

BEFORE THE HONORABLE KHYBER PAKHTUNKHWA SERVICE
TRIBUNAL PESHAWAR.

APPLICATION NO. -----/2024 IN SERVICE APPEAL NO. 1763-P/2024

INDEX

S.No.	Description of documents	Annexure	Page
01	Petition		1-2
02	Affidavit		3
03	Charge assumption report	A	04
04	Receipt /Comments	B	5-9
05	order dated 21.10.2024	C	10



DEPONENT

DR MUHAMMAD SALEEM

DIRECTOR GENERAL HEALTH SERVICES

KHYBER PAKHTUNKHWA

BEFORE THE HONORABLE KHYBER PAKHTUNKHWA SERVICE
TRIBUNAL PESHAWAR.

APPLICATION NO. -----/2024 IN SERVICE APPEAL NO. 1763-P/2024

Dr. Muhammad Saleem (BS-20) Management Cadre Director General Health
Services Khyber Pakhtunkhwa petitioner / respondent No. 4

Versus

Khyber Pakhtunkhwa

17015

22-10-24

- i) Dr. Shoukat Ali Management Cadre (BS-20) under report to DGHS, KP
ii) Govt. of Khyber Pakhtunkhwa..... Respondents

SERVICE APPEAL

PETITION UNDER RULE, 27 OF THE KHYBER PAKHTUNKHWA SERVICE
TRIBUNAL RULES, 1974 FOR VACATION OF THE SUSPENSION ORDER DATED
21.10.2024 ON BEHALF OF THE PETITIONER / RESPONDENT NO. 04


RESPECTFULLY SHEWETH:

THE PETITIONER/RESPONDENT NO. 04 SUBMITS AS UNDER:-

- i) That the above titled appeal is filed by the respondent No. 01/appellant against the transfer notification dated 16.05.2024 which is pending for adjudication before this Hon'ble Tribunal which is fixed for 05.11.2024.
- ii) That the respondent No. 01/appellant was suspended vide notification 26.04.2024 on certain allegation and thereafter the petitioner /respondent No. 04 was transferred and posted as DGHS vide notification dated 16.05.2024 wherein the respondent No. 01 /appellant was directed to report to DGHS.
- iii) That the petitioner/respondent No. 04 in compliance of the notification dated 16.05.2024 assumed the charge of DGHS on 17.05.2024 and thereafter started performing of his duties with full devotion to the entire satisfaction of the department (Annex-A).
- iv) That the above titled appeal was fixed before the Hon'ble Tribunal for comments of the respondents which was submitted by the representative of the Department on the same day while receipt No. 16959 thereafter the case was adjourned to 05.11.2024 copy of the comments alongwith receipt is (Annex-B).

- v) That thereafter at about 02: PM the case was again heard ex-partly and the Hon'ble Tribunal suspended the operation of the impugned notification dated 16.05.2024 with the condition that if the same has not been acted upon. **(Copy of the order dated 21.10.2024 Annex-C)**
- vi) That without going to the condition of the Tribunal order dated 21.10.2024 by miss-interpreting the same the respondent No. 01 /appellant in the absence of the petitioner /respondent No. 04 forcefully occupied the chair of DGHS with an illegal assuming of charge report in utter violation of the above mention court order.
- vii) That the petitioner/respondent No. 04 relies on the comments submitted by the official respondent however, the respondent No. 01/appellant fraudulently misguided the Hon'ble Tribunal and got the order dated 21.10.2024.

In view of the above, it is requested that the suspension order dated 21.10.2024 may be vacated in the interest of justice and the case may be fixed on an early date for adjudication.


Dr. Muhammad Saleem DGHS Khyber
Pakhtunkhwa (petitioner / respondent No.
04)

BEFORE THE HONORABLE KHYBER PAKHTUNKHWA SERVICE
TRIBUNAL PESHAWAR.

APPLICATION NO. -----/2024 IN SERVICE APPEAL NO. 1763-P/2024

Dr. Muhammad Saleem (BS-20) Management Cadre Director General Health
Services Khyber Pakhtunkhwa petitioner / respondent No. 4

Versus

- i) Dr. Shoukat Ali Management Cadre (BS-20) under report to DGHS, KP
- ii) Govt. of Khyber Pakhtunkhwa..... Respondents

Affidavit

I Dr. Muhammad Saleem, Director General Health Services, Khyber Pakhtunkhwa Health Department is hereby, solemnly affirmed on oath that the contents of the petition are true and correct to the best of my knowledge ad belief as per information provided and nothing has been concealed from this Hon'ble Court. It is further stated on oath that in this appeal, the answering respondent neither has been pleased ex-parte nor their defense has been struck off/cost.

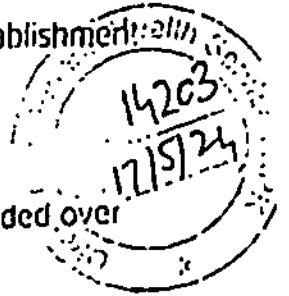

DEPONENT

DR MUHAMMAD SALEEM
DIRECTOR GENERAL HEALTH SERVICES
KHYBER PAKHTUNKHWA



CERTIFICATE OF TRANSFER OF CHARGE

1. Certified that I / We have on the forenoon / afternoon of this day respectively made over and relieved / assumed charged of this office of the DIRECTOR GENERAL HEALTH SERVICES (BS-20) / DIRECTORATE GENERAL HEALTH SERVICES, KHYBER PAKTUNKHWA, PESHAWAR vide Government of Khyber Pakhtunkhwa Establishment Department Notification No. SO(E-1)/E&AD/9-133/2024 dated 16.05.2024.




2. Particular 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. Muhammad Saleem
Director General Health Services
Khyber Pakhtunkhwa, Peshawar


Station: Peshawar
Dated: 17.05.2024

OFFICE OF THE DG HEALTH SERVICES KHYBER PAKHTUNKHWA PESHAWAR
No. 5957-59/E.1 Dated 20/5/2024

Copy of the above is forwarded to the:

1. A.G Khyber Pakhtunkhwa Peshawar.
2. Deputy Director (Account) DGHS, Office Peshawar.
3. Officer Concerned.

For information and necessary action.


DIRECTOR (HRM)
DGHS, KP PESHAWAR

17/05/24

Attest
