

**Service Appeal No. 4305/2020**

**Titled "Naseer Abbas-vs-Government of Khyber Pakhtunkhwa through Chief Secretary, Civil Secretariat, Peshawar and others"**

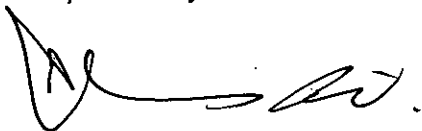
**ORDER**

11<sup>th</sup> April, 2023

**KALIM ARSHAD KHAN, CHAIRMAN**: Learned counsel for the appellant present. Mr. Muhammad Jan, District Attorney for the respondents present.

02. Through this single order this appeal and connected appeal No. 229/2022 titled "Shahid Mehmood-vs-Government of Khyber Pakhtunkhwa through Chief Secretary, Civil Secretariat, Peshawar and others" as well as Appeal No. 547/2022 titled "Muhammad Idrees-vs-Provincial Government through Chief Secretary Khyber Pakhtunkhwa Peshawar are going to be disposed of as all are almost regarding the same issue.

03. In the appeal in hand as well as connected appeal No 229/2022 titled "Shahid Mehmood" the learned counsel for the appellant produced copy of order No. Estt:V/DPC/NT/2023/2125-34 dated 20.01.2023, whereby the appellants namely Shahid Mehmood and Naseer Abbas have been promoted to the post of Naib Tehsildar (BS-14) on acting charge basis subject to outcome of the CPLA preferred by the department against the judgment rendered by this Tribunal in service appeal No. 1022/2019 titled "Munir Akhtar -vs- Senior Member Board Of Revenue, Khyber Pakhtunkhwa". The respective counsel for the appellants namely Naseer Abbas and Shahid Mehmood stated at the bar that they would be satisfied if directions are issued to the respondents that in case of dismissal of the CPLA preferred by the department against the judgment dated 22.09.2021 passed by this Tribunal in service appeal No. 1022-2019 of Munir Akhtar,



the order of promotion of the appellants Naseer Abbas and Shahid Mehmood on acting charge basis may be reconsider as regular promotion w.e.f the date of their entitlement to promotion as Naib Tehsildar on regular basis. Learned District Attorney is having no objection on this request of learned counsel for the appellants, therefore, these appeals are disposed of accordingly.

04. So far as the appeal of appellant Mr. Muhammad Idrees is concerned, the same is remitted to the competent authority to constitute departmental promotion committee for considering the case of the appellant in light of the judgment dated 22.09.2021 rendered by this Tribunal in service appeal No. 1022/2019 filed by Minir Akhtar. In case the appellant Muhammad Idrees is aggrieved of any order passed in view of recommendations of Departmental Promotion Committee so constituted, he may avail remedy in accordance with law and rules. Consign.

05. *Pronounced in open court in Peshawar and given under my hand and seal of the Tribunal on this 11<sup>th</sup> day of April, 2023.*



(Salah Ud Din )  
Member(Judicial)



(Kalim Arshad Khan)  
Chairman

\*\*Adnan Ali Shah, PA