

ORDER


25th May, 2023


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

2. Vide our detailed judgement of today placed on file, when the respondents are themselves saying that before amendment in the rules in the year 2016, the position of the appellant, in the seniority list, as claimed by him, was correct, we direct that the seniority of the appellant shall not be disturbed after notifying the amendments in the rules and he be assigned his correct seniority as he was having before revising the seniority list after amendment in the rules in 2016.

3. As to the connected appeal No.718/2020 of the appellant vide which he is seeking antedation of promotion w.e.f. 19.12.2016, the learned counsel for the appellant says that the result of the seniority appeal would also determine the fate of the connected appeal. So we dispose of the connected appeal with the direction to the competent authority to consider the prayer made in the connected appeal subject to his otherwise entitlement for such consideration and as regard the seniority issue that has been resolved in this appeal as above. Cost shall follow the event. Consign.

4. *Pronounced in open court at Peshawar and given under our hands and seal of the Tribunal on this 25th day of May, 2023.*


(Fareeha Patil)
Member(Executive)


(Kalim Arshad Khan)
Chairman