



19th April, 2023

1. Counsel for the appellant and Mr. Muhammad Jan, District Attorney for the respondents present.

2. Learned counsel for the appellant stated that the appellant is admittedly employee of the erstwhile FATA Secretariat and his initial appointment was made on 17.09.2007 as Assistant on contract basis in MNCH Program FATA while his services were governed by the Civil Servants Act, 1973 which apparently was a Federal Statute, therefore, the question of jurisdiction of this Tribunal is required to be decided first before decision of appeal on merit. Learned counsel for the appellant is put on notice to assist the Tribunal on the point of jurisdiction as well as to satisfy the Tribunal that the appellant was provincial civil servant and his services were governed by the Khyber Pakhtunkhwa Civil Servant Act, 1973 and the rules made thereunder. To come up for arguments on 05.05.2023 before the D.B. P.P given to the parties.


(Fareeha Paul)
Member (E)



(Kalim Arshad Khan)
Chairman


ORDER
05th May, 2023

KALIM ARSHAD KHAN, CHAIRMAN: Learned counsel for the appellant present. Mr. Asif Masood Ali Shah, Deputy District Attorney for the respondents present.

2. Learned counsel for the appellant submits that in view of Khyber Pakhtunkhwa (Regularization of Services of Employees of Erstwhile Federally Administered Tribal Areas) Act, 2021, this appeal has rendered fruitless and may be disposed of. Order accordingly. Consign.

3. *Pronounced in open court in Peshawar and given under our hands and seal of the Tribunal on this 05th day of May, 2023.*


(Salah Ud Din)
Member (Judicial)


(Kalim Arshad Khan)
Chairman

Naeem Amin