

in accordance with the rules.

8. In view of the above situation, instant service appeal is remitted back to the respondents to decide the issue/grievance of seniority position of the appellant in the seniority list, in accordance with rules of within a period of 60 days of receipt of this order. The present service appeal is decided in the above terms. Consign.

9. *Pronounced in the open Court at D.I.Khan under our hands and seal of the Tribunal on this 18<sup>th</sup> day of October, 2023.*



(Salah-Ud-Din)  
Member (J)



(Kalim Arshad Khan)  
Chairman  
Camp Court, D.I.Khan

\*Mutazem Shah\*

appeal on 22.11.2017, which was not responded within statutory period of 90 days.

3. On receipt of the appeal and its admission to full hearing, the respondents were summoned, they put appearance and contested the appeal by filing written reply raising therein numerous legal and factual objections. The defense setup was a total denial of the claim of the appellant.

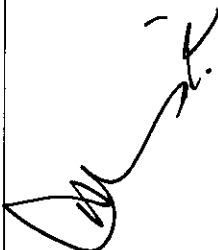
4. We have heard learned counsel for the appellants and learned District Attorney for the respondents.

5. The Learned counsel for the appellant reiterated the facts and grounds detailed in the memo and grounds of the appeal while the learned District Attorney assisted by learned counsel for private respondent No.6, controverted the same by supporting the impugned order(s).

6. During the course of arguments, it was brought into the notice of the Tribunal that in response to the departmental appeal dated 22.11.2017 filed by the appellant, the appellant has been granted promotion from PSHT (BPS-15) to the post of SST (General) vide order dated 17.12.2020. Now the only remaining relief is placement of the appellant of her alleged proper place.

7. As the issue of promotion has been resolved by giving her promotion to the post of SST (General) vide order dated 07.12.2020 and so far as the second stance of the appellant i.e. position in the seniority list, is concerned, it is deemed appropriate to remit back the matter to the official respondents to decide the issue of seniority

SCM  
K.P.S.  
Reshwar



Sr. No	Date of order/ proceedings	Order or other proceedings with signature of Judge or Magistrate
1	2	3
	18 <sup>th</sup> Oct.2023	<p style="text-align: center;"><b><u>BEFORE THE KHYBER PAKHTUNKHWA SERVICE TRIBUNAL</u></b>  <b><u>AT CAMP COURT, D.I.KHAN</u></b>  <b>Service Appeal No. 385/2018</b></p> <p style="text-align: right;">Date of Institution ..... 16.03.2018  Date of Decision ..... 18.10.2023</p> <p>Rukhsana Bibi Daughter of Haji Muhammad Ramzan, Primary School Head Teacher Abdul Wahab, FR D.I.Khan.....<b>Appellant</b></p> <p style="text-align: center;"><b>Versus</b></p> <ol style="list-style-type: none"> <li>1. Government of Khyber Pakhtunkhwa, through Addl. Chief Secretary FATA, FATA Secretariat, Warsak Road, Peshawar.</li> <li>2. Additional Chief Secretary FATA, FATA Secretariat, Warsak Road, Peshawar.</li> <li>3. Secretary FATA, FATA Secretariat Warsak Road, Peshawar</li> <li>4. Director Education FATA, FATA Secretariat Peshawar</li> <li>5. Agency Education Officer, FR D.I.Khan.</li> <li>6. Shahnaz Bibi, Primary School Head Teacher.....<b>Respondents</b></li> </ol> <p style="text-align: center;">-----</p> <p><b><u>ORDER</u></b>  <b><u>KALIM ARSHAD KHAN, CHAIRMAN:</u></b> Learned counsel for the appellant present. Mr. Farhaj Sikandar, District Attorney for the official respondents and learned counsel for private respondent No.6 present.</p> <p>2. The appellant has filed the present service appeal against the order dated 23.07.2017, whereby, private respondent No.6, Mst. Shahnaz Bibi was promoted and the appellant was not granted promotion to the post of SST (General) due to which the appellant remained junior to the private respondent. The appellant, feeling aggrieved from the impugned order, had also filed departmental</p>