

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

Amended Appeal No: 505/2019  
In  
Service appeal No. 505/2019

Haider Ali.....(Appellant)

**VERSUS**


Director General (Research), Livestock and Dairy Development  
Department and others.....(Respondents)

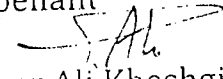
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Dated: 28/07/2022

Through

  
Appellant

  
Gohar Ali Khesghi  
Advocate High Court,  
Peshawar.  
Cell No. 0345-9082942

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

Amended appeal No 505/2019

Service Appeal No. \_\_\_\_\_/2019

Haider Ali S/O Fazali Wadood R/O Village and P.O. Cheena,

Tehsil and District Charsadda, posted as Assistant in the Office of  
Director General (Research ) Livestock and Dairy development  
Department, Khyber Pakhtunkhwa,  
Peshawar,.....(Appellant)

**VERSUS**

1. Director General (Research) Livestock and Dairy Development  
Department Khyber Pakhtunkhwa, Peshawar.
2. Secretary Agriculture Livestock and Cooperatives Department,  
Khyber Pakhtunkhwa, Peshawar.
3. Government of Pakistan through Chief Secretary Khyber  
Pakhtunkhwa, Civil Secretariat, Peshawar.
4. Secretary Finance Khyber Pakhtunkhwa, Civil Secretariat, Peshawar.
5. Mohammad Ikram Assistant in the Office of the Director General  
(Research) Livestock and Dairy Development Department Khyber  
Pakhtunkhwa, Peshawar now promoted as Superintendent in the same  
office.

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6. Shamshad Ali Assistant in the office of the Director General (Research) Livestock and Dairy Development Department Khyber Pakhtunkhwa, Peshawar now promoted as Superintendent in the same office.....(Respondents).

**APPEAL U/S 4 OF KHYBER PAKHTUNKHWA, PESHAWAR SERVICE TRIBUNAL, 1974, CONSIDERING THE APPELLANT FOR PROMOTION OF THE POST OF SUPERINTENDENT ON THE BASIS OF SENIORITY LIST AND ELIGIBILITY AND SETTING ASIDE THE IMPUGNED ORDER OF THE PROMOTION OF RESPONDENTS NO. 5 AND 6 WHICH IS WRONG AND ILLEGAL AS ANNEXURE-E BEARING NO. SO(LFC)/ADE-1(338)/2018/ DATED 14 NOV. 2018.**

Dated 28/7/2022.

**Respectfully Sheweth:**

The appellant submits as under:

1. That appellant was appointed as Junior Clerk in 21th April 1984 in Agriculture Department of Research and Livestock , Peshawar, then Senior Clerk and now posted as Assistant as mentioned above dated 01/04/1988- Annexure "A".
2. That final seniority list of the Assistant as by promotion and initial appointment was circulated in which the appellant stood at Serial No. 2 while respondent No.5 at Serial No. 4 due to removal of Serial No. 4 of the list, and Respondent No. 6 at Serial No. 3 of the list as Annexure "B".
3. That respondents officials as authority processed the promotion of the Assistant in Research, Livestock and Dairy Development Department Khyber Pakhtunkhwa, Peshawar in which the appellant being as Senior to Respondents No. 5 and 6, was not considered for the want of missing PERs for 18 years, in that connection as letter was written to the Director Livestock Research and Development Department Khyber Pakhtunkhwa, Peshawar as annexure "C" Which was duly replied by appellant as annexure "D".

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4. That respondent No. 2 did not consider the reply of the appellant and notified the promotion of Respondent No. 5 and 6 and neglected the appellant for promotion impugned as Annexure "E".

5. That appellant filed appeal in which the notification of transfer order was annexed instated of promotion order which is replaced by appellant with the permission of tribunal as "F".

6. The appellant aggrieved of the order notification of Respondent No. 2 filed as a departmental appeal to respondent No. 3 for redressal of his grievances which is decided *and rejected* by the respondent NO. 3 but not communicated to the appellant, received copy on own efforts dated 13 June, 2022 Annexure "G & H".

7. That the appellant may also be allowed to rely on additional ground at the time of arguments please.

5

**GROUND.**

A. That promotion of juniors and neglecting of senior is unlawful, illegal one.

B. That production of PER is the responsibility of respondents, not the appellant.

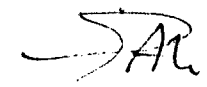
C. That the appellant is eligible and fit for promotion.

It is therefore, humbly prayed that on acceptance of this appeal, the impugned notifications of promotion of junior neglecting senior on e and its rejection to be set aside and consider the appellant for promotion w. e. f the date of promotion of junior of the appellants with all back benefits <sup>or</sup> ~~and~~ any other relief which deems fit may also be granted please.

  
Appellant

Through

Dated: 28/07/2022

  
**Gohar Ali Khesghi**  
Advocate High Court,  
Peshawar.

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

Service Appeal No. \_\_\_\_/2022.

Haider Ali.....(Appellant)

**VERSUS**

Director General (Research) Livestock and Dairy Development  
Department Khyber Pakhtunkhwa, Peshawar and others.....  
(Respondents).

**AFFIDAVIT**

Haider Ali S/O Fazali Wadood R/O Village and P.O. Cheena, Tehsil and District Charsadda, posted as Assistant in the Office of Director General (Research ) Livestock and Dairy development Department, Khyber Pakhtunkhwa, Peshawar, do hereby solemnly affirm and declare that all the contents of the accompanying **Service Appeal** are true and correct to the best of my knowledge and belief and nothing has been concealed from this Hon'ble Tribunal.



**DEPONENT**

CNIC: 17101-0361281-1

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

Service Appeal No. \_\_\_\_/2022.

Haider Ali.....(Appella t)

**VERSUS**

Director General (Research) Livestock and Dairy Development  
Department Khyber Pakhtunkhwa, Peshawar and  
others.....(Respondents).

**ADDRESSES OF THE PARTIES**

**APPELLANT:**

Haider Ali S/O Fazali Wadood R/O Village and P.O. Cheena, Tehsil  
and District Charsadda, posted as Assistant in the Office of Director General  
(Research ) Livestock and Dairy development Department, Khyber  
Pakhtunkhwa, Peshawar.



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RESPONDENTS:

1. Director General (Research), Livestock and Dairy Development Department  
Khyber Pakhtunkhwa, Peshawar.
2. Secretary Agriculture Livestock and Cooperatives Department, Khyber  
Pakhtunkhwa, Civil Secretariat Peshawar.
3. Government of Pakistan through Chief Secretary Khyber Pakhtunkhwa, Civil  
Secretariat, Peshawar.
4. Secretary Finance Khyber Pakhtunkhwa, Civil Secretariat, Peshawar.
5. Mohammad Ikram, Assistant in the Office of the Director General  
(Research) Livestock and Dairy Development Department Peshawar now  
promoted as Superintendent in the same office.
6. Shamshad Ali Assistant in the Office of the Director General(Research),  
Livestock and Dairy Development Department Khyber Pakhtunkhwa,  
Peshawar now promoted as Superintendent in the same office.

  
Appellant

Through

Dated: 28/07/2022

  
**Gohar Ali Khesghi**  
Advocate High Court,  
Peshawar.

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

Amended Appeal No. \_\_\_\_\_/2022

In

Appeal No: 505/2019

Haider Ali

***VERSUS***

Agricultural & Livestock Department

**APPLICATION FOR CONDONATION**

**OF DELAY IF LIES**

***Respectfully Sheweth,***

***The applicant submits as under:***

1. That the appellant has filed appeal before the Service Tribunal in which the next date is 04/08/2022 for submission of amended appeal.
2. That the impugned order is received on my own efforts because it was kept secret but the late one is not intentionally but due to the reason stated above.
3. That if the case is fit on merit it should not be discarded.

***It is therefore, most humbly prayed that on acceptance of this application, the delay if any may be condoned.***

Dated: 28/07/2022

Through

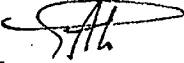
  
**APPELLANT**

  
**GOHAR ALI**

Advocate, High Court Peshawar.

**NOTE:-**

As per information by my client, no such like appeal for the same petitioner, upon the same subject matter has earlier been filed before this Hon'ble Court.

  
Advocate.

(A)  
P-19

(10)

(1)

LIVESTOCK RESEARCH INSTITUTE, PESHAWAR.

Mr. Haidar Ali S/O Fazli Wadood is hereby offered a temporary post of Junior Clerk in B-5(520-16-880) Plus annual allowance as admissible under the rules at the Livestock Research & Development Farm, Surezai.

his appointment in the project is purely on temporary basis and his service will be terminated at any time without assigning any reason and serving any previous notice.

He has to join his duty at his own expenses.

He will have to produce a medical certificate of fitness if his services continued beyond six months.

He will be liable to transfer any where in North west frontier province.

In case, he wishes to resign at any time fifteen days notice will be necessary or in lieu thereof a 15 days pay will be forfeited.

If he accepts the offer on the above terms and conditions he should report for duty to the project Director of the Livestock Farm at Surezai immediately.

So/- X X X  
(DR. M. Y. ANSARI)  
DIRECTOR.

So. 1698-1703/VRI Dated Peshawar the 21/4/1984.

Copy of the above forwarded for information & necessary action to:-

1. Mr. Haidar Ali S/O Fazli Wadood C/O Mohd Ilyas, Typist  
Office of the Deputy Director, Poultry, Peshawar.
2. The Accountant General, N.W.F.P., Peshawar.
3. The Project Director, Livestock Research & Deve: Farm, Surezai.
4. The Supdt: Budget & Accounts, P.M., Peshawar.
5. office order file.
6. personal file of the individual concerned.

A. Kheshgi  
Gottar Ali Kheshgi  
Advocate High Court  
Peshawar

S. H. Ansari  
(DR. M. Y. ANSARI)  
Senior Research Officer (Admin)  
for Director.  
16/4

Annex A: ~~(1102)~~  
P- ~~(11)~~ (11)

OFFICE OF THE PROJECT DIRECTOR LIVESTOCK RESEARCH & DEVELOPMENT III,  
N.W.F.P., LIVESTOCK RESEARCH FARM, SUREZAI, P.O. BOX NO. 1137 G.P.O.  
PESHAWAR PAKISTAN.

ORDER

With effect from 01-05-1986, Mr. Haider Ali, Junior Clerk Livestock Research and Development in N.W.F. Province, Livestock Research Farm, Surezai is hereby promoted to the post of Senior Clerk in BPS-6 (540-20-9404).

*Self*  
( DR. MOHAMMAD BASHIR QURESHI  
Project Director.

No 272-72/F(17)/Zab/Lsl/1984 dated, Surezai, the 11 /05/1986.

Copy of the above forwarded for information and necessary action to:-

1. Mr. Haider Ali, Junior Clerk Livestock Research Farm, Surezai.
2. The Accountant General, NWFP, Peshawar.
3. The Registrar, Agricultural University Peshawar.
4. The Director, Veterinary Research Institute, Peshawar.
5. The Assistant Budget & Account Livestock Research Farm, Surezai.
6. Office order file for record.
7. Personal file.

*[Signature]*  
( DR. MOHAMMAD BASHIR QURESHI )  
Project Director.

XXXXXX

*A. H. S. [Signature]*

~~12~~ 12

Bettolet

Bettolet

OFFICE OF THE PROJECT DIRECTOR LIVE STOCKS RESEARCH DEVELOPMENT FORM  
SURIZAL P.O. BOX NO. 1157 G.P.O., PESHAWAR CANTT

ORDER

As per recommendations of departmental Promotion Committee

Mr. Haider Ali, Senior Clerk BPS-9 Livestock Research Development  
NWFP Farm Surizal is hereby promoted as Assistant with effect from  
01.04.1988, viz Rs. 910-45-1830.

(DR. MUHAMMAD BASHIR QURESHI)  
Director

No. 170-75/(35) Estb:/LS/83 Dated Surizal the 26.3.1988

Copy of above is forwarded to:-

1. Director General Research NWFP Agricultural University, Peshawar for information please.
2. Audit officer Agricultural Research Institute Tarnab Farm for information please.
3. Mr. Haider Ali, Senior Clerk Livestock Research Development Surizal, Peshawar.
4. The Assistant Budget and Account Livestock Research Development Surizal, Peshawar.
5. Personal file.
6. Office order file.

(DR. MUHAMMAD BASHIR QURESHI)  
Director

Ahsan  
Advocate High Court  
Peshawar

120 (13)

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Department of Agriculture, Government of India, New Delhi.

Subject: Consolidation of the departmental correspondence  
of Mr. A. K. Haldar, Senior Clerk, A-1, under the present  
and development in A-1, under, Punjab, in being granted as a  
senior clerk, with effect from 1-1-1955, vide No. 170-45-1955.

( Mr. Mohan Lal Sahni, Director )

No. 170-75 / (35) Gen/Ad/1. Dated, Punjab, the 26/1/1955.

Copy of the above for noted to:-

- 1. The Director (Finance) Dept. Agriculture University, Punjab, for information, please.
- 2. The Joint Director, Agriculture Research Institute, Ludhiana, for information, please.
- 3. Mr. Haldar, Senior Clerk, A-1, under, Punjab.
- 4. The Assistant Secretary to Government, Punjab.
- 5. Personal file.
- 6. Office order file.

( Mr. Mohan Lal Sahni, Director )  
Director  
25/3

170-75 / (35) Gen/Ad/1.

*Allo...*  
Gopal Singh  
Joint Director  
Agriculture Research Institute  
Ludhiana

P-15  
~~P-15~~ (15)



DIRECTORATE GENERAL (RESEARCH)  
 LIVESTOCK AND DAIRY DEVELOPMENT DEPARTMENT.  
 KHYBER PAKHTUNKHWA, PESHAWAR.

Dated Peshawar the 1<sup>st</sup> January, 2018 -

*Office Assistants*

**NOTIFICATION**

No. DG(Res)/L&DD/Est-II (206)/93/: In pursuance of Section-8 (1) of Khyber Pakhtunkhwa, Civil Servants Act, 1973 read with Rule-17 of Khyber Pakhtunkhwa, Civil Servants (Appointment, Promotion & Transfer) Rules, 1989. The final seniority list of Office Assistant (BPS-16) at Livestock & Dairy Development Department (Research Wing), Khyber Pakhtunkhwa, Peshawar, as stood on 01.01.2018 is notified /circulated as under:-

S. No	Name of Official with academic qualification	Date of Birth and Domicile	Date of 1 <sup>st</sup> entry into Government Service	Regular appointment/promotion to present posts			Present appointment	Remarks
				Date	BPS	Method of Recruitment		
01	Mr. Muhammad Farooq Jan, B.A	01-04-1962 Peshawar	20-02-1982	08-01-2002	16	By Promotion	Assistant	
02	Mr. Haidar Ali, S.S.C	01-02-1962 Charsadda	23-04-1984	01-04-1988	16	By Promotion	Assistant	<i>already promoted</i>
03	Mr. Shamsad Ali, F.A	02-02-1964 Karak	03-02-1982	28-10-2005	16	By Promotion	Assistant	
04	Mr. Sani Ullah Khan, Durrani M.A	08-09-1964 Bannu	21.02.2006	21-02-2006	16	By Initial Recruitment	Assistant	Status disputed due to placement of services on the disposal of Transport Department and subsequent repatriation.
05	Mr. Mohammad Ikram, S.S.C	06-10-1965 Mardan	01-08-1985	01-01-2010	16	By Promotion	Assistant	
06	Mr. Shahid Hussain, D.Com	05-04-1965 Mansehra	20-04-1987	01-04-2011	16	By Promotion	Assistant	
07	Mr. Abdul Ayaz, F.A	09-02-1960 Khyber Agency	22-10-1987	01-04-2011	16	By Promotion	Assistant	
08	Mr. Maula Dad Khan, S.S.C	02-05-1970 Bannu	02-05-1988	01-10-2013	16	By Promotion	Assistant	
09	Mr. Ahmad Khan, B.A	09-05-1969 Swat	26-10-1989	01-10-2013	16	By Promotion	Assistant	

R-6  
 Ret-  
 Returned to transport depart. on deputation  
 R-5

(15)

*A. H. Khan*

*SP*  
 Ghani Ali Kheshti  
 Advocate High Court  
 Peshawar

B  
~~12~~ ~~13~~ ~~14~~ ~~15~~ ~~16~~ ~~17~~ ~~18~~

10	Mr. Ihtikhar Ali, S.S.C	13-03-1969						
11	Mr. Abdul Rashid, M.A	Peshawar 03-03-1968	20-10-1990	01-04-2014	16	By Promotion	Assistant	
12	Mr. Mohammad Tayyab, F.A	D.I.Khan 10-08-1972	29-10-1989	06-01-2015	16	By Promotion	Assistant	
13	Mr. Daud Shah, SSC	Peshawar 06-03-1970	30-06-1991	31-12-2016	16	By Promotion	Assistant	
14	Mr. Kamal Badshah, M.A	Peshawar 06-04-1968	02-07-1991	31.12.2016	16	By Promotion	Assistant	
15	Mr. Amin Jan, S.S.C	Bannu 11-03-1975	13-12-1994	31.12.2016	16	By Promotion	Assistant	
16	Mr. Muhammad Siraj, B.A	Charsadda 01-04-1975	13-12-1994	25-05-2017	16	By Promotion	Assistant	
17	Mr. Muhammad Sohail, F.A	Charsadda 12-09-1971	13-12-1994	25-08-2017	16	By Promotion	Assistant	
18	Mr. Niaz Ahmad, M.Com	Charsadda 01-10-1974	14-12-1994	25-08-2017	16	By Promotion	Assistant	
		Bannu 20-12-1995		01-10-2017	16	By Promotion	Assistant	

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Note: - The Official at S.No. 02 (Mr. Haidar Ali) himself has accepted the seniority position vide his undertaking dated 19-10-2001. He has also declared that he shall never initiate re-open his seniority case before any authority at Government level or court of law, or at any other level.

Certified that the above seniority list is final and undisputed.

A Haidar Ali  
 Haidar Ali  
 Advocate  
 Peshawar

(DR. MUJZA ALI KHAN)  
 Director General Research  
 03/01/18

10/1/18



BC  
P-1544  
18  
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DIRECTORATE GENERAL (RESEARCH) & Development, Peshawar  
LIVESTOCK & DAIRY DEVELOPMENT DEPARTMENT  
KHYBER PAKHTUNKHWA, PESHAWAR  
Ph #: 091-9210248, 091-9210220  
Fax#: 091-9210220

Directorate General (Research) & Development, Peshawar  
Dated: 29/1/2018

No. DG(Res)/L&DD/Est-I(169)2014/Vol.III/992-93

Dated Peshawar the 26/01/2018

To  
The Director,  
Livestock Research & Development, Peshawar

Subject: MISSING PERS OF MR. HAIDER ALI, ASSISTANT (BPS-16).

Reference telephonic discussion on the subject cited above.

In this regard, it is stated that promotion case of Superintendent/Accounts Officer /Estate Manager is under process for which PERs of Mr. Haider Ali, Assistant, Livestock Research & Development, Peshawar included in the penal are required. During preparation of synopsis it was noted that PERs of the official concerned for the following period are not available/missing.

1. PERs for the year from 1984 to 1994 (10 years)
2. PERs for the year from 2002 to 2009 (08 years)

You are therefore requested to provide the PERs of the official concerned for the above mentioned missing period for further necessary action please.

*Mirza Ali Khan*

(DR. MIRZA ALI KHAN)  
Director General (Research)

Dated Peshawar the 26/01/2018

No. DG(Res)/L&DD/Est-I(169)2014/Vol.III/

Copy of the above is forwarded to Mr. Haider Ali, Assistant, Livestock Research & Development, Peshawar for information and to provide detail of reporting and countersigning officers and proof that you had submitted your PERs to reporting officers.

(DR. MIRZA ALI KHAN)  
Director General (Research)

Advocate General  
Peshawar

*Da copy is  
communicated to  
the official concerned  
for doing the needful  
as desired.*

*27/1*

*29/1  
2018*

General

Respected Sir,

P-182 (19)

As per remarks of the Director General (Research), Livestock and Dairy Development Department, Khyber Pakhtunkhwa, Peshawar vide endorsement No. DG(Res)/L&DD/Est-1(169)2014/V -111/992-93, dated 26.01.2018, regarding "Missing PERs of the undersigned for the following period after laps of 09 years.

1. With effect from 1984 to 1994. (10 years).
2. With effect from 2002 to 2009, (08 years).

In this connection, it is please stated that the promotion case for the post of assistant to the post of Superintendent, is under process. In this regards, the ACR / PER of the undersigned was asked by the superintendent, Estb. Veterinary Research Institute, Peshawar, but the same PER from 1984 to 1994 and 2002 to 2009 were not found in the record. On confirmation from the then in charge / custodian of ACR / PER i.e. (Mr. Noor Zaman Shah), he verbally stated that the PER for the said period were handed over to Mr. Habib ur-Rahman, PA while Mr. Habib-Ur-Rahman has verbally stated that the PER in question were not received from Mr. Noor Zaman Shah, the then in charge of PER.

In light of the above situation it is requested that the concerned dealing hand may be asked / direct to search out the above PERs so that the case could be process further well in time please

O.S.  
Dir. L/S

Haider Ali,  
Assistant.

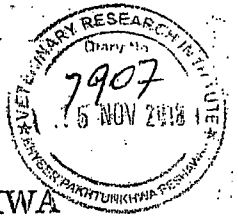
Gohar Ali Peshawar  
Advocate High Court  
Peshawar

Amir E

P -

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GOVERNMENT OF KHYBER PAKHTUNKHWA  
AGRICULTURE LIVESTOCK & COOPERATIVE  
DEPARTMENT

Dated Peshawar, the November 14, 2018

**NOTIFICATION**

No.SO(LFC)/AD-E-I(338)/2018/ On the recommendation of the Departmental Promotion Committee held on 17/10/2018, the competent authority has been pleased to promote the following Assistants (BPS-16) to Superintendent (BPS-17) in Directorate General (Research) Livestock & Dairy Development Department Khyber Pakhtunkhwa Peshawar with immediate effect.

S #	NAME OF OFFICIAL	FROM	TO
1	Mr. Muhammad Farooq Jan	Assistant (BPS-16)	Superintendent BPS-17 (On Regular Basis)
2	Mr. Shamshad Ali	-do-	-do-
3	Mr. Muhammad Ikram	-do-	-do-
4	Mr. Habib Ur Rehman	Superintendent BPS-17 (Acting Charge)	-do-

- On promotion, the officers shall be on probation for a period of one year terms of Section 6(2) of Khyber Pakhtunkhwa, Civil Servant Act, 1973 read with rule 15(1) of Khyber Pakhtunkhwa Civil Servant (Appointment, Promotion & Transfer) Rules, 1989 and extendable for another year with specific orders of the appointing authority within 2 months of the expiry of first year of probation as specified in Rules 15(2) of ibid rules.

Sd/-

SECRETARY  
AGRICULTURE, LIVESTOCK &  
COOP: DEPARTMENT.

**ENDST: of Even No. & Date**

Copy of the above is forwarded to:

1. Director General (Research), Livestock and Dairy Development. Department Khyber Pakhtunkhwa, Peshawar with the request to submit Posting/Transfer proposal of the Promoted officers.
2. PS to Secretary Agriculture, Livestock Fisheries and Cooperative Department Khyber Pakhtunkhwa Peshawar.
3. P.A to Dy. Secretary (Admn), Agriculture, Livestock Fisheries and Cooperative Department Khyber Pakhtunkhwa Peshawar.

*Amir E*  
SECTION OFFICER (LFC)  
14/11/18

*Amir E*  
*SA*

*EET*  
*15/11*  
*SR*

<sup>P.F</sup>  
The Govt. Service Tribunal Peshawar  
S. Appeal No. 505/2019 F (21)  
D. P. Khyber Pakhtunkhwa Service Tribunal Peshawar

Plaid Ali vs. Director General Research Livestock & Dairy Dev. Department Faisalabad

Put up to the court with relevant appeal -  
Subject - Application for permission to amend the appeal.  
Date 28/7/21

Plaid Ali  
R/siv. Place on file the appellant submits as under.

- 1- That the appeal was filed before this tribunal in which the next date is 8/11/2021 and fixed for arguments.
- 2- That in the appeal appellant wants to challenge the ~~transfer~~ promotion order of the respondents but erroneously annexed the transfer order of the respondents. which needs to annex the notification of promotion instead of transfer.
- 3- That there is no bar on amendment which is in the interest of justice.
- 4- That in order to streamline legally needs to amend the appeal in process.

Therefore it is requested to allow the appellant to make amendment in the appeal please.

Dated. 27/7/2021.

Pb  
Appellant.

through. SA  
C/o Plaid Ali (Chevashyia) advised p/m

EXAMINER  
Pakhtunkhwa  
Service Tribunal  
Peshawar

Certified to be true copy

BEFORE THE KHYBER PAKHTUNKHWA SERVICE TRIBUNAL,

PESHAWAR.

Service Appeal No. 595 /2019



Haider Ali S/O Fazali Wadood R/O Village and P.O. Cheena,  
Tehsil and District Charsadda, posted as Assistant in the  
Office of Director General (Research) Livestock and Dairy  
Development Department, Khyber Pakhtunkhwa,  
Peshawar.....(Appellant)

**V E R S U S**

1. Director General (Research), Livestock and Dairy  
Development Department Khyber Pakhtunkhwa, Peshawar.
2. Secretary Agriculture Livestock and Cooperatives  
Department, Khyber Pakhtunkhwa, Civil Secretariat  
Peshawar.
3. Government of <sup>KP</sup> Pakistan through Chief Secretary, Khyber  
Pakhtunkhwa, Civil Secretariat, Peshawar.
4. Secretary Finance Khyber Pakhtunkhwa, Civil Secretariat,  
Peshawar.
5. Mohammad Ikram Assistant in the Office of the Director  
General (Research) Livestock and Dairy Development  
Department Peshawar now promoted as Superintendent in  
the same office.

General Counsel  
Advocate General

Certified to be true copy

EXAMINER  
Khyber Pakhtunkhwa  
Service Tribunal  
Peshawar

Registrar

15/4/19.

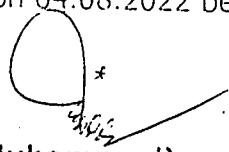
Submitted to -day  
and filed.

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30<sup>th</sup> May, 2022

Learned counsel for the appellant present. Mr. Na<sup>s</sup>eer ud Din Shah, Assistant AG alongwith Dr. Hamid Ullah, SRO for the respondents present.

Learned counsel for the appellant submitted an application for permission to amend the appeal. Application is allowed. Learned counsel for the appellant is directed to submit amended memo of appeal alongwith annexure complete in all respects in office within a week positively. Copy of which be given to the respondents. To come up for arguments on 04.08.2022 before the D.B.



(Mian Muhammad)  
Member(E)



(Kalim Arshad Khan)  
Chairman

Certified to be true copy

EXAMINER  
Khyber Pakhtunkhwa  
Service Tribunal,  
Peshawar

Date of Presentation of Application 28-7-22  
Number of Words 1200  
Copying Fee 5/-  
Regent 14/-  
Total 18/-  
Name of Applicant -  
Date of Completion of Copy 28-7-22  
Date of Delivery of Copy 28-7-22

PER

To

*Annex G*  
*P —* *[Signature]* *(24)*  
The Chief Secretary,  
Govt: of Khyber Pakhtunkhwa,  
Civil Secretariat Peshawar.

Through: Proper Channel

Subject: **PROMOTION TO THE POST OF OFFICE SUPERINTENDANT / ACCOUNT OFFICER/ ESTATE MANAGER (BS-17) IN DIRECTORATE GENERAL (RESEARCH) LIVESTOCK AND DAIRY DEVELOPMENT DEPARTMENT, KHYBER PAKHTUNKHWA, PESHAWAR.**

Kindly refer to the notification of the Government of Khyber Pakhtunkhwa Agriculture, Livestock, fisheries and cooperative Department vide No.SO(LFC)AD-E-1(338)/2018 Dated 14<sup>th</sup> November, 2018 (Annex-I).

Sir,

It is please stated that I am presently working as Office Assistant (BS-16) at Livestock & Dairy Development, Khyber Pakhtunkhwa, Peshawar since 1988. It is, further stated that as per seniority list circulated vide Notification No. DG(Res)L&DD/Est-II(206)/93, dated 1<sup>st</sup> January, 2018, I have been included at S. No. 2, (Annex-II). It is further added that when the case for promotion to the post of Superintendent was moved in October 2018, I was not recommended to be promoted probably due to missing PERs with effect from 1984 to 1994 & 2002 to 2009. Needless to mention here that I have approached to Director General (Research) Livestock and Dairy Development Department, Khyber Pakhtunkhwa, Peshawar. through several letters (Annex-III) that keeping record of PERs was the responsibility of Director, Livestock Research & Development, Khyber Pakhtunkhwa, Peshawar and Director General (Research) Livestock and Dairy Development Department, Khyber Pakhtunkhwa, Peshawar, while I had regularly submitted my PER for each calendar year as per prevailing rules and procedure and has never been informed regarding my missing PERs. Therefore, your good office is requested to conduct proper inquiry in my missing PERs.

Sir,

It is also to bring in your kind notice that Director General (Research) Livestock and Dairy Development Department, Khyber Pakhtunkhwa, Peshawar constituted an inquiry committee to dig out the causes and fix responsibility regarding my missing PERs, but the committee instead of doing their task as per mandate, rather pointed out that my promotion to Assistant was not found as per rules despite a lapse of 30 years.

Sir, The recent promotion of Junior officials to the post of Superintendent (BS-17) while ignoring me being a senior most is in violation of rules and procedure and justice.

Therefore, it is humbly requested that my request for promotion as office Superintendent (BS-17) may be considered sympathetically in light of the prevailing rules and procedure.

Yours obediently

*[Signature]*

Haider Ali  
Office Assistant,  
Livestock Research & Development,  
Khyber Pakhtunkhwa Peshawar.  
(Call No. 0316-8863518).



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**DIRECTORATE GENERAL (RESEARCH)**  
LIVESTOCK & DAIRY DEVELOPMENT DEPARTMENT  
KHYBER PAKHTUNKHWA, PESHAWAR



Badsha Khan Chowk Khyber Pakhtunkhwa Peshawar  
Lddr.kpdata.gov.pk

☎091-9210218, 091-9210248,  
☎091-9210220

Facebook.com/livestockresearchkp  
Twitter.com/livestockreskp

No.DG(Res)/L&DD/E-I/(169)/2018/Vol-IV/7106-9 Dated Peshawar the 27/09/2021

To

✓  
The Mr. Haider Ali,  
Ex-Assistant, (Rtd)  
DLR&D Peshawar.

SUBJECT: PROMOTION TO THE POST OF OFFICE SUPERINTENDENT/ACCOUNT OFFICER/ESTATE MANAGER (BPS-17) IN DIRECTORATE GENERAL (RESEARCH), LIVESTOCK & DAIRY DEVELOPMENT DEPARTMENT KHYBER PAKHTUNKHWA, PESHAWAR

Refer to your letter No. nil dated 17/08/2021 addressed to Chief Secretary Govt: of Khyber Pakhtunkhwa, Civil Secretariat Peshawar on the subject cited above.

1. It is stated that your promotion was deferred on 17/10/2018 by Departmental Promotion Committee. Therefore, after 02 years & 10 months the Departmental appeal is badly time barred.
2. You are already retired from service on 18/09/2020 upon your own request.
3. Your case is sub-judice vide service appeal Nou. 581 dated 24/05/2019 in Khyber Pakhtunkhwa Service Tribunal.

Therefore the appeal could not be processed at this belated stage.

Director General  
(Research)

No.DG(Res)/L&DD/E-I/(169)/2018/Vol-IV/

Dated Peshawar the \_\_\_/09/2021

Copy of the above is forwarded to:

1. The Section Officer (LFC) Government of Khyber, Agriculture, Livestock, Fisheries, Cooperative Department Peshawar for information.
2. The Section Office (Litigation) Government of Khyber, Agriculture, Livestock, Fisheries, Cooperative Department Peshawar for information.
3. Focal Person service tribunal along with copy of appeal for information and necessary action please.

Director General  
(Research)