

02nd Oct. 2023

01. Counsel for the petitioner present. Mr. Asif Masood Ali Shah, DDA for the respondents present.

02. Learned counsel for the appellant informed that the appellant has been promoted to the post of Associate Professor Surgery vide notification dated 28.11.2022. He has taken over charge of the said position and has actualized the promotion. This indicates that the grievance of the appellant has been redressed.

03. Learned counsel for the appellant however insisted that he has not been promoted from the date when junior to him were promoted. He says that it would be in the fitness of the matter to challenge the order dated 28.11.2022 before the departmental authority and after exhausting departmental remedy file fresh appeal.

04. In view of the above, the appeal is dismissed as withdrawn with permission to the appellant to file fresh appeal if he so advised subject to all just and legal objections. Consign.

05. **Pronounced in open Court at Peshawar and given under my hand and the seal of the Tribunal on this 02nd day of Oct., 2023.**


(FARREHA PAUL)
Member (E)

Fazle Subhan, PS