


15.08.2023

Learned counsel for the appellant present and argued that appellant was appointed as Chowkidar vide order dated 09.10.2010 who joined service on 10.10.2010. Tentative seniority list was issued on 31.08.2022 wherein appellant was placed at Sr. No. 9 as Chowkidar but when final seniority list issued on 30.09.2022 appellant name was missing. Appellant filed departmental appeal on 23.11.2022 wherein he came to know that designation of the appellant was changed to Pump Operator vide order dated 06.12.2010. He argued that till issuance of tentative seniority list on 31.08.2022 appellant was Chowkidar but malafiedly order dated 06.12.2010 was issued by back dating it after 31.08.2022. Departmental appeal filed by appellant on 23.11.2022 which was not decided within statutory period, therefore, instant service appeal filed under Section 4 of Khyber Pakhtunkhwa Service Act 1974. Points raised need consideration. Instant appeal is admitted for regular hearing subject to all legal objections. The appellant is directed to deposit security fee within 10 days. Thereafter, notices be issued to respondents for submission of written reply/comments. Respondents be summoned through TCS the expenses of which be deposited by the appellant within 3 days. Adjourned. To come up for written reply/comments on 04.10.2023 before S.B. P.P given to learned counsel for the appellant.

  
(Rashida Bano)  
Member (J)