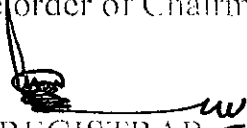


FORM OF ORDER SHEET

Court of _____

Case No.:- _____

724/2023

S.No.	Date of order proceedings	Order or other proceedings with signature of judge
1	2	3
1-	30/03/2023	<p>The appeal of Syed Jaffar Shah presented today by Sardar Muhammad Asif Advocate. It is fixed for preliminary hearing before touring Single Bench at A.Abad on _____ .Notices be issued to appellant and his counsel for the date fixed.</p> <p>By the order of Chairman</p> <p> REGISTRAR</p>

BEFORE THE KHYBER PAKHTUNKHWA SERVICE TRIBUNAL
PESHAWAR

Appeal No. 724 /2023

Syed Jaffar Shah, Sub Engineer/SDO (OPS), Highway Sub Division Haripur

...APPELLANT

V E R S U S

Government of Khyber Pakhtunkhwa & Others

...RESPONDENTS

APPEAL

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S.No.	Description of Document	Annexure	Page #
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2.	Copy of the Service Book	"A"	5-6
3.	Copy of the Office Order Dated 07-01-2022	"B"	7-8
4.	Copy of the Notification Dated 07-03-2018	"C"	9
5.	Copy of the Judgments	"D"	10-32
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... APPELLANT

THROUGH

DATED: 29/2 /2023

(Sardar Muhammad Asif)

(Asjad Pervez Abbasi)
ADVOCATES, HIGH COURT

①

**BEFORE THE KHYBER PAKHTUNKHWA SERVICE
TRIBUNAL PESHAWAR.**

Appeal No. 724 /2023

Syed Jaffar Shah, Sub Engineer/SDO (OPS), Highway Sub Division Haripur.

APPELLANT

VERSUS

1. The Secretary, Government of Khyber Pakhtunkhwa through Secretary C&W, Civil Secretariat, Peshawar
2. The Chief Engineer, C&W Khyber Pakhtunkhwa Peshawar
3. The Chief Engineer, C&W Abbottabad
4. The Secretary, Government of Khyber Pakhtunkhwa, Finance Department, Civil Secretariat, Peshawar

Respondents

APPEAL U/S 4 OF KPK SERVICE TRIBUNAL ACT, 1974 FOR GRANT OF SENIOR SCALE/ SELECTION GRADE (BS-16) WHEREBY THE DEPARTMENTAL APPEAL OF THE APPELLANT HAS NOT BEEN DECIDED WITHIN STIPULATED PERIOD AND IMPLEMENTATION OF KHYBER PAKHTUNKHWA SERVICE TRIBUNAL JUDGMENT DATED 02-03-2016, PESHAWAR HIGH COURT DECISION DATED 06-04-2022, AND OTHERS DECISIONS/JUDGMENTS ISSUED BY THE KHYBER PAKHTUNKHWA SERVICE TRIBUNAL, BEING SIMILARLY PLACED.

PRAYER:

ON THE ACCEPTANCE OF THE INSTANT APPEAL, THE RESPONDENTS MAY GRACIOUSLY BE DIRECTED TO GRANT SENIOR SCALE GRADE (BS-16) WITH ALL BACK BENEFITS AND PETITIONER BE TREATED AT PAR WITH OTHER SIMILARLY PLACED EMPLOYEES AND THE JUDGMENTS/DECISION OF THE KPK SERVICE TRIBUNAL BE IMPLEMENTED WITH ITS SPIRIT AND ANY OTHER RELIEF WITH THE HONORABLE COURT DEEMS FIT AND NECESSARY MAY ALSO BE GRANTED IN FAVOR OF THE APPELLANT.

RESPECTFULLY SHEWETH:

The facts and Grounds leading to the instant Appeal are as under:-

1. That, the appellant was appointed as Sub Engineer (BS-11) on 17-03-1988 and was posted in the office of XEN C&W, Division, Haripur. **(Copy of the Appointment Order is Annexed as Annexure "A")**
2. That, the appellant has passed departmental professional examination and was raised at serial No. 08 vide office order dated 07-01-2022. **(Copy of the Office order dated 07-01-2022 is Annexed as Annexure "B")**
3. That, the Government of Khyber Pakhtunkhwa, Finance Department Peshawar vide notification No. SO(FR) FD/ 7-13/2017/6253 dated 07-03-2018, in pursuance of recommendations of up gradation committee and approval granted by competent authority, upgraded the post of Sub Engineers from BS-11/12 to BS-16 to the personal's having 10 years or more service and their credit in the same scale. **(Copy of the Notification dated 07-03-2018 is Annexed as Annexure "C")**
4. That, in pursuance of the above mention notification, number of Sub Engineers were upgraded by the government of Khyber Pakhtunkhwa but most of the eligible employees were ignored deliberately and malafidely.
5. That, it is pertinent to mention here, the discriminated employees knocked the door of the Khyber Pakhtunkhwa Service Tribunal and whereby the appeals so filed were graciously allowed by the KPK Public Service Tribunal Peshawar and thereafter up held by the apex court. **(Copy of the Judgment in service Appeal No. 1330/2010 dated 02-03-2016 and Copy of the judgment of Writ Petition No. 6-P/2019 dated 06-04-2021 are annexed as annexure "D").** Other Judgments of similar nature will be provided at the time of arguments.
6. That, it is worth mentioning here, despite notification and expressive directions of the courts to extend the benefit of its judgment to other Sub

Engineers who fulfill the criteria of being upgraded as senior scale grade (BS-16), the authorities are reluctant to implement the same.

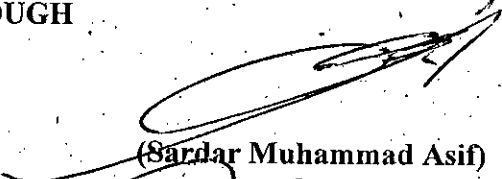
7. That, the appellant is not only similarly placed to the Engineers upgraded by the authorities but also senior to most of the Sub Engineers. Thus, the appellant is discriminated by not being extended the same benefit. (Copy of the up Gradation Orders are Annexed as Annexure "E")
8. That, the appellant has filled departmental appeal against the in action of the department to upgrade appellant but despite passing of the prescribed time period has yet not been decided. (Copy of the Departmental Appeal is Annexed as Annexure "F")
9. That, the act of the respondents is in violation of article 4 & 25 of the constitution of Islamic Republic of Pakistan 1973,
10. That, appellant is entitled to the same relief according to the principle of consistency, equality and nature justice.
11. That, the other points will be raised with prior permission from the court as the time of hearing.

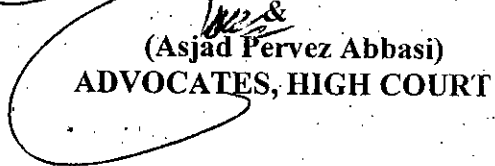
IT IS THEREFORE, HUMBL Y PRAYED THAT ON THE ACCEPTANCE OF THE INSTANT APPEAL, THE RESPONDENTS MAY GRACIOUSLY BE DIRECTED TO GRANT SENIOR SCALE GRADE (BS-16) WITH ALL BACK BENEFITS AND PETITIONER BE TREATED AT PAR WITH OTHER SIMILARLY PLACED EMPLOYEES AND THE JUDGMENTS/DECISION OF THE KPK SERVICE TRIBUNAL BE IMPLEMENTED WITH ITS SPIRIT AND ANY OTHER RELIEF WITH THE HONORABLE COURT DEEMS FIT AND NECESSARY MAY ALSO BE GRANTED IN FAVOR OF THE APPELLANT.


APPELLANT

THROUGH

DATED: 29/3 /2023


(Sardar Muhammad Asif)


(Asjad Pervez Abbasi)
ADVOCATES, HIGH COURT

4

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**BEFORE THE KHYBER PAKHTUNKHWA SERVICE
TRIBUNAL PESHAWAR**

Appeal No. _____/2023

Syed Jaffar Shah, Sub Engineer/SDO (OPS), Highway Sub Division Haripur

APPELLANT

VERSUS

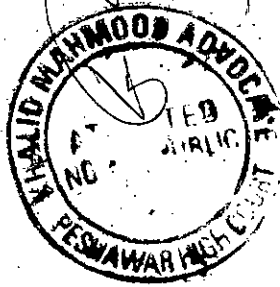
Government of Khyber PakhtunKhwa & Others

RESPONDENTS

AFFIDAVIT

I, Syed Jaffar Shah, Sub Engineer/SDO (OPS), Highway Sub Division Haripur, do hereby solemnly affirm and declare on oath that the contents of instant Appeal are true and correct to the best of my knowledge and belief and no material facts has been concealed from this Honourable Court.

Dated: 29/3/2023



Syed Jaffar Shah
DEPONENT

(5)

Anna P

SERVICE BOOK

of

Syed Jaffar ~~Hussain~~
Shah

Sub Engineer

Name (نام)..... SYED JAFFAR SHAH
Father's Name..... SYED BAHADUR SHAH
(والد کا نام)
Qualification (کالیج).....
Designation (مہلت)..... SUB ENGINEER
Department (سکشن)..... C & W DEPTT.
Permanent Address. V.G. : SWABI MAIRA , TEH: H.PUR
(مستقل آید)

ATTESTED

to be true copy
Advocate

29/2/88

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چھٹی LEAVE

Date of termination or appointment.

Reason of termination (such as promotion, transfer, dismissal etc.)

Signature of the Head of the office of other Attesting Officer

Nature and duration of leave taken

Allocation of periods of leave on average pay upto four months (or earned leave not exceeding 120 days) to which leave salary is debitible to another Government

Signature of the head of the office or other Attesting officer

Reference to any recorded punishment, or censure or reward or praised of the Government servant

تاریخ
انقطاع
ملازمت

وجوہات
انقطاع ملازمت
ترقی، تبادلہ
یا برطرفی

پرستخط
افسر مجاز

رخصت کی
نوعیت و
معیار

Period
عرصہ

Govt. to which debitible
گورنمنٹ جسے
رقم ادا ہوگی

پرستخط
افسر مجاز

سزا یا سزا یا غیر سزا
کارکردگی کا ریکارڈ

Appointed as Srd Engineer in NPS No. 11
vide chrg Engineer Caw Depn: NWFP Peshawar
OO No. S4B/3-E/1270-73/E-1 (2) dt. 13.3.88
& reported arrival for duty on 17/3/88 (FN.)

Zahid
Executive Engineer,
Building Division Abbottabad.

30-11-88
AN.

Granted Annual Increment

Zahid
Executive Engineer,
Building Division
Abbottabad

Zahid
Executive Engineer,
Building Division
Abbottabad

As per Sery: Caw Dept: NWFP Peshawar
Notification No. SOE/cw/17-1/78-D dt: 12.7.89
The official stands transfer to Building
Division No. 2 A. A. A. dt: 12.7.89 A. Noon.

Mumtaz
Executive Engineer
Building Division No. 1
Abbottabad

ATTESTED

Executive Engineer
Building Division No. 1
Abbottabad

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Advocate
29/12/88

te of
oint
nt

تاریخ

No. Date

Services for the period
from 17-3-88 to 12-7-89
Verified from the Office copies of the pay
Bills.

(6-A)

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1	2	3	4	5	6	7
Name of post درجہ ملازمت	Whether substan- tive or officiating, and whether permanent or temporary.	If officiating, state— (i) substantive appointment or (ii) whether ser- vice counts for pension under rule 3.20 of C.S.R. (Pb.) volume II	Pay in substantive post	Additional pay for officiating	Other em- oluments falling under the term "pay"	Date of appoint- ment
<u>SUB Engineer.</u> 910-46-1830	عارضی مستقل یا قائم مقام	اگر عارضی ہے تو کیا وہ رول کے مطابق پیش کا مستحق ہے	تنخواہ بطور عارضی ملازمت	زائد تنخواہ بطور قائم مقام	ماسوائے تنخواہ دیگر الوانس	تاریخ تقریری
—	—	—	RS. P. 1002/R.	RS. P.	—	12 12/87 F.N.
—	—	—	RS. P. 1048/R.	—	—	12 12/90 F.N.
BPS-11 1275-86-2565	—	—	RS. P. 1619/R.	—	—	1-6-91 F.N.
—	—	—	RS. P. 1705/R.	—	—	1-12-91 F.N.
—	—	—	RS. P. 179/R.	—	—	1-12-92 F.N.

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Advocate
29/3/22

8 7 Anna B

OFFICE OF THE CHIEF ENGINEER (CENTRE)
COMMUNICATION & WORKS DEPARTMENT
KHYBER PAKHTUNKHWA PESHAWAR
No. 57-G/1096 /CEC/C&WD
Dated Peshawar the 07/01/2022

OFFICE ORDER

The following SDOs/AEs and Sub-Engineers (only Regular) in the Communication & Works Department are hereby declared PASSED in the Departmental Professional Examination, held on 25th October 2021 to 28th October, 2021

Sl No.	Name of Candidate with Designation	Official Present Posting of Candidate	Remarks
1	Syed Tariq Mehmood (Sub-Engineer)	Highway Division Abbottabad	Pass
2	Engr Akbar Mehmood Khattak (Asstt Engineer)	Highway Division Mardan	Pass
3	Engr Najmud Din (SDO)	Building Division Dir Lower	Pass
4	Engr Imran Khan (Asstt Engineer)	PD PMU (KITE) Peshawar	Pass
5	Engr Shahroon Khalil (Research Officer)	CE (CDO) C&WD Peshawar	Pass
6	Syed Jaffar Shah (Sub-Engineer)	Building Division Haripur	Pass
7	Shahid Iqbal (Sub-Engineer)	Building Division Haripur	Pass
8	Za-Ul-Haq (Sub-Engineer)	Building Division Haripur	Pass
9	Zubair Ullah Babar (Sub-Engineer)	Highway Division-II Peshawar	Pass
10	Engr Shahid Nawaz (SDO)	Building Division-II Peshawar	Pass
11	Syed Wasiq Zahid Shah (Sub-Engineer)	Highway Division Haripur	Pass in Technical Paper DAR Code/ Accounts passed in prev Exam held in Dec 2015
12	Mumtaz Ahmad Malik (Sub-Engineer)	Highway Division Haripur	Pass
13	Engr. Saleem Khan (SDO)	C&W Division-II Swat	Pass
14	Engr. Muhammad Ikram Ullah Khan (XEN)	Mega Projects South-II DirKhan	Pass
15	Engr. Khalid Usman (XEN)	C&W Division Malakand	Pass
16	Farman-Ud-Din (Sub-Engineer)	Building Division North Waziristan	Pass
17	Engr. Abdullah (SDO)	C&W Division Shangha	Pass
18	Irfan Ullah Khan (Sub-Engineer)	Highway Division Danna	Pass
19	Muhammad Jawad (Sub-Engineer)	Mega Project Division-I Peshawar	Pass
20	Siyab Ali (Sub-Engineer)	C&W Division No II Swat at Malla	Pass
21	Muhammad Irfad (Sub-Engineer)	Highway Division Swabi	Pass in Technical Paper BSR Code/ Accounts passed in prev. Exam held in Dec. 2020

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Advocate

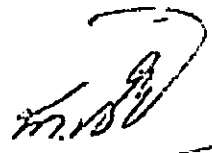
29/12/21

Sl No.	Name of Candidate with Designation	Office/ Present Posting of Candidate	Remarks
33	Shakir Sultan (Sub-Engineer)	C&W Division Hanga	Absent/ Fail
34	Zaheer Ahmad (Sub-Engineer)	Building Division Muzaffargarh	Re-appear in all subjects
35	Ashfaq Ahmad (Sub-Engineer)	Building Division Muzaffargarh	Re-appear in HSR Code
36	Insan Ullah (Sub-Engineer)	C&W Division Hanga	Re-appear in all subjects

CHIEF ENGINEER (CENTRE)

Copy to the

- 1) Accountant General (Accounts) Faisalabad (Concerned)
- 2) Chief Engineer, C&W Division (Muzaffargarh) Muzaffargarh (Concerned)
- 3) Engr. Muzaffar Hussain, Principal Engineer, Chief Engineer (Roads) Faisalabad with reference to my letter No CE/EN/C&W/D/15/342 dated 27.11.2023
- 4) Superintendent Engineers, C&W Division, District Engineer, Muzaffargarh (Concerned)
- 5) Executive Engineers, C&W Division, District Engineer, Muzaffargarh (Concerned)
- 6) Executive Engineers Building Division, District Engineer, Muzaffargarh (Concerned)
- 7) Executive Engineers Highway Division, C&W Division, District Engineer, Muzaffargarh (Concerned)
- 8) Section Officer, (Estt) C&W Division, District Engineer, Muzaffargarh
- 9) District Accounts Officers, Muzaffargarh District (Concerned)
- 10) Officers/ Officials (Concerned)


CHIEF ENGINEER (CENTRE)

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Advocate

29/2/23



GOVERNMENT OF KHYBER PAKHTUNKHWA
FINANCE DEPARTMENT
(REGULATION WING)

NO. 901 (FR) 107, 13/2017/6253
Date: Peshawar, 06/07/2017

NOTIFICATION

NO. FD/ISO/FR/13/2017/6253. In pursuance of recommendations of the
upgradation committee and approval granted by Competent Authority, sanction is
hereby accorded to the upgradation of the post of SAs Engineers from
BPS-11/12 to BPS-16 (one time) as peronal to the members having 10 years
or more service at their credit in the same scale in all the Government
Departments of Khyber Pakhtunkhwa with immediate effect.

SECRETARY TO GOVT OF KHYBER PAKHTUNKHWA
FINANCE DEPARTMENT

Enlist No. & Date even.

Copy of the above is forwarded for information and necessary action to the:

1. PS to Additional Chief Secretary, FATA
2. All Administrative Secretaries Government of Khyber Pakhtunkhwa
3. Senior Member, Board of Revenue, Khyber Pakhtunkhwa Peshawar
4. Accountant General, Khyber Pakhtunkhwa, Peshawar
5. Secretary to Governor, Khyber Pakhtunkhwa, Peshawar
6. Principal Secretary to Chief Minister, Khyber Pakhtunkhwa
7. Secretary Provincial Assembly, Khyber Pakhtunkhwa
8. All Heads of Attached Departments in Khyber Pakhtunkhwa
9. Registrar, Peshawar High Court, Peshawar
10. Registrar, Service Tribunal Khyber Pakhtunkhwa
11. The Treasury Officer, Peshawar
12. All District/Agency Accounts Officers in Khyber Pakhtunkhwa / FATA
13. Director Local Fund Audit, Khyber Pakhtunkhwa Peshawar
14. PS to Finance Secretary
15. All Section Officers/Budget Officers in Finance Department

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Advocate

23/2/23

SECTION OFFICER (FR)

10

Anna D

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BEFORE KHYBER PAKHTUNKHWA SERVICE TRIBUNAL
PESHAWAR

SERVICE APPEAL NO. 1330/2010

Date of institution ... 01.07.2010

Date of judgment ... 02.03.2016



Muhammad Shafiq S/o Kala Khan,
Sub-Engineer C&W Division, Tehsil & District,
Abbottabad.

(Appellant)

VERSUS

1. Government of Khyber Pakhtunkhwa Peshawar, through Secretary C & W Peshawar.
2. Chief Engineer Centre, C & W, KPK Peshawar.
3. XEN, C & W, Abbottabad.
4. Superintending Engineer, C & W, Abbottabad.
5. Akramullah S/o Masrullah and 8 others.

(Respondents)

M/S Aqil Naveed Sulamani, Muhammad Asif Yousafzai,
Khalid Rehman, Adam Khan, Muhammad Ismail Alizai,
Sardar Ali Raza, Rizwanullah and Abdul Salim, Advocates

ATTESTED

[Signature]
For appellant(s) Khyber Pakhtunkhwa
Service Tribunal,
Peshawar

Mr. Muhammad Adil Butt,
Additional Advocate General
Nemo

For official respondents
For private respondents

Mr. Muhammad Azim Khan Afandi
Mr. Pir Bakhsb Shah
Mr. Abdul Latif

Chairman
Member (Judicial)
Member (Executive)

JUDGMENT

MUHAMMAD AZIM KHAN AFANDI CHAIRMAN

This judgment is

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Advocate
29/3/22

- is placed at disposal of instant service appeal No. 1330/2010 as well as service appeals No.
- (2) 1321/2011 titled Khalid Haeem vs-Govt. of KPK through Secretary C & W etc.
 - (3) 1248/2012 titled Daulat Khan vs-Govt. of KPK through Secretary C & W etc.
 - (4) 845/2013 titled Saeedullah vs-Govt. of KPK through Secretary C & W etc.
 - (5) 848/2013 titled Muddasar Saghir vs-Govt. of KPK through Secretary C & W etc.
 - (6) 972/2013 titled Ghulam Qadir vs-Govt. of KPK through Secretary C & W etc.

is placed at disposal of instant service appeal No. 1330/2010 as well as service appeals No.

11

- (9) 1184/2013 titled Abdul Qayyum-vs-Govt. of KPK through Secretary C & W etc.
- (10) 1185/2013 titled Sarfaraz Alam-vs-Govt. of KPK through Secretary C & W etc.
- (11) 1186/2013 titled Muhammad Hamid Zia-vs-Govt. of KPK through Secretary C & W
- (12) 1188/2013 titled Saad Muhammad Khan-vs-Govt. of KPK through Secretary C & W
- (13) 1189/2013 titled Syed Abdullah Shah-vs-Govt. of KPK through Secretary C & W
- (14) 1190/2013 titled Nawazish Ali-vs-Govt. of KPK through Secretary C & W etc.
- (15) 1191/2013 titled Niaz Muhammad-vs-Govt. of KPK through Secretary C & W etc.
- (16) 1139/2013 titled Zia-ud-Din-vs-Govt. of KPK through Secretary C & W etc.
- (17) 1300/2013 titled Qaiser Shah-vs-Govt. of KPK through Secretary C & W etc.
- (18) 1338/2013 titled Aurangzeb-vs-Govt. of KPK through Secretary C & W etc.
- (19) 1431/2013 titled Habib Ullah-vs-Govt. of KPK through Secretary C & W etc.
- (20) 1446/2013 titled Mian Jehanzeb Khattak-vs-Govt. of KPK through Secretary C & W
- (21) 1561/2013 titled Yousaf Ali-vs-Govt. of KPK through Secretary C & W etc.
- (22) 1631/2013 titled Muhammad Shakeel Athar -vs- Secretary C & W KPK etc.
- (23) 1632/2013 titled Malik Arif Saeed Dyal-vs-Govt. of KPK through Secretary C & W
- (24) 1633/2013 titled Muhammad Khalil Moor-vs-Govt. of KPK through Secretary C & W
- (25) 95/2014 titled Muhammad Saeed-vs-Govt. of KPK through Secretary C & W etc.
- (26) 96/2014 titled Zahir Gul-vs-Govt. of KPK through Secretary C & W etc.
- (27) 224/2014 titled Muhammad Zubair-vs-Govt. of KPK through Secretary C & W
- (28) 246/2014 titled Abdul Rahim-vs-Govt. of KPK through Secretary C & W etc.
- (29) 365/2014 titled Zulfikar Ahmad-vs-Govt. of KPK through Secretary C & W etc.
- (30) 366/2014 titled Naseem Ahmed-vs-Govt. of KPK through Secretary C & W etc.
- (31) 367/2014 titled Mazhar Khan-vs-Govt. of KPK through Secretary C & W etc.
- (32) 393/2014 titled Muhammad Jayed-vs-Govt. of KPK through Secretary C & W etc.
- (33) 471/2014 titled Saif-ud-ibrar-vs-Govt. of KPK through Secretary C & W etc.
- (34) 477/2014 titled Lal Badshah-vs-Govt. of KPK through Secretary C & W etc.
- (35) 484/2014 titled Abdul Khalil-vs-Govt. of KPK through Secretary C & W etc.
- (36) 489/2014 titled Abdul Farooq-vs-Govt. of KPK through Secretary C & W etc.

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Advocate

28/12/23

28/12/23

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- (37) 513/2014 titled Irbhad Ahmed Khan-vs-Govt. of KPK through Secretary C & W
(38) 699/2014 titled Muhammad Akram-vs-Govt. of KPK through Secretary C & W
(39) 700/2014 titled Abdul Qayum-vs-Govt. of KPK through Secretary C & W etc.
(40) 722/2014 titled Faiz Ullah Khan-vs-Govt. of KPK through Secretary C & W etc.
(41) 749/2014 titled Zahir Jang -vs- Govt. of KPK through Secretary C & W etc.
(42) 770/2014 titled Syed Tariq Mahmood-vs-Govt. of KPK through Secretary C & W
(43) 852/2014 titled Ghulam Rahim-vs-Govt. of KPK through Secretary C & W etc.
(44) 907/2014 titled Liaqat Shahi -vs- Govt. of KPK through Secretary C & W etc.
(45) 915/2014 titled Noor-ul-Basar -vs- Govt. of KPK through Secretary C & W etc.
(46) 920/2014 titled Sabit Khan -vs- Govt. of KPK through Secretary C & W etc.
(47) 1035/2014 titled Manzoor Ilahi -vs- Govt. of KPK through Secretary C & W etc.
(48) 1100/2014 titled Fazal Mehmood-vs-Govt. of KPK through Secretary C & W etc.
(49) 1112/2014 titled Hissar Ahmed -vs- Govt. of KPK through Secretary C & W etc.
(50) 1132/2014 titled Taj Muhammad-vs-Govt. of KPK through Secretary C & W etc.
(51) 1223/2015 titled Sardar Naeem Ahmed-vs-Govt. of KPK through Secretary C & W etc. and (52) 1284/2015 titled Muhammad Zaka Khan-vs-Govt. of KPK through Secretary C & W etc. as common questions of law and facts are involved therein.

02.03.16
In appeal No. 1330/2010, Muhammad Shafiq appellant has prayed for grant of BPS-16 being senior to private respondents No. 5 to 13 i.e. Akramullah s/o Nasrullah, Sher Wali Jhang s/o Amirzada Khan, Misal Khan s/o Yousaf Khan, Hidayatullah-I s/o Ayubullah Khan, Sanaullah Tajori-III s/o Muslim Khan, Zaffarullah Khan s/o Muhammadullah, Taric, Usman s/o Noor Zahib Khan, Muhammad Javed Rahim s/o Abdur Rahim and Jamshid Khan-I s/o Saif-ur-Rehman. According to his stance the said respondents were granted Senior Scale and appellant ignored despite the fact that he was senior and fit and fulfilling the prescribed criteria.

ATTESTED

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Advocate
29/1/16



In appeal No. 1321/2011 instituted on 11.7.2011, appellant Khalid Paveem is

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Department, as Sub-Engineer on 9.12.1981 and has passed B-Grade Departmental Examination in the year 1994 and has more than 30 years service to his credit including good service record and entitling him to the grant of Senior Scale on the strength of 25% of the total number of posts of Sub-Engineers.

4. In appeal No. 1248/2012, appellant Daulat Khan has prayed for grant of BPS-16 as per rules with all consequential benefits from due date as he has qualified the prescribed examination and rendered more than 10 years service.

5. In appeal No. 845/2013, appellant Saeedullah has prayed for grant of Senior Scale (BPS-16) mainly on the ground that this Tribunal has granted the Senior Scale to similarly placed employees vide judgment dated 11.12.2012 and as such he is entitled to alike treatment. Similar prayers are made by appellants in appeals No. 848/2013, 1009/2013, 1184 to 1186/2013, 1188 to 1191/2013, 1139/2013, 4300/2013, 1338/2013, 1446/2013, 1561/2013, 224/2014, 246/2014, 365/2014, 366/2014, 489/2014, 513/2014, 699/2014, 700/2014, 722/2014, 749/2014, 852/2014, 907/2014, 915/2014, 920/2014, 1035/2014 and 1132/2014.

6. In appeal No. 972/2013, appellant Ghulam Qadir has prayed for grant of BPS-16 with all back benefits on the ground of fulfilling the prescribed criteria and on the rule of alike treatment extended to similarly placed employees. He has also prayed for special cost on the ground that he was deprived of his due right by the respondents and compelled to litigate for his right as similarly placed Sub-Engineer were extended benefits of litigation while appellant was discriminated for no fault on his part.

7. In appeal No. 1015/2013, appellant Muhammad Adrees Alizai has prayed for grant of Senior Scale (BPS-16) with back benefits and imposition of Special Cost as despite his entitlement to the said scale and judgment of this Tribunal in service appeal

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filed "Noshad Khan-vs-Government of KPK", he was deprived of his entitlement to Senior Scale and forced to litigate.

8. In appeal No. 1631/2013, appellant Muhammad Shakeel Aftab has prayed for grant of Senior Scale on the ground that junior to him namely M/S Mashal Khan, Misal Khan-II and Syed Sardar Shah were granted the same while he ignored despite entitlement on the analogy of similar treatment extended to similarly placed employees.

9. In appeal No. 1632/2013, appellant Malik Arif Saeed Dyal has prayed for grant of Senior Scale (BPS-16) on the ground that his junior colleagues were granted the same and he was discriminated. Similar prayers are made by the appellants in appeals No. 1431/2013, 95/2014, 96/2014, 393/2014, 471/2014, 477/2014, 484/2014, 770/2014 and 1100/2014.

10. In appeal No. 1633/2013, appellant Muhammad Khalid Ploor has impugned order dated 22.5.2013 with a prayer that the same be set aside and he may be granted Senior Scale (BPS-16) with effect from the date of qualifying Departmental Examination and 10 years qualifying service with all back benefits.

11. In appeal No. 367/2014, appellant Mazhar Khan has prayed that his junior colleagues were granted Senior Scale and he was ignored and discriminated. He has also prayed for grant of Senior Scale (BPS-16) on the rule of alike treatment as extended to similarly placed employees in appeals by this Tribunal vide judgment dated

11.12.2012. A similar prayer is made by appellant Bisar Ahmed in appeal No. 1112/2014.

12. In appeal No. 11223/2015, appellant Sardar Naeem Ahmed has prayed for Senior Scale being series as his junior colleagues were granted the same and he was ignored. He has also prayed for grant of Senior Scale (BPS-16) on the rule of alike treatment as extended to similarly placed employees in appeals by this Tribunal vide judgments

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Attested by
Khalid Ahmad
Secretary, Government of
Khyber Pakhtunkhwa
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dated 23.4.2009 and 11.12.2012. A similar prayer is made by appellant Muhammad Zaka Khan in appeal No. 1289/2015.

13. Learned counsel for the appellants as well as appellants argued that according to Schedule-I of Communication and Works Department (Recruitment and Appointment) Rules, 1979, appellants were entitled to appointment as Senior Scale Sub-Engineers as they were fulfilling the pre-requisites and prescribed criteria. That even junior civil servants serving as Sub-Engineers were promoted and even appointed as Sub Divisional Officers in their own pay scale while appellants ignored for no fault or omission on their part. That earlier this Tribunal has granted Senior Scale to the aggrieved civil servants approaching this Tribunal and that keeping in view the criteria laid down for grant of Senior Scale and judgments of this Tribunal, the appellants are entitled to alike treatment. Reliance was placed on case-law reported as 2009 SCMR 1 (Supreme Court of Pakistan), 2002 SCMR 71 (Supreme Court of Pakistan), 1996 SCMR 1185 (Supreme Court of Pakistan) and PLD 2002 Supreme Court 46 as well as judgments of this Tribunal dated 23.4.2009 and 11.12.2012.

14. Learned Additional Advocate General has argued that the C & W Department was obliged to restrict grant of Senior Scale to the extent of criteria laid down at S.No.5 of Schedule-I of the said Rules and that on the strength of the same 25% of total sanctioned posts were treated as Senior Scale posts (BPS-16) and the concerned civil servants accordingly up-graded at the relevant times as per laid down criteria. He further argued that due to improprieties, undue favours, incorrect interpretation of rules and erroneous interpretation of the judgments of this Tribunal and the rule of alike treatment the said scheme of grant of Senior Scale⁰ was frustrated at different levels and times and as a consequence thereof Senior Scale (B-16) was granted to Sub-Engineer in excess of 25% of the sanctioned strength of Sub-Engineers and, therefore, Provincial Exchequer was exposed to sustain huge and constant financial liability. That since the

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posts meant for Senior Scale Sub-Engineers and the scheme of grant of the said Senior Scale stood abolished under the Pay Revision Rules, 2001 by December 31, 2001, as such the appellants were not entitled to the Selection Grade claimed through the instant service appeals. He further argued that the authorities involved in illegal appointments and grant of Senior Scale were accountable to Provincial Government and irregularities carried out in the process were liable to be declared null and void.

15. We have heard arguments of the learned counsel for the parties and perused the record.

16. Keeping in view the pleadings, record placed before us and arguments of learned counsel for the parties and appellants, the following emerging controversies and points need determination:

- i. Impact of Recruitment and Appointment Rules, 1979 and its life cycle vis-a-vis claims of appellants
- ii. Entitlement of appellants to Senior Scale on the rules of alike treatment and grant of the same to civil servants ignored despite seniority.
- iii. Legal status of appointments against higher posts in Own-Pay Scale.
- iv. Impact of judgments of this Tribunal dated 11.12.2012 and 23.4.2009.

17. For answering and determining the points in issue, we deem it appropriate to refer to and reproduce the Notification of the then Provincial Government, Services, General Adm, Tourism and Sports Department dated Peshawar, the 13th January,

1980 on the basis whereof Communication and Works Department (Recruitment and Appointment) Rules, 1979 were promulgated and which reads as under:

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GOVERNMENT OF NORTH WEST FRONTIER PROVINCE
SERVICES & GENERAL ADMINISTRATION, TOURISM & SPORTS
DEPARTMENT.

NOTIFICATION

Peshawar the 13 January, 1980

No. SOR-I(S&GD)1-12/74.--In exercise of the Powers conferred by Section 26 of the North West Frontier Province Civil Servant Act, 1973 (NWFP Act XVIII of 1973), in supersession of all previous rules on the subject in this behalf the Governor of the North-West Frontier Province is pleased to make the following Rules, namely:-

THE COMMUNICATION & WORKS DEPARTMENT
(RECRUITMENT AND APPOINTMENTS) RULES, 1979.

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1. (1) These rules may be called the Communication and Works Department (Recruitment and Appointment) Rules, 1979.
- (2) They shall come into force at once.

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The Method of recruitment, minimum qualifications, age limit and other matters related thereto for the Posts specified in column 2 of the Schedules annexed shall be as given in column 3 to 7 of the said Schedules

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COMMUNICATION & WORKS DEPARTMENT
SCHEDULE-I

S.NO.	Nomenclature of post	Minimum Qualifications for Appointments		Age for initial Recruitment		Method of Recruitment
		Initial Recruitment by Transfer	Promotion	Minimum	Maximum	
1	2	3	4	5	6	7
4	Irrelevant					
5	Senior Scale Sub-Engineer		Diploma in Engineering from a recognized Institute.			Twenty five per cent of the total number of posts of diploma holder Sub-Engineers from the cadre Senior Scale Engineers and be filled by selection on merit with regard to sent from amongst Engineers of Department, have passed Departmental Examination have at least years service as
5 and onwards	Irrelevant					

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18. A plain reading of the text appearing at serial No. 5 of the schedule reproduced above would suggest that a civil servant aspiring for the Senior Scale Sub-Engineer shall hold a Diploma in Engineering from a recognized Institute, shall rank senior among his colleagues, shall hold a position falling within domain and sphere of 25% of the total number of posts of the Sub-Engineers, shall have at least 10 years service as Sub-Engineer and shall have passed the prescribed departmental examination at the relevant time. In other words a Sub-Engineer devoid of the above criteria and traits would not be entitled to claim Senior Scale. The said rule and schedule has explicitly curtailed the magnitude, size and sphere of the Senior Scale Sub-Engineers to 25% of the total sanctioned posts of Sub-Engineers and therefore, no authority was empowered to exceed or surpass the said number of Senior Scale Sub-Engineers.

19. The operation of the said rules applicable to Sub-Engineer with reference to grant of Senior Scale to 25% of the total number of posts has come to an end with effect from December 1, 2001 in view of notification dated 27.10.2001 whereby the scheme of selection grade and Move-over stood discontinued as laid down in para-7 of the said Pay-Revision Rules, 2001.

20. It is, therefore, held and concluded that the Senior Scale admissible to Sub-Engineers could only be granted and restricted to those Sub-Engineers who were meeting the prescribed criteria in the above manners on or before December 1, 2001.

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Record placed before us in different appeals would suggest that to implement the said rule in letter and spirit, the Establishment Department was constrained to issue letter No. SO(PSB)E/D/1-23/2002 dated Peshawar, the 3.7.2004 wherein cut off date for processing pending cases was extended to 31.8.2004 with certain observations, relevant portion whereof is reproduced herein for facilitation and ready reference:

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DPC for consideration as per instructions/policy on the subject at the latest otherwise strict disciplinary action would be taken against the defaulting official under the NWFP Removal from Service (Special Powers) Ordinance, 2000."

22. Authorities at the helm of affairs were conscious and cognizant of the facts and law that a civil servant otherwise entitled to Senior Scale could not be deprived of the same because of incomplete service record including Performance Evaluation Reports (PEERs) etc. and for reasons not attributable to such a civil servant. To achieve the righteous outcome and to avoid irregularities the defaulting officers were warned to be proceeded against under the punitive rules then in-vogue. Miseries of the aspiring and deserving Sub-Engineers came to surface when instead of competing and submitting the cases, junior officers were favoured and elevated to the Senior Scale prompting these ignored to approach this Tribunal for redressal of their grievances and this Tribunal, vide judgments dated 23.4.2009 and 11.12.2012 granted the relief by directing the respondents to extend similar treatment to equally placed employees by granting them Senior Scale.

23. The department and authority responsible to restrict Senior Scale to the prescribed 25% limit of posts and bound to raise concerns over such irregularities and state of affairs simply granted Senior Scale to Sub-Engineers in excess of 25% of the total number of posts in disregard of the rules. The grant of the said Senior Scale has not come to an end till date for the reasons that the same is granted by ignoring the prescribed limit of 25% including the time frame ending on December 31st, 2001. The practice adopted is not only condemnable but also worth taking note of because of overburdening the public exchequer offensively.

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Khyber Pakhtunkhwa
Civil Service Tribunal

24. Section-5 of the Khyber Pakhtunkhwa Civil Servants Act, 1973 hereinafter referred to as the Civil Servants Act, 1973 mandates that appointment to a civil service

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made in the prescribed manners by the Governor or by a person authorized by the Governor in that behalf. Khyber Pakhtunkhwa Civil Servants (Appointment, Promotion and Transfer) Rules, 1989, hereinafter referred to as APT Rules, 1989 framed under the provisions of section-26 of the Act, 1973 restricts but empowers the competent authority to make appointments, in case of exigencies prescribed in Rule-9, on acting or current charge basis in the public interest. Appointment to a higher post in own pay scale is a practice ruinous to Service Rules and structure of civil service and is ordinarily adopted by the authority to either favour their nears and dears or to distant the deserving civil servants due for promotion or to delay or beat timely inductions through initial appointments. This practice is frequently adopted and applied by the authorities despite the fact that the same is illegal and condemnable. We, therefore, hold that appointment of a civil servant in his own pay scale against a higher post is a practice derogatory to law and rules and good governance and we, therefore, accordingly direct that the same be discontinued by the authorities concerned forthwith but not beyond a period of one month. We further resolve and hold that the authorities failing to discontinue or pursuing such unlawful practices in future be dealt with under the relevant punitive laws and that departmental action against such incumbents for misusing and abusing authority vested in them by virtue of their office shall be initiated and concluded to logic end.

25. We are conscious of the fact that giving definite findings about the validity of judgments of this Tribunal entitling appellants in the stated appeals to Senior Scale are not warranted at this stage as the said matter is not agitated before us in the manners prescribed by law. We, therefore, direct that in case a Sub-Engineer not falling within the parameters of selection to Senior Scale on the above criteria but availing the privileges of such scale on the strength of any office order or judgment of this Tribunal be dealt with in accordance with law and subject to legal process and if so permitted by law, recoveries be made from their persons.

We further hold and direct that claims of the appellants in the stated appeals...

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of Senior Scale at the relevant times be calculated by the department and those fulfilling the criteria for Senior Scale but ignored due to lapses not attributable to ignored/leftover officers be granted the Senior Scale from the date of entitlement i.e. accruing of vacancies in the Senior Scale but subject to the provisions of the Pay Revision Rules, 2001. We also direct that the Provincial Government shall honour its directive and shall take disciplinary action against those responsible for maintaining, updating and completing the record of the officers, but ignoring their responsibilities and thus giving space to irregularities and illegalities thereby causing and inflicting losses on public exchequer.

27. We are alive to the situation that while computing the seats of Sub-Engineer in the Senior Scale and eligibility of the senior officers against the same the authorities concerned may find grant of selection grade allowed in excess of the prescribed limit and ratio. We, therefore, direct that the situation be addressed by the authorities concerned by resorting to legal course and in case any officer granted Senior Scale in excess of prescribed limit is found protected by any law, rules or judgment of the Court then, in such eventuality, the officers of the administrative department responsible for handling the affairs relating to grant of Senior Scale at the relevant time be sorted out and be proceeded against for realization of monetary loss caused to the public exchequer as a consequence of their irresponsible and undesirable behavior.

28. Before parting with this judgment we deem it our duty to discuss the case law cited at the Bar at the time of arguments by the learned counsel for the parties.

29. In case of Hameed Akhtar Niazi reported as 1996 SCMR 1185 and Sameena Perveen reported as 2009 SCMR 1, the august Supreme Court of Pakistan has observed that if the Service Tribunal or Supreme Court decides a point of law relating to the terms and conditions of service of a civil servant which covers not only the case of civil servant who litigated but also of other civil servants who may have not taken any legal proceedings in such a case, the doctrine of res judicata is not applicable.

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demand that the benefit of such judgment by Service Tribunal/Supreme Court be extended to other civil servants who may not be parties to the litigation instead of compelling them to approach the Service Tribunal or any other forum.

30. Though adequate number of Sub-Engineers seeking Senior Scale are present before us but there is likelihood that certain civil servants might not have approached this Tribunal to litigate for their claims. We, therefore, direct that the benefit of this judgment be extended to those Sub-Engineers who fulfilled the criteria of becoming Senior ^{Scale} Sub-Engineer at the relevant time.

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31. In case of Fida Hussain reported as PLD 2002 Supreme Court 46 and Abdul Samad reported as 2002 SCMR 71 it was observed by the august Supreme Court of Pakistan that rule of consistency must be followed in order to maintain balance and the doctrine of equality before law. That dictates of law, justice and equity required exercise of power by all concerned to advance the cause of justice and not to thwart it.

32. Deriving wisdom from the mandates of law, judgment of the august Supreme Court of Pakistan and to advance the cause of justice and to frustrate efforts and attempts of thwarting just and fair-play we direct that the judgment be giving effect by the respondents in letter and spirit.

33. The appeals are disposed of in the above terms. Parties are, however, left to bear their own costs. File be consigned to the record room.

34. In the end we direct the Registrar of this Tribunal to circulate a copy of this judgment among all concerned departments of the Provincial Government for guidance and compliance.

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Advocate

(PIR KISH SHAH)
MEMBER

(MUHAMMAD AZIM KHAN AFRIDI)
CHAIRMAN

(ABDUL LATIF)
MEMBER

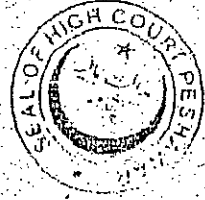
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In The Peshawar High Court, Peshawar.

Constitutional Petition No. 6-1/2019



1. Mr. Zewar Din S/O Rehman Ud Din R/o Municipal Colony Street No. 2 Mohalla Rahim Kohat Road Peshawar. (Sub Engineer) Retired, Provincial Building Construction Division No. 11 Peshawar.
2. Waheed Ahmad (Sub Engineer) S/o Umar Bakhsh R/O House No. 1913 Mohalla Kakey Khelan Yakatoon Peshawar.
3. Mushtaq Ali (Sub Engineer) S/O Sherin Gul R/O Village Hasan - Khel Post office & Tehsil Mir Ali North Waziristan.
4. Asmat Ullah (11) S/O Hameed- Ullah R/O Street No 2 Mohalla Qadoos Abad and Road D.I. Khan.
5. Hafeez Ur Rehman S/ O Habib- Ur- Rehman R/o Aziz Abad Murshad Abad Kohat road Peshawar.
6. Muhammad Nazem III S/O Muhammad Ashraf R/o House No 4283 Street No 3 Kakshal Peshawar.
7. Iftikhar Babar S/O Fozal Ilahi Babar R/O Peshawar Model Town Warsak Road street No 2 Peshawar.
8. Muhammad Shukat S/O Abdur Rehman R/O Chakeer Road Tanki Mar, Mohalla Noor Pur Mansehra.
9. Arshad Ahmad Khan- I S/O Sardar Kala Khan R/O Changa House Sardar Street Javeed Shaheed Road Mandian Abbot Abad.
10. Muhammad Sajjad (Sub Engineer) S/O Abdul Haleem R/O House No. 4421 Mohalla Afridi Khan Tehsil & District Peshawar.
11. Inayat Ur Rehman S/O Muhammad Ismail R/O Ziarat Talash Post Office Khas Timergara District Lower Dir.
12. Muhammad Iqbal S/O Fozal Malik R/O House No. 119 Street No. 7 Sector 3 Phase IV Gantt abad Peshawar.

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EXAMINER
Peshawar High Court

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- 13. Ibad Ullah S/O Muhammad Karim Mohalla Piran Village Utmanzai Tehsil & District Charsadda.
- 14. Muhammad Hayat S/O Noman Kalim R/O Mohalla Sanam Ghari Village Utmanzai Tehsil & District Charsadda.
- 15. Shahzad Hasan S/O Sher Hasan Khan R/O Private House No -3 Civil Colony Kohat road Peshawar.
- 16. Akbar Ali S/O Muhammad Akbar R/O Hafiz abad Manga Dargai Tehsil & District Charsadda.
- 17. Muneeb Khan S/O Jafar Khan R/O Ekka Ghund Tehsil Ekka Ghund District Mardan.

(Petitioners)

Versus

- 1. Government of Khyber Pakhtoon khwa Through Secretary Communication & Works Department Peshawar.
- 2. Chief engineer (Centre) C & W KPK Peshawar..... (Respondents)

Constitutional Petition under Article 187(2) read with Article 199(1)(a)(i) of the Constitution of Islamic Republic Of Pakistan.

Prayer:

On acceptance of this Constitutional Petition a writ may be issued:

- 1. Directing the Respondents to grant Senior Scale Grade BS -16 / to the Petitioners w.e.f. 04.09.2003 as is granted to other sub-Engineers even juniors to them vide dated Peshawar April 2018 Notification No SOE/C&WD/4-2/2018 in pursuant of the Khyber Pakhtoonkhwa Service Tribunal Judgment dated 2016 upheld by Supreme Court of Pakistan vide its order dated 13.02.2017 in C.P.No- 223-P/303 and 493-P of 2016.
- 2. Any other relief which this Honourable Court may deem just in the circumstances.

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Peshawar High Court

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Respectfully Sheweth:- The need for the instant Constitutional Petition arises due to the following facts:

Facts:-

1. That the Petitioners are sub Engineers in the Respondent department and have passed the Grade B Departmental examination before 2001, the time when the senior scale Grade Bs 16/Selection Grade as per policy of the Provincial Government was allowed..... (Copy of result 1988 and CVs is attached as Annexure A at page No 11).
2. That the Government of Khyber Pakhoonkwa (NWFP) services and General Administration , Tourism & Sports Department on 13th January made for the C&W Department (Recruitment and Appointments Rules 1979) in accordance to which the qualification for the Senior scale Sub Engineer was held Diploma in Engineering from a recognized Institute and 25% of the total number of posts of the Diploma holder Sub Engineer shall be from the cadre of senior scale sub engineers and shall be filled on merit with due regard to seniority.
3. That the Petitioners were eligible for senior Scale BS-16 but avoided to engage the Respondent Departments in litigation and were expecting the initiation of such grant of Senior Scale Grade on their turn by the Respondents themselves but nothing was done. A total 52 number of the sub engineers disappointed with the conduct of the Respondents filed appeals which were clubbed and the full Bench of the KPK Service Tribunal (consisting of three members) with certain terms including extending the benefits of the Judgment in its paras No 29,30 and 31 to those sub Engineers who filled the criteria at the relevant time was accepted and dispose off. (Copy of Judgment is attached as Annexure B at page No 28).

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EXAMINER
Peshawar High Court

4. That The Respondents filed Civil Petitions No 223-P, 303-P to 353; 391-P to 394 -P and 493 of 2015 Constitutional Petition No 2015-2016 in the Supreme Court of Pakistan through Appellate Jurisdiction.

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dismissed without granting leave asked for, declaring it without merit on 13.2.2017.....(.... Copy of Judgment dated 13.2.2017 is attached as annexure C at page No 43).

5. That the Dictum of both the Judgments are based on the principle laid down in the case of Hamed Akhtar Niazi 1996 SCMR 1185 and Sameena Perveen 2009 SCMR 1. In both these cases the august Supreme Court of Pakistan has observed that if a tribunal or a court of law decides a point of law relating to the terms and conditions of a service of a civil servant which covers not only the case of a civil servant who litigated but also of other civil servants who may have not taken any legal proceedings. In such a case the dictates of good governance demand that the benefits of such judgment be extended to other civil servants who may not be parties to the litigation instead of compelling them to approach the service tribunal or any other forum.

6. That in pursuance of the judgment of the KPK Service tribunal been upheld by the august court the Respondents issued a notification granting the Senior scale Bs-16 to all those who were party to the litigation but ignored the Petitioners been senior to them but were not party to the litigation.(Copy of Notification dated Peshawar the April 30, 2018 is attached as annexure D at page No 47)

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EXAMINER
Peshawar High Court

7. That feeling aggrieved of the conduct of the Respondents for ignoring the ruling of the August Court of Pakistan, the Petitioners made Representations to the Secretary C&W Department KPK Peshawar which is processed through C & W Department/ various sections with the opinion that the petitioners are eligible and are not involved in any criminal activities, and even the Secretary C&W recommended the Petitioners for senior Scale grade as they been eligible at the relevant time and even the opinion of the law department of the KPK was invited but it was delayed and at the end the Respondents regretted the representation on the ground that the Policy of the selection grade has since been discontinued by the Provincial Government. As a result to some of them got retired during this time.

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and opinions etc with impugned order is attached as Annexure E at page No 49.)

8. That the issue in hand is in respect of the interpretation of the ruling of the august court with the proposition, either it is to be implemented by the Respondents or to be again litigated by the aggrieved civil servant. Further when the Service Tribunal and the august Supreme Court of Pakistan has held that those who were eligible before the policy is discontinued then why the Petitioners been eligible at that time are ignored.

9. That though the Petitioners are civil servant but the issue relating to the terms and conditions of the Petitioners is settled and this Petition is not in respect of the terms and conditions of a Petitioner but the issue is that the respondent is not implementing the Ruling of the august court which is unconstitutional.

Being aggrieved, as the Judgment of the August Supreme court of Pakistan is not extended to the petitioners and with no alternate adequate remedy available so far this Constitutional Petition is preferred on the following grounds.

Grounds:

A. That by not implementing the judgment of the august court by the Respondent department in the form of extending the some relief to the Petitioners is a conduct against the law, without lawful authority and without jurisdiction and the mandate of Article 187(2) of the Constitution demands the interference of this Honourable Court.

B. That as per Article 5 of the Constitution of the Islamic republic Of Pakistan the obeigence to law and Constitution is obligation of every citizen and the decision of the august court has the force of law and is binding on all state institution.

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EXAMINER
Peshawar High Court

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C. That once the august court gives any verdict the state institution are duty bound to obey it without any hesitation and in case of non obedience the loyalty of that person to the state is in doubt.

D. That sub clause 2 of Article 187 in very clear terms lays down that the directions, order or decree issued by the August court is enforceable throughout Pakistan and be executed without any delay.

E. That the Petitioner case is within the parameters mentioned in the KPK Service Tribunal judgment and the judgment of the august Court of Pakistan in respect of relevant time and eligibility/ criteria consequent thereof is entitled to the same relief as per ruling of the august court of Pakistan.

F. That the reasons given for none extending the benefits of the judgments in the impugned order is unreasonable as this issue is solved in the judgment and the Petitioner was eligible before the policy was discontinued.

Therefore it is Prayed that this constitutional Petition may be admitted and allowed with a prayer above.

Petitioners

Through

Gauham Mah Ud-Din. Malik
Advocate Supreme Court of Pakistan.

Cell# 03339129616

Muhammad Farooq Malik

Advocate Peshwar High Court.

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EXAMINER
Peshwar High Court

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Certificate

This is certified that the Petitioners have not filed any other Constitutional/writ petition in respect of the same subject matter before this Honourable court.


Petitioners

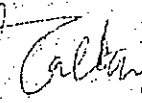
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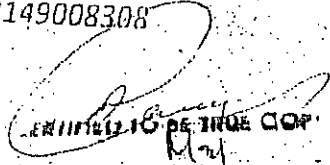
1. The Constitution of Islamic Republic of Pakistan, 1973.
2. Case law mentioned in the judgments of both forums


Petitioners

Through



Ghulam Mahj-Ud-Din Malik
Advocate Supreme Court of Pakistan.
Cell# 03339129616
Muhammad Farooq Malil 
Advocate Peshawar High Court.
Cell# 03149008308


12 APR 2021

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Advocate
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**PESHAWAR HIGH COURT PESHAWAR
ORDER SHEET**

Date of Order or Proceedings	Order or other Proceedings with Signature of Judge or that of parties or counsel where necessary
1	2
06.04.2021	<p>CM No. 06-P/2019 with CM No. 01-P/2021.</p> <p>Present: Mr. Ghulam Mohy-ud-Din Malik, advocate for the petitioners.</p> <p>Mr. Mujahid Ali Khan, Addl. AG on behalf of respondents alongwith Toufaeq DS and Malik Muhammad SO (iii) C&W.</p> <p>.....</p> <p><u>LAL JAN KHATTAK:</u> Through the petition in hand under Article 199 of the Constitution of Islamic Republic of Pakistan 1973, the petitioners have prayed for issuance of a writ to the following effect:-</p> <p>Direct the respondents to grant senior scale grant BS-16 to the petitioners w.e.f. 04.09.2003 as is granted to other sub-engineers even Juniors to them vide notification No. SOE/C&W/4-2/2018 dated 30th April, 2018, in pursuance of the decision of Khyber Pakhtunkhwa, Service Tribunal judgment date 02.03.2016 upheld by the apex Court in CP No. 223-P/303 to 353 & 483-P of 2016 dated 13.02.2017.</p> <p>2. At the very outset, learned counsel for the petitioners submitted at the bar that he would not press this petition anymore if directions are given to the respondents to consider the petitioners' grievance and resolve the same at their end to which the learned Addl.</p>



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hand by directing the respondents to consider the petitioners' grievance brought by them before this Court in light of the judgment delivered by the Khyber Pakhtunkhwa, Services Tribunal dated 02.03.2016, which has been upheld by the Hon'ble Supreme Court of Pakistan vide judgment dated 13.02.2017, with further direction that while deciding the petitioners' grievance recourse be also made to the letters available at pages 55, 57 & 58 of this petition. It will be appreciated if the referred exercise is undertaken by the respondents within a period of two months from today.

JUDGE

JUDGE

3269/14
 Date of Presentation of Application 06/11/2021
 No of Pages 9-17
 Copying fee
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Annex-E

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TENTATIVE SENIORITY LIST

OFFICE OF THE CHIEF ENGINEER, CENTRE
COMMUNICATION & WORKS DEPARTMENT
KHYBER PAKHTUNKHWA PESHAWAR

No. 266-E/ 885 ICE/C&WD

Dated 24/01/2023

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The Tentative Seniority List of the Sub Engineers (BPS-16/12) (Diploma Holders) (Civil/Electrical/Mechanical) of the C&W Department Khyber Pakhtunkhwa (as stood on 31/12/2022) is hereby circulated as under:-

S.No	Name of Official	Father's Name	Domicile	Qualification	DOB	Date of entry into Govt. Service.	Date of Appointment to Class	BPS	Year of Passing prof. exam	Remarks
1	Hamdullah-I	Attaulah	Tank	DAE(M)	20/08/1964	11-07-1987	11-07-1987	B-16	2010	
2	Tariq Hussain Shah	Syed Irfan Shah	Mansehra	DAE(C)	01-04-1964	15-03-1988	15-03-1988	B-15	Not cleared	
3	Mumtaz Ahmed Malik	Malik Ali Asghar	Hariपुर	DAE(C)	06-06-1966	15-03-1988	15-03-1988	B-16	01/2022	
4	Ajamzeb-I	Rehmanullah Khan	Swabi	DAE(C)	01-03-1963	16-03-1988	16-03-1988	B-16		
5	Ikrarulhikmah-III	Haji Shalozan	NWA	DAE(C)	01-01-1964	16-03-1988	16-03-1988	B-16		
6	Muhammad Shaukat	Abdur Rehman	Mansehra	DAE(E)	12-02-1964	16-03-1988	16-03-1988	B-16		
7	Rehman Saeed	Noor Bag	Karak	DAE(M)	15-01-1965	16-03-1988	16-03-1988	B-16		
8	Syed Jaffar Shah	S Bahader Shah	Abbottabad	DAE(C)	01-02-1964	17-03-1988	17-03-1988	B-16	01/2022	
9	Shah Tamas Khan	Israr Khan	Bannu	DAE(C)	30-03-1964	17-03-1988	17-03-1988	B-16		
10	Muhammad Jamil-II	Amanullah	Mansehra	DAE(C)	12-05-1964	17-03-1988	17-03-1988	B-16	2016	
11	Muhammad Iqbal-iv	Muhammad Afzal	Baltagram	DAE(C)	20/03/1964	19-03-1988	19-03-1988	B-16	Oct-2018	
12	Tariq Muhammad	Gul Muhammad Khan	Swabi	DAE(C)	15-04-1964	19-03-1988	19-03-1988	B-16	Not cleared	
13	Fida Muhammad	Taj Din	Mansehra	DAE(C)	10-12-1964	19-03-1988	19-03-1988	B-16	2006	
14	Noor Zeb	Mir Sadat Khan	Bannu	DAE(E)	10-04-1965	19-03-1988	19-03-1988	B-16	2006	
15	Muhammad Abul Khair	Khan Sher	Mohmand	DAE(C)	07-10-1966	19-03-1988	19-03-1988	B-16	Dec-2017	
16	Imtiaz Ali Khan	Farmanullah	Nowshera	DAE(C)/ B.Tech(C)Pass	10-03-1963	20-03-1988	20-03-1988	B-16	2008	
17	Asmatullah Khan-II	Hamidullah Khan	Tank	DAE(C)	23-03-1964	20-03-1988	20-03-1988	B-16		
18	Salim Khan-III	Multan Khan	Charsadda	DAE(C)	03-09-1964	20-03-1988	20-03-1988	B-16	2008	
19	Luqman Tariq	Khan Gul	FR Bannu	DAE(C)	24-05-1967	20-03-1988	20-03-1988	B-16	2008	
20	Hidayatullah-II	Amanullah Khan	Tank	DAE(M)	20-03-1963	22-03-1988	22-03-1988	B-16	2006	
21	Syed Ali Raza Gillani	M. Ahmad Gillani	Peshawar	DAE(E)	01-10-1966	22-03-1988	22-03-1988	B-16	2008	
22	Muhammad Iqbal-V	Awaj Khan	Lakki	DAE(C)	22-01-1964	24-03-1988	24-03-1988	B-16	Dec-11	XEN Bldg SW Tank No 92777-E dated 30/01/2019
23	Muhammad Tariq-III	Ghulam Sadiq	DI Khan	DAE(C)	14-08-1966	07-12-1990	07-12-1990	B-16	2006	Seniority fixed as per merit order assigned by the NWFP PSC
24	Mudassar Shah	Musannif Shah	Charsadda	DAE(C)	04-04-1965	22-12-1990	22-12-1990	B-16	2008	Seniority fixed as per merit order assigned by the NWFP PSC

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Remarks

S No	Name of Official	Father's Name	Domicile	Qualification	DOB	Date of entry into Govt. Service	Date of Appointment to Class	EPS	Year of Passing prof exam	Remarks
25	Fayyaz Gul-II	Umar Gul	Mardan	DAE(C)	11-02-1967	23-12-1990	23-12-1990	B-16	2010	Seniority fixed as per merit order assigned by the NWFP PSC
26	Alam Zeb-II	Mehar Muhammad	Mardan	DAE(C)	19-09-1963	12-12-1990	12-12-1990	B-16	2008	Seniority fixed as per merit order assigned by the NWFP PSC
27	Muhammad Tahir	Karim Khan	Nowshera	B.A/DAE(C)	03-03-1968	20-12-1990	20-12-1990	B-16	2008	Seniority fixed as per merit order assigned by the NWFP PSC
28	Sareer-ud-Din	Wahabudin	Nowshera	DAE(C)	05-02-1963	29-12-1990	29-12-1990	B-16	2008	Seniority fixed as per merit order assigned by the NWFP PSC
29	Syed Yaqoot Jan	Syed Muslim	Orakzai	BA/DAE(C)	15-02-1963	20-12-1990	20-12-1990	B-16	2008	Seniority fixed as per merit order assigned by the NWFP PSC
30	Aurangzeb-IV	Mohabat Khan	Mansehra	F.Sc/DAE(C)	09-04-1965	16-12-1990	16-12-1990	B-16	2010	Seniority fixed as per merit order assigned by the NWFP PSC
31	Niamatullah-I	Abdul Ghaffar	Lakki	DAE(C)	10-03-1966	06-12-1990	06-12-1990	B-16	2011	Seniority fixed as per merit order assigned by the NWFP PSC
32	Muhammad Naseer Khan	Zarab Din	Karak	DAE(C)	02-01-1967	08-12-1990	08-12-1990	B-16	2010	Seniority fixed as per merit order assigned by the NWFP PSC
33	Taj Malook	Aqal Jan	FR Bannu	DAE(C)	17-12-1963	12-12-1990	12-12-1990	B-16	2008	Seniority fixed as per merit order assigned by the NWFP PSC
34	Shafatullah	Amanullah	Charsadda	DAE(C)	01-05-1967	16/12/1990	16/12/1990	B-16	2008	Seniority fixed as per merit order assigned by the NWFP PSC
35	Muhammad Azam	Taza Khan	Mardan	DAE(C)	07-11-1963	16-12-1990	15-12-1990	B-16	-	Seniority fixed as per merit order assigned by the NWFP PSC
36	Muhammad Fiaz Ahmed	Muhammad Miskeen	Haripur	DAE(C)	10-09-1966	22-12-1990	22-12-1990	B-16	-	Seniority fixed as per merit order assigned by the NWFP PSC
37	Nekzada	Shahzada	Bajaur	DAE(C)	04-05-1964	17-12-1990	17-12-1990	B-16	2008	Seniority fixed as per merit order assigned by the NWFP PSC
38	Qamar Zaman	Ali Zaman	Kurram	DAE(E)	08-02-1965	08-12-1990	08-12-1990	B-16	2008	Seniority fixed as per merit order assigned by the NWFP PSC
39	Hashim Khan	Hussain Afzal	Khyber	DAE(C)	20-01-1964	22-12-1990	22-12-1990	B-16	2010	Seniority fixed as per merit order assigned by the NWFP PSC
40	Fazal Wahid	Ajab Gul	Malakand	DAE(E)	03-02-1965	16-12-1990	16-12-1990	B-16	-	Seniority fixed as per merit order assigned by the NWFP PSC
41	Sultan Zeb	Gulab Shah	Bajaur	DAE(C)	02-03-1966	13-12-1990	13-12-1990	B-16	2010	Seniority fixed as per merit order assigned by the NWFP PSC
42	Zewar Gul	Haji Gul Zaman	Mohmand	DAE(C)	10-10-1965	10-12-1990	10-12-1990	B-16	2016	Seniority fixed as per merit order assigned by the NWFP PSC
43	Ghaniullah	Abdul Elahi	NWA	DAE(C)	27-02-1966	12-12-1990	12-12-1990	B-16	2010	Seniority fixed as per merit order assigned by the NWFP PSC
44	Muhammad Haroon Qaisar	Malik Aman	Mansehra	DAE(C)	12-12-1964	22-12-1990	22-12-1990	B-16	2008	Seniority fixed as per merit order assigned by the NWFP PSC
45	Jamshed Khan-II	Jamdad Khan	Bajaur	DAE(C)	15-03-1971	04-07-1994	04-07-1994	B-16	2008	Seniority fixed as per merit order assigned by the NWFP PSC
46	Khyal Muhammad	Sher Muhammad	Swabi	DAE(C)	05-12-1972	28-06-1994	28-06-1994	B-16	2008	Seniority fixed as per merit order assigned by the NWFP PSC
47	Farooq Sarwar Baluch	Ghulam Sarwar Baloch	DI.Khan	DAE(C)	12-09-1968	28-06-1994	28-06-1994	B-16	2008	Seniority fixed as per merit order assigned by the NWFP PSC
48	Abid Hussain-II Bangash	Muhammad Younas	Kurram	DAE(C)	02-04-1966	30-06-1994	30-06-1994	B-16	2008	Seniority fixed as per merit order assigned by the NWFP PSC
49	Mashoor Khan	Wakid Khan	Abbottabad	DAE(C)	04-04-1973	04-07-1994	04-07-1994	B-16	2010	Seniority fixed as per merit order assigned by the NWFP PSC
50	Muhammad Shahid Iqbal	Muhammad Akbar	Haripur	DAE(C)	08-12-1972	03-07-1994	03-07-1994	B-16	01/2022	Seniority fixed as per merit order assigned by the NWFP PSC
51	Taseer Anwar	Anwar Gul	Mohmand	DAE(C)	25-12-1971	27-06-1994	27-06-1994	B-16	2008	Seniority fixed as per merit order assigned by the NWFP PSC
52	Rokhan Gul Khattak	Rai Khan Gul	Karak	DAE(C)	01-01-1971	30-04-1995	30-04-1995	B-16	2008	Seniority fixed as per merit order assigned by the NWFP PSC
53	Muhammad Zaheer	Khalifa	Abbottabad	DAE(C)	09-04-1971	23-04-1995	23-04-1995	B-16	2008	Seniority fixed as per merit order assigned by the NWFP PSC
54	Zahid Amin	Muhammad Amin	Abbottabad	DAE(C)	04-05-1970	23-04-1995	23-04-1995	B-16	2010	Seniority fixed as per merit order assigned by the NWFP PSC
55	Anwar Ali	Shah Said	Swabi	DAE(C)	06-03-1963	28-08-1988	13-10-1999	B-16	2006	Promotee, inter-s-seniority in tact
56	Shari-II	Bashi Khan	Peshawar	DAE(C)	01-06-1964	05-09-1990	20-10-1999	B-16	2006	Promotee, inter-s-seniority in tact

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S No	Name of Offical	Father's Name	Domicile	Qualification	DOB	Date of entry into Govt. Service	Date of Appointment to Class	BPS	Year of Passing prof exam	Remarks
57		M. Hamid Akram Khan	Nowshera	DAE(C)	01-04-1967	27-04-1992	12-10-1999	B-16		Promotee, inter-se-seniority intact
58		Abdul Rehman	Swabi	BA/DAE(C)	30-03-1964	17-06-1997	15-10-1999	B-16	2006	Promotee, inter-se-seniority intact
59		Syed Mansab Hussain	Kurram Aqv	DAE(C)	01/07/1963	21/09/1991	11/05/2006	B-16	2008	Promotee from the post of Surveyor. Inter-se Seniority kept intact.
60		Madal Nawaz Khan	Bannu	DAE(C)	15-03-1963	25-07-1985	01-10-2006	B-16	B&R Code laid	Service w.e.f 25-07-1985 to 30-09-2006 as Road Inspector
61		Abdul Naseer	Mansehra	DAE(C)	26-04-1965	25-01-1986	01-10-2006	B-16		Service w.e.f 25-01-1986 to 30-09-2006 as Road Inspector
62		Abdul Rehman	DI Khan	DAE(C)	12-02-1963	05-03-1986	01-10-2006	B-16	12/2020	Service w.e.f 05-03-1986 to 30-09-2006 as Road Inspector
63		Manzoor Hussain	Swat	DAE(C)	01-07-1966	06-03-1986	01-10-2006	B-16		Service w.e.f 06-03-1986 to 30-09-2006 as Road Inspector
64		Mian Badshah	Swat	DAE(C)	10-01-1966	13-08-1987	01-10-2006	B-16	2010	Service w.e.f 13-08-1987 to 30-09-2006 as Road Inspector
65		Chamba Gul	Kohat	DAE(C)	01-11-1952	07-11-1987	01-10-2006	B-16	Compan in Accounts & B&R Code	Service w.e.f 07-11-1987 to 30-09-2006 as Road Inspector
66		Abdur Rab	Orakzai	DAE(C)	04-01-1965	30-11-1989	01-10-2006	B-16	2010	Service w.e.f 01-03-1990 to 30-09-2006 as Road Inspector
67		Amanullah Khan	DI Khan	DAE(C)	08-04-1964	15-03-1991	01-10-2006	B-16		Service w.e.f 15-03-1991 to 30-09-2006 as Road Inspector
68		Muhammad Saleem Khan	Dir Lower	DAE(C)	01-04-1970	02-06-1994	01-10-2006	B-16	Oct-13	Service w.e.f 02-06-1994 to 30-09-2006 as Road Inspector
69		Abdul Haleem	Kurram	DAE(C)	14-01-1969	25-10-1995	01-10-2006	B-16	2010	Service w.e.f 25-10-1995 to 30-09-2006 as Road Inspector
70		Kamal Khan	Kohat	DAE(C)	01-03-1969	07-11-1995	01-10-2006	B-16	2010	Service w.e.f 07-11-1995 to 30-09-2006 as Road Inspector
71		M. Yousaf Khan	Kurram	DAE(C)	11-04-1971	07-11-1995	01-10-2006	B-16	2010	Service w.e.f 07-11-1995 to 30-09-2006 as Road Inspector
72		Haji Ahmad Ali	Kurram	DAE(C)	18-04-1972	17-12-1995	01-10-2006	B-16	2010	Service w.e.f 17-12-1995 to 30-09-2006 as Road Inspector
73		Haji Abdul Ghaffar	DI Khan	DAE(C)	01-12-1969	05-05-1996	01-10-2006	B-16		Service w.e.f 05-05-1996 to 30-09-2006 as Road Inspector
74		Sharif Khan	Hangu	DAE(C)	05-10-1972	03-06-1996	01-10-2006	B-12		Service w.e.f 03-06-1996 to 30-09-2006 as Road Inspector. Service Reinstated vide No SOE Q&WD/8-15/2017 dated 19-04-2022 sub to the outcome of TPLA filed by the Deptt. in the August Supreme Court of Pakistan
75		M. Yaqoob Khan	Mansehra	DAE(C)	09-03-1967	07-06-1996	01-10-2006	B-16	12/2020	Service w.e.f 07-06-1996 to 30-09-2006 as Road Inspector
76		Safdar Hussain	Khyber	DAE(C)	01-01-1966	02-12-1991	01-10-2006	B-16	2010	Service w.e.f 01-04-1997 to 30-09-2006 as Road Inspector
77		Haji Khair Gul	FR Kohat	DAE(C)	20-09-1966	04-10-1997	01-10-2006	B-16	2008	Service w.e.f 04-10-1997 to 30-09-2006 as Road Inspector
78		Khial Gul	FR Kohat	DAE(C)	15-01-1972	04-10-1997	01-10-2006	B-16	2011	Service w.e.f 04-10-1997 to 30-09-2006 as Road Inspector
79		M. Afsar Khan	Mansehra	DAE(C)	01-04-1972	01-08-1992	01-10-2006	B-16	2012	Service w.e.f 01-12-1996 to 30-09-2006 as Road Inspector
80		Shamshad Khan	Mardan	DAE(E)	10-04-1981	02-03-2007	02-03-2007	B-16		Appointed under deceased's son quota
81		Haleemullah	NWA	DAE(C)	03-04-1985	02-03-2007	02-03-2007	B-16	Oct-2013	Appointed under deceased's son quota
82		Fazal Dad Khan	Haripur	DAE(C)	17/09/1965	08/05/1988	27/09/2007	B-16		
83		Gul Nawaz	Bannu	DAE(C)	05-10-1970	19-02-1995	01-04-2008	B-12	2016	Promoted from the post of Tracers. Inter-se-seniority kept intact
84		Pr. Sarwar Shah	Bannu	DAE(C)	08-03-1973	20-03-1995	01-04-2008	B-12	Oct-2013	Promoted from the post of Tracers. Inter-se-seniority kept intact
85		Manzoor Ahmad	Abbottabad	DAE(M)	24-08-1968	22-03-1995	01-04-2008	B-12		Promoted from the post of Tracers. Inter-se-seniority kept intact
86		Muhammad Ghufan	Shangla	DAE(M)	20-01-1971	30-04-1995	01-04-2008	B-12		Promoted from the post of Tracers. Inter-se-seniority kept intact
87		Aurengzeb Shah	SWA	DAE(C)	15/01/1980	10-05-2009	10-05-2009	B-12	Oct-2013	Appointed under deceased's son quota

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Name of Officer	Father's Name	Domicile	Qualification	DOB	Date of entry into Govt. Service	Date of Appointment to Class	BPS	Year of Passing prof. exam	Remarks
		Dir Lower	D AE (C)	19/09/1974	14/01/2011	14/01/2011	B-12	Oct-2013	Appointed under deceased's son quota
		Dir Lower	D AE (C)	07/04/1982	14/01/2011	14/01/2011	B-12	Dec-2017	Appointed under deceased's son quota
		Malakand	D AE (C)	13/12/1988	14/01/2011	14/01/2011	B-12	01/2022	Appointed under deceased's son quota
		Bannu	D AE (C)	10/04/1989	14/01/2011	14/01/2011	B-12		Appointed under deceased's son quota
		Bannu	B A D AE (C)	21/09/1981	07/05/2005	01/04/2011	B-12		Promoted from the post of Work Supervisor
		Abbottabad	D AE (E)	04/10/1976	03/12/1995	01/04/2011	B-12	Oct-2010	Promoted from the post of Superintendent (E&M)
		FR Bannu	D AE (M)	22/01/1965	13/12/1986	01/04/2011	B-12		Promoted from the post of Supervisor
		Mardan	D AE (M)	02/06/1972	05/06/1994	01/04/2011	B-12	2011	Promoted from the post of Supervisor
		Peshawar	D AE (M)	20/04/1968	12/09/1961	01/04/2011	B-12		Promoted from the post of Supervisor
		Peshawar	S S C	28/09/1964	06/03/1985	01/04/2011	B-16	Oct-2018	Promoted from the post of Superintendent (E&M)
		Swabi	D AE (C)	18/02/1990	01/01/2012	01/01/2012	B-12		Appointed under deceased's son quota
		Lakki	D AE (C)	08/02/1979	07/05/2012	07/05/2012	B-12		Appointed under deceased's son quota
		NWA	D AE (C)	05/04/1984	07/05/2012	07/05/2012	B-12	Oct-2013	Appointed under deceased's son quota
		Nowshera	D AE (C)	10/04/1992	01/09/2014	01/09/2014	B-12	Oct-2018	Seniority fixed as per merit order assigned by the Khyber Pakhtunkhwa Public Service Commission
		Karak	D AE (C)	01/01/1974	01/09/2014	01/09/2014	B-12	Dec-2017	Seniority fixed as per merit order assigned by the Khyber Pakhtunkhwa Public Service Commission
		NWA	D AE (C) + B Sc Science	12/04/1988	01/09/2014	01/09/2014	B-12	Dec-2017	Seniority fixed as per merit order assigned by the Khyber Pakhtunkhwa Public Service Commission
		Mardan	D AE (C)	28/03/1993	01/09/2014	01/09/2014	B-12		Seniority fixed as per merit order assigned by the Khyber Pakhtunkhwa Public Service Commission
		Malakand	D AE (C)	10/03/1991	01/09/2014	01/09/2014	B-12	2016	Seniority fixed as per merit order assigned by the Khyber Pakhtunkhwa Public Service Commission
		Mohmand	D AE (C)	06/02/1991	01/09/2014	01/09/2014	B-12		Seniority fixed as per merit order assigned by the Khyber Pakhtunkhwa Public Service Commission
		Mansehra	D AE (C)	12/11/1984	01/09/2014	01/09/2014	B-12	12/2020	Seniority fixed as per merit order assigned by the Khyber Pakhtunkhwa Public Service Commission
		Mansehra	D AE (C)	05/10/1990	01/01/2014	01/01/2014	B-12		(Disable Quota) Seniority fixed as per merit order assigned by the Khyber Pakhtunkhwa Public Service Commission.
		Peshawar	Matric	15/03/1965	03/04/1982	14/01/2015	B-12		Promoted from the post of Road Inspector
		D.I.Khan	(i) Matric (ii) DAE (M)	07/02/1964	22/10/1986	14/01/2015	B-12		Promoted from the post of Road Inspector
		Peshawar	B.A	17/03/1964	07/01/1987	14/01/2015	B-12		Promoted from the post of Road Inspector
		Dir Lower	F.A	26/03/1965	20/01/1987	14/01/2015	B-12		Promoted from the post of Road Inspector
		Swat	F.A	20/04/1963	03/08/1987	14/01/2015	B-12		Promoted from the post of Road Inspector
		Khy. Agy	B.A	01/05/1964	25/02/1988	14/01/2015	B-12		Promoted from the post of Road Inspector

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S.No	Name of Official	Father's Name	Domicile	Qualification	DOB	Date of entry into Govt. Service	Date of Appointment to Class	BPS	Year of Passing program	Remarks
115	Ahmad Khan	Ahmad Shah	Peshawar	M.A	02/03/1965	01/03/1988	14/01/2015	B-12		Promoted from the post of Work Supervisor
116	Atamgir Khan	Abdullah Khan	Makand	(i)B.A (ii)DAE (M)	06/11/1968	29/09/1991	14/01/2015	B-12		Promoted from the post of Road Inspector
117	Sultan Mehmood	Zarif Khan	Kohat	(i)F.A (ii)DAE (E)	07/05/1968	01/08/1992	14/01/2015	B-12	Terhi Prd paper Jo vva failed	Promoted from the post of Road Inspector
118	Amirullah Khan	Gul Payozad Khan	Bannu	(i)Matric (ii)DAE (M)	27/03/1967	29/06/1995	14/01/2015	B-12		Promoted from the post of Road Inspector
119	Umar Khilab	Muhammad Zaman	Bannu	(i)Matric (ii)DAE (E)	10/01/1970	26/09/1995	14/01/2015	B-12	B&R Code failed	Promoted from the post of Road Inspector
120	Hidayat Ullah	Habib Ullah	D.I.Khan	(i)Matric (ii)DAE (M)	13/04/1963	07/06/2002	14/01/2015	B-12	-	Promoted from the post of Supervisor
121	Abdul Haseeb Abbas	Qamar Abdul Resheed	Mardan	DAE(C)	22/03/1996	7/6/2016	7/6/2016	B-12	-	Seniority fixed as per merit order assigned by the Khyber Pakhtunkhwa Public Service Commission
122	Nasir Khan	Rajan Shah	Bannu	DAE(C)	16/06/1994	07/06/2016	07/06/2016	B-12	-	Seniority fixed as per merit order assigned by the Khyber Pakhtunkhwa Public Service Commission
123	Umar Khan	Muhammad Anwar Baig	Haripur	DAE(C)	25/08/1991	07/06/2016	07/06/2016	B-12	-	Seniority fixed as per merit order assigned by the Khyber Pakhtunkhwa Public Service Commission
124	Hameed Kumar	Hira Lal	Peshawar	DAE(C)	24/10/1984	09/12/2016	09/12/2016	B-12	Dec-2017	Minority Quota. Seniority as per KP Public Service Commission.
125	Aliya Batool	Syed Qurban Hussain Shah	Abbottabad	DAE(C)	03/03/1991	21/07/2017	21/07/2017	B-12	-	Woman Quota. Seniority as per KP Public Service Commission.
126	Khuram Shazad	Joseph Bahadar	D.I.Khan	DAE(C)	24/01/1987	16/08/2017	16/08/2017	B-12	-	Minority Quota. Seniority as per KP Public Service Commission.
127	Zia ul Haq	Muhammad Younis	Haripur	DAE(C)	31/03/1992	21/08/2017	21/08/2017	B-12	01/2022	Seniority fixed as per merit order assigned by the Khyber Pakhtunkhwa Public Service Commission
128	Malik Touseef Rafiq	Refiq Maseeh	D.I.Khan	DAE(C) B.Com	03/09/1986	13/11/2017	13/11/2017	B-12	12/2020	Minority Quota. Seniority as per KP Public Service Commission.
129	Shasta Naz	Iina Du Din	Chitral	DAE(C)	26/07/1997	13/11/2017	13/11/2017	B-12	-	Woman Quota. Seniority as per KP Public Service Commission
130	Irfan	Umar Gul	Charsadda	DAE(C)	19/04/1989	29/01/2018	29/01/2018	B-12	-	Seniority fixed as per merit order assigned by the Khyber Pakhtunkhwa Public Service Commission
131	Waseef-Ullah	Amanat Khan	Mohmand	DAE(C)	27/03/1991	31/01/2018	31/01/2018	B-12	-	Seniority fixed as per merit order assigned by the Khyber Pakhtunkhwa Public Service Commission
132	Muhammad Kamran Khan	Muhammad Laiq Khan	Bannu	DAE(C) B.A	05/09/1991	29/01/2018	29/01/2018	B-12	-	Seniority fixed as per merit order assigned by the Khyber Pakhtunkhwa Public Service Commission
133	Arshad Ur Rehman	Sabir Ur Rehman	Karak	DAE(C)	12/02/1991	31/01/2018	31/01/2018	B-12	-	Seniority fixed as per merit order assigned by the Khyber Pakhtunkhwa Public Service Commission
134	Syed Yasir Ali Shah	Dil Muhammad Shah	Mansehra	DAE(C)	12/03/1996	06/02/2018	06/02/2018	B-12	12/2020	Seniority fixed as per merit order assigned by the Khyber Pakhtunkhwa Public Service Commission
135	Khaid Bashir	Ingeneer	Chitral	B.A. DAE (Civil)	15/01/1993	03/04/2018	03/04/2018	B-12	-	Minority Quota. Seniority as per KP Public Service Commission.

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Name of Official	Father's Name	Domicile	Qualification	DOB	Date of entry into Govt. Service	Date of Appointment to Class	BPS	Year of Passing prof. exam	Remarks
Shiraz Khan	Zarif Khan	Lakki Marwat	Matric DAE (C)	05/03/1981	19/11/2008	25/11/2019	B-12		Promoted from the post of Work Supervisor. Inter-se Seniority remain intact.
Haz Ahmad	Salah-ud-Din	D.I Khan	DAE (C) 2007	30-03-1983	15-01-2011	30/03/2018	B-12		Promoted from the post of Work Supervisor. Inter-se Seniority intact.
Shiraz Khan	Rehman Gul	Charsadda	DAE (C) 2010	04-08-1989	17-01-2011	30/03/2018	B-12		Promoted from the post of Work Supervisor. Inter-se Seniority intact.
Waqas Yousaf	Yousaf Ali	Charsadda	DAE (C) 2006	02-05-1986	21-01-2011	30/03/2018	B-12		Promoted from the post of Work Supervisor. Inter-se Seniority intact.
Zeshan Luqman	Luqman Ghani	Swabi	DAE (C) 2010	03-10-1988	21-01-2011	30/03/2018	B-12		Promoted from the post of Work Supdt. Inter-se Seniority intact.
Naqeeb Ullah	Asmat Ullah	Lakki Marwat	DAE (C) 2005	08-09-1983	22-01-2011	30/03/2018	B-12		Promoted from the post of Work Supervisor. Inter-se Seniority intact.
Imran Yousaf	Muhammad Yousaf	Peshawar	DAE (E) 1991	28-08-1972	15-02-2007	30/03/2018	B-12		Promoted from the post of Work Supervisor. Inter-se Seniority intact.
Waqar Khan	Misri Khan	Peshawar	DAE (E) 2008	15-04-1988	17-01-2011	30/03/2018	B-12	OCT-2018	Promoted from the post of Work Supervisor. Inter-se Seniority intact.
Kamran Khan	Muhammad Aslam	D.I Khan	DAE (C) 2005	10-07-1984	22-01-2011	30/03/2018	B-12	OCT-2018	Promoted from the post of Work Supdt E&M. Inter-se Seniority intact.
Hasam-ud-Din	Pir Azmat Shah	D.I Khan	DAE (M) 2000	07-07-1980	25-01-2011	30/03/2018	B-12	Oct-2018	Promoted from the post of Work Supervisor. Inter-se Seniority intact.
Arshad Ban	Abdul Bari	Nowshera	DAE (2014)	04-10-1970	03-10-1991	30/03/2018	B-12		Promoted from the post of Craftsman (Diploma Holder).
Sanaulah Khan	Zaloo Khan	Lakki	DAE (C)	10-03-1973	03-10-1991	30/03/2018	B-12		Promoted from the post of Tracer (Diploma Holder).
Fard Ahmad	Muhammad Idrees	Dir Upper	Matric	25/01/1966	12/07/1985 Road Inspector	30/03/2018	B-12		Promoted from the post of Road Inspector (B-Grade).
Sayed Abdul Rahim	Sayed Abdul Wasia	Dir Upper	B.A	07/12/1964	18/07/1985 Road Inspector	30/03/2018	B-12	Oct-2018	Promoted from the post of Road Inspector (B-Grade).
Bashir Muhammad	Anwar Khan	Dir Upper	i) B.A. ii) D.Com	25/03/1964	21/08/1986 Road Inspector	30/03/2018	B-12		Promoted from the post of Road Inspector (B-Grade).
Muhammad Rafiq	Mir Zaman	Mansehra	Matric	13/01/1969	16/06/1987 Artificer	30/03/2018	B-12		Promoted from the post of Road Inspector (B-Grade).
Sajad Iqbal	Allah Dad	Kohat	Matric	03/01/1966	30/04/1988 Road Inspector	30/03/2018	B-12		Promoted from the post of Road Inspector (B-Grade).
Inayat-ul-Aziz	Muhammad Aziz	Karak	B.A	01/07/1965	09/08/1989 Road Inspector	30/03/2018	B-12		Promoted from the post of Road Inspector (B-Grade).
Muhammad Riyaz	Zahoor	Mardan	DAE (C)	08/03/1990	03/08/2018	03/08/2018	B-12		Seniority fixed as per merit order assigned by the Khyber Pakhtunkhwa Public Service Commission.
Amjad Ullah	Barkat Ullah	North Waziristan	DAE (C)	06/05/1990	29/06/2018	29/06/2018	B-12	Oct-2018	Seniority fixed as per merit order assigned by the Khyber Pakhtunkhwa Public Service Commission.
Aziz-ur-Rehman	Ali Hussain	North Waziristan	DAE (C)	03/02/1985	29/06/2018	29/06/2018	B-12	Oct-2018	Seniority fixed as per merit order assigned by the Khyber Pakhtunkhwa Public Service Commission.

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S.No	Name of Official	Father's Name	Domicile	Qualification	DOB	Date of entry into Govt. Service	Date of Appointment to Class	BPS	Year of Passing prof exam.	Remarks
158	Muhammad Ahd	Fazal-e-Malik	Harpur	DAE (C)	05/10/1991	13/07/2018	13/07/2018	B-12		Seniority fixed as per merit order assigned by the Khyber Pakhtunkhwa Public Service Commission
158	Abdullah Shah	Dalal Khan	Mohmand	DAE (C)	24/10/1994	23/07/2018	23/07/2018	B-12		Seniority fixed as per merit order assigned by the Khyber Pakhtunkhwa Public Service Commission
159	Bilal Shah	Ali Shah	Malakand	DAE (C)	04/03/1991	01/08/2018	01/08/2018	B-12		Seniority fixed as per merit order assigned by the Khyber Pakhtunkhwa Public Service Commission
160	Ihsanullah	Son	Dir Upper	DAE (C)	10/06/1992	27/07/2018	27/07/2018	B-12		Seniority fixed as per merit order assigned by the Khyber Pakhtunkhwa Public Service Commission
161	Aftab Alam	Khan Zeb	Bajaur	DAE (C)	06/06/1996	23/07/2018	23/07/2018	B-12		Seniority fixed as per merit order assigned by the Khyber Pakhtunkhwa Public Service Commission
162	Gul Zahid	Raham Taj	Charsadda	DAE (C)	03/03/1995	24/07/2018	24/07/2018	B-12		Seniority fixed as per merit order assigned by the Khyber Pakhtunkhwa Public Service Commission
163	Shah Wazir	Nazir Khan	Khyber	DAE (C)	25/03/1996	31/07/2018	31/07/2018	B-12		Seniority fixed as per merit order assigned by the Khyber Pakhtunkhwa Public Service Commission
164	Abid	Muhammad Salfar	Abbottabad	DAE (C)	06/04/1992	06/08/2018	06/08/2018	B-12		Seniority fixed as per merit order assigned by the Khyber Pakhtunkhwa Public Service Commission
165	Raja Asif Khan	Raja Shamroz Khan	Haripur	DAE (C)	31/05/1990	16/08/2018	16/08/2018	B-12		Seniority fixed as per merit order assigned by the Khyber Pakhtunkhwa Public Service Commission
166	Muhammad Zubair	Muhammad Irshad	Harpur	DAE (C)	31/01/1992	26/07/2018	26/07/2018	B-12		Seniority fixed as per merit order assigned by the Khyber Pakhtunkhwa Public Service Commission
167	Jay Preet Singh	Ram Nath	Buner	DAE (C)	30/12/1994	24/10/2018	24/10/2018	B-12		Seniority as per Khyber Pakhtunkhwa Public Service Commission (Minority Quota)
168	Saba Ishtiaq	Ishfaq Hussain Shah	Abbottabad	DAE (Civil)	05/04/1996	09/08/2019	09/08/2019	B-12		Women Quota Selected through ETEA
169	Bilal Khan	Malik Aftab Khan	Abbottabad	Matric DAE (C)	06/05/1987	30/04/2012	25/11/2019	B-12		Service as Sd/Asst. Commr. from 19/08/2010 to 01/05/2011, promoted as Sd/Asst. Commr. on 21/08/2011 and further promoted as Superintendent E&M w.e 30/04/2012
170	Akhtar Hayat Khan	Wazir Muhammad	Dir Upper	B.A	14/03/1966	12/07/1985	25/11/2019	B-12		Promoted from the post of Road Inspector
171	Shah Faisal	Ghulam Rasool	Bajaur	F.A	10/01/1970	14/02/1991	25/11/2019	B-12		Promoted from the post of Road Inspector
172	Muhammad Iqbal	Niaz Siala Khan	S.W.A	Matric	01/01/1974	30/03/1992	25/11/2019	B-12		Promoted from the post of Road Inspector
173	Nasir Iqbal	Nasir Zada	Swabi	DAE (Civil)	10/04/1996	06/01/2020	06/01/2020	B-12		Seniority fixed as per merit order assigned by the Khyber Pakhtunkhwa Public Service Commission
174	Jawad Hussain	Niaz Muhammad	Malakand	DAE (Civil)	20/03/1995	06/01/2020	06/01/2020	B-12		Seniority fixed as per merit order assigned by the Khyber Pakhtunkhwa Public Service Commission
175	Waqar Ali	Nazakat Ali	Mansehra	DAE (Civil)	19/07/1995	10/11/2020	10/11/2020	B-12		Seniority fixed as per merit order assigned by the Khyber Pakhtunkhwa Public Service Commission
176	Inham Khan	Jehanzeb Khan	Abbottabad	DAE (Civil)	15/11/1996	06/01/2020	06/01/2020	B-12		Seniority fixed as per merit order assigned by the Khyber Pakhtunkhwa Public Service Commission
177	Muhammad Faheem	Muhammad Sharif	Peshawar	D.A.E (I.) 2005	03/03/1986	22/01/2011	30/04/2021	B-12		Promoted from the post of Work Supervisor
178	Haider Ali	Nawaz Khan	Peshawar	D.A.E (I.) 2007	15/04/1987	22/01/2011	30/04/2021	B-12		Promoted from the post of Work Supervisor
179	Syed Sajjad Ali Shah	Pir Syed Jalal Shah	Peshawar	D.A.E (I.) 2006	01/04/1985	22/01/2011	30/04/2021	B-12		Promoted from the post of Work Supervisor

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Name of Official	Father's Name	Domicile	Qualification	DOB	Date of entry into Govt. Service	Date of Appointment to Class	BPS	Year of Passing prof. exam	Remarks
180	Shahid Noor	Muhammad Idrees	Peshawar	D A E (C) 2005	27/04/1985	24/01/2011	30/04/2021	B-12	Promoted from the post of Work Supervisor
181	Fazal-ud-Din	Zahir-ud-Din	Pushawar	D A E (C) 2010	02/02/1985	04-07-2013	30/04/2021	B-12	01/2022 Promoted from the post of Surveyor
182	Muhammad Jawad	Muhammad Iqbal	Peshawar	D.A.E (C) 2010	01/01/1991	01-07-2013	30/04/2021	B-12	01/2022 Promoted from the post of Surveyor
183	Syed Farasat Ali	S. Gulzar Hussain Shah	D.I Khan	D A E (C) 2011	02/11/1991	01/07/2013	30/04/2021	B-12	Promoted from the post of Work Supervisor
184	Liaqat Shah	Gulab Shah	Malakand	DAE (C) 2017	01/01/1969	19/09/1991	30/04/2021	B-12	Promoted from the post of Draftsman (DAE) 19/09/1991 To 31/12/2012 as Tracer 01/01/2013 to 29/04/2021 as Draftsman
185	Adul Qadeer Khan	Ghulam Farid	Abbottabad	DAE (C)	07-05-1987	15/01/2011	30/04/2021	B-12	Promoted from the post of Tracer (DAE)
186	Shaukat Ayaz	Sher Afsar Khan	Swabi	DAE (C)	16/02/1979	30/12/2006	30/04/2021	B-12	Promoted from the post of Tracer (DAE)
187	Anwar Zaib	Amir Ali	Nowshera	Matric	15/02/1969	25/02/1987 (N.Qasid) 01/03/1989 (Mate) 01/04/1990 (W/Taker) 02/10/1993 R/Insp	30/04/2021	B-12	Promoted from the post of Road Inspector
188	Shewa Jan	Gul Shah Baz Khan	Bannu	Matric	11/04/1971	27/03/1995 R/Insp	30/04/2021	B-12	Promoted from the post of Road Inspector
189	Ibni Amin	Anwar Khan	Malakand	Matric	05/04/1963	29/11/1988 (Work Taker) 23/06/1996 R/Insp	30/04/2021	B-12	Promoted from the post of Road Inspector
190	Atta Ullah Khan	Taj Muhammad	Mohmand	Matric	03/12/1967	22/10/1987 Work Munshi 01/05/1998 R/Insp	30/04/2021	B-12	Promoted from the post of Road Inspector
191	Riaz Ahmad	Rehmat Shah	Peshawar	B.A	29/12/1969	19/11/1991 (Mate) 01/08/1998 (Work Mistr) 01/03/1999 R/Insp	30/04/2021	B-12	Promoted from the post of Road Inspector
192	Shah Nawaz	Khair Nawaz	Haripur	F.A	15/07/1973	28/04/1983 Work Munshi 12/01/2000 R/Insp	30/04/2021	B-12	Promoted from the post of Road Inspector
193	Muhammad Sarwar	Zarab Gul	Nowshera	FA	02/02/1973	02/05/1996 (R/Inspector) Reverted on 01/04/1997 (Mate) 01/04/2001 R/Insp	30/04/2021	B-12	Promoted from the post of Road Inspector

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S.No	Name of Official	Father's Name	Domicile	Qualification	DOB	Date of entry into Govt. Service	Date of Appointment to Class	BPS	Year of Passing prof exam	Remarks
194	Muhammad Waseem	Wans Khan	Swabi	B.A	05/04/1975	01/01/1996 (W/Taker) Reverted on 07/06/1997 to (Male) 02/12/1998 (W/Taker) 01/04/2001 R/Insp	30/04/2021	B-12		Promoted from the post of Road Inspector
195	Tahir Hassan	Barkat Ullah	North Waziristan	DAE (Civil) 12/11/2018	03/03/1999	17/12/2021 (A/N)	17/12/2021	B-12		Seniority fixed on the basis of Final Merit List of DSC in light of KP Civil Servant APT Rules-1989 Part-VI, Rule-17(1)(a)
196	Syed Haider Ali Shah	Syed Mumtaz Ali Shah	Nowshera	i. DAE (Civil) 30/10/2012 ii. BA	03/03/1992	20/12/2021	20/12/2021	B-12		Seniority fixed on the basis of Final Merit List of DSC in light of KP Civil Servant APT Rules-1989 Part-VI, Rule-17(1)(a).
197	Rashid Hussain	Haji Mardan Ali	Kurrum	DAE (Civil) 08/10/2013	23/02/1995	21/12/2021	21/12/2021	B-12		Seniority fixed on the basis of Final Merit List of DSC in light of KP Civil Servant APT Rules-1989 Part-VI Rule-17(1)(a).
198	Muhammad Ishaq	Safdar Zaman	Hanpur	DAE (Civil) 19/10/2010	02/10/1989	20/12/2021	20/12/2021	B-12		Seniority fixed on the basis of Final Merit List of DSC in light of KP Civil Servant APT Rules-1989 Part-VI, Rule-17(1)(a)
199	Rahid	Haya Khan	Mardan	i. DAE (Civil) 12/02/2014 ii. B.A 2017	09/04/1994	20/12/2021	20/12/2021	B-12		Seniority fixed on the basis of Final Merit List of DSC in light of KP Civil Servant APT Rules-1989 Part-VI Rule-17(1)(a).
200	Tahsen Ullah	Ali Rahman	Mohmand	DAE (Civil) 21/03/2017	20/02/1998	17/12/2021 (A/N)	17/12/2021	B-12		Seniority fixed on the basis of Final Merit List of DSC in light of KP Civil Servant APT Rules-1989 Part-VI Rule-17(1)(a).
201	Yar Baz Khan	Sarbaz Khan	F.R Peshawar	DAE (Civil) 10/07/2012	16/03/1991	15/03/2022	15/03/2022	B-12		Seniority fixed on the basis of Final Merit List of DSC in light of KP Civil Servant APT Rules-1989 Part-VI Rule-17(1)(a).
202	Haseeb Ahmed	Ifikhar Ahmed	Hanpur	DAE (Civil) 27/11/2018	21/06/1998	20/12/2021	20/12/2021	B-12		Seniority fixed on the basis of Final Merit List of DSC in light of KP Civil Servant APT Rules-1989 Part-VI, Rule-17(1)(a).
203	Ubaid Ullah	Muhammad Khan	Abbottabad	DAE (Civil) 14/03/2017	15/03/1996	20/12/2021	20/12/2021	B-12		Seniority fixed on the basis of Final Merit List of DSC in light of KP Civil Servant APT Rules-1989 Part-VI, Rule-17(1)(a).
204	Vijay Kumar	Radha Krishan	Buner	DAE (Civil) 05/01/2018	25/03/1997	20/12/2021	20/12/2021	B-12		Minority Quota. Seniority fixed on the basis of Final Merit List of DSC in light of KP Civil Servant APT Rules-1989 Part-VI, Rule-17(1)(a).
205	Jahangir Khan	Bashgali Khan	Chitral	DAE (Civil) 22/04/2014	01/01/1990	20/12/2021	20/12/2021	B-12		Minority Quota. Seniority fixed on the basis of Final Merit List of DSC in light of KP Civil Servant APT Rules-1989 Part-VI, Rule-17(1)(a).
206	Amin Javed	Dilawar Khan	Chitral	DAE (Civil) 06/04/2016	02/01/1990	20/12/2021	20/12/2021	B-12		Minority Quota. Seniority fixed on the basis of Final Merit List of DSC in light of KP Civil Servant APT Rules-1989 Part-IV Rules 17(1)(a).
207	Hazrat Ali	Ghazi Gul	S Waziristan	DAE (Civil) 16/03/2022	12/06/1971	14/07/2022	14/07/2022	B-12		Newly absorbed Sub Engineers w.e.f 13/01/2022 vide Secret No. SOE/C&WD/4-15/2022 dated 23/06/2022
208	Ijaz Ahmad	Dawa Khan	Malakand	DAE (Civil) 14/05/1993	21/04/1971	14/07/2022	14/07/2022	B-12		Newly absorbed Sub Engineers w.e.f 13/01/2022 vide Secret No. SOE/C&WD/4-15/2022 dated 23/06/2022

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Name of Official	Father's Name	Domicile	Qualification	DOB	Date of entry into Govt. Service	Date of Appointment to Class	BPS	Year of Passing prof. exam	Remarks
Syed Amjad Ali Shah	Syed Muzafar Ali Shah	Chitral	(i) B A (ii) DAE (Mech) 25/06/1997	21/04/1973	11/01/1996	12/08/2022	B-12		Promoted from the post of Tracer (DAE).
211 Mohammad Nadeem	Mohammad Salim	Swabi	(i) F Sc. (ii) 3 Yrs DAE (M) 21/03/2000	01/04/1967	01/02/1995	12/08/2022	B-12		Promoted from the post of Tracer (DAE)
212 Ajmal Khan	Munif Khan	Peshawar	(i) Matric (ii) DAE (Elec) 12/06/2010	11/02/1988	15/05/2012	12/08/2022	B-12		Promoted from the post of Tracer (DAE).
213 Ubaid-ur-Rahman	Abdur Rahman	Battagram	(i) Matric (ii) DAE (Civil) 14/05/1999	20/03/1979	21/05/2012	12/08/2022	B-12		Promoted from the post of Tracer (DAE)
214 Fasi Ullah	Amir Sardar	Lakki Marwat	(i) Matric (ii) DAE (Civil) 31/10/2012	20/04/1991	18/05/2012	12/08/2022	B-12		Promoted from the post of Tracer (DAE).
215 Ijaz Ahmad	Dawa Khan	Malakand	DAE (Civil) 14/05/1993	21/04/1971	14/07/2022	14/07/2022	B-12		Newly absorbed Sub Engineers w.e.f 13/01/2022 vide Secretary No. SOE/C&WD/4-15/2022 dated 23/08/2022
216 Hazrat Ali	Ghazi Gul	S.Waziristan	DAE (Civil) 16/03/2022	12/06/1971	14/07/2022	14/07/2022	B-12		Newly absorbed Sub Engineers w.e.f 13/01/2022 vide Secretary No. SOE/C&WD/4-15/2022 dated 23/06/2022
217 Gohar Zaman	Gul Zaman	Tank	DAE (Civil) 24/11/2001	25/04/1982	25/02/2005	30/11/2022	B-12		Promoted from the post of Road Inspector (Rule-5 (a))
218 Javaid Ahmad Shah	Pir Alam Shah	Tank	DAE (Civil) 27/06/1994 Supl	01/05/1971	13/06/2005	30/11/2022	B-12		Promoted from the post of Road Inspector (Rule-5 (a))
219 Muhammad Saieem Khan	Abdul Halim	Tank	DAE (Civil) 14/04/1999 Supl	03/04/1974	13/05/2005	30/11/2022	B-12		Promoted from the post of Road Inspector (Rule-5 (a))
220 Shams-ur-Rehman	Arsala Khan	S.Waziristan	DAE (Civil) 22/06/1994 Supl	06/07/1969	20/03/1997	30/11/2022	B-12		Promoted from the post of Road Inspector (Rule-5 (a))
221 Abid Ali Shah	Saeed Ahmad Shah	S.Waziristan	DAE (Civil) 03/10/2005	22/03/1983	07/07/2005	30/11/2022	B-12		Promoted from the post of Road Inspector (Rule-5 (a))
222 Yousaf Shehzad	Fayaz-ud-Din	S.Waziristan	DAE (Civil) 24/11/2001	15/01/1980	14/02/2006	30/11/2022	B-12		Promoted from the post of Road Inspector (Rule-5 (a))
223 Imran Ali	Asad Ali	Kurram	DAE (Civil) 09/01/2006	22/03/1977	06-11-2006	30/11/2022	B-12		Promoted from the post of Road Inspector (Rule-5 (a))
224 Sher Marjan	Noor Ali	Kurram	DAE (Civil) 23/01/1997 M.A	01/02/1977	07/11/2006	30/11/2022	B-12		Promoted from the post of Road Inspector (Rule-5 (a))
225 Syed Akmal Hussain	Syed Ahmad	Kurram	DAE (Civil) 10/12/1997	07/04/1974	16/11/2006	30/11/2022	B-12		Promoted from the post of Road Inspector (Rule-5 (a))
226 Badshah Hussain	Aman Hussain	Kurram	DAE (Civil) 03/08/1998 Supl MS (Eco)	15/04/1975	01/12/2006	30/11/2022	B-12		Promoted from the post of Road Inspector (Rule-5 (a))
227 Basharat Hussain	Hussain Khan	Kurram	DAE (Civil) 08/12/1996	31/05/1970	08/12/2006	30/11/2022	B-12		Promoted from the post of Road Inspector (Rule-5 (a))

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Name of Official	Father's Name	Domicile	Qualification	DOB	Date of entry into Govt. Service	Date of Appointment to Class	BPS	Year of Passing prof. exam	Remarks
228 Muhammad Aslam	Alah Wasaya	D.I Khan	F.A	01/05/1963	26/11/1980 (Electrician) 01/10/2001 (R/Inspector)	30/11/2022	B-12		Promoted from the post of Road Inspector (Passed B-Grade Exam Rule-5 (b))
229 Mehboob-ur-Rehman	Masud-ur-Rehman	Abbottabad	Matric	20/04/1978	01/01/1998 (Male) 13/01/2000 (Work Taker) 04/06/2003 (R/Inspector)	30/11/2022	B-12		Promoted from the post of Road Inspector (Passed B-Grade Exam Rule-5 (b))
230 Akhtar Hussain	Muhammad Hassan	Tank	F.A.	13/03/1975	08/06/1998 (Pipe Fitter) 10/09/2001 (Masson Grade-I) 01/03/2005 (R. Inspector)	30/11/2022	B-12		Promoted from the post of Road Inspector (Passed B-Grade Exam Rule-5 (b))

Copy of the above forwarded to:-

1. The Secretary to Govt of Khyber Pakhtunkhwa, C&W Department Peshawar.
2. All Chief Engineers C&W Department Khyber Pakhtunkhwa.
3. The Managing Director, Pakhtunkhwa Highways Authority, Peshawar.
4. Project Director FMR/PMU C&W Department Peshawar.
5. All the Superintending Engineers in C&W Department Khyber Pakhtunkhwa (i/c Merged Area).
6. All the Executive Engineers in C&W Department Khyber Pakhtunkhwa (i/c Merged Area).
7. Assistant Director IT C&W Secretariat Peshawar. He is requested to upload the same on C&W official Website. (www.cwd.gkp.pk)

Note: The official concerned to note that any objections regarding Name, Father's name, Qualification etc: may be sent to this office with documentary proofs within 15-Days for further course of action accordingly.

[Signature]
CHIEF ENGINEER CENTRAL

[Signature]
11.01.2013
(Zahid Habib)
Administrative Officer

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to be true copy
Advocate
25/12

To,

The Secretary to Govt: of,
KPK, C&W Department Peshawar

Anna "F" 44

Subject}

APPEAL FOR:-

GRANT OF SENIOR SCALE/SELECTION GRADE (BS-16)
IN LIGHT OF PESHAWAR HIGH COURT DECISION DATED
06/04/2021 AND KHYBER PAKTHUNKHWA SERVICES
TRIBUNAL JUDGEMENT DATED 29/11/2021.

Through
Respected Sir,

Proper channel .

Kindly refer to your good office Notification No SOG/C&W/3-365/2015 dated 31/10/2022 (Photo copy enclosed for ready reference).

With due respect, I humbly submit the following grievances for your kind perusal and favourable of action please.

1. I was appointed as Sub Engineer (BS-11) with effect from 17/03/1988 vide Chief Engineer, C&W Department NWFP Peshawar Office Order No 848/3-E/1270-73/E-1(3) dated 13/03/1988 and posted in the Office of the XEN C&W Division ^{Manshera} Haripur.
2. At present I am posted as Sub Engineer in the Office of the XEN Highway Division Haripur.
3. I had passed my Departmental Professional Examination vide Chief Engineer (Centre) C&W Department Peshawar letter No 57-G/1076/CEC/C&WD dated 07/01/2022 as Serial No 08 (As Sub Engineer). (Photo copy enclosed)
4. In pursuance of Govt: of KPK Finance Department Peshawar Notification No SO(FR)FD/7-13/2017/6253 dated 07/03/2018, the Post of Sub Engineer from BS-11/12 to BS-16 was upgraded to incumbents having 10-years or more service at their credit in the same scale in all the Govt: Department of Khyber Pakthunkhwa. (Copy enclosed).
5. In compliance of decision of Supreme Court of Pakistan Islamabad, other 55-Nos Sub Engineer were also granted BS-16 w.e.from 04/09/2003 vide Secretary to Govt: of KPK C&W Department Peshawar Notification No SOE/C&WD/4-2/2018 dated 30/04/2018 but I was again deprived of said facility (Copy enclosed).
6. In addition to the above, further 17-Nos Sub Engineers who were junior then me have been recently granted BS-16 w.e.from 04/09/2003 vide Secretary to Govt: of KPK C&W Department Peshawar Notification No SOG/C&WD/13-365/2015 dated 31/10/2022, but it is astonishing to note that even in the said Notification my name was not included which seems in justice with me (Copy enclosed).
7. It is worth mentioning here, that all Sub Engineer BS-11/12 Junior most than me were granted BS-16 w.e.from 04/09/2003, but I, being Senior most Sub Engineer has been constantly ignored from the same facility due to un-known reason and facing great financial loss.

In view of position explained above, I, approach to your good self to kindly look into the matter personally and it is requested that I may kindly be granted Senior Scale BS-16 with effect from 04/09/2003 accordingly, for which I shall be highly thankful to your good self.

Dated 07/12/2022.

Yours Obediently

(SYED JAFAR SHAH)
CIVIL ENGINEER

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to be true copy
Advocate

28/12

**OFFICE OF THE
EXECUTIVE ENGINEER
C&W HIGHWAY DIVISION HARIPUR.**
No. 8369 /4-E
Dated Haripur the 07 /12/2022

To,

The Superintending Engineer,
C&W Circle Abbottabad

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Subject: -

APPEAL FOR:-
GRANT OF SENIOR SCALE/SELECTION GRADE (BS-16)
IN LIGHT OF PESHAWAR HIGH COURT DECISION DATED
06/04/2021 AND KHYBER PAKTHUNKHWA SERVICES
TRIBUNAL JUDGEMENT DATED 29/11/2021.

An appeal along with relevant documents in respect of Syed Jaffar Shah Sub Engineer requesting for the grant of BS-16 with effect from 04/09/2003 which self explanatory is submitted herewith for information and onward submission to higher-ups authority for favourable action please.

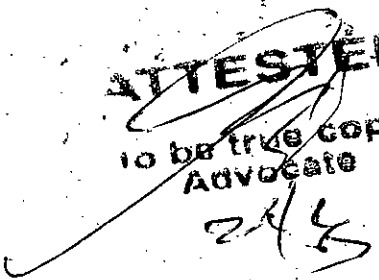
DA/As above


EXECUTIVE ENGINEER

Copy to:

Mr Syed Jaffar Shah Sub Engineer/SDO (OPS) , Highway Sub Division Haripur with reference to his appeal dated 07/12/2022 for information.

EXECUTIVE ENGINEER

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to be true copy
Advocate




OFFICE OF THE
CHIEF ENGINEER (EAST)
C&W DEPARTMENT ABBOTTABAD

Letter NO. 3677 / 17-E

Dated: 15/12 /2022

To

46

The Chief Engineer, (Centre)
C&W Department Peshawar

Subject: APPEAL FOR GRANT OF SENIOR / SLECTION GRADE (BS-16) IN
LIGHT OF PESHAWAR HIGH COURT DECISION DATED 06/04/2021 &
KHYBER PAKHTUNKHWA SERVICE TRIBUNAL JUDGEMENT DATED
29.11.2021

Refer to the subject noted above and to state that service appeal received from Superintending Engineer, C&W Circle Abbottabad vide his letter No. 1564/11-G dated 15/12/2022 alongwith its enclosure in respect Muhammad Jamil, Sub Engineer, BPS-16 C&W Highway Division Haripur is hereby submitted to your office for consideration please.

CHIEF ENGINEER

Copy to the:

1. Superintending Engineer, C&W Circle Abbottabad w/r your letter quoted above.
2. Executive Engineer, C&W Highway Division Haripur for information.

CHIEF ENGINEER

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to be true copy
Advocate

29/12

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وکالت نامہ

BC 12-3863
Call 0346-9225049
Email sedheant
sohailchoudhry830@gmail.com

کورٹ فیس

بعدالت ضابطہ - سرسید انسٹیٹیوٹ آف لاء - لاہور

عنوان: سرسید صوفیہ سٹراٹ

منجانب: شیخ مسعود

نوعیت مقدمہ: سرسید انسٹیٹیوٹ

باعث تحریر آنکہ

مقدمہ مندرجہ میں اپنی طرف سے واسطے پیروکاروں و جواب دہی کل کارروائی متعلقہ آل مقام

سید احمد رضا صاحب کو وکیل مقرر کر کے اقرار کرتا ہوں کہ صاحب موصوف کو مقدمہ کی کل کارروائی کا کامل اختیار ہوگا نیز وکیل

صاحب موصوف کو کرنے راضی نامہ و تقرر ثالث و فیصلہ برحلاف و دینے اقبال دعویٰ اور بصورت دیگر ڈگری

کرنے اجراء وصولی چیک روپیہ و عرضی دعویٰ کی تصدیق اور اس پر دستخط کرنے کا اختیار ہوگا اور بصورت

ضرورت مقدمہ مذکور کی کل یا کسی جزوی کارروائی کے لئے کسی اور وکیل یا مختار صاحب قانونی کو اپنے ہمراہ اپنی

جگہ تقرر کا اختیار بھی ہوگا اور صاحب مقرر شدہ کو بھی وہی اور ویسے ہی اختیارات ہوں گے اور اس کا

ساختہ پرداختہ مجھ کو منظور و قبول ہوگا۔ دوران مقدمہ جو خرچہ و ہرجانہ التوائے مقدمہ کے سبب ہوگا اس کے

مستحق وکیل صاحب ہوں گے۔ نیز بقایا رقم وصول کرنے کا بھی اختیار ہوگا۔ اگر کوئی پیشی مقام دورہ پر ہونیا

حد سے باہر ہو تو وکیل صاحب موصوف پابند ہوں گے کہ بیروی مقدمہ مذکورہ کریں اور اگر مختار مقرر کردہ میں

کوئی جزو بقایا ہو تو وکیل صاحب موصوف مقدمہ کی بیروی کے پابند نہ ہوں گے۔ نیز درخواست بمراد

استجارت ناش بسینہ مفلسی کے دائرہ کرنے اور اس کی بیروی کا بھی صاحب موصوف کو اختیار ہوگا۔

لہذا وکالت نامہ تحریر کیا تاکہ سند صادر ہو سکے۔

مسعود صوفیہ

29 مارچ 2023

المرقوم

بمقام