

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

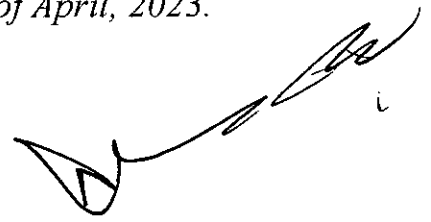


copy of this order. Receipt of copy of this order be acknowledged.  
Needles to say that the order shall be a speaking and supported by  
reasons. Disposed of accordingly. Consign.

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