


# FORM OF ORDER SHEET

Court of \_\_\_\_\_

**Appeal No.** 1758 /2024

S.No.	Date of order proceedings	Order or other proceedings with signature of judge
1	2	3
1-	07/10/2024	<p>The appeal of Miss. Najma Firdous resubmitted today by Mr. Muhammad Arif Jan Advocate. It is fixed for preliminary hearing before Single Bench at Peshawar on 09.10.2024. Parcha Peshi given to counsel for the appellant.</p> <p>By order of the Chairman</p> <p> REGISTRAR</p>

This is an appeal filed by Miss. Najma Firdous today on 20.09.2024 against the order dated 03.07.2024 against which she preferred/made a departmental appeal on 05.07.2024 the period of ninety days is not yet lapsed as per section 4 of the Khyber Pakhtunkhwa Service Tribunal Act 1974 which is premature as laid down in an authority reported as 2005-SCMR-890.

As such the instant appeal is returned in original to the appellant/counsel. The appellant would be at liberty to file fresh appeal after maturity of cause of action.

No. 806 Inst./2024/KPST.

Dt. 20/9 /2024.

*Amirullah*  
ADDITIONAL REGISTRAR  
SERVICE TRIBUNAL  
KHYBER PAKHTUNKHWA  
PESHAWAR.

Muhammad Arif Jan Adv.  
High Court Peshawar.

R/Sir,

Re-submitted as the period of ninety days lapsed, hence may kindly be placed before the worthy bench.

*M.A.G.*  
7/10/2024

BEFORE THE KHYBER PAKHTUNKHWA SERVICE TRIBUNAL,

PESHAWAR

Service Appeal No. 1758 /2024.

**Miss. Najma Firdous** Charge Nurse BPS-16 DHQ, Hospital, Kohat.

.....Appellant

VERSUS

Secretary Health, Khyber Pakhtunkhwa and others

.....Respondents

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Through

Appellant



**Muhammad Arif Jan**  
Advocate High Court  
Cell: 0333-2212213

BEFORE THE KHYBER PAKHTUNKHWA SERVICE TRIBUNAL,

PESHAWAR

Service Appeal No. \_\_\_\_\_/2024.

**Miss. Najma Firdous** Charge Nurse BPS-16 DHQ, Hospital, Kohat.

.....Appellant

VERSUS

- 1) Secretary Health, Khyber Pakhtunkhwa, Health Department Civil Secretariat, Peshawar.
- 2) Director General Health, Health Department, Peshawar.
- 3) Medical Superintendent, District Headquarters Hospital, Kohat.
- 4) Miss Naheed Akhtar Charge Nurse DHQ, Hospital, Kohat.

.....Respondents

SERVICE APPEAL U/S-4 OF THE KHYBER PAKHTUNKHWA

SERVICE TRIBUNAL ACT, 1974.

**Respectfully Sheweth:-**

1. That the appellant is serving as Charge Nurse BPS-16 in DHQ Hospital Kohat.
2. That previously the appellant was transferred from DHQ Hospital, Kohat to DHQ Hospital, Hangu where after the transfer order was challenged in service appeal No-89/2024 which was allowed vide order/judgment dated 23.02.2024 of this Hon'ble Tribunal at Peshawar. (Copy of order/judgment is attached as ANNEX-A).
3. That it is worth mention here that the appellant was initially allotted Bachelor Service Hostel Accommodation Room No-7 at DHQ Hospital, Kohat, where the appellant was residing but during pendency of the service appeal *ibid*, as a result of posting/transfer (which was later on withdrawn) the said room was forcibly vacated by the Medical Superintendent and the luggage's along with other valuable belongings of the appellant were thrown outside the allotted Room No-7 of the appellant by the respondent No-3 by way of misusing of his powers. Respondent No-3 is bound under the law to return the luggage along with other belongings as per list attached to the appellant without any further delay, reason and justification and in case of failure, the appellant reserve the right to sue respondent No-3 in the competent court of law. (Copy of list of luggage are attached as ANNEX-B)

4. That after the order/judgment of this Tribunal, upon the application of the appellant for restoration of the allotted room No-7, a committee was constituted by respondent No-3 and the committee strongly recommended the allotment of service hostel room No-7 to the appellant, hence upon the recommendation, the worthy Medical Superintendent/respondent No-3 being competent authority issued a letter bearing No-2239/PF dated 29.06.2024 (brief mentioned therein). (Copies of application and letter dated 29.06.2024 is attached as ANNEX-C).
5. That in non-compliance the letter/order *ibid*, the worthy Medical Superintendent again issued implementation/reminder letter/order No-2343/PF dated 03.07.2024, but of no avail. (Copy of letter dated 03.07.2024 is attached as ANNEX-D).
6. That surprisingly on the same day, the worthy Medical Superintendent/respondent No-3 issued another letter No-2352-57/K-37 dated 03.07.2024 in respect of allotment of another accommodation of Room No-8 on old nursing Hostel as a punishment just to keep the unmarried appellant in hurdles and troubles. (Copy of letter dated 03.07.2024 is attached as ANNEX-E).
7. That being aggrieved and dis-satisfied, the appellant then filed departmental appeal against the impugned order dated 03.07.2024 in respect of allotment of Room No-8 before respondent No-2 which was allowed vide order dated 10.09.2024 and respondent No-3 was directed to allot Room No-7 to the appellant in accordance with law. (Copy of departmental appeal and order dated 10.09.2024 are attached as ANNEX-F and G respectively).
8. That the worthy Medical Superintendent/respondent No-3 is /was bound under the law to follow the law, rules and regulations governing the subject matter and to honor the directions of respondent No-2, but just to disobey, dis-grass and to lowered the authority, respondent No-3 with his lamb excuse, accommodated respondent No-4 (which was already allotted room No-11) being married in the Bachelor Hostel to create further hurdles not only to the appellant but to the other as well.
9. That appellant now approaches this Hon'ble Tribunal on the following grounds:-

#### GROUNDS:

- A. Because, the act, commission and omission of the respondent No-3 and the letter dated 03-07-2024 in respect of allotment of Room No-8 to the appellant and further the non-compliance/implementation/execution of the order dated 10-09-2024 of respondent No-2 (hereinafter impugned) is patently illegal, unlawful, without lawful authority, of no legal effect and the respondent No-3 is to be directed to act in accordance with law and to hand over the previous allotted room No-7 along with all belongings/luggage's of the appellant without any further delay and justification.

- B. That the appellant being un-married is facing great hardship while deprived from her allotted Room No-7 of New Hostel in the new allotted accommodation as the same is having no kitchen facility etc whereas the precious allotted room No-7 was well decor with the basic necessities by the appellant at her own.
- C. That the dishonesty and mala fide of respondent No-3 is even established from the victimizing and harassing the innocent employee being bachelor initially to transfer her and then forcibly vacated her room knowingly the fact of pendency of appeal, thus the acts committed by respondent No-3 invites consideration of this Hon'ble Tribunal.
- D. Because the appellant has not been treated in accordance with law and rules more so the respondent violated the procedure set forth.
- E. Because the respondents are/ were bound down under the law to honor the supremacy of law, but in the present case, respondent No-3 thrown the directives of his superior, thus this act of the respondent No-3 is amounts to abuse of law.
- F. That any other ground which has not been specifically mentioned will be agitated at the time of arguments with kind permission of this hon'ble Tribunal.

It is, therefore, humbly prayed that, on acceptance of the instant appeal may be pleased to;

- i. Respondent No-3 may graciously be directed to execute and honor his own letter No-2239 dated 29.6.2024 and to return the Room No-7 in new hostel along with all luggages/valuable belongings of the appellant by vacating from respondent No-4 without any further delay, reason and justification.
- ii. To declare the letter No-2352.57 dated 03.07.2024 passed by respondent No-3 being illegal and unlawful and to be set aside.
- iii. Further respondent No-3 may also be directed to honor and execute the order dated 10.09.2024 of respondent No-2 in letter in spirit in favor of appellant.
- iv. Any other relief may also kindly be granted in the circumstances of the appellant's case.

Appellant

Through

Muhammad Arif Jan  
Advocate High Court

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BEFORE THE KHYBER PAKHTUNKHWA SERVICE TRIBUNAL

PESHAWAR

Service Appeal No. \_\_\_\_\_/2024.

Miss. Najma Firdous Charge Nurse BPS-16 DHQ, Hospital, Kohat.

.....Appellant


VERSUS

Secretary Health, Khyber Pakhtunkhwa and others

.....Respondents

AFFIDAVIT

I, Miss. Najma Firdous Charge Nurse BPS-16 DHQ, Hospital, Kohat (Appellant), do hereby affirm and declare on oath that the contents of accompanying Appeal are true and correct to the best of my knowledge and belief and nothing has been concealed from this Hon'ble court.

  
Deponent

(A)

Annex 'A'  
(5)

**BEFORE THE KHYBER PAKHTUNKHWA SERVICE TRIBUNAL,**  
**PESHAWAR.**



Service Appeal No. 29 /2024

Mst. Najma Firdous D/o Muhammad Suleman (RNO) (BS-16),  
District Headquarter Hospital, KDA, Kohat.....(Appellant)

**VERSUS**


1. Secretary Health Services, Government of Khyber Pakhtunkhwa, Khyber Road, Peshawar.
2. Director General Health, Khyber Pakhtunkhwa, Warsak Road, Peshawar.
3. Medical Superintendent, District Headquarter Hospital, KDA, Kohat.....(Respondents)

**APPEAL UNDER SECTION 4 OF KHYBER**  
**PAKHTUNKHWA SERVICE TRIBUNAL ACT,**  
**1974, AGAINST THE IMPUGNED ORDER**  
**DATED 03/10/2023 SERIAL NO. 1**  
**WHEREBY THE APPELLANT HAS BEEN**  
**TRANSFERRED FROM THE DHQ HOSPITAL**  
**KOHAT TO SHAHEED FARID KHAN DHQ**  
**HOSPITAL HANGU AGAINST THE VACANT**  
**POST.**

**PRAYER:**

On acceptance of the instant service appeal, the impugned transfer order dated 03/10/2023 of respondent No. 2 and reliving order dated 03/10/2023 may kindly be set aside and the

**ATTESTED**

  
Khyber Pakhtunkhwa  
Service Tribunal  
Peshawar



A. No. 89/2024  
Najma Firdous vs Govt

(6)



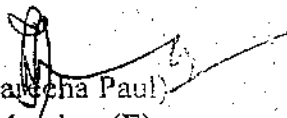
ORDER

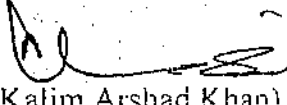
23<sup>rd</sup> Feb. 2024

1. Learned counsel for the appellant and Mr. Asif Masood Ali Shah, Deputy District Attorney for respondents present.

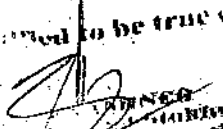
2. Vide our consolidated judgment of today placed on file of connected Service Appeal No.2445/2023, the appeal is allowed and the impugned transfer order is set aside. The Competent Authority is, however, at liberty to initiate disciplinary proceedings against the appellant, if at all, it considers of any misconduct had been committed by the appellant. (Copy of the judgment be placed on file of this appeal). Consign.

3. Pronounced in open Court at Peshawar and given under our hands and the seal of the Tribunal on this 23<sup>rd</sup> day of February, 2024.

  
(Farzana Paul)  
Member (E)

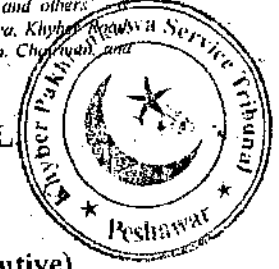
  
(Kalim Arshad Khan)  
Chairman

\*Mutazem Shah\*

to be true copy  
  
Mutazem Shah  
Peshawar

Date of Presentation of Application 04-03-2024  
Number of Pages 2  
Copying Fee 10/-  
Urgent 5/-  
Total 15/-  
Name of Counsel  
Date of Court 04-03-2024  
Date of Judgment 04-03-2024

Service Appeals No.2445/2023, titled "Miss Rashida Begum-vs-The Government of Khyber Pakhtunkhwa through Secretary Health Services, Government of Khyber Pakhtunkhwa, Peshawar and others" and 89/2024 titled "Mst. Najma Firdous-vs-Secretary Health Services, Government of Khyber Pakhtunkhwa, Khyber Pakhtunkhwa Service Tribunal Peshawar and others", decided on 23.02.2024 by Division Bench comprising Mr. Kalim Arshad Khan, Chairman and Miss. Fareeha Paul, Member, Executive, Khyber Pakhtunkhwa Service Tribunal Peshawar.



**KHYBER PAKHTUNKHWA SERVICE TRIBUNAL  
PESHAWAR**

**BEFORE: KALIM ARSHAD KHAN ... CHAIRMAN  
FAREEHA PAUL ... MEMBER (Executive)**

*Service Appeal No.2445/2023*

7

Date of presentation of appeal ..... 22.11.2023  
Dates of Hearing ..... 23.02.2024  
Date of Decision ..... 23.02.2024

**Miss. Rashida Begum, Nurse (BPS-16) DHQ Teaching Hospital KDA,  
Kohat.....(Appellant)**

Versus

1. **The Government of Khyber Pakhtunkhwa, through Secretary Health Department, Khyber Pakhtunkhwa, Peshawar.**
2. **Director General Health, Khyber Pakhtunkhwa, Peshawar.**
3. **Medical Superintendent, DHQ Teaching Hospital KDA, Kohat.**
4. **Miss. Najma Firdous, Charge Nurse, Shaheed Farid Khan DHQ Hospital, Hangu.....(Respondents)**


**Present:**

Mr. Noor Muhammad Khattak, Advocate ..... For appellant  
Mr. Asif Masood Ali Shah, Deputy District Attorney ..... For official respondents  
Mr. Muhibullah Tarichvi, Advocate ..... For private respondent

**SERVICE APPEAL UNDER SECTION 4 OF THE KHYBER PAKHTUNKHWA SERVICE TRIBUNAL ACT, 1974, AGAINST BOTH THE IMPUGNED ORDERS DATED 03.10.2023, WHEREBY THE APPELLANT HAS BEEN TRANSFERRED FROM DHQ HOSPITAL KOHAT TO DHQ HOSPITAL KARAK AND THROUGH SUBSEQUENT ORDER, THE APPELLANT HAS BEEN RELIEVED FROM HER POST AT DHQ HOSPITAL KOHAT AND AGAINST THE APPELLATE ORDER DATED 20.11.2023, WHEREBY THE DEPARTMENTAL APPEAL OF THE APPELLANT HAS BEEN REJECTED ON NO GOOD GROUNDS.**

*Service Appeal No.89/2024*

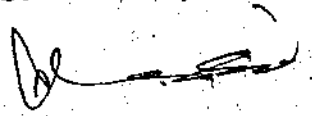
Date of presentation of appeal ..... 05.01.2024  
Dates of Hearing ..... 22.02.2024  
Date of Decision ..... 22.02.2024

**ATTESTED**  
  
**EXAMINER**  
Khyber Pakhtunkhwa  
Service Tribunal  
Peshawar

**Mst. Najma Firdous, D/o Muhammad Suleman (RNO) (BPS-16), District Headquarter Hospital, KDA Kohat.....(Appellant)**

Versus

1. **Secretary Health Services, Government of Khyber Pakhtunkhwa, Khyber Road, Peshawar.**
2. **Director General Health Services, Khyber Pakhtunkhwa, Warsak Road, Peshawar.**




3. Medical Superintendent, District Headquarter Hospital, KDA, Kohat.....(Respondents)

Present:

Mr. Muhibullah Tarichvi, Advocate .....For appellant  
Mr. Asif Masood Ali Shah, Deputy District Attorney.....For the respondents

SERVICE APPEAL UNDER SECTION 4 OF THE KHYBER PAKHTUNKHWA SERVICE TRIBUNAL ACT, 1974, AGAINST THE IMPUGNED ORDER DATED 03.10.2023 SERIAL NO.1 WHEREBY THE APPELLANT HAS BEEN TRANSFERRED FROM THE DHQ HOSPITAL KOHAT TO SHAHEED FARID KHAN DHQ HOSPITAL HANGU AGAINST THE VACANT POST.

CONSOLIDATED JUDGMENT

ATTESTED  
  
Chairman  
Khyber Pakhtunkhwa  
Service Tribunal  
Peshawar

KALIM ARSHAD KHAN CHAIRMAN: Through this single judgment this appeal

and the connected service appeal No.89/2024 titled "Najma Firdous Vs. Secretary Health, Khyber Pakhtunkhwa, Peshawar & others" are decided as both the appeals have been filed by the appellants aggrieved from the same order and can, thus conveniently, be decided together.

2. According to the facts gathered from the record, the appellants were serving in the DHQ Teaching Hospital KDA Kohat. Appellant namely Rashida Begum was Charge Nurse (BPS-16) and appellant namely Najma Firdous (who is private respondent in service appeal No.1445/2023 filed by Rashida Begum) was Registered Nurse Officer (RNO) BPS-16. Both were serving in the same hospital. That due to misconceptions and some problems with each other, appellant Rashida Begum moved an application against Najma Firdous to respondent No.3, who directed a fact finding inquiry into the matter. That in the meanwhile the appellant (Rashida Begum) filed another complaint against Najma Firdous. Consequently, the competent authority, vide order dated 03.10.2023, transferred both the appellants from the said Hospital i.e. DHQ Hospital Kohat. Feeling aggrieved, the appellant of appeal No.2445/2023 (Rashida Begum) filed departmental appeal on 09.10.2023, which was rejected vide order dated 20.11.2023

and the appellant of appeal No.89/2024 (Najma Firdous) filed departmental appeal on 05.10.2023, which was not responded. Therefore, both filed the instant service appeals.

3. On receipt of the appeals and their admission to full hearing, the respondents were summoned. Respondents put appearance and contested the appeals by filing written replies raising therein numerous legal and factual objections. The defence setup was a total denial of the claim of the appellant.

4. We have heard learned counsel for the appellants and learned Deputy District Attorney for the respondents.

5. The learned counsel for the appellants reiterated the facts and grounds detailed in the memo and grounds of the appeal while the learned Deputy District Attorney controverted the same by supporting the impugned order(s).

ATTESTED  
Khyber Pakhtunkhwa  
Service Tribunal  
Peshawar

6. From the record, it is evident that both the appellants were serving in the same hospital, wherein, due to their internal grudges, a complaint was made by one appellant against the other. In the matter, a fact finding inquiry was conducted, however, on the basis of complaint and their personal grudges, vide the impugned transfer order dated 03.10.2023, appellant Miss. Rashida Begum was transferred to DHQ Hospital Karak and the appellant Najma Firdous (who was also arrayed as private respondent in appeal No.2445/2023) was transferred to Shaheed Farid Khan DHQ Hospital, Hangu. Both filed departmental representations against the transfer order, however, appeal of Miss. Rashida Begum was rejected and the departmental appeal of Mst. Najma Firdous was not responded. The impugned transfer order was made on the basis of clashes/grudges between the appellants and seems to be a punishment because of the above.

7. This Tribunal in a case reported as 2012-PLC (CS) page-187 titled "Shamshad Begum Vs. The Chief Secretary Khyber Pakhtunkhwa" has already held that transfer of civil servant cannot be made on the basis of complaint which required a regular inquiry

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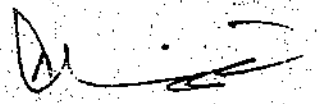
in the matter because the transfer had not been mentioned as punishment in the penalty list in the rules & regulations regarding the conduct of civil servant. In the reply, the official respondents have contended that upon the complaint, inquiry was conducted and the appellants were transferred due to their grudges. The Department may proceed against the appellants under the relevant rules if it all they were found guilty of any misconduct which could not transfer the appellant solely as a punishment. Therefore, the impugned transfer order is not maintainable. In case the competent authority is of the view that the appellants had committed misconduct, which disturbed the discipline of service, then it may initiate disciplinary proceedings and transferring the appellant was not a proper procedure covered under the Provincial Government, Posting/Transfer Policy.

8. As a resultant consequences, both the appeals are allowed and the impugned transfer order is set aside. The Competent Authority is, however, at liberty to initiate disciplinary proceedings against the appellants, if at all, it considers of any misconduct had been committed by the appellants. (Copy of this judgment be placed on file of Service Appeal No.89/2024 titled "Mst. Najma Firdous Vs. Government of Khyber Pakhtunkhwa"). Consign

8. Pronounced in open Court at Peshawar and given under our hands and the seal of the Tribunal on this 23<sup>rd</sup> day of February, 2024.

Certified to be true copy

EXAMINER  
Khyber Pakhtunkhwa  
Service Tribunal  
Peshawar

  
KALIM ARSHAD KHAN  
Chairman

  
FAREEHA PAUL  
Member (Executive)

\*Mutazim Shah\*

Annex-B

(11)

## New Hostel Room 7

- 1- کارپیٹ
- 2- کارپیٹ نوم
- 3- ڈبل بیڈ
- Matres Spring-4
- T.V-5
- T.V-6 سٹنڈ
- New AC Kenwood 1.5-7
- 10000Steplizre AC-8 واٹ
- IRON-9
- 10- نیپل لکڑی 3 عدد
- 11- 5- مرے پلاٹ کے کاغذات
- 12- 3- لاکھ 55 ہزار روپے
- 13- Original Documents- محمد فردوس
- 14- Original Documents+ شازیہ اور لاجپہ Sister
- 15- 9- تولہ سونا
- 16- پردے روم کے Fancy 4
- 17- Net- پردے 8 White
- 18- روم پردے پائپ + پھول Cristial Decoration
- 19- پانی گرم کرنے کا ڈرم + سٹنڈ
- 20- روم ہائیر VIP دو عدد
- 21- Fancy + گرمی- سردی 25 عدد Bed Sheets
- 22- Large Size رضائی 5 weki عدد
- 23- کسل 3 عدد
- 24- Small نوم رضائی 3 عدد
- 25- AC- کسل ایک عدد
- 26- Food Factory Juicer
- 27- Carest Juicer. New
- 28- بڑی سائز کا بستروں والا صندوق 1 عدد

- 2-29 Use Cosmetics لاکھ کا سامان
- 30- استعمال کے کپڑے 40 سوٹ سردی + 40 گرمی
- 31-5 شامل سردی + 7 شامل گرمی
- 32-10 فنی سوٹ
- 33-1 عدد Laptop
- 34-1 عدد MP3
- 35-1 عدد کمرہ
- 36- وائس روم All Kind Material
- 37-3 موبائل فون 2 بلیک ایک بیوٹکر
- 38- چیک بک 2 عدد
- 39-2 گول تکیے
- 40-8 Pillows
- 41- تین چھوٹے بیگ
- 42- تین دائرہ لکڑی Non Use
- 43- سلائی مشین 1 عدد
- 44- ایک عدد صوف
- 45- چپل جوڑے پوٹ 40 عدد Non Use
- 10 عدد Use
- 46- لکڑی کی الماری ایک عدد
- 47- دیوار گیر 3 عدد
- 48- Dressing Table ایک عدد
- 49- گھڑیال ایک عدد
- 50- آئینہ 2 Large Size عدد
- 51- روم نموب لائٹ 2 عدد + LED لائٹ پگھا 3 عدد + ایک ڈاس 1 عدد
- 52-5 عدد Power Plug
- 53-8 عدد Uniform
- 54- سمیہ Uniform سکول 2 عدد + سوٹ اور کتائیں وغیرہ
- 55- سونے کے آٹھوٹی اور ایک عدد Ear Ring
- 56- ایک عدد Nebulizer مشین

(13)

## کچن روم سامان

1- ایک عدد فریج اور ایک فریج سٹیبلائزر

2- Super Asia Washing Machine ڈبل ایک عدد

3- Micro owan ایک عدد

4- دو چار پائی + دو فارم + چار Pillow

5- پائی کا ڈرم ایک عدد

6- 3 بالٹی Normal

7- برتن شینڈ

8- سبزی شینڈ

9- کچن پردے 4 عدد

10- نیٹ پردے 4 عدد

11- چینی Full بالٹی بڑے سائز

12- آٹا Full بالٹی بڑے سائز

13- 40 ہزار راشن

14- صرف بالٹی Full

15- ہر قسم کے برتن دو دو سیٹ موجود تھے

16- Boeking Heater

17- Air Coller + Stand 1 عدد



The Director General  
Health Services Khyber Pakhtunkhwa Peshawar.

29/5/24

(14)

Amir C

15762  
29/5/24

Respected Sir,

It is stated with great respect that I was allotted a room in the Nursing Hostel at DHQ Teaching Hospital Kohat, but unfortunately my transfer was ordered to District Hangu on false and baseless allegations. I did not relinquish the charge and presented an appeal against the said transfer order. The Medical Superintendent DHQ Hospital Kohat immediately relieved me and allotted my room to another staff and my luggage were thrown outside the hostel room, despite of the fact that my service appeal was pending before the Service Tribunal Khyber Pakhtunkhwa Peshawar. My appeal was accepted and the said transfer order was set aside by the Service Tribunal Peshawar.

The MS DHQ Hospital Kohat was repeatedly requested for allotment of hostel room but neither I was provided the room nor my applications were entertained till date.

I am young, unmarried lady and also non local and having 100% right of hostel accommodation inside the hospital but the MS has allotted the hostel accommodation to the non-deserving staff, most of them are local and they have own accommodation in the Kohat city.

Presently I am residing in private sector, not only the existing accommodation is away from hospital but also unsafe. I used to travel daily for duty in evening and night shifts which is much unsafe for a single young lady. My life and honour is always on threat. I clearly mentioned here that if any mishap is occurred with me, MS DHQ Hospital Kohat and DMS will be responsible for that.

Therefore, you are requested to please re-allot me my old room in the hospital hostel and also return my all luggage in good condition, so as I may perform my duty freely.

Yours Obediently

Najama Firdous

RNO DHQ Teaching Hospital Kohat

Dated 29/5/2024

29/5/24  
29/5/24



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 Ph (091 - 9210269) Exchange - 091 - 9210187, 091 - 9210196 Fax (091 - 9210230)

No. 2938 /E-II

Dated Peshawar the 11 /06 /2024.

15

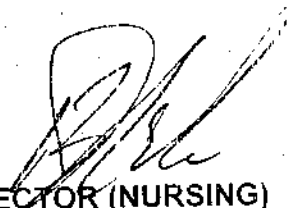
To

The Medical Superintendent  
DHQ Hospital Kohat

Subject: **ALLOTMENT OF HOSTEL ROOM.**

Enclosed please find herewith a copy of self explanatory application of Najma Firdous D/O Muhammad Suleman RNO/Charge Nurse (BS-16) DHQ Hospital Kohat dated: 29.05.2024 on the subject noted above

The matter purely your internal authority and may be decided at your own level.

  
ADDL: DIRECTOR (NURSING)  
DIRECTORATE GENERAL HEALTH  
SERVICES, KP PESHA

11/6/2024

OFFICE OF THE MEDICAL SUPERINTENDENT DHQ TEACHING HOSPITAL, KOHAT

No. 2239 /PF

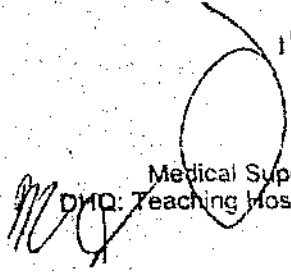
Dated Kohat the 29 June 2024.

OFFICE ORDER.

Reference to the Director General Health Services Khyber Pakhtunkhwa Peshawar letter No.2938/E-II dated 11/6/2024.

As recommended by the committee that Miss. Najma Firdous Registered Nurse Officer BPS-16 attached to DHQ Teaching Hospital Kohat is eligibility to be provide hostel accommodation in the premises of the hospital being non local and unmarried young lady. The committee further argued that her transfer has been withdrawn by the honourable Service Tribunal Peshawar but her other privileges were not addressed. So she should be given all privileges which she availed prior to her transfer.

To settle the issue on merit as well as recommendations of the committee, the position of hostel room No.07 stood on or before the transfer of Miss. Najma Firdous Registered Nurse Officer is hereby restored with immediate effect and all concerned involved in reshuffling are strictly directed to go back to the former position occupied by them on or before transfer / relieving of Miss. Najma Firdous Registered Nurse Officer. Office Order No.4386-90/K-37 dated 24/10/2023 is hereby superseded.

  
Medical Superintendent  
DHQ Teaching Hospital Kohat.

No. & date even

1. Director General Health Services Khyber Pakhtunkhwa Peshawar.
2. Regional Director General Health Services D.I.Khan.
3. Deputy Commissioner, Kohat.
4. Dy. Chief Nursing Superintendent DHQ Hospital Kohat.
5. Miss. Najma Firdous Registered Nurse Officer.

  
Medical Superintendent  
DHQ Teaching Hospital Kohat.

MEDICAL SUPERINTENDENT  
DHO TEACHING HOSPITAL KOHAT

*Handwritten signature*

Reference office order No. 2239/PF dated 29/6/2024  
The office order should be implemented in true letter and spirit. Compliance report  
should also be conveyed

**SUBJECT - IMPLEMENTATION OF OFFICE ORDER**

The Dy. Chief Nursing Superintendent  
DHO Hospital Kohat

To -

OFFICE OF THE  
MEDICAL SUPERINTENDENT  
DHO TEACHING HOSPITAL KDA KOHAT  
No. 2963 /PF  
Dated Kohat the 29 /6/2024

*Handwritten signature*  
(17)

Amo-E  
(18)

OFFICE OF THE  
MEDICAL SUPERINTENDENT  
DHQ TEACHING HOSPITAL  
KDA; KOHAT

OFFICE ORDER

Ms. Najma Firdous (Registered Nurse Officer; BS - 16) attached to DHQ Teaching Hospital KDA Kohat is hereby allotted Room No.08 in Old Nursing Hostel of this Institution, with immediate effect, in the best public service.

SD/-  
MEDICAL SUPERINTENDENT  
DHQ TEACHING HOSPITAL  
KOHAT

No. 2352-57 /K-37

Dated Kohat the 03/07 2014

Copy forwarded to the:-

1. Director General Health Services Khyber Pakhtunkhwa Peshawar for information.
2. Deputy Medical Superintendent (Admin) DHQ Teaching Hospital KDA Kohat.
3. Provost, DHQ Teaching Hospital KDA Kohat.
4. Accommodation Regulatory Committee DHQ Teaching Hospital KDA Kohat.
5. Warden Nursing Hostels DHQ Teaching Hospital KDA Kohat.
6. Ms. Najma Firdous (Registered Nurse Officer) DHQ Teaching Hospital KDA Kohat for further necessary action.

MEDICAL SUPERINTENDENT  
DHQ TEACHING HOSPITAL  
KOHAT

*Amir F*  
(19)

**BEFORE THE HON'BLE DIRECTOR HEALTH SERVICES  
KHYBER PAKHTUNKHWA, PESHAWAR.**

**DEPARTMENTAL APPEAL AGAINST THE IMPUGNED  
ORDER BEARING NO 2352-57/K-37 DATED 03.07.2024  
PASSED BY MEDICAL SUPERINTENDENT DHQ  
TEACHING HOSPITAL, KOHAT.**

**Respected Sir;**

1. That the appellant is serving as Charge Nurse BPS-16 in DHQ Hospital Kohat.
2. That previously the appellant was transferred from DHQ Hospital Kohat to DHQ Hospital Hangu where after the transfer order was challenged in service appeal No-89/2024 and was allowed vide order/judgment dated 23.02.2024 by the Hon'ble Service Tribunal at Peshawar.
3. That it is worth mentioning that the appellant was initially allotted service Hostel accommodation Room No-7 at DHQ Hospital Kohat.
4. That at a result of posting/transfer (which was later on withdrawn) the said room was forcibly vacated by the Medical Superintendent against which civil and criminal proceedings were initiated by the appellant against the authorities concerned.
5. That after the order/judgment of the Hon'ble Service Tribunal passed in favor of the appellant, a committee was constituted by the worthy Medical Superintendent to provide previous service hostel accommodation to the appellant.
6. That the committee strongly recommended the allotment of service hostel room No-7 to the appellant, hence upon the recommendation, the worthy Medical Superintendent being competent authority issued a letter bearing No-2239/PF dated 29.06.2024 (brief mentioned therein).
7. That in non-compliance the letter/order *ibid*, the worthy Medical Superintendent again issued implementation letter/order No-2343/PF dated 03.07.2024 but of no avail.

19535 / 1954  
05-7-2024

Director Health Services  
Peshawar

(20)

8. That surprisingly on the same day, the worthy Medical Superintendent issued another letter No-2352-57/K-37 dated 03.07.2024 in respect of another accommodation of Room No-8 (hereby impugned) as a punishment just to keep the unmarried appellant in hurdles and troubles.
9. That the worthy Medical Superintendent is /was bound under the law to follow the law, rules and regulations governing the subject matter but in the case in hand the authority concerned reverted and followed the policy of "Pick and Choose" from his own order already passed in favor of the appellant without any reason and justification.
10. That the appellant being un-married is facing great hardship in the new allotted accommodation as the same is having no kitchen facility etc whereas the precious allotted room No-7 was well decor with the basic necessities by the appellant at her own.
11. That the appellant approached her self before the competent authority concerned but of no avail hence the instant appeal.

It is therefore, most humbly requested that the impugned letter/order No-2352-57/K-37 dated 03.07.2024 may graciously be withdrawn and restored the position of Hostel Room No-7 to the appellant without any further delay, reason and justification in the best interest of justice.

(Copies of necessary documents are attached)

**Appellant**  
**Miss. Najma Firdous**  
**Charge Nurse DHQ, Hospital Kohat.**

*5/7/2024*



Amx-Gi (21)

**GOVERNMENT OF KHYBER PAKHTUNKHWA  
HEALTH DEPARTMENT**

No. SOH(E-V)/2-2/2024/ Mr. Najma Firdous  
Dated Peshawar the 10.09.2024

To  
The Medical Superintendent,  
DHQ Hospital KDA, Kohat

Subject: **DEPARTMENTAL APPEAL AGAINST THE IMPUGNED  
ORDER BEARING NO. 2352-57/K-37 DATED 03.07.2024  
PASSED BY MEDICAL SUPERINTENDENT DHQ TEACHING  
HOSPITAL KOHAT**

Dear Sir,

I am directed to refer to the above captioned subject and to enclose herewith an application submitted by Mrs. Najma Firdous, Charge Nurse, DHQ Hospital KDA Kohat, wherein she is requesting for allotment of room in the hostel, which is self-explanatory.

2. I am, therefore directed to convey that the case in respect of the above named nurse may be examined in light of court direction and allot/ retain her allotted No.7 to the applicant as per policy/ criteria, please.

Yours faithfully,

SECTION OFFICER (E-V)

**Endst. No. & Date Even**

Copies to the:-

1. PS to Secretary Health Department, Khyber Pakhtunkhwa.

SECTION OFFICER (E-V)



**WAKALATNAMA**

**IN THE COURT OF** 100 Service Tribunal, Peshawar

Miss Najma Bredus

Plaintiff(s)  
Petitioner(s)  
Complainant(s)

VERSUS

Secretary Health Dept

Defendant(s)  
Respondent(s)  
Accused(s)

By this, power-of-attorney I/we the said Applicant in the above case, do hereby constitute and appoint **MUHAMMAD ARIF JAN** Advocate as my attorney for me/us in my/our name and on my/our behalf to appear, plead, give statement, verify, administer oath and do all lawful act and things in connection with the said case on my/our behalf or with the execution of any decree or order passed in the case in my/our favour/ against which I/we shall be entitled or permitted to do myself/ourselves, and, in particular, shall be entitled to withdraw or compromise the case or refer it to arbitration or to agree to abide by the special oath of any person and to withdraw and receive documents and money from the Court or the opposite party and to sign proper receipts and discharges for the same and to engage and appoint any other pleader or pay him as his fee irrespective of my/our success or failure in case, provided that, if the case is heard at anyplace other than the usual place of sitting of the Court the pleader shall not bound to attend except on my agreeing to pay him a special fee to be settled between us.

Signature of Client

[Signature]

Accepted.

[Signature]

**Muhammad Arif Jan**  
Advocate High Court  
0333-2212213  
Bc No.10-8863  
[arifjanadv1@yahoo.com](mailto:arifjanadv1@yahoo.com)  
Office No.212, New Qatar Hotel,  
G.T Road, Sikandar Town,  
Peshawar.