

BEFORE THE KHYBER PAKHTUNKHWA SERVICE TRIBUNAL,  
PESHAWAR.

Khyber Pakhtunkhwa  
Service Tribunal

SERVICE APPEAL NO.1466/2023

Diary No. 7833

Dated 25/09/23

Mr. Bakhtawar Shah, Village Secretary, (BPS-09),  
Village Council, Tatara Sub Division, Jamrud Khyber.

(APPELLANT)

VERSUS

1. The Secretary Local Government & Rural Development Department, Khyber Pakhtunkhwa, Civil Secretariat, Peshawar.
2. The Director General, Local Government & Rural Development Department, Khyber Pakhtunkhwa, Peshawar.
3. The Assistant Director, Local Government & Rural Development Department, District Khyber, Khyber House Peshawar.
4. The Secretary Finance Department, Khyber Pakhtunkhwa, Civil Secretariat, Peshawar.

(RESPONDENTS)

**APPLICATION FOR ALLOWING THE APPELLANT TO AMEND  
THE INSTANT APPEAL AS THE APPELLANT WANTS TO  
CLAIM IN THE INSTANT APPEAL TO CONSIDER HIS  
PREVIOUS SERVICE RENDERED IN POF COUNTED TOWARD  
PAY AND PENSION INSTEAD OF PAY PROTECTION.**

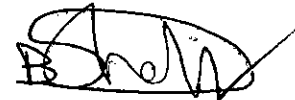
**RESPECTFULLY SHEWETH:**

1. That the appellant has filed the instant appeal in this Honorable Service Tribunal against the impugned action of the respondents of not counting previous service of the appellant rendered as Lower Division Clerk (BPS-07) and Upper Division Clerk (BPS-9) in Pakistan Ordinance Factory w.e.f 27.03.2015 till 14.12.2021 i.e the date on which he joined the Local Government & Rural Development Department as Village/Neighborhood Secretary for pay protection along with arrears and the next fixed in the instant appeal is 26.09.2023.

2. That the appellant in the instant appeal claimed pay protection of his previous service rendered as Lower Division Clerk (BPS-07) and Upper Division Clerk (BPS-9) in Pakistan Ordnance Factory w.e.f 27.03.2015 till 14.12.2021 i.e the date on which he joined the Local Government & Rural Development Department as Village/ Neighborhood Secretary on the basis of dated 04.06.2011, however on previous date the Honorable Tribunal raised the point that weather the appellant applied for the post of village/ Neighborhood through proper channel or not as per notification dated 04.06.2011, pay protection will be admissible to employee who applied for the post through proper channel and as the appellant did not applied for the post of village/ Neighborhood through proper channel, therefore the appellant wants to amend the instant appeal and wants to claim only to consider his previous service rendered in POF toward pay, allowance and pension etc instead of pay protection as already granted by this Honorable Tribunal in similarly nature service appeal No.589/2019.

3. That the instant appeal is preliminary hearing and there is no legal bar to allow the appellant to amend his service appeal.

It is therefore most humbly prayed that on the acceptance of this application, the appellant may kindly be allowed to amend the instant appeal so that he can claim only to consider his previous service rendered in POF toward pay, allowance and pension instead of pay protection in the instant appeal.



APPELLANT  
Baktawar Shah

THROUGH:



TAIMUR ALI KHAN  
ADVOCATE HIGH COURT

AFFIDAVIT

It is hereby solemnly affirmed and declare that the contents of the application are true and correct and nothing has been concealed from this Honorable Tribunal to the best of my knowledge and belief.

ATTESTED



DEPONENT

