

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

Dr. Mushtaq Ahmad
VERSUS
Health Department

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Dated: 10.10.2024

Through

Appellant

NOOR MUHAMMAD KHATTAK
Advocate, Supreme Court of,
Pakistan.

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

Service Appeal No.1489/2024

Khyber Pakhtunkhwa
Service Tribunal

Diary No. 16898

Dated 10-10-24

Dr. Mushtaq Ahmad
VERSUS
Health Department

**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

Appellant

Through

NOOR MUHAMMAD KHATTAK
Advocate, Supreme Court of,
Pakistan.

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BEFORE THE HON'BLE KHYBER PAKHTUNKHWA SERVICE
TRIBUNAL

Dr. Mushtaq Ahmad
VERSUS
Health Department

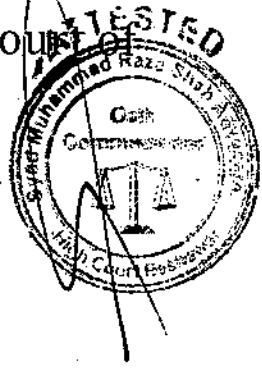
AFFIDAVIT

I, **Dr. Mushtaq Ahmad (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.





GOVT. OF KHYBER PAKHTUNKHWA
HEALTH DEPARTMENT

No. SOH-III/B-60/2024 (Abdul Majeed & Others/II/PH)
Dated the Peshawar 04th 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-10)
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

Endst: 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 (Admn), Health Department.

SECTION OFFICER-III