


Form- A

FORM OF ORDER SHEET

Court of _____

Implementation Petition No. 1263/2024

S.No.	Date of order proceedings	Order or other proceedings with signature of judge
1	2	3
1	23.10.2024	<p>The implementation petition of Dr. Shaukat Ali submitted today by Mr. Babar Yousafzai Advocate. It is fixed for implementation report before Single Bench at Peshawar on 24 .10.2024. Original file be requisitioned. AAG has noted the next date. Parcha Peshi given to counsel for the petitioner.</p> <p style="text-align: right;">By order of the Chairman  REGISTRAR</p>

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

CM No. _____/2024
In Service Appeal No.1763 of 2024

Dr. Shaukat Ali. **APPELLANT**

VERSUS

Govt. of KPK & another.. **RESPONDENTS**

I N D E X

S.No	Description of Documents	Annex	Page
1.	Application		1-2
2.	Copy of order dated: 21.10.2024	A	3
3.	Copy of other relevant documents		4-5

Appellant
Through



BABAR KHAN YOUSAFZAI
Advocate Supreme Court.
Cell: 0321-9040499

Dated: 23.10.2024

BEFORE THE KHYBER PAKHTUNKHWA SERVICE TRIBUNAL,
PESHAWAR

C M No. _____/2024

In

Service Appeal No. 1763 of 2024

Dr. Shaukat Ali S/o Gul Nawaz Khan,
Officers of Health Service Management Cadre (BPS-20)
Government of Khyber Pakhtunkhwa,
Warsak Road, Peshawar.....**APPELLANT**

V E R S U S

1. Government of Khyber Pakhtunkhwa,
through Chief Secretary, Civil Secretariat,
Peshawar.
2. The Secretary Health,
Government of Khyber Pakhtunkhwa,
Civil Secretariat, Peshawar.....**RESPONDENTS**

APPLICATION FOR IMPLEMENTATION OF THE
ORDER AND JUDGMENT DATED 21.10.2024
PASSED BY THIS HONOURABLE TRIBUNAL.

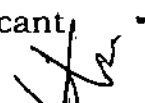
Respectfully Sheweth: -

- 1) That the applicant submitted an Appeal before this Hon'ble Tribunal against the impugned order dated 16.05.2024 whereby he was transferred from the post of Director General Health. Khyber Pakhtunkhwa.
- 2) That during the course of proceedings the case was initially taken up for hearing on 9th of October 2024 whereby comments were called from the respondents and the date was adjourned to 14th.oct.2024.
- 3) That the respondents did not comply with the order of this Hon'ble Tribunal by submitting a para-wise comments at a subsequent date for 21-oct.2024 was given for the due submission of para wise comments against the illegal and premature transfer of the applicants.

- 4) That during the course of proceeding on 21-oct-2024, the operation of the impugned order dated 16-5-2024 was suspended and the applicant was restored to his original position i.e. Director General of Health, KPK (copy of order attached as annexure "A").
- 5) That on the following day i.e. 22-10-2024, the applicant reassumed the charge whereby the competent authority area showing restrains from issuing a proper notification by implementing the decision of this Hon 'able Tribunal.
- 6) That it pertinent to mention here that the conducts of the respondents are intentional and deliberate by not implementing the order 21.10.2024 passed by this honourable Tribunal just to deprive the appellant in the due process for the welfare of the locality.
- 7) That the petitioner seeks leave of this august Court to agitate/raise other grounds/documents at the time of hearing not specifically taken in the instant Petition.

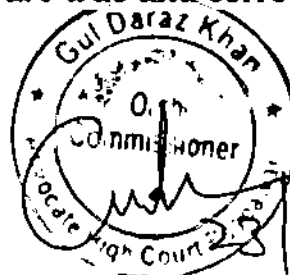
It is, therefore, most humbly prayed that on acceptance of this application, the respondents may kindly be directed to implement the order dated 21.10.2024 of this Honourable Tribunal for the ends of justice.

Any other relief, with this Honourable Tribunal deemed just and proper may also be granted to the appellant/applicant not specifically prayed for herein.

Through Applicant

BABAR KHAN YOUSAFZAI
 Advocate Supreme Court.

AFFIDAVIT:

I, Babar Khan Yousafzai Counsel for appellant, as per instructions of my client, do hereby solemnly affirm and declare on Oath that the contents of the accompanying **Application** are true and correct.




DEPONENT

ANX A

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21.10.2024 1. Appellant along with counsel present. Mr. Arshad Azam, Assistant Advocate General along with Yousaf Jamal, Focal Person for the respondents present.

2. Written reply not submitted. Representative of respondents seeks time for submission of written reply. Opportunity granted. To come up for written reply/comments on 05.11.2024 before S.B. P.P given to the parties.

3. Learned counsel for the appellant submitted an application for suspension of operation of the impugned order dated 16.05.2024. Notice of the application be issued to the respondents. In the meanwhile, operation of impugned order shall remain suspended, if not acted upon earlier.

ATTESTED

EXAMINER
Khyber Pakhtunkhwa
Service Tribunal
Peshawar


(Rashida Bano)
Member (J)

Kaleemullah

Khyber Pakhtunkhwa Service Tribunal, Peshawar	
Application No. <u>261</u>	Date <u>22-10-24</u>
Name of Applicant <u>Fazl-Manan</u>	
Number of Voids <u>1-0</u>	
Copying Fee <u>5/-</u>	
Urgent/Ordinary <u>5/-</u>	
Total <u>10/-</u>	
Name & Sign of Clerk <u>Reeshu</u>	
Date of Completion <u>22-10-24</u>	
Date of Delivery of Copy <u>22-10-24</u>	

(4)

To

The Secretary Health,
Khyber Pakhtunkhwa, Civil Secretariat,
Peshawar.


Subject: Re-Assumption Of Charge After Order Dated
21/10/2014 By The Worthy KP Services Tribunals,
Peshawar.

Respectfully sir,

With due respect it is stated that, on 16/5/2024 the undersigned was transferred from the post of Director General Health Services Khyber Pakhtunkhwa and subsequently the said Transfer order was agitated before different legal forums. Now, finally the same was challenged before the Khyber Pakhtunkhwa Services Tribunals and the Honorable Tribunal via order dated 21/10/2024 the said Transfer order i.e.16/05/2024 has been suspended. During the course of proceedings I had never relinquished my charge as Director General Health Services, hence, on complying the same, I may be treated to resume my work as Director General Health Services, Government of Khyber Pakhtunkhwa. (Copy of Order dated 21:10.2024 is Attached).

Thanking you

Attested
Khu


Dr. Shaukat Ali 22.10
Cell:-03336888884

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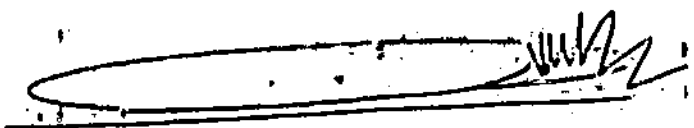
CERTIFICATE OF TRANSFER OF CHARGE

01 Certified that I/we have on the forenoon /afternoon of this day respectively made over and relayed /assumed charge of this office of the Director General Health Services Khyber Pakhtunkhwa in pursuance of Judgment/decision/order of Provincial Services Tribunal dated 21.10.2024.

02 Particulars of cash and important secret and confidential documents handed over are noted on the reverse :

Signature of relieved
Government Servant :
Designation :

Signature of receiving
Government Servant :
Designation :


Dr. Shaukat Ali
D.G Health Services Khyber Pakhtunkhwa

Station : Peshawar
Dated : 22.10.2024

Forwarded

N.W.F.P. Acct. Try. No. 42.

OFFICE OF THE DG HEALTH SERVICES KHYBER PAKHTUNKHWA PESHAWAR

No. 1117-20 /E-I

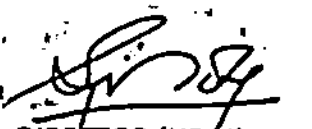
Dated 22/10/2024

Copy of the above is forwarded to the:

- 1. Accountant General Khyber Pakhtunkhwa Peshawar.
- 2. Deputy Director (Accounts) DGHS, Khyber Pakhtunkhwa.
- 3. PS to Secretary Health Khyber Pakhtunkhwa Peshawar.
- 4. Officer concerned.

For information and necessary action,

ADG (Admin)


DIRECTOR (HRM)
DGHS, KP PESHAWAR

22/10/24

Attested
