



06.03.2023

Counsel for the appellant present. Umair Azam  
learned Additional Advocate General for respondents  
present.

Former made a request for adjournment in order to  
prepare the brief. Adjourned. To come up for arguments  
on 03.04.2023 before D.B at camp court, Swat.

SCANNED  
BY  
M. HAVAR

  
(Farzana Paul)  
Member (I)  
Camp Court Swat

  
(Rozina Rehman)  
Member (J)  
Camp Court Swat


03<sup>rd</sup> April, 2023

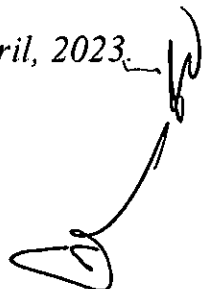
1. Appellant alongwith his counsel present. Mr. Muhammad Jan,  
District Attorney for official respondents present.
2. After arguing the matter at great length, it was pointed out that  
vide annexure-D of the reply, a letter was written by the Director  
General Health Services to the Secretary to Government of Khyber  
Pakhtunkhwa Health Department on 04.04.2018 wherein a request  
was made regarding seeking of advice of the government as to  
whether the seniority list of the officers, promoted by the District  
Government was to be determined from the date of their promotion  
or from the date of dissolution of the Act, 2001, with effect from  
15.05.2012 i.e on the analogy of surplus pool policy, in vogue. There  
is no decision/advice of the government nor is there any final order  
passed either on the representation of the appellant or on this



letter, therefore, a consensus has been developed between the learned counsel for the appellant and learned District Attorney that let this matter be sent to the Secretary to Government of Khyber Pakhtunkhwa Health Department to decide the representation of the appellant/or make a decision on the letter dated 04.04.2018, letter of the Director General Health Services dated 04.04.2018 if still pending and any order has not already been passed and in case any order is passed on the letter dated 04.04.2018, then the same shall be communicated to the appellant within 30 days. In case there is no order, the Secretary shall decide the representation or take decision on letter dated 04.04.2018 within 30 days positively of receipt of copy of this order. Receipt of copy of this order be acknowledged. Needless to say that the order shall be a speaking and supported by reasons. Disposed of accordingly. Consign.

3. *Pronounced in open court in Swat and given under our hands and seal of the Tribunal on this 03<sup>rd</sup> day of April, 2023.*

  
(Salah-ud-Din)  
Member (J)  
Camp Court Swat

  
(Kalim Arshad Khan)  
Chairman  
Camp Court Swat