


17<sup>th</sup> July, 2023

Learned counsel for the appellant present and argued that appellant is appointed on retired employees son quota. Father of the appellant was Laboratory Attendant (BPS-05), while the appellant is appointed as Chowkidar (BPS-03). Learned counsel referred to Rule-10 of (Appointment, Promotion & Transfer Rules 1889) and argued that in accordance with provision of the said rule appellant had to be appointed on higher pay scale subject to availability of posts at the time of his appointment according to his qualification. As learned counsel also referred to advertisement published for higher post by the competent authority during the period in which the appellant was appointed. Submission made by the learned counsel needs further consideration therefore, appeal in hand 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. Adjourned. To come up for written reply/comments on 23.08.2023 before S.B. P.P given to learned counsel for the appellant.

SCANNED  
KPST  
Peshawar

  
(Rashida Bano)  
Member(J)

23<sup>rd</sup> Aug. 2023

1. Learned counsel for the appellant and Mr. Asad Ali Khan, Assistant Advocate General for the respondents present.

2. Reply on behalf of the respondents submitted. Copy of the same was handed over to the learned counsel for the appellant. To come up for arguments on 12.09.2023 before D.B. P.P given to the parties.

  
(Kalim Arshad Khan)  
Chairman