

BEFORE THE KP SERVICE TRIBUNAL, PESHAWAR.

CM (IMPLEADMENT) NO _____/2024
IN
APPEAL NO. 1488/2024

Ameer Said

Vs

Education Deptt


INDEX

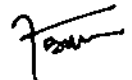
S.No.	Documents	Annexure	Page No.
1.	Memo of Application	----	01-04
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APPLICANTS

Muhammad Zahir etc.

THROUGH:-


(M. ASIF YOUSAFZAI)
ADVOCATE SUPREME COURT
OF PAKISTAN.


(S. NOMAN ALI BUKHARI)
ADVOCATE HIGH COURT
OF PESHAWAR.

& 
(HILAL ZUBAIR YOUSAFZAI)
ADVOCATE PESHAWAR.

Room No.FR-08, 4th Floor,
Bilour Plaza Peshawar Cantt:
Cell # 0312-9103240

BEFORE THE KP SERVICE TRIBUNAL, PESHAWAR.

CM (IMPLEADMENT) NO _____/2024

IN

APPEAL NO. 1488/2024

K: _____
Tribunal

Diary No. 17996

20/11/24

Mr. Ameer Said, PHC Technician (MP) BS-12
DHO Mardan.

(APPELLANT)

VERSUS

1. The Secretary to Govt. of Khyber Pakhtunkhwa Health Department, Peshawar.
2. Director General Health Services, Govt. of Khyber Pakhtunkhwa, Peshawar.

(RESPONDENTS)

.....
**APPLICATION ON BEHALF OF BELOW
MENTIONED APPLICANTS FOR IMPLEADING
AS RESPONDENTS IN THE INSTANT CASE.**

.....

RESPECTFULLY SHEWETH:

1. That the above titled appeal is pending before this august Tribunal and is fixed for 20.11.2024.
2. That the appellant has challenged the promotion to BS-17 of the MPH degree holder to BS-17 and also stayed the promotion process of the applicants but without arraying them as respondents.
3. That valuable rights of the applicants are involved in the instant case and in case any adverse decision, the rights of the applicants will certainly be affected.
4. That in the situation mentioned in above Para, such adverse decision will amounts to condemnation unheard despite fundamental right of applicants to defend their right as per law and rules.

5. That the applicants are necessary party but due to malafide reasons they have not arrayed as respondents to avoid actual position before the Honorable Tribunal.
6. The names and addresses of the applicants are as under:-
 1. Haleem Said S/o Gul Said MP Technician
O/o DHO Mardan.
 2. M. Asad S/o Fateh Rahman (MP) Technician,
O/o DHO Malakand.
 3. Shahid Ali S/o Muhammad Nisar (MP) Technician,
DHO Swabi.
 4. Niaz Badshah S/o Chand Badshah (MP) Technician,
O/o DHO Mardan.
 5. Bashir Ahmad S/o M. Fayaz (MP) Technician,
O/o DHO Swat.
 6. M. Junaid S/o M. Rafiq (MP) Technician,
O/o DHO Swabi.
 7. M. Saeed S/o Fazal Manan (MP) Technician,
O/o DHO Swat.
 8. Ayaz Khan S/o Shah Wazir (MP) Technician,
O/o DHO Swat.
 9. Aziz Ur Rahman S/o Akhtar Munir (MP) Technician
O/o DHO Charsadda.
 10. Bibi Shahzia D/o M. Miskeen (MP) Technician,
O/o DHO Mohmand.
 11. Amjad Khan S/o Shams Ur Rehman (MP)
Technician O/o DHO Mohmand.
 12. M. Javed S/o Fazal Rabbani (MP) Technician
O/o DHO Charsadda.
 13. Said Zarin Shah S/o Said Ishaq (MP) Technician,
O/o DHO Buner.
 14. Bacha Zada S/o Hamzallah (MP) Technician,
O/o DHO Peshawar.
 15. Fazal Khalique S/o Fazal Ata (MP) Technician,

- O/o DHO Torghar.
16. Daulat Khan S/o Jalandar Khan (MP) Technician,
O/o DHO Malakand.
 17. Nasir Ali S/o Akhtar Munir (MP) Technician,
O/o DHO Swabi.
 18. Nazeef Khan S/o Anwar Khan (MP) Technician,
O/o SGSM Hospital Peshawar
 19. Fazli Hakim S/o Abdul Qadim (MP) Technician,
O/o DHO Swabi.
 20. Iftikhar Ahmad S/o Mir Muhammad (MP)
Technician O/o DHO Swabi.
 21. Sher Rasool Khan S/o Abdul Tawab Khan (MP)
Technician O/o DHO Buner.
 22. Muhammad Zahir S/o Rahmud Din (MP)
Technician O/o DHO Peshawar.
 23. Mujahid Ali S/o Mehboob Ali (MP) Technician,
O/o DHO Kurram.
 24. Sabir Hussain S/o Painda Khan (MP) Technician,
O/o DHO Malakand.
 25. Shahid Ali S/o Farid Khan (MP) Technician,
O/o DHO Mardan.
 26. M. Nafeeq S/o Muhammad Saleh (MP) Technician,
O/o DHO Charsadda.
 27. Shahwayz Khan S/o M. Saleh (MP) Technician
O/o DHO Haripur.
 28. M. Iqbal S/o Sadbar (MP) Technician,
O/o DHO Mardan.
 29. Riaz Khan S/o Gul Zada (MP) Technician,
DHO Mardan.
 30. Zahir Ul Islam S/o M. Islam (MP) Technician,
O/o DHO Peshawar.
 31. Abdul Wadood S/o Fazal Ghani (MP) Technician,
O/o DHO Buner.

32. Abdul Majeed Khan S/o Yousaf Khan (MP)
Technician O/o DHO Bajaur.

33. Latif Ur Rahman S/o Umer Dad (MP) Technician,
O/o DHO Shangla.

34. Mustafa Kamal S/o M. Zahid (MP) Technician,
O/o DHO Mardan.

35. Imran Khan (MP) Technician,
O/o DHO Mardan.


7. That since the interim relief/stay order is damaging the promotion rights of the applicants, therefore, there is no legal hurdle and allow the instant application.

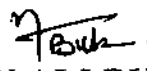
It is, therefore, most humbly prayed that the applicants may be impleaded as respondents in the instant appeal enabling them to defend their promotion rights. Any other remedy which this august Tribunal deems fit and appropriate that may also be awarded in the favour of the applicants.


APPLICANTS

Muhammad Zahir etc.

THROUGH:-


(M. ASIF YOUSAFZAI)
ADVOCATE SUPREME COURT
OF PAKISTAN.

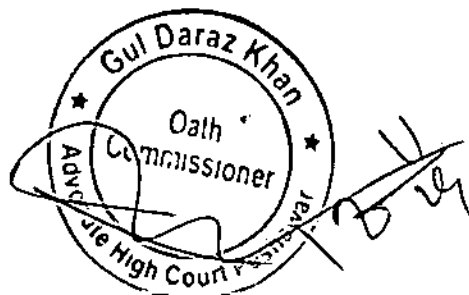

(S. NOMAN ALI BUKHARI)
ADVOCATE HIGH COURT
OF PESHAWAR.

& 
(HILAL ZUBAIR YOUSAFZAI)
ADVOCATE PESHAWAR.

AFFIDAVIT

I, Muhammad Zahir, do hereby solemnly affirm and declare that the contents of this Application are true and correct to the best of my knowledge and belief.


DEPONENT



A-1

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

Notification

6. SOH(E-I) E&AD 6-25 2021 in pursuance of section-5(1) of Khyber Pakhtunkhwa Civil Servant Act 1973 read with Rule-17 of Khyber Pakhtunkhwa Civil Servant (Appointment, Promotion & Transfer) Rules, 1989, & Services Rules vide Notification NO.SOH-III/1D/5/2014 dated 10-05-2016 & Notification No.SOH-III/8-60/2020/Paramedics/SSRC/1440-82 dated 04-11-2020.

Final Seniority List of (MPH) Degree Holders Paramedics PHC Technicians (MP)

as it stood on Aug 2023.

S. No.	Name & Father Name	Date of 1st appointment	Current Scale	Date of Passing Degree	Total/Obtained Marks & Division.	%age	Board/ University/ Institution	Present Posting	Date of Birth & Domicile	Date of Retirement
1.	Haleem Said S/O Gul Said	31.10.1992	BS-16	29.12.2008	3.5	87.5	University of Peshawar	DHO Mardan	10.02.1971 Mardan	09.02.2031
2.	Muhammad Asad S/O Fatch Rahman	05.12.2006	BS-12	02.07.2009	3.0	75	Gandhara University	DHO Malakand	10.04.1982 Malakand	09.04.2042
3.	Shahida S/O Muhammad Nisar	21.03.2009 11.08.2015	BS-12	02.03.2010	2.5	62.5	Gandhara University	DHO Swabi	12.11.1982 Swabi	11.11.2042
4.	Muz Badshah S/O Chand Badshah	29.10.1989	BS-16	27.05.2010	2.50	62.5	Abasin University	DHO Mardan	01.05.1970 Mardan	30.04.2030
5.	Bashir Ahmad S/O Muhammad Iqbal	03.03.1988	BS-16	10.10.2010	3.5	87.5	Peshawar	DHO Swat	05.08.1986 Swat	07.05.2026
6.	Muhammad Junaid S/O Muhammad Rafiq	21.03.2009	BS-12	11.12.2010	2.5	62.5	Gandhara University	DHO Swabi	29.01.1984 Swabi	28.01.2044
7.	Muhammad Saeed S/O Fozal Munan	19.02.2016	BS-12	03.04.2013	3.42	85.5	Abdul Wali Khan UNI	DHO Swat	01.02.1979 Swat	01.01.2039
8.	Ayaz Khan S/O Shah Wazir Khan	09.12.2006	BS-12	03.04.2013	3.02	80	Abdul Wali Khan UNI	DHO Swat	02.04.1982 Swat	01.04.2042
9.	Aziz UP Rahman S/O Akhtar Munir	02.05.2005 11.08.2015	BS-12	03.09.2013	2.93	73.25	Abdul Wali Khan UNI	DHO Charsadda	13.01.1986 Charsadda	12.01.2046
10.	Bibi Shahzia D/O Muhammad Mubeen	07.02.1996	BS-16	26.02.2015	3.0	77	Abasin University	DHO Mardan	04.04.1975 Mansehra	03.04.2035

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11.	Amjad Khan S/O Shams Ur Rehman	11.03.2008	BS-12	29.04.2015	2.93	73.25	Abdul Wali Khan UNI	DHO Mohmand	05.01.1983 Mohmand	04.01.2046
12.	Muhammad Javed S/O Fazal Rabani	24.08.2016	BS-12	29.04.2015	2.74	68.5	Abdul Wali Khan UNI	DHO Charsadda	11.01.1987 Charsadda	10.01.2047
13.	Said Zarin Shah S/O Said Ishaq	12.03.2009 11.08.2015	BS-12	29.04.2015	2.61	65.25	Abdul Wali Khan UNI	DHO Buner	08.04.1975 Buner	07.04.2035
14.	BachaZada S/O Hamzallah	20.08.2001	BS-16	29.04.2015	2.54	63.5	Abdul Wali Khan UNI	DHO Peshawar	01.05.1974/ Swat	30.04.2034
15.	FazalKhalique S/O Fazal Ala	22.08.2017	BS-12	08.11.2015	3.01	74.07	Sarhad University	DHO Torghar	21.06.1980 Torghar	20.06.2040
16.	Daulat Khan S/O Jalandar Khan	03.01.2017	BS-12	17.02.2016	2.50	62.5	Ahazyn University	DHO Malakand	20.03.1984 Malakand	19.03.2044
17.	Nasir Ali S/O AkhtarMunir	10.07.2012	BS-12	23.04.2016	3.01	77.5	Abdul Wali Khan UNI	DHO Swabi	05.03.1969 Swabi	04.03.2029
18.	Nazeef Khan S/O Anwar Khan	24.01.2017	BS-12	23.04.2016	2.90	72.5	Abdul Wali Khan UNI	SGSM Hospital Peshawar	25.03.1983 Peshawar	24.03.2043
19.	Fazli Hakim S/O Abdul Qadim	30.04.1986	BS-16	23.04.2016	2.79	69.75	Abdul Wali Khan UNI	DHO Swabi	02.01.1966 Swabi	01.01.2026
20.	Iftikhar Ahmad S/O Mir Muhammad	25.08.2016	BS-12	23.04.2017	2.86	71.5	Abdul Wali Khan UNI	DHO Swabi	07.03.1987 swabi	06.03.2047
21.	SherRasool Khan S/O Abdul Tawab Khan	28.02.2005	BS-16	23.04.2017	2.79	69.75	Abdul Wali Khan UNI	DHO Bunner	16.02.1990 Bunner	15.02.2040
22.	Muhammad Zahir S/O Rahmud Din	16.07.2012	BS-12	23.04.2017	2.61	65.25	Abdul Wali Khan UNI	DHO Peshawar	03.04.1975 Peshawar	02.04.2038
23.	Mujahidali S/O Mehboob Ali	03.06.2013	BS-12	20.09.2017	2.92	73	Bacha Khan UNI	DHO Kurram	15.03.1979 Kurram	14.03.2039
24.	Sabir Hussain S/O Painsa Khan	26.12.2016	BS-12	06.10.2017	2.90	72.5	Abdul Wali Khan UNI	DHO Malakand	04-11-1990 Malakand	03/11/2050
25.	Shahid Ali S/O Farid Khan	02.02.2009	BS-12	06.10.2017	2.88	72	Abdul Wali Khan UNI	DHO Mardan	17.02.1987 Mardan	16.02.2047
26.	Muhammad Hafeeq S/O Muhammad Saeed	17.01.2006	BS-12	20.02.2018	2.91	72.75	Bacha Khan UNI	DHO Charsadda	08.02.1985 Charsadda	07.02.2045
27.	Shahwayz Khan S/O Muhammad Saleh	10.07.2012	BS-12	23.04.2018	2.86	71.5	Abdul Wali Khan UNI	DHO Haripur	27.03.1986 Haripur	26.03.2046
28.	Muhammad Iqbal S/O Sadbar	13.07.2012	BS-12	23.04.2018	2.86	71.5	Abdul Wali Khan UNI	DHO Shangla	05.01.1987 Shangla	04.01.2047

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29.	Riaz Khan S/O Gulzada	01.04.2013	BS-12	09.11.2018	2.69	67.25	Abdul Wali Khan UNI	DHO Mardan	10.02.1981 Mardan	09.02.2041
30.	Zahir Ul Islam S/O Muhammad Islam	16.01.2017	BS-12	11.11.2019	2.83	70.75	Abdul Wali Khan UNI	DHO Peshawar	01.04.1988	31.03.2048
31.	Abdul Wadood S/O Fazal Ghani	25.01.2017	BS-12	18.09.2020	3.10	77.5	Abdul Wali Khan UNI	DHO Bunner	05.04.1987	04.04.2047
32.	Abdul Majeed Khan S/O Yousaf Khan	23.11.2006	BS-12	25.11.2021	3.31	82.75	Sarhad University	DHO Bajaur	06.01.1983 Bajaur	05.01.2043
33.	Latif Ur Rahman S/O Umer Dad	28.06.2016	BS-12	19.04.2022	3.10	77.5	Abdul Wali Khan UNI	DHO Shangla	11.03.1991 Shangla	10.03.2051
34.	Mustafa Kamal S/O Muhammad Zahid	14.11.2016	BS-12	05.12.2022	3.18	74	Abdul Wali Khan UNI	DHO Mardan	04.01.1993 Mardan	03.01.2053
35	Imran Khan							DHO Marda		

DIRECTOR GENERAL HEALTH SERVICES
KHYBER PUKHTUNHWA, PESHAWAR.

ATTESTED

VAKALAT NAMA

NO. _____ /2023

IN THE COURT OF Ky Service Tribunal, Peshawar

Muhammad Zahid Amreez Said (Appellant)
(Petitioner)
(Plaintiff)

VERSUS

Muhammad Zahid (Respondent)
(Defendant)

I/We, Muhammad Zahid (Respondent).

Do hereby appoint and constitute M. Asif Yousafzai, Advocate Supreme Court of Pakistan & Syed Noman Ali Bukhari, Advocate High Court & Bilal Zubair Advocate 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 costs.

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. The Advocate/Counsel is also at liberty to leave my/our case at any stage of the proceedings, if his any fee left unpaid or is outstanding against me/us.

AND to all acts legally necessary to manage and conduct the said case in all respects, whether herein specified or not, as may be proper and expedient.

AND I/we hereby agree to ratify and confirm all lawful acts done on my/our behalf under or by virtue of this power or of the usual practice in such matter.

PROVIDED always, that I/we undertake at time of calling of the case by the Court/my authorized agent shall inform the Advocate and make him appear in Court, if the case may be dismissed in default, if it be proceeded ex-parte the said counsel shall not be held responsible for the same. All costs awarded in favour shall be the right of the counsel or his nominee, and if awarded against shall be payable by me/us.

Dated _____ /2023

[Signature]
(CLIENT)

ACCEPTED
[Signature]
(M. ASIF YOUSAFZAI)
ADVOCATE SUPREME COURT
OF PAKISTAN,
(HC No. 10,7317)

[Signature]
(SYED NOMAN ALI BUKHARI)
ADVOCATE HIGH COURT.

[Signature]
(BILAL ZUBAIR)
Advocate

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