

Service Appeal No. 14229/2020 titled "Shazia Bano Vs. Government of  
Khyber Pakhtunkhwa and others.

Kalim Arshad Khan, Chairman:

14.03.2023

1. Noman Ali Bukhari Advocate, counsel for the appellant present. Mr. Asif Ali Shah, Deputy District Attorney for respondents No. 1 & 2 present. Ali Gohar Durani, Legal Advisor present on behalf of the respondent No. 3.

2. At the very outset learned counsel for the appellant submitted that, relief, to the extent of seeking promotion, was subject to acceptance of her claim of seniority (second part of the relief), therefore, the appellant does not press claim for promotion for the time being and submits that she may be allowed to re-agitate the matter once her seniority is settled according to her own. The appeal, to the extent of seeking promotion, is thus dismissed being not pressed.

3. The matter of seniority was heard at some length and it is found that the objection, on the seniority list filed by the appellant, was not disposed of by the concerned authority through a speaking order nor reasons for accepting the request/objection petition of the appellant were supporting the order regretting the objections. In the circumstances we deem it appropriate to remit the matter back to the concerned authority for passing speaking and well-reasoned order on the



departmental representation/objection of the appellant after providing opportunity of hearing, within 30 days of receipt of this order. Learned counsel for respondent No. 3 shall communicate this order to the concerned authority. The date of communication be acknowledged and sent to the Registrar of this court. In case of failure of concerned respondents to pass the order as directed above, cost of Rs. 50,000/- will be imposed upon him to be recovered from his personal pay. Consign.

4. *Pronounced in open Court Peshawar under our hands and seal of the Tribunal on this 14<sup>th</sup> day of March, 2023.*



(Salah-Ud-Din)  
Member (J)



(Kalim Arshad Khan)  
Chairman