

11.11.2022 district union direct appellant to regulate the seniority first and then press promotion matter. Accordingly appellant filed departmental appeal for fixation of her seniority with effect from 30.11.2006 on the basis of inter-se-seniority with Asmat Bahar to respondent on 19.01.2023 which was not decided within a stipulated period, hence the instant appeal. Points raised need consideration. The appeal is admitted for regular hearing subject to all legal objections. Appellant is directed to deposit security fee within 10 days. Written reply on behalf respondents have already been submitted. To come up for arguments on 12.02.2024 before D.B. P.P given to the parties.



(Rashida Bano)
Member (J)

2023

1. Clerk of learned counsel for the appellant present. Mr. Asif Masood Ali Shah. Deputy District Attorney alongwith Mr. Hazrat Wahab. Superintendent for the respondents present.

2. Reply/comments on behalf of respondents have already been submitted through office on 14.09.2023 which is placed on file. Copy of the same handed over to clerk of learned counsel for the appellant who sought adjournment on the ground that learned counsel for the appellant is busy before Hon'ble Peshawar High Court, Peshawar. Adjourned. To come up for preliminary hearing on 25.10.2023 before S.B. P.P given to the parties.

(Muhammad Akbar Khan)
Member (I)

25.10.2023 1. Learned counsel for the appellant present. Mr. Asad Ali Shah learned District Attorney for the respondents present.

2. Learned counsel for the appellant argued that respondent department advertise numerous post of various discipline daily Mushriq on 04.06.2006 including 6 post for union council Chapper Dir upper. According to government policy 75 seat be filled in through union council wise 25% on open merit 5 post given to the union council and one post on open merit. He further argued that after test and interview merit list was prepared by the respondent wherein appellant was placed on Serial No. 3. Appellant was not appointed, therefore, appellant filed writ petition which was accepted on 10.07.2007 and appellant was appointed. When merit list was issued, appellant was shown junior to other female teachers who obtained less marks from the appellant and was on Serial No. 7 of the merit list. Respondent department promoted appellant alongwith other including Mst. Asmat Bahar to BPS-15 on 01.08.2018 which was challenged by the appellant in service appeal No. 558/22 wherein vide order dated