


06.07.2023

Learned counsel for the appellant present. Mr. Asif Masood Ali Shah, Deputy District Attorney on behalf of respondents present.

Learned Deputy District Attorney stated at the Bar that CM No. 144/2023 titled "Mst. Khushbo Versus Government of Khyber Pakhtunkhwa Peshawar and others" has been fixed before the Hon'ble Member (Judicial) Mrs. Rashida Bano, therefore, the instant appeal may also be fixed before the said Bench. Being an administrative issue falling not in the judicial ambit of the Bench at this stage, the case is submitted for appropriate orders of the Hon'ble Chairman. Both the parties are directed to appear before the Hon'ble Chairman at 02:45 p.m.


(Muhammad Akbar Khan)
Member (L)

Worthy Chairman

6th July, 2023

1. Learned counsel for the appellant present and heard. Mr. Asif Masood Ali Shah, Deputy District Attorney alongwith Mr. Asad Yar, Auditor for official respondents No. 1 and 2 present.

2. Learned counsel for the appellant submits that the seniority position of the appellant was correct in the notification No. LFA/ESTT:/S.L/2017/46-47 dated 17.07.2021 as is stood on 31.12.2020 but in the next seniority list tentative as well as final the seniority position of the appellant was changed and he was relegated in seniority. He filed objection on the seniority list which was regretted on 26.09.2022 and the appellant filed service appeal on 25.10.2022. The appeal is thus admitted to full hearing subject to all just and legal objections including limitation by the other side. The appellant is directed to deposit security fee within 10 days. Respondents be summoned through TCS/LCS, the expenses of which be deposited by the appellant within three days. To come up for written reply/comments on 18.08.2022 before S.B.



(Kalim Arshad Khan)
Chairman

Adnan Shah