


06.06.2023

Learned counsel for the appellant present. Preliminary arguments heard.

Learned counsel for the appellant contended that the appellant was senior most Inspector in the department and was eligible for promotion to the rank of DSP; that various posts of DSPs (BPS-17) were lying vacant and the Additional Inspector General of Khyber Pakhtunkhwa Peshawar through a memo dated 21.08.2022 intimated respondent No. 2 and all RPOs Khyber Pakhtunkhwa to provide information regarding promotion of Inspectors to the rank of DSPs on the prescribed proforma within a week time; that respondent No. 3 provided information of the appellant alongwith other Inspectors on the given format to respondent No. 2 through letter dated 05.09.2022 but DPC was not conducted in time and in the meanwhile, the appellant was retired from service on attaining the age of superannuation on 14.11.2022; that due to lethargic attitude of the respondents, the appellant was deprived from his legal right of promotion for no fault on his part; that as the appellant has now been retired from service, therefore, he may be promoted to the rank of DSP on notional basis; that the appellant filed departmental appeal on 28.02.2023, which was rejected on 08.05.2023, hence the present appeal on 26.05.2023.

Points raised need consideration, hence the appeal in hand is admitted to regular hearing subject to all legal and valid objections. The appellant is directed to deposit security fee within 10 days. Respondents be summoned through TCS, the expenses of which shall be deposited by the appellant within three days. To come up for submission of written reply/comments on 19.07.2023 before the S.B. Parcha Peshi given to learned counsel for the appellant.


(Salah-Ud-Din)
Member (J)