

S.No.	Date of order/ proceedings	Order or other proceedings with signature of Judge or Magistrate and that of parties where necessary.
1	2	3
	7 th September, 2022	<p style="text-align: center;"><u>KHYBER PAKHTUNKHWA SERVICE TRIBUNAL,</u> <u>PESHAWAR.</u></p> <p style="text-align: center;">Service Appeal No. 7784/2021</p> <p>Mst. Gulshan Ex-caller D/o Jehangir Khan W/o Rafiullah R/o GGPS Jehangir Abad, Jamrud District Khyber.</p> <p style="text-align: right;">.....(Appellant)</p> <p style="text-align: center;"><u>Versus</u></p> <ol style="list-style-type: none"> 1. Secretary Education, Khyber Pakhtunkhwa Peshawar. 2. Director Elementary & Secondary Education merged area, Khyber Pakhtunkhwa, Peshawar. 3. District Education Officer, Jamrud District, Khyber Pakhtunkhwa. <p style="text-align: right;">.....(Respondents)</p> <p style="text-align: center;"><u>ORDER</u></p> <p><u>KALIM ARSHAD KHAN CHAIRMAN:-</u> Learned</p> <p>counsel for the appellant has been heard .</p> <p>2. This appeal is against the order dated 04.05.2017, whereby the appellant was dismissed from service. The appellant filed departmental appeal on 22.05.2017 and this appeal on 22.11.2021 which is apparently hopelessly barred by limitation. The application for condonation of delay has been filed on the ground that the impugned order was void order but nothing was stated as to how that order was void. It is further alleged in the application that according to many judgments of the superior courts as well as specific provision of service law the limitation was to be counted from the date of knowledge. It is in this respect observed that had the appellant not the knowledge of the impugned order dated 04.05.2017 she should not have filed departmental appeal on 22.05.2017, therefore, this contention is not tenable. It is not the matter of delay in filing the departmental appeal from the</p>

order from which the appellant was aggrieved rather the time limit provided for filing of appeal before this Tribunal. The appellant ought to have filed appeal within thirty days after ninety days waiting period from her filing the departmental representation but she has come to this Tribunal after more than 4-1/2 years without plausibly explaining the delay. The other ground taken in the application for condonation of delay is that the case should be decided on merit rather than technicalities. None of the grounds taken in the condonation application could convince the Tribunal to condone the inordinate delay in filing this appeal. therefore, this appeal, being barred by time, is dismissed in limine. Consign.

3. *Pronounced in open court in Peshawar and given under my hand and seal of the Tribunal on this 7th day of September, 2022.*



(KALIM ARSHAD KHAN)
Chairman

aggrieved rather the time limit provided for filing of appeal before this Tribunal. The appellant ought to have filed appeal within thirty days after ninety days waiting period from her filing the departmental representation but she has come to this Tribunal after more than 4-1/2 years *without plausibly explaining the delay*. The other ground taken in the application for condonation of delay is that the case should be decided on merit rather than technicalities. None of the grounds taken in the condonation application could convince the Tribunal to condone the inordinate delay in filing this appeal, therefore, this appeal, being barred by time, is dismissed in limine. Consign.

3. *Pronounced in open court in Peshawar and given under my hand and seal of the Tribunal on this 7th day of September, 2022.*

(KALIM ARSHAD KHAN)
Chairman

17

Serial No.	Nomenclature of the posts.	Minimum qualifications prescribed for appointments by initial recruitments.	Method of recruitment.
4.	Auditors	(a) B. Com. from a recognised University; or (b) Graduate in Economics from a recognised University and a certificate or diploma in Accounts from a recognised Institute.	(i) Fifty per cent by initial recruitment or by transfer in accordance with the provisions contained in clause (3) of sub-rule (2) of rule 6; and (ii) Fifty per cent by promotion from among members of the Service holding post of Senior Clerks with at least three years' experience as such who possess a diploma or certificate in Accounts from a recognised Institute.
5.	Senior Clerks		By promotion from among members of the Service holding posts of Junior Clerks with at least two years' experience as such.
6.	Junior Clerks	Matriculate or equivalent qualification from a recognised University; or Board.	(i) Not more than twenty per cent by promotion from among Daftri/Restorers/Peons of the Department with two years' service as such, who are having the qualifications prescribed for initial recruitment; and (ii) not less than eighty per cent by initial recruitment.