

Service Appeal No. 7890/2021 titled "Asad Ullah Khan Versus Government of Khyber Pakhtunkhwa through Establishment department, Civil Secretariat Peshawar and others"

ORDER

11.10.2023

MUHAMMAD AKBAR KHAN, MEMBER (E):- Mr. Amjid Ali, Advocate for the appellant present. Mr. Muhammad Jan, District Attorney for the respondents present. Arguments heard and record perused.

02. The appeal in hand is the second round of litigation by the appellant regarding his promotion from BS-18 to BS-19. His promotion to BS-18 earlier was made on the basis of judgment of this Tribunal delivered in service appeal No. 946/2016 dated 27.07.2021.

03. The appeal in hand also involve the same grounds which were earlier decided by the Tribunal in the first round of litigation. During the course of arguments respondents department produced copy of Notification dated 15th April, 2022 vide which the appellant has been promoted from BS-18 to BS-19 on regular basis, during the pendency of the instant appeal in the Tribunal. We, therefore, convert the instant appeal in to departmental representation and remit the case back to the respondents for disposal in light of relevant law and rules. The appellant would be at liberty to approach the competent forum, if he is not satisfied with the outcome of his departmental appeal. Disposed off accordingly. Consign.

04. *Pronounced in open court at Peshawar and given under our hands and seal of the Tribunal on this 11th day of October, 2023.*



**(Rashida Bano)
Member (J)**



**(Muhammad Akbar Khan)
Member (E)**