


FORM OF ORDER SHEET

Court of _____

Appeal No. 1701/2024

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. Rovaïd Khan resubmitted today by Mr. Zafeer 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. Rovaid 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.

Attestation

- ① Address of appellant and respondent no.2 are incomplete be completed according to Khyber Pakhtunkhwa Service Tribunal Rules 1974. Rule-6
- 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, 2, 3, 4~~ 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. 786 /Inst./2024/KPST,

Dt. 13/9 /2024.

Ana Duller
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 which Application for providing order regarding stoppage of salary was not answered 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. 1701 /2024

ROVAID KHAN S/O IKRAM KHAN POSTED AT C.D SALIH KHANA KANDAIO
HOSPITAL /HEALTH CENTER TEHSIL PABBI 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

Cell#03349207486

Dated: 09/09/2024

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

Service Appeal No. 1701 /2024

ROVAID KHAN S/O IKRAM KHAN POSTED AT C.D SALIH KHANA KANDAIO
HOSPITAL /HEALTH CENTER TEHSIL PABBI DISTRICT NOWSHEHRA.

.....Appellant

Versus

1. THE D.G HEALTH DEPARTMENT, KHYBER PAKHTUNKHWA
PESHAWAR.
2. THE DISTICT 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. 1701 /2024

ROVAID KHAN S/O IKRAM KHAN R/O ZAKHI MIANA P.O AKBAR PURA ZAKHI, TEHSIL
PABBI, 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 attendant 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. (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 respondents 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

ROVAID KHAN S/O IKRAM KHAN. R/O ZAKHI MIANA P.O AKBAR PURA ZAKHI ,TEHSIL
PABBI, DISTRICT NOWSHEHRA.

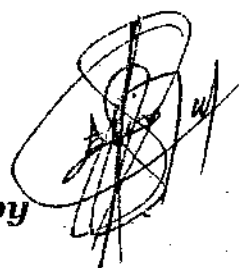
.....**Appellant**

Versus

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

AFFIDAVIT

I ROVAID KHAN S/O IKRAM KHAN. R/O ZAKHI MIANA P.O AKBAR PURA ZAKHI
,TEHSIL PABBI, DISTRICT NOWSHEHRA.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

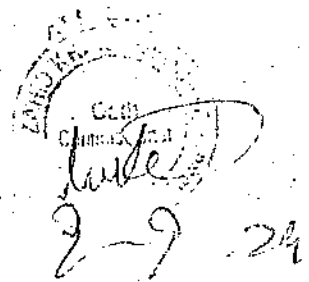
**Zafeer gul daudzai
Advocate, High Court
Peshawar**



DEPONENT

CNIC# 17201-2091964-9

Cell# 0310-1585440



Stamp: **DEPARTMENT OF HEALTH, KHYBER PAKHTUNKHWA**
Handwritten: **2-9-24**

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

Service Appeal No. _____/2024

ROVAID KHAN S/O IKRAM KHAN POSTED AT C.D SALIH KHANA KANDAIO
HOSPITAL /HEALTH CENTER TEHSIL PABBI DISTRICT NOWSHEHRA.

.....Appellant

Versus

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

ADDRESSES OF PARTIES

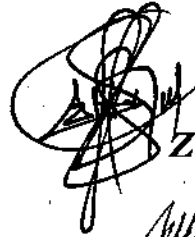
APPELLANT:

ROVAID KHAN S/O IKRAM KHAN POSTED AT C.D SALIH KHANA KANDAIO
HOSPITAL /HEALTH CENTER TEHSIL PABBI 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

Peshawar

Cell#03349207486

Dated: 09/09/2024



5
Annexure A
OFFICE OF THE DISTRICT HEALTH OFFICER NOWSHERA

Phone & Fax: 0923-580759

E-Mail: nowshera.edeh@gmail.com

OFFICE ORDER

Consequent upon approval / recommendation accorded by the Departmental Selection / Appointment Committee constituted for the purpose, MR. ROVAID KHAN S/O AKRAM KHAN is hereby appointed as Ward Attendant BPS-04 against the vacant post of Ward Attendant 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 fund 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.

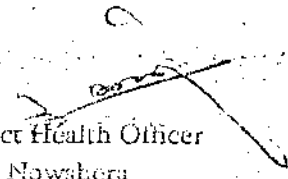
Sd/ _____
District Health Officer
Nowshera

No. 3205-07 / DHO NSR

Date: 13 / 10 / 2022

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. Rovaaid Khan S/O Akram Khan Resident of Zakhi Miama Post Office Akbar Pura, Teshil Pabbi, Nowshera.
5. Office Record.


District Health Officer
Nowshera

Attested




Annexure "B"

Members

1981

Acc # 1056531
Name: RAJESH KUMAR
LAKSHY

Buckle

CNIC No. 17731091364
GPF Interest Free
03 Active Temporary

PAYS AND ALLOWANCES:

- 0001-Basic Pay
- 1001-House Rent Allowance 15%
- 1011-Travel Allowance 100%
- 1200-Medical Allowance
- 2211-Dress Allowance 2021
- 2312-Maintenance Allowance 2021
- 2343-Dieper. Govt All 15% 2022K2
- 2347-Adhoc Govt All 15% 22(FR17)

DEDUCTIONS:

- GPF Balance 1,150.00
- 3201-Deduction Fund
- 4004-R. Provident & Death Comp.

P. No. 001 March October 2023
194991 - Category D Hospital 12500
CATEGORY D HOSPITAL 12500

HTH:
GPF #:
DIA #

194991

14,260.00
2,170.00
2,795.00
1,550.00
1,200.00
1,000.00
600.00
1,442.00
1,442.00
30,140.00

Gross: 1,150.00
400.00
300.00

Total Deductions

2,050.00
20,090.00

D.O.B
02.02.1983

31 Years 00 Months 018 Days

LFP Quota
HABIB BANK LIMITED ANSARUPURA NONSHERA.
08537900164903

21/2

Acc # 11056531
Name: RAJESH KUMAR
LAKSHY

CNIC No 17731091364
GPF Interest Free
03 Active Temporary

PAYS AND ALLOWANCES:
2016-R.Dieper. Govt All 15% 2023 15%

Gross Pay and Allowances
DEDUCTIONS

GPF Balance 1,150.00

Total Deductions

D.O.B
02.02.1983

01 Years 00 Months 018 Days

LFP Quota
HABIB BANK LIMITED ANSARUPURA NONSHERA.
08537900164903

01 Years 00 Months 018 Days
02.02.1983
08537900164903

194991

1,150.00

20,140.00

Gross

2,050.00

28,090.00

Attested

To,
The D.G Health
Khyber Pakhtunkhwa, Peshawar

7.
Attested
Anmeane - CP

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 as **WARD ATTENDANT** in health department on 13.10.2022. (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 as ward attendant and is 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.

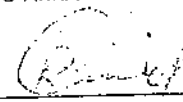
It is therefore requested that on acceptance of instant departmental appeal the salary of the appellant may kindly be released

Date: 5/6/24

Applicant

ROAED KHAN S/O AKRAM KHAN

Signature



TO,

The worthy D.H.O

Nowshera

Annexure - D

**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

R. Khan

APPLICANT

ROVAID Khan

Handwritten signature or stamp in the upper right quadrant.

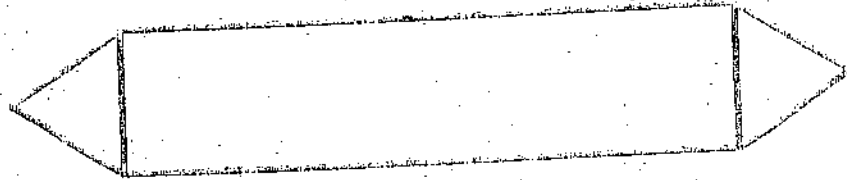
Main body of handwritten text, appearing to be a list or series of notes.

Handwritten text line below the main body, possibly a title or subtitle.

Handwritten text line in the lower middle section.

Vertical handwritten text on the left side of the lower section.

Handwritten text on the right side of the lower section.



Handwritten text below the diagram, possibly a label or description.

0334-9207486

295@gmail.com

BC-19-1124

(B)

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Handwritten signature or mark on the left margin.