was not addressed.
7. That now the appellant approaches your good self for release of salary.

It is therefore requested that on acceptance of instant departmental appeal the salary of the appellant may kindly be released

Date: 5/6/2024

Applicant

ISMAIL S/O LAL GHAFAR

Signature

(8)

TO,

The worthy D.H.O

Nowshera

Annexed

**Application for providing copy of order of stoppage of
Salary or source sent for stoppage of salary.**

Respected sir,

It is stated that I am an employe in your department and still serving with zeal and zest but my salary has been stopped since long and no order of stoppage of salary or any source sent for stoppage of salary has been given to me. So it is very humbly submitted that a copy of order for stoppage of salary or source may kindly be provided to me.

Dated: 5/6/24

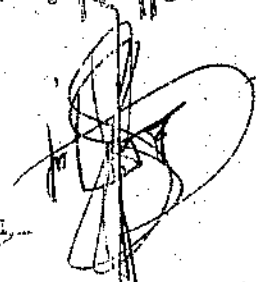
Ismaail

APPLICANT

ISMAIL KHAN

Accepted
M. S. Ghosh

20



Handwritten text in Bengali script, likely a technical description or report. The text is arranged in several lines, starting from the top left and moving downwards. It appears to be a detailed account of a process or a set of observations related to the diagram above.

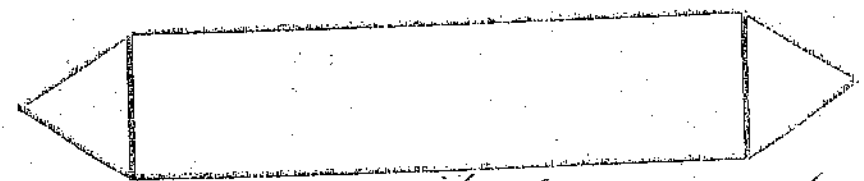
Handwritten text in Bengali script, possibly a signature or a title, located below the main body of text.

Handwritten text in Bengali script, continuing the technical description or report.

Handwritten text in Bengali script, possibly a specific note or observation.

Handwritten text in Bengali script, possibly a list or a set of data points.

Handwritten text in Bengali script, possibly a signature or a title.



Handwritten text in Bengali script, possibly a description or a title for the diagram below.

0334-9207486

201903100@gmail.com

BC-19-1124

9

স্বাধীনতা
স্বাধীনতা
স্বাধীনতা