

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

Muhammad Abdul Kabir  
**VERSUS**  
Health Department

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Dated: 10.10.2024

Through

Appellant

**NOOR MUHAMMAD KHATTAK**  
Advocate, Supreme Court of  
Pakistan.

(P)

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

**Service Appeal No.1492/2024**

Muhammad Abdul Kabir  
**VERSUS**  
Health Department

Khyber Pakhtunkhwa  
Service Tribunal

Diary No. 16604

Dated 10-10-24

**APPLICATION FOR SUSPENSION OF THE LETTER  
DATED 04.10.2024 WHEREBY THE RESPONDENTS  
SCHEDULED THE MEETING OF DEPARTMENTAL  
PROMOTION COMMITTEE (DPC) ON 11/10/2024 AND  
FURTHER RESTRAIN NOT TO ISSUE PROMOTION  
NOTIFICATION TO THE EXTENT OF DEGREE  
HOLDER OF MASTER PUBLIC HEALTH, TILL THE  
FINAL DISPOSAL OF THE INSTANT SERVICE  
APPEAL.**

**Respectfully Sheweth:**

1. That the above mentioned appeal along with this application has been filed the appellant before, this august Tribunal in which no date has been fixed so far i.e 05.11.2024.
2. That appellant filed the above mentioned appeal against the impugned inaction of the respondent by violating the service rules notified on 10/05/2016 as amended vide notification dated 04/10/2020 of the respondent department, whereby the respondents are going to promote the Master in Public Health Degree Holder to the post of PHC Technologist Multipurpose (BPS-17) on the basis of Master in Public Health Degree Holder, preferred departmental appeal/representation before

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the competent authority/ respondent, but no response has been given within the stipulated period.

3. That it is pertinent to mention here that meeting of DPC has been scheduled to be held on 11.10.2024, vide letter dated: 04.10.2024 (**Copy of letter dated: 04.10.2024 is annexed**)
4. That all the three ingredients necessary for the stay is in favor of the appellant.
5. That impugned inaction of the respondents in utter disregard of law and prevailing Rules.

It is therefore, most humbly prayed that on acceptance of this application, the operation of the letter dated 04/10/2024 whereby the respondents scheduled the meeting of Departmental Promotion Committee (DPC) on 11/10/2024 may kindly be suspended and further restrained the respondents not to issue promotion notification to the extent of degree holder of master Public Health till the final disposal of the instant service appeal.

**Dated:** 10.10.2024

Through Appellant

  
**NOOR MUHAMMAD KHATTAK**  
Advocate, Supreme Court of,  
Pakistan.

(3)

BEFORE THE HON'BLE KHYBER PAKHTUNKHWA SERVICE  
TRIBUNAL

Muhammad Abdul Kabir  
**VERSUS**  
Health Department

AFFIDAVIT

I, **Muhammad Abdul Kabir (Appellant)**, do hereby solemnly affirm and declare on oath that all the contents of the instant application are true and correct to the best of my knowledge and belief and nothing has been concealed or withheld from this Hon'ble Court.

*DEPONENT*

*IDENTIFIED BY:*

**NOOR MUHAMMAD KHATTAK**  
Advocate, Supreme Court of  
Pakistan.



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GOVT. OF KHYBER PAKHTUNKHWA  
HEALTH DEPARTMENT

No. SOH-III/8-60/2024 (Abdul Majeed & Others/MPH)  
Dated the Peshawar 04<sup>th</sup> October, 2024

To

The Secretary to Govt. of Khyber Pakhtunkhwa,  
Establishment Department.

The Secretary to Govt. of Khyber Pakhtunkhwa,  
Finance Department.

Subject:

PROMOTION OF QUALIFICATION CHIEF PHC TECHNICIANS (BS-16)  
SENIOR PHC TECHNICIAN (BS-14) PHC TECHNICIAN (BS-12) TO  
THE POST OF PHC TECHNOLOGISTS MP (BS-17).

Dear Sir,

I am directed to refer to the subject noted above and to state that a meeting of Departmental Promotion Committee (DPC) was scheduled to be held on 10-09-2024 which was deferred due to certain reasons. The same has been re-scheduled to be held under the Chairmanship of Secretary Health on 11-10-2024 at 11:00 AM.

2. It is therefore, requested to depute representatives well conversant with the subject matter to attend the said meeting, on the date, time & venue, mentioned above, please.

Working Papers have already been circulated.

Yours faithfully,

(NASEER AHMAD)  
SECTION OFFICER-III

Encls: of oven no & date.

Copy forwarded to:-

1. Director General, Health Services, Khyber Pakhtunkhwa, Peshawar with the request to kindly attend the subject meeting, please.
2. PS to Secretary Health, Khyber Pakhtunkhwa.
3. PS to Special Secretary (E&A) Health, Khyber Pakhtunkhwa.
4. PA to Additional Secretary (E&A) Health, Khyber Pakhtunkhwa.
5. PA to Deputy Secretary (Admin), Health Department.

SECTION OFFICER-III