


Service Appeal No.608/2021 titled "Saeed Ullah Vs. Government of Khyber Pakhtunkhwa Secretary Health and others".


24th May, 2023 1. Learned counsel for the appellant present. Mr. Fazal Shah Mohmand, Additional Advocate General for respondents present.

2. Learned counsel for appellant was heard at some length.

3. Through this appeal, the appellant has claimed that he should be considered for appointment against any Class-IV post because he was appointed against the post of ~~post~~^Q of Muslim Sweeper on 02.12.2018 in line with the policy of the Government contained in order bearing No.SOH-(Lit-I) 1-1/2017 (Gen:Misc) Dated Peshawar the 16th February, 2017, because of the part contained in letter dated 16.02.2017 that the persons appointed as Muslim Sweeper after 12.07.2006 in violation of judgment/decision of the Hon'ble Peshawar High Court dated 29.09.2013 in Writ Petition No.293-P of 2013 titled "Noor Ul Qamar Vs. Government of Khyber Pakhtunkhwa & others", are not covered under the policy. The learned counsel further submitted that the order dated 12.07.2006 was expunged by the judgment of this Tribunal in Service Appeal No.641/2017 decided on 13.12.2018. The claim of the appellant was to re-appoint the appellant against any of the Class-IV other than the Muslim Sweeper. This contention is neither the part of the representation nor in this appeal. Learned counsel for the appellant does not press this appeal if the appellant is permitted to agitate the matter with the department explaining the facts narrated^{as} above. Disposed of accordingly. Consign.

4. ***Pronounced in open Court at Peshawar under our hands and seal of the Tribunal on this 24th of May, 2023.***


(Fareeha Paul)
Member (E)


(Kalim Arshad Khan)
Chairman