



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

CM NO. \_\_\_\_\_/2023  
IN  
APPEAL NO.2005/2022

Khyber Pakhtunkhwa  
Service Tribunal

Diary No. 3529

Dated 13-02-2023

**MUHAMMAD UZAIR ALI VS EDUCATION DEPTT:**

**APPLICATION FOR CONDONATION OF DELAY IN FILING THE**  
**ABOVE NOTED APPEAL.**

**R.SHEWETH:**

- 1- That the above mentioned appeal is pending before this august Tribunal which is fixed for 21-03-2023.
- 2- That the appellant is praying for the Condonation of delay in above noted appeal on the following grounds inter alia:

**GROUND'S OF APPLICATION:**

- A- That the formal approval of the competent authority i.e. Chief Secretary is still pending regarding seniority list which is in movement due to process between Administration & the Establishment Department.
- B- That both the mentioned departments are playing delaying tactics to the detriment the interests of the appellant.
- C- That the name of the appellant in the approved final seniority is still not included due to not updating of inter se seniority from 2012, that the Administration Department finally entertain the appeal of the appellant for inclusion of his name for approval of the competent authority.
- D- That respondents Departments unnecessary delayed the process for observation after observations.
- E- That when the appeal was taken by the administration department the appellant was hopeful for early outcome of the

process but the issuance of the inter se seniority duly approved by the competent i.e. Chief Secretary is still to be notified.

F- That the appellant very humbly praying for leniency of the tribunal to condone the delay caused inadvertently out of ignorance and the hope from the department but it is still unresolved.

G- That the appellant will be retired form service in three and half years and he will not get any chance of promotion if this appeal is disposed of just on technical issues rather than on merit.

H- That in light of the judgments of the apex court of Pakistan held in numerous case, that cases should be decided on merit rather on technicalities.

I- That any other ground will be raised at the time of arguments with the prior permission of this Honorable tribunal.

It is therefore prayed that on acceptance of this Application the delay in filing the above noted appeal may please be condoned.

Dated: 13-2-23

  
**APPELLANT**  
MUHAMMAD UZAIR ALI

**THROUGH:**

  
**NOOR MOHAMMAD KHATTAK**  
**ADVOCATE SUPREME COURT**

**AFFIDAVIT**

I, Muhammad Uzair Ali, Management Cadre Officer (BPS-19), Posted as District Education Officer (M), District Khyber, do hereby solemnly affirm and declare on Oath that the contents of this **Application** are true and correct to the best of my knowledge and belief and that nothing has been concealed from this Hon'ble Court.

  
**DEPONENT**

