

24th Aug, 2023

1. Learned counsel for the appellant present and heard.

2. The appellant was appointed as ASDEO in the Education Department vide order dated 02.12.2013; that vide notification dated 22.10.2019, the appellant was promoted to BPS-18 and presently he is working as DEO on OPS basis in BPS-19; that as per requirement of the Rules notified on 27.03.2019, the post of District Education Officer/Additional Director (BPS-19) is to be filled in by promotion on the basis of seniority-cum-fitness amongst the DEO and Deputy Director with at least seven years in BPS-18 or 12 years service in BPS-17 and no suitable officer is available for promotion, then by transfer in BPS-19 Officer; that the appellant is on Serial No.25 in the seniority list of BPS-18 Officer of the Education Department and has more than 13 years service, he was eligible to be considered for promotion on regular basis to BPS-19. In order to promote him, the appellant filed representation on 23.01.2023 which was not responded to, hence, the instant appeal. Therefore, this appeal is admitted to full hearing subject to all just and legal objections by the other side. The appellant is directed to deposit security fee within 10 days. The respondents be summoned through TCS/LCS, the expenses of which be deposited by the appellant within three days. To come up for written reply/comments on 20.09.2023 before S.B.

SCANNED
KPST
Peshawar


(Kalim Arshad Khan)
Chairman

Adnan Shah, P.A.

20.09.2023

Appellant alongwith junior of his counsel present. Mr. Mehran, Assistant alongwith Mr. Asif Masood Ali Shah, Deputy District Attorney for the respondents present.

Reply/comments on behalf of respondent are still awaited. Representative of the respondents requested for further time for submission of reply/comments. Adjourned. To come up for reply/comments on 27.10.2023 before the S.B. Parcha Peshi given to the parties.

(Salah Ud-Din)
Member (J)

27th Oct, 2023 *Naeem Amin*

1. Junior to counsel for the appellant present. Mr. Asad Ali Khan learned Assistant Advocate General alongwith Mehran, Assistant for the respondents present.
2. Written reply on behalf of respondent submitted which is placed on file. A copy of the same is handed over to the junior counsel for the appellant. To come up for rejoinder if any, as well as arguments 12.02.2024 before D.B. P.P given to the parties.

(Rashida Bano)
Member (J)