

03.11.2022

Appellant present through counsel.

Muhammad Adeel Butt learned Additional Advocate General for respondents present.

File to come up alongwith connected Service Appeal No. 636/2022 titled "Dil Jan Vs. Home Department" on 11.11.2022 before S.B.

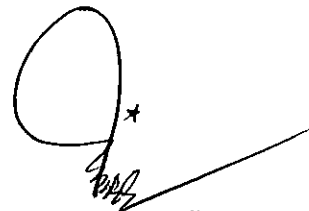


(Rozina Rehman)  
Member (J)

11.11.2022

Nemo for the appellant. Mr. Kabirullah Khattak, Additional Advocate General alongwith Mr. Albert David, Superintendent for the respondents present.

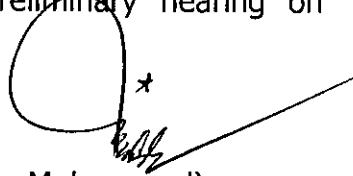
Reply/comments on behalf of respondents submitted which are placed on file. To come up for preliminary hearing before the S.B on 02.12.2022. Notice be issued to the appellant as well as his counsel on the date fixed.



(Mian Muhammad)  
Member (E)

31.08.2022

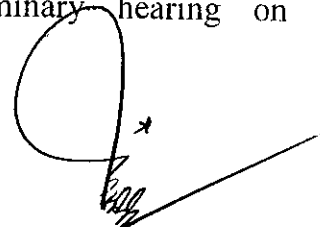
Mr. Arbab Saiful Kamal, Advocate for the appellant present. Arguments of the learned counsel for the appellant heard at the stage of preliminary hearing who contended that the appellant is basically aggrieved of the vires of the service rules framed by the respondent department and notified on 14.12.2021. At serial No. 5 of the said service rules the mode for filling the post of Secretary has been determined and reserved at the ratio of 65% by transfer from amongst the holders of the post of PMS Officers and 35% by promotion from Computer Operators (BS-16) with atleast 7 years service. Feeling aggrieved, the appellant submitted departmental appeal on 25.12.2021 followed by another representation dated 25.01.2022 and 17.02.2022 which were not responded by the departmental authority hence the instant service appeal was instituted in the Service Tribunal on 27.04.2022. When the point regarding the second/third departmental appeal was raised which is not admissible under the Khyber Pakhtunkhwa Civil Servants (Appeal Rules) 1986. Moreover, the delay of 02 days, was pointed out. Learned counsel for the appellant referred to various judgements of the Service Tribunal including a recent one in Service Appeal No. 1075/2019 titled Muhammad Rafiq Vs Government of Khyber Pakhtunkhwa, through Chief Secretary Khyber Pakhtunkhwa Peshawar and others decided on 30.07.2021. At this stage, it deems appropriate to issue pre-admission notice to the respondents for submission of reply/comments. Adjourned. To come up for reply/comments as well as preliminary hearing on 04.10.2022 before S.B.

  
(Mian Muhammad)  
Member (E)

04.10.2022

Junior to counsel for the appellant present. Mr. Kabirullah Khattak, Addl. AG for the respondents present.

Learned AAG requested for time to contact the respondents for submission of written reply/comments. Last chance is given. To come up for reply/comments and preliminary hearing on 03.11.2022 before S.B.

  
(Mian Muhammad)  
Member (E)

13.05.2022

Learned counsel for the appellant present and requested for adjournment in order to further prepare the brief. To come up for preliminary hearing before the S.B on 20.07.2022.



**(Kalim Arshad Khan)**  
**Chairman**

14<sup>th</sup> June, 2022

Clerk of counsel for the appellant present.

Counsel are on strike. To come up for preliminary hearing on 02.08.2022 before S.B.



**(Kalim Arshad Khan)**  
**Chairman**

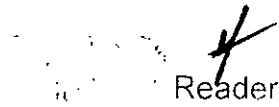
02.08.2022

Appellant present.

Appellant requested for adjournment on the ground that his counsel is busy with the High Court, F. Lawon. Adjourned. To come up for preliminary hearing on 11.08.2022 before S.B.

02.08.2022

Learned Member (Executive) is on leave. Therefore, the case is adjourned to 11.08.2022 for the same as before.



Reader

11.08.2022

Counsel for the appellant present and requested for adjournment on the ground that he has not prepared the brief. Adjourned. To come up for preliminary hearing on 31.08.2022 before S.B




(Fareeha Paul)  
Member (E)

Form- A

## FORM OF ORDER SHEET

Court of \_\_\_\_\_

Case No.- \_\_\_\_\_ 637/2022

S.No.	Date of order proceedings	Order or other proceedings with signature of judge
1	2	3
1-  2- <b>SCANNED KPST Peshawar</b>	27/04/2022	<p>The appeal of Mr. Razaqitullah presented today by Mr. Saadullah Khan Marwat Advocate may be entered in the Institution Register and put up to the Worthy Chairman for proper order please</p> <p style="text-align: right;"> REGISTRAR</p> <p>This case is entrusted to Single Bench at Peshawar for preliminary hearing to be put there on <u>13-05-22</u>. Notices be issued to appellant and his counsel for the date fixed.</p> <p style="text-align: right;">CHAIRMAN</p>