


Form- A

FORM OF ORDER SHEET

Court of _____

Implementation Petition No. 1147/2024

S.No.	Date of order proceedings	Order or other proceedings with signature of judge
1	2	3
1	09.10.2024	<p>The implementation petition of Mr. Bushra Parvez submitted today by Mr. Mir Zaman Safi Advocate. It is fixed for implementation report before Single Bench at Peshawar on 14.10.2024. Original file be requisitioned. AAG has noted the next date. Parcha Peshi given to counsel for the petitioner.</p> <p>By order of the Chairman  REGISTRAR</p>

BEFORE THE KHYBER PAKHTUNKHWA SERVICE TRIBUNAL
PESHAWAR

Implementation Petition No. 1147 /2024
In

Appeal No. 1814/2022

BUSHRA PARVEZ

VS

HEALTH DEPTT:

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PETITIONER/APPLICANT

THROUGH:


MIR ZAMAN SAFI
ADVOCATE

MOBILE NO.0333-9991564
0317-9743003

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BEFORE THE KHYBER PAKHTUNKHWA SERVICE TRIBUNAL
PESHAWAR

Implementation Petition No. 1147 /2024
In

Appeal No. 1814/2022

Mst. Bushra Parvez, LHV (BPS-12),
BHU Kotki Larsadin, District Bajaur.

.....APPELLANT

VERSUS

- 1- The Director- General Health Services Department, Khyber Pakhtunkhwa, Peshawar.
- 2- The District Health Officer, District Bajaur.
- 3- The District Accounts Officer, District Bajaur.

.....RESPONDENTS

IMPLEMENTATION PETITION FOR DIRECTING
THE RESPONDENTS TO OBEY THE JUDGMENT
OF THIS AUGUST TRIBUNAL DATED 04.07.2024 IN
LETTER AND SPIRIT

R/SHEWETH:

- 1- That the petitioner filed Service appeal bearing No. 1814/2022 before this august Service Tribunal for the release of salaries.
- 2- That appeal of the petitioner was finally heard by this august Tribunal on 04.07.2024 and was decided in favor of the petitioner vide judgment dated 04.07.2024 with the directions to the respondents No.1 & 2 that *"To conduct inquiry regarding the issue of salaries/appointment. Where-after, appropriate speaking order shall be passed within 60 days of the receipt of this order. The issue of back benefits shall be subject to the outcome of inquiry"*. Copy of the judgment is attached as annexure.....A.
- 3- That after obtaining attested copy of the judgment dated 04.07.2024 the petitioner submitted the same before the respondents for implementation and as such the respondent No.1 conducted inquiry in the matter vide order dated 24.07.2024 but till date no order with regard to the release of salaries has been passed by the authority concerned. Copies of the application and order are attached as annexure.....B & C.
- 4- That the petitioner has no other remedy but to file this implementation petition.

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It is, therefore, most humbly prayed that on acceptance of this implementation petition the respondents may very kindly be directed to implement the judgment of this august Tribunal dated 04.07.2024 in letter and spirit. Any other remedy which this august Tribunal deems fit that may also be awarded in favor of the petitioner.

Dated: 08.10.2024.

PETITIONER



BUSHRA PARVEZ

THROUGH:



MIR ZAMAN SAFI
ADVOCATE

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BEFORE THE KHYBER PAKHTUNKHWA SERVICE TRIBUNAL
PESHAWAR

Implementation Petition No. _____/2024
In

Appeal No. 1814/2022

BUSHRA PARVEZ

VS

HEALTH DEPTT:

AFFIDAVIT

I **Mir Zaman-Safi, Advocate** on behalf of the petitioner, do hereby solemnly affirm that the contents of this **implementation petition** are true and correct to the best of my knowledge and belief and nothing has been concealed from this Honorable Tribunal.



Mir Zaman Safi
MIR ZAMAN SAFI
ADVOCATE

"A"

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Service Appeal No. 1814/2022 titled "Mst. Bushra Parviz Vs. Government of Khyber Pakhtunkhwa"

ORDERS

4th July, 2024

Kalim Arshad Khan, Chairman: Learned counsel for the appellant present. Mr. Asif Masood Ali Shah, Deputy District Attorney present.



2. Appellant's case in brief is that she was appointed as Lady Health Visitor vide order dated 28.05.2015 and was regularly receiving her salaries till May, 2022 but after that, her salary was stopped. Feeling aggrieved, she filed departmental appeal for release of her salaries, but the same was not responded, hence, the instant service appeal

3. Arguments heard. Record perused.

4. Perusal of record reveals that the office of the Accountant General Khyber Pakhtunkhwa, vide letter No. Admn-II/Dis/A.G Office/2020-21/08 dated 16.02.2021 addressed to the Director General Health Services Khyber Pakhtunkhwa, Peshawar, wrote for verification of employees in order to inquire regarding their appointments, wherein, the appellant's name was also included. But the office of Director General Health Services Khyber Pakhtunkhwa, Peshawar failed to submit reply in this regard. Besides, the District Accounts Officers, Bannu had also intimated the matter to the respondent department for conducting inquiry into the matter.

ATTESTED

ATTESTED

5. Furthermore, there is no reply on behalf of the authorities of the appellant because they were not before the Tribunal. Their

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conduct shows that they are least interested in pursuance of this case, however, in order to reach proper conclusion of the matter, we deem it appropriate that, as requested by the District Accounts Officer, Bajaur, an inquiry by the department was necessary, therefore, while disposing of this appeal, we direct respondents No.1 & 2 to conduct inquiry regarding the issue of salaries/appointment. Where-after, appropriate speaking order shall be passed within 60 days of the receipt of this order. The issue of back benefits shall be subject to the outcome of inquiry. Costs shall follow the event. Consign.

6 Pronounced in open Court at Peshawar under our hands and seal of the Tribunal on this 4th day of July, 2024.


(Rashida Bano)
Member (J)


(Kalim Arshad Khan)
Chairman

* POWERED SAID *


12/7/24

Date of Presentation of ... 12-7-24
Number of ... 2-P
Copies ... 10/-
... 5/15/24
...
Date of ... 12-7-24
Date of Delivery of Cop. ... 12-7-24

ATTESTED 

"C"

-7-



**DIRECTORATE GENERAL HEALTH SERVICES
KHYBER PAKHTUNKHWA, PESHAWAR**

Phone: (091-9210263) Website: <http://www.dghe.kp.gov.pk> Email: dghe@kpk2014@gmail.com

OFFICE ORDER:

The Competent Authority (Director General Health Services, Khyber Pakhtunkhwa) is pleased to order a fact-finding Inquiry Committee into the complaint submitted by Bushra Pervez, Lady Health Visitor, BHU Kotkai Larsadin, District Bajaur regarding implementation of service appeal no. 1814/2022 titled "Mst Pervaiz vs Government of Khyber Pakhtunkhwa" (Copy of Complaint and service tribunal order is enclosed).

The following Officers are hereby nominated as Inquiry Officers to probe into the matter and submit report to this Directorate within 15 days positively:

- i. Dr. Hayat, Medical Superintendent, DHQ Ghallanai, Mohmand Khyber Pakhtunkhwa
- ii. Mr. Muhammad Qasim, Deputy Director (Admin), DGHS, Khyber Pakhtunkhwa

-----SD-----
Director General Health Services,
Khyber Pakhtunkhwa

No. 3626-27 / Office Order/Admin/cc Dated: 24/07/24

Copy for information to:

1. Addl. Director General (HRM), DGHS, Khyber Pakhtunkhwa
2. PA to Director General Health Services, Khyber Pakhtunkhwa

ATTESTED

[Signature]
Addl. Director General (Administration)
DGHS, Khyber Pakhtunkhwa

[Signature]

[Handwritten mark]

WAKALAT NAMA

BEFORE THE KHYBER PAKHTUNKHWA SERVICE
TRIBUNAL, PESHAWAR

_____ OF 2023

Bushra Parvez

(APPELLANT)
(PLAINTIFF)
(PETITIONER)

VERSUS

Health Deptt.

(RESPONDENT)
(DEFENDANT)

I/We Bushra Parvez

Do hereby appoint and constitute **MIR ZAMAN SAFI, Advocate, High Court, Peshawar** to appear, plead, act, compromise, withdraw or refer to arbitration for me/us as my/our Counsel/Advocate in the above noted matter, without any liability for his default and with the authority to engage/appoint any other Advocate Counsel on my/our cost. I/we authorize the said Advocate to deposit, withdraw and receive on my/our behalf all sums and amounts payable or deposited on my/our account in the above noted matter.

Dated. ____ / ____ /2023

B R
CLIENT

Mir Zaman Safi
ACCEPTED
MIR ZAMAN SAFI
ADVOCATES

OFFICE:

Room No.6-E, 5th Floor,
Rahim Medical Centre, G.T Road,
Hashtnagri, Peshawar.
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