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

CM NO: _____/2024
IN
APPEAL NO.1680/2024

Khyber Pakhtunkhwa
Service Tribunal

Diary No. 16722

Dated 15-10-24

Qaiser Iqbal S/O Fazli Qadar,
Supervisor , Registered Nursing Officer (BPS-16), ,
DHQ Teaching Hospital, Mardan.

APPELLANT.

VERSUS

1. The Secretary, Health Deptt., Government of Khyber Pakhtunkhwa, Civil Secretariat, Peshawar.
2. The Director General Health Services, Khyber Pakhtunkhwa, Peshawar.
3. The Medical Superintendent, DHQ Teaching Hospital Mardan.

RESPONDENTS

**APPLICATION FOR RELEASE OF SALARY OF
APPELLANT W.E.FROM FROM THE DATE SALARY WAS
STOPPED.**

RESPECTFULLY SHEWETH:

1. That the appellant has filed the instant appeal alongwith with suspension application against the order dated 13.06.2024 and against the ~~relieving~~ order dated 22/06/2024.
2. That the instant appeal was fixed in Preliminary hearing on 03.10.2024 and Honorable Tribunal was kind enough to admit the appeal for regular hearing and impugned orders were suspended. Copy of order sheet dated 03.10.2024 is attached as Annexure -A.
3. That on 13/06/2024 the appellant was transferred on direction of ~~M.A.~~ PK-58 from DHQ Mardan to Saidu Group of teaching, Swat without showing any reason in violation of Public interest and in pursuance of the same the appellant was relieved vie order dated 22/06/2024 and forceful the salary of the appellant

was stopped but till date the appellant not acted upon the impugned order.

- 4. That the appellant didn't relieve his charge and performing his duties at Mardan till suspension order and onward. The appellant performing his duty regularly but stoppage of salary without any reason and justification amount to force labour which is violation of Article-13 of constitution of Pakistan as well as section 17 of Civil Servant Act, 1973.
- 5. That due to stoppage of salary the financial position of the appellant unbearable.

It is therefore, most humbly prayed, that the acceptance of this application the respondent may be directed to release the salary of the appellant. Any other remedy which this august tribunal deems fit and appropriate that may also be awarded in favour of appellant.


APPELLANT
 Qaiser Iqbal


Through:


(SYED NOMAN ALI BUKHARI)
ADVOCATE HIGH COURT,

AFFIDAVIT

It is affirmed and declared that the contents of application are true and correct to the best of my knowledge and belief.


DEPONENT


 1040-24

A (3)

FORM OF ORDER SHEET

Court of _____

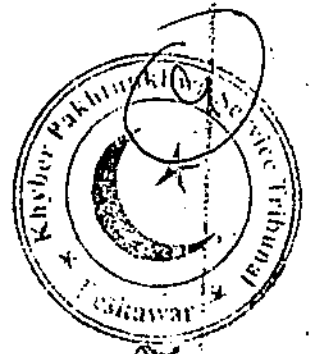
Appeal No. 1680/2024

S.No.	Date of order proceedings	Order or other proceedings with signature of judge
1-	30 /09/2024	<p>The appeal of Mr. Qaiser Iqbal presented today by Syed Noman Ali Bukhari Advocate. It is fixed for preliminary hearing before Single Bench at Peshawar on 03.10.2024. Parcha Peshi given to counsel for the appellant.</p> <p>By order of the Chairman</p> <p><i>[Signature]</i> REGISTRAR</p>

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03.10.2024 1. Appellant alongwith his counsel present. Preliminary Arguments heard.

2. Points raised need consideration. The appeal is admitted for regular hearing subject to all just and legal objections by the other side. The appellant is directed to deposit security fees within 07 days.

03.10.2024 Respondents be summoned through TCS, the expenses of which be deposited by the appellant. Thereafter notice be issued to the respondents for submission of reply/comments. To come up for reply/comments on 15.10.2024 before S.B. P.P given to learned counsel for the appellant.

3. Alongwith the service appeal there is an application for suspension of operation of order dated 13.06.2024 & 22.06.2024 till the disposal of main appeal. Notice of the said application be issued to the respondents for the date fixed. In the meanwhile, the operation of impugned orders are suspended till the next date if not already acted upon.

ATTESTED

EXAMINER
Khyber Pakhtunkhwa
Service Tribunal
Peshawar

03-10-2024

(Muhammad Akbar Khan)
Member (E)

Date of Presentation of Application 03-10-2024
Number of Pages 1-2
Copies 5/-
Utgest 10/-
Total -
Name of Applicant -
Date of Receipt 03-10-2024
03-10-2024