

08.06.2023

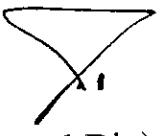
Clerk of learned counsel for the petitioner present. Mr. Asif Masood Ali Shah, Deputy District Attorney for the respondents present.

Clerk of learned counsel for the petitioner requested for adjournment on the ground that learned counsel for the petitioner is not available today due to strike of lawyers. Adjourned. To come up for arguments alongwith E.P No: 102/2016 on 12.07.2023 before the D.B. Parcha Peshi given to the parties.

SCANNED  
KPST  
Peshawar

\*Naeem Amin\*

  
(Fareeha Paul)  
Member (E)

  
(Salah-ud-Din)  
Member (J)

**Petition U/S 12(2) CPC No.329/2022**

**ORDER**

- 12<sup>th</sup> July, 2023
1. Learned counsel for the petitioners present. Mr. Fazal Shah Mohmand, Additional Advocate General for the respondents present.
  2. The learned counsel for the petitioners, after passage of the order disposing of Execution Application No.102/2016 of respondent No.1, submitted that before the findings in the execution application, the petitioners were apprehending their seniority on their initial appointments fixed on the basis of merit order of the Khyber Pakhtunkhwa Public Service Commission, might not be disturbed, but since the Tribunal has passed order in the execution application, clearly stating that the seniority, on the basis of merit order, as assigned by the Khyber Pakhtunkhwa Public Service Commission, was to hold good till end except otherwise disturbed in accordance with other provisions of Rule-17 of the Khyber Pakhtunkhwa





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(Appointment, Promotion & Transfer) Rules, 1989, in case of supersession, deferment etc., to which, the learned counsel showed his satisfaction and did not press this petition. Since the only grievance of the petitioners was their apprehension of disturbance of their seniority, which according to them, they had gained on initial recruitment on the basis of merit assigned to them and others in according to merit order by the Khyber Pakhtunkhwa Public Service Commission, therefore, this petition is disposed of as in view of the above situation, there is nothing to be resolved by the Tribunal. Consign.

3. *Pronounced in open Court at Peshawar and given under our hands and seal of the Tribunal on this 12<sup>th</sup> day of July, 2023.*

  
(Fareeha Paul)  
Member (E)

  
(Kalim Arshad Khan)  
Chairman

\*Mutazem Shah\*