

14.12.2022, which was not responded within the statutory period of 90 days, hence the instant service appeal on 14.04.2023.

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 13.07.2023 before the S.B. Parcha Peshi given to learned counsel for the appellant.

The appeal is accompanied by an application for restraining the respondents from processing promotion cases to the post of Executive Engineers (BPS-18) till final disposal of the appeal. Notice of the same also be issued to the respondents for the date fixed.

SCANNED
KF-ST
Peshawar


(Salah-Ud-Din)


Member (J)

13.07.2023

Learned counsel for the appellant present. Mr. Asad Ali Khan, Assistant Advocate General alongwith M/S Zahidullah, S.O (Litigation) and Mr. Hashmatullah, Superintendent for the respondents present.

Naeem Amin

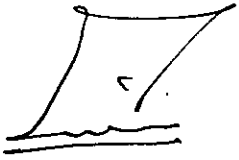
Reply/comments on behalf of respondents not submitted. Representative of the respondents requested for time to submit reply/comments. Adjourned. To come up for reply/comments on 26.07.2023 before S.B. Parcha Peshi given to the parties.


(Muhammad Akbar Khan)
Member (E)

06.06.2023

Learned counsel for the appellant present. Preliminary arguments heard.

Learned counsel for the appellant contended that the impugned Notification dated 25.11.2022 to the extent of not providing separate quota for B.Tech graduates is against the law, rules and policy on the subject which completely blocked the future prospect of promotion for B.Tech Graduates from BPS-17 onwards; that the appellant has been meted out a discriminatory treatment in violation of Articles 25 & 27 of the Constitution of Islamic Republic of Pakistan, 1973 as other similarly placed counterparts of the appellant serving in identical circumstances in other departments of the Provincial Government have been earmarked specific quota for their career progression which has been denied to the appellant without any justification; that in view of judgment of the superior fora, a committee was constituted by the Provincial Government to resolve the issue and the committee thoroughly examined the issue and reached the conclusion that the C&W Department should also reserve separate quota for B.Tech (Hons) Degree holders SDOs on the analogy of other Departments; that in-spite of clear recommendations, the SSRC was misled into concurring with the C&W Department's proposal and thus did not reserve separate quota as per recommendations of the high level committee thus the impugned Notification is unlawful, arbitrary, unreasonable, discriminatory; that against the Notification dated 25.11.2022, the appellant filed departmental appeal on



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18/06/2023