

Service Appeal No.4981/21 titled "Sherullah Vs. Chief Secretary Khyber

Pakhtunkhwa, Peshawar and two others".

SCANNED
K-01
Peshawar.

Kalim Arshad Khan, Chairman:

27.02.2023

1. Learned counsel for the appellant Mr. Riaz Khan Paindakhel, learned Assistant Advocate General for respondents present.

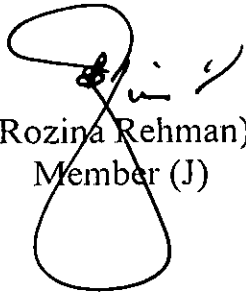
2. Brief facts of the case are that appellant was promoted as Budget and Accounts Officer. In the meanwhile, the post of Assistant Director (Admin) became vacant which was allegedly to be filled out of the Budget & Accounts Officers, but instead, the post of Assistant Director (Admin) was occupied by Junior Superintendents/Officers of the Department. Being aggrieved, the appellant filed departmental appeal which was not responded to, hence, he filed Service Appeal No.1068/2015 which was decided by directing the respondents to decide the departmental appeal with speaking orders. Consequently, the respondents rejected the departmental appeal of the appellant, hence, the present service appeal.


3. Not only the order dated 22.03.2021 of the Secretary to the Government of Khyber Pakhtunkhwa Elementary & Secondary Education Department but also the reply of the respondents are misconceived and not related to the prayer made in the departmental representation as well as in this appeal. This careless act on the irresponsible part of respondents has wasted a couple of years of the appellants. Therefore, while setting aside the order



dated 22.03.2021, we direct that the departmental representation of the appellant be properly decided within a period of 30 days but not later than 13th March, 2023 positively, failing which, a cost of Rs.100,000/- will be imposed upon the respondents to be recovered from their personal pay. Disposed of accordingly. Consign.

3. *Pronounced in open Court Peshawar under our hands and seal of the Tribunal on this 27th day of February, 2023.*


(Rozina Rehman)
Member (J)


(Kalim Arshad Khan)
Chairman