

11.04.2023

Mr. Adnan Ayaz Mohmand, Advocate as proxy on behalf of learned counsel for the appellant present. Mr. Asad Ali Khan, Assistant Advocate General for official respondents No. 1 & 2 present. None present on behalf of private respondents No. 3 to 31, therefore, they be summoned through Director Khyber Pakhtunkhwa Local Fund Audit (Respondent No. 1) and to come up for their reply/comments as well as preliminary hearing on 30.05.2023 before the S.B. Parcha Peshi given to the parties.

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(Salah-Ud-Din)
Member (J)

30th May, 2023

01. Junior of learned counsel for the appellant present. Mr. Muhammad Jan, District Attorney alongwith Mr. Asad Yar, Senior Auditor for the official respondents present. Private respondents No. 4 to 45 have been served through respondent No. 1 but today they are not in attendance.

02. Representative of the official respondents requested for further time. To come up for written reply/comments as well as preliminary hearing on 06.07.2023 before the S.B. Parcha Peshi given to the parties.

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(FAREEHA PAUL)
Member (E)

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 (E)

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