

BEFORE THE HONORABLE KHYBER PAKHTUNKHWA SERVICE

TRIBUNAL PESHAWAR

SERVICE APPEAL NO. 87 OF 2024

Mr. Maroof, Ex-PHC MP Technician (BPS-12), District Health Officer,
District Abbottabad..... **Appellant**

Versus

1. Secretary Health Govt. of Khyber Pakhtunkhwa Peshawar
2. Director General Health Services Khyber Pakhtunkhwa Peshawar
3. District Health Officer, District Abbottabad **Respondents**

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Received Reply upon payment of cost of
RS, 5000/-
25/9/24.

Deponent



(Dr. Muhammad Saleem)
Director General Health Services
Khyber Pakhtunkhwa

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TRIBUNAL PESHAWAR**

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1. Secretary Health Govt. of Khyber Pakhtunkhwa Peshawar
2. Director General Health Services Khyber Pakhtunkhwa Peshawar
3. District Health Officer, District Abbottabad **Respondents**

**APPLICATION FOR REMISSION OF COST IMPOSED ON
23/09/2024**

Respectfully Sheweth,

1. That the above cite case is pending in the Honorable Tribunal and is fixed for hearing on 25/10/2024.
2. That the applicants received the summon alongwith Service Appeal for submission of reply on 11/03/2024.
3. That the absence of the representative of the applicants was not intentional or will-full but due to busy in some others routine cases in the Honorable Tribunal.
4. That no prejudice will be cost to the respondent if orders dated 23/09/2024 set aside, rather, it would offer an opportunity for the applicants to put forth their side of facts before this Honorable Tribunal. So that this Honorable Tribunal may reach at the just and proper decision of the case.

Due non-availability of the specific head of account to pay of the cost of Rs: 10,000/- It is therefore humbly prayed that remit the penalty imposed on 23/09/2024 may kindly be set aside in the interest of justice, and applicants please be allowed to file / submit parawise comments.

(Applicant through)



(Dr. Muhammad Saleem)
Director General Health Services
Khyber Pakhtunkhwa

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SERVICE APPEAL NO. 87 OF 2024

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1. Secretary Health Govt. of Khyber Pakhtunkhwa Peshawar
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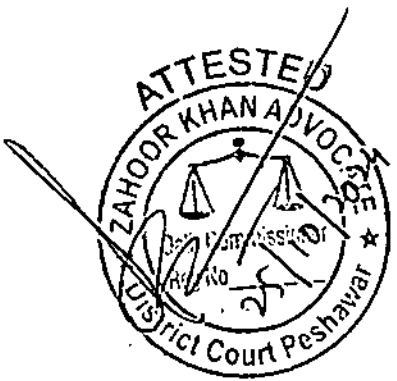
Affidavit

I, Dr. Muhammad Saleem, Director General Health Services, Khyber Pakhtunkhwa, Peshawar, do hereby solemnly affirm that the contents of the Application is true and correct to the best of my knowledge and belief and nothing has been concealed from this Honorable Tribunal.

Deponent



(Dr. Muhammad Saleem)
Director General Health Services
Khyber Pakhtunkhwa



Attested By

BEFORE THE KHYBER PAKHTUNKHWA SERVICE TRIBUNAL,
PESHAWAR

APPEAL NO. 87 /2023

Khyber Pakhtunkhwa
Service Tribunal
Diary No. 9873
Dated 13-12-2023

Mr. Maroof, Ex-PHC MP Technician (BPS-12),
District Health Officer, District Abbottabad.....APPELLANT

VERSUS

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

.....RESPONDENTS

APPEAL UNDER SECTION-4 OF THE KHYBER PAKHTUNKHWA SERVICE TRIBUNAL ACT, 1974 FOR THE GRANT OF PROFORMA PROMOTION TO THE POST OF SENIOR PHC MP TECHNICIAN (BPS-14) AND SUBSEQUENT PROMOTION TO THE POST OF HEALTH TECHNOLOGIST (BPS-16) WITH EFFECT FROM THE DATE WHEN COLLEAGUES AND JUNIOR COLLEAGUES OF THE APPELLANT HAVE BEEN PROMOTED WITH ALL CONSEQUENTIAL BENEFITS INCLUDING FIXATION OF SENIORITY IN ALL THE CADRES AGAINST THE CORRECT SENIORITY POSITION

PRAYER:

That on acceptance of this appeal the appellant may very kindly be granted/awarded pro-forma promotion to the post of Senior PHC Technician MP (BPS-14) and Health Technologist (BPS-16) with all consequential benefits including Seniority against the correct seniority position. Any other relief which this august Tribunal deems fit that may also be awarded in favor of the appellant.

R/SHEWETH:

ON FACTS:

Brief facts giving rise to the present appeal are as under:-

- 1- That the appellant was initially appointed against the post of Malaria Supervisor vide order date 04.04.1983 and later on was posted as Junior PHC Technician. That the appellant has served the department from the date of initial appointment till retirement on superannuation basis quite efficiently and upto the entire satisfaction of his superiors. Copies of the appointment order and service book are attached as annexure
..... A & B.

Marsof S. ANO: 87/2024

09.09.2024

1. Learned counsel for the petitioner present. Mr. Arshad Azam, Assistant Advocate General alongwith Mr. Safiullah, Focal Person for respondent No. 1 and Mr. Sajjad Ali Wasi, Assistant for the respondents present.

2. Cost of Rs. 5000/- as well as reply/comments have not been submitted so far. Representative of the respondents requested for further time to submit reply/comments as well as costs of Rs. 5000/-. Last opportunity is further granted subject to enhancement of cost of Rs. 5000/- to be paid by the respondents. To come up for reply/comments as well as preliminary hearing and total costs of Rs. 10000/- on 23.09.2024 before S.B. P.P given to the parties.

(Muhammad Akbar Khan)
Member (E)

23.09.2024

Kawanslah

1. Learned counsel for the appellant present. Mr. Naseer-ud-Din Shah, Assistant Advocate General alongwith Mr. Safiullah, Focal person for the respondents present.

2. Costs of Rs. 10000/- as well as reply/comments on behalf of respondents not submitted. Representative of the respondents requested for further time to submit reply/comments as well as costs of Rs. 10000/- on the next date. Granted with direction to the respondents to submit reply/comments as well as costs of Rs. 10000/- on the next date positively, failing which their right for submission of reply/comments shall be deemed as struck off. To come up for reply/comments as well as preliminary hearing on 25.10.2024 before D.B. P.P given to the parties.

(Muhammad Akbar Khan)
Member (E)



**DIRECTORATE GENERAL HEALTH SERVICES
KHYBER PAKHTUNKHWA PESHAWAR**

*All communications should be addressed to the Director General Health Services
Peshawar and not to any official by name
Office # 091-9210269 Fax # 091-9210230*

AUTHORITY LETTER

Muhammad Yousaf Jamal Focal Person Litigation Section Directorate General Health Services Khyber Pakhtunkhwa is hereby authorized to attend/defend the court cases and file Parawise Comments / Reply on behalf of the undersigned before the Honorable Khyber Pakhtunkhwa Service Tribunal and its Camp Courts.

**Director General Health Services
Khyber Pakhtunkhwa, Peshawar**