


FORM OF ORDER SHEET

Court of _____

Appeal No. 1704/2024

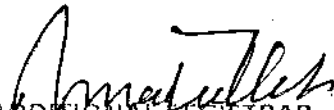
S.No.	Date of order proceedings	Order or other proceedings with signature of judge
1	2	3
1-	01/10/2024	<p>The appeal of Mr. Muhammad Ilyas resubmitted today by Mr. Zafeer Gul Daudzai Advocate. It is fixed for preliminary hearing before Single Bench at Peshawar on 04.10.2024. Parcha Peshi given to counsel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

The appeal of Mr. Muhammad Ilyas 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. 787 /Inst./2024/KPST,

Dt. 13/9 /2024.


ADDITIONAL REGISTRAR
SERVICE TRIBUNAL
KHYBER PAKHTUNKHWA
PESHAWAR.

Zafeer Gul Daudzai Adv.
High Court at Nowshera.

Respected Sir,

Objection no 1, 2, 4, 5 & 8 were removed while applications 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



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

Service Appeal No. 1704 /2024

MUHAMMAD ILYAS S/O BAKHTYAR ULLAH POSTED AT D.H.O OFFICE R.H.C
HOSPITAL PEER PAI TEHSIL PABBI DISTRICT NOWSHEHRA.

.....Appellant

Versus

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

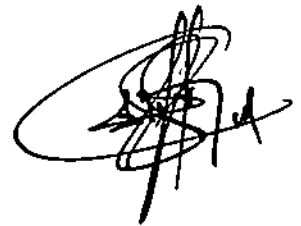
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Appellant

Through

Zafeer gul daudzai



 Abdul malik
&
Wahid ullah

Advocates, High Court
Peshawar



Dated: 09/09/2024

Cell#03349207486

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

Service Appeal No. 1704 /2024

MUHAMMAD ILYAS S/O BAKHTYAR ULLAH . POSTED AT D.H.O OFFICE R.H.C
HOSPITAL PEER PAI 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. 1704 /2024

MUHAMMAD ILYAS S/O BAKHTYAR ULLAH R/O MOHALLA BABA KHEL PEER PAI
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 BEHISHTI BPS-3 in the health department on 20.01.2023 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

MUHAMMAD ILYAS S/O BAKHTYAR ULLAH R/O MOHALLA BABA KHEL PEER
PAI ,TEHSIL AND DISTRICT NOWSHEHRA.

.....**Appellant**

Versus

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

AFFIDAVIT

I MUHAMMAD ILYAS S/O BAKHTYAR ULLAH R/O MOHALLA BABA KHEL PEER
PAI ,TEHSIL AND 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

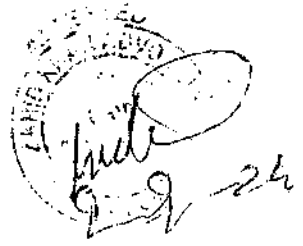
**Zafeer gul daudzai
Advocate, High Court
Peshawar**



DEPONENT

CNIC# 17201-0617289-5

Cell# 0310 9760685



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

Service Appeal No. _____/2024

MUHAMMAD ILYAS S/O BAKHTYAR ULLAH POSTED AT D.H.O OFFICE R.H.C
HOSPITAL PEER PAI TEHSIL PABBI DISTRICT NOWSHEHRA.

.....Appellant

Versus

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

ADDRESSES OF PARTIES

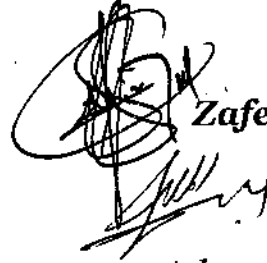

APPELLANT:

MUHAMMAD ILYAS S/O BAKHTYAR ULLAH POSTED AT D.H.O OFFICE R.H.C
HOSPITAL PEER PAI 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 

Dated: 09/09/2024

Advocates, High Court
Peshawar
Cell#03349207486

Annexure 'A'

5.
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. MUHAMMAD ILYAS S/O BAKHTIAR ULLAH is hereby appointed as Behishti BPS-03 against the vacant post of Behishti under the control of this office with immediate effect, with the following terms & conditions:

1. The appointment shall be subject to the Medical fitness and initially on probation for a period of 02-years.
2. The services 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 if 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

No. 5487-91 / DHO NSR

Date: 20/07/2023

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. Muhammad Ilyas S/O Bakhtiar Ullah, Mohallah Baba Khel Pirpai, District Nowshera.
5. Office record.

Attested
A

Sheraf
District Health Officer
Nowshera

NY
D

Annexure B

Newsprint

P Sec:001 Month:October 2023
NR4641 -District Health Officer OT
DISTRICT HEALTH OFFICER O

W. 01056549 Buckle:
MUHAMMAD ILYAS
LAUNDRY
NO.1720106172295

NTN:
GPF #:
Old #:

Interest Free
OB Active Temporary
AND ALLOWANCES:

NR4641

Basic Pay	14,260.00
House Rent Allowance 45%	2,120.00
Convey Allowance 2005	1,785.00
Medical Allowance	1,500.00
Grass Allowance --2021	1,000.00
Washing Allowance 2021	1,000.00
Dearness Allowance 2021	600.00
Diapn: Bad Al 15% 2022KP	1,442.00
Adhoc Bad Al 15% 22(PS17)	1,442.00
Gross Pay and Allowances	30,140.00

Balance	1,150.00	Subrc:	1,150.00
Benevolent Fund			600.00
M.R. Benefits & Death Comp:			300.00

Total Deductions	2,050.00
	28,090.00

D.O.B 05/04/1983 LFR Quota:
Years 09 Months 008 Days NATIONAL BANK OF PAKISTAN
5617-4

Attested
\$

To,
The D.G Health
Khyber Pakhtunkhwa, Peshawar

3.
Attested
J

Annexure-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 as BEHISHTI BPS-3 in health department on 20.01.2023.(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 class 4 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

MUHAMMAD ILYAS S/O BAKHTYAR

Signature

Muhammad Ilyas

Attested
Shahzad

8

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: 05/06/2024

APPLICANT

محمود محمد
MUKHAMMAD ILYAS

Handwritten signature or initials at the top left.

Received

Handwritten signature or stamp in the upper right quadrant.

20

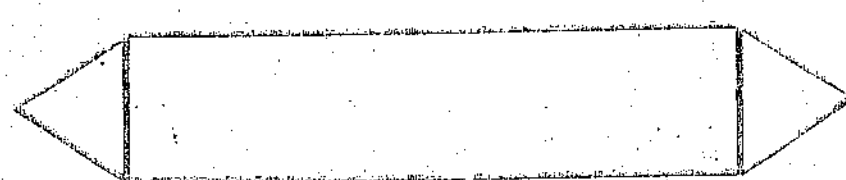
Main body of handwritten text, likely a receipt or acknowledgment, written in Urdu.

Handwritten text at the bottom of the main body, possibly a date or reference.

Handwritten text below the main body, possibly a signature or note.

Handwritten text in the lower middle section.

Handwritten text in the lower right section.



Handwritten text below the large box, possibly a signature or note.

Handwritten text on the left margin, oriented vertically.

Handwritten text on the left margin, oriented vertically.

BC-191124
240903100@gmail.com
0334-929486

(9)