

15th June, 2023

1. Clerk of learned counsel for the appellant present.
2. Lawyers are on strike. Therefore, case is adjourned to 24.07.2023 for preliminary hearing before the S.B. P.P given to the clerk of counsel for the appellant.

SCANNED
KPBT
Peshawar



(Kalim Arshad Khan)
Chairman

*Mutazem Shah *

24th July, 2023

01. Counsel for the appellant present and sought time to complete the documents including working papers, minutes of DPC meeting and seniority list. Granted. To come up for preliminary hearing on 11.09.2023 before the S.B. Parcha Peshi given to learned counsel for the appellant.

SCANNED
KPBT
Peshawar



(FAREEHA PAUL)
Member (E)

Fazle Subhan, P.S

11.09.2023

Learned counsel for the appellant argued that appellant was appointed vide order dated 05.08.2006 as Patwari and after passing required examination of Kanungo and by forgiving right of promoting and having no objection upon promotion of appellant by his other colleagues, appellant was promoted and appointed to the post of Girdawar vide order dated 25.01.2019. Written no objection is available on case file as Annexure-B. He further argued that private respondents No. 4 & 5 through written application challenging order dated 25.01.2019 which was dismissed vide order dated 21.06.2019 by Commissioner Hazara Division. Appellant filed departmental appeal for inclusion of his name in DPC but he was ignored, therefore, he challenged impugned promotion order dated 14.04.2022 through departmental appeal which was although dismissed vide order dated 21.08.2022 but was communicated to the appellant, on 23.09.2022 against which appellant filed instant service appeal on 24.10.2022 under section 4 of Khyber Pakhtunkhwa Service Tribunal 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 19.10.2023 before S.B. P.P given to learned counsel for the appellant.


(Rashida Bano)
Member (J)