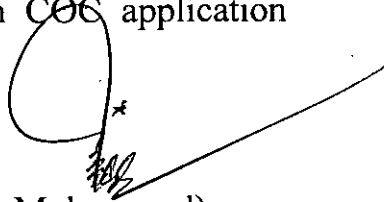


15.12.2022

Clerk of learned counsel for the petitioner present. Mr. Naseer-ud-Din Shah, Assistant Advocate General alongwith Mr. Abdul Qayyum, Focal Person for the respondents present.

Learned counsel for the petitioner could not appear as lawyers fraternity is observing general strike today. He is directed to appear on the next date for producing the contentious order to have been issued by the respondents as well as his arguments on COC application before the S.B on 23.01.2023.



(Mian Muhammad)
Member (E)

14.11.2022

Mr. Taimur Ali Khan, Advocate for the appellant present. Mr. Kabirullah Khattak, Additional Advocate General alongwith Mr. Muhammad Shiraz Khan, DEO (M) present.

Contention of the learned counsel for the appellant is that in view of the order of Service Tribunal dated 30.06.2022, the department was required to have reversed the procedure and the appellant was to be promoted as SST (BS-16) Physic/Maths group under 40% promotion quota. Contrary to the arguments of learned counsel for the appellant, learned Additional Advocate General is of the opinion that order of the private respondents has been issued/made on "contract basis" vide order dated 24.06.2022 and the stay granted to the appellant by Service Tribunal on 30.06.2022 which was received in the department on 07.07.2022 therefore, the action had already been taken by the department, is correct and no violation of the Service Tribunal order has been made.

Taking in view arguments of both the sides, the department is obligated to honour stay granted by the Service Tribunal on 30.06.2022 and take appropriate action in light of direction given by the Service Tribunal on 30.06.2022. Last chance is given to the department whereafter, COC proceedings shall take its course. To come up for further proceedings on 15.12.2022 before S.B.



(Mian Muhammad)
Member (E)

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