



ORDER

6th Dec, 2023

1. Appellant in person present. Mr. Asif Masood Ali Shah, Deputy District Attorney for the respondents present.
2. In the first round of litigation, this appeal was allowed and in pursuance of the judgment of the Tribunal rendered in appeal No. 349/2017, the appellant was given ante-dated promotion as District Food Controller (BPS-16) w.e.f. 19.05.2005 and Assistant Director Food (BPS-17) w.e.f. 28.02.2013. The appellant says that he had then submitted an application to the Chief Secretary, Khyber Pakhtunkhwa and according to him the Chief Secretary acceded to his request but not according to his desired prayer that is ante-dated promotion of Grade-18 with effect from some date in February, 2018 and notification dated 03.11.2023 was issued during the pendency of appeal, whereby, the appellant was promoted to the post of Deputy Director Food (BPS-18) on regular basis w.e.f. 19.09.2023. As the relief sought in the appeal was for issuing corrigendum in notification of 03.01.2023 and holding the appellant entitled for back benefits and vide notification dated 03.11.2023, he has been promoted to grade-18 from 19.09.2023, therefore, while disposing of this appeal, we allow the appellant to challenge any of the terms of notification dated 03.11.2023 in accordance with law. Consign.
3. *Pronounced in open Court at Peshawar under our hands and seal of the Tribunal on this 6th day of December, 2023.*


(Salah Ud Din)
Member(J)


(Kalim Arshad Khan)
Chairman