


FORM OF ORDER SHEET

Court of _____

Appeal No. 2083/2023

S.No.	Date of order proceedings	Order or other proceedings with signature of judge
1	2	3
1-	17/10/2023	<p>The appeal of Mr. Abid Muhammad resubmitted today by Mr. Kamran Khan Advocate. It is ordered preliminary hearing before Single Bench at Peshawar on <u>23-10-2023</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 appointed as Junior Clerk on 02.09.1996. Later on placed in Surplus Pool, and was adjusted vide order dated 28.01.2004 in Directorate of Health General Services Khyber Pakhtunkhwa, Peshawar. He further argued that private respondent No. 3 and 4 was also adjusted from other departments on 11.03.2008. Appellant alongwith others were promoted as Senior Clerks (BPS-14) and respondents issued seniority list of Senior Clerks wherein both the respondents were shown senior to the appellant. Under section 17, seniority of appellant by the respondents will have to be determined by placing him at the bottom of seniority of concerned cadre at the time of their joining the department. Appellant joined the respondent department in the year 2004 while private respondent No. 3 and 4 joined in the year 2008,</p>

Handwritten notes:
 23-10-2023
 Mr. Kamran Khan
 Advocate

therefore, appellant will have to be placed senior from them and seniority list issued by the respondents is against the rules and law. Appellant filed departmental appeal which was not respondent within statutory period of ninety days, therefore, he filed instant appeal. 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