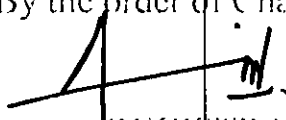


FORM OF ORDER SHEET


Court of \_\_\_\_\_

Appeal No. 2076/2023

S.No.	Date of order proceedings	Order or other proceedings with signature of judge
1	2	3
1	16/10/2023	<p>The appeal of Mr. Imran Babar presented by Mr. Kamran Khan Advocate. It is fixed for preliminary hearing before Single Bench at Peshawar on <u>23-10-23</u>. Parcha Peshai is given to the counsel for the appellant.</p> <p style="text-align: right;">By the order of Chairman                        REGISTRAR</p>
23.10.2023		<p>Learned counsel for the appellant present and argued that appellant was initially appointed as Tracer on 15.06.1995. During service appellant passed departmental examination as draftsman on 22.03.2011 and has also passed two years civil diploma as Draftsman course on 29.09.2011 which is pre-requisite for appointment to the post of Draftsman (BPS-11). He further argued that one Shahid Mansoor who was initially appointed alongwith appellant as tracer and was junior to him, promoted as Draftsman vide order dated 31.12.2011 by ignoring appellant. Appellant though promoted as Draftsman (BPS-11) on 01.01.2023 but with immediate effect. Learned counsel for the appellant argued that in accordance with section 17, seniority of every civil servants will be determined from the date of their regular appointment and date of regular appointment of the appellant is earlier in time than Shahid Mansoor. Therefore, seniority list issued by the respondents wherein Shahid Mansoor placed at Sr. No. 7 showed senior to appellant is</p>

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not correct and against the rules. Appellant filed departmental appeal on 05.07.2023 after receiving copy of seniority list which was not responded, hence instant service appeal was filed on 16.10.2023 under Section 4 of Khyber Pakhtunkhwa Service Tribunal Act, 1974. Points raised need consideration, therefore, appeal is admitted for regular hearing subject to all legal objections. 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 27.11.2023 before S.B. P.P given to learned counsel for the appellant.

  
(Rashida Bano)  
Member (J)

\*KaleemUllah\*