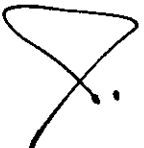


05.09.2023

Learned counsel for the appellant present. Mr. Asif Masood Ali Shah, Deputy District Attorney for official respondents No. 1 to 4 present. None present on behalf of private respondents No. 5 to 10 despite issuance of proper notice, hence placed ex-parte.

Learned Assistant Advocate General requested for further time for submission of reply/comments. Adjourned. To come up for reply/comments as well as arguments on 22.09.2023 before the D.B. The restraint order dated 03.08.2023 is extended till the date fixed.


(Fareeha Paul)
Member (E)


(Salah-ud-Din)
Member (J)

Naeem Amin

Service Appeal No. 1357/2023

3rd Aug 2023

01. Learned counsel for the appellant present and heard.

02. Through this appeal, the appellant has impugned the promotion order dated 21.12.2022, whereby juniors to the appellant have been promoted despite the fact that seniority list notified on 17.03.2021 was already in dispute/challenged in Service Appeal No. 1231/2022 before this Tribunal and was fixed for arguments on 05.09.2023 before the D.B.

03. Instant appeal is admitted for full hearing, subject to all just and legal objections by the other side. The appellant is directed to deposit security fee within 03 days. The respondents be summoned through TCS for submission of reply/comments within 15 days positively. The expenses of TCS shall be borne by the appellant. To come up for arguments on 05.09.2023 alongwith Service Appeal No. 1231/2022 before the D.B.

04. The appellant submitted a separate application through office on 18.07.2023, for interim relief to the effect that on the basis of disputed seniority list dated 17.03.2021, any incumbent might not be considered for promotion till disposal of the appeal. Notice of application be given to the respondents. The official respondents are restrained from making any promotion on the basis of disputed seniority list dated 17.03.2021 till the date fixed. Parcha Peshi given to the learned counsel for the appellant.

SCANNED
KPS
Peshwar


(FAREEHA PAUL)
Member (E)