


Service Appeal No. 965/2018 titled "Irfan Sher versus Directorate of Excise and Taxation Department and others"

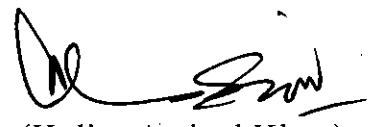
ORDER

7<sup>th</sup> Dec, 2023

1. Appellant in person present. Mr. Asad Ali Khan, Assistant Advocate General for respondent No.1 and Ms. Parkha Aziz Khan, Legal Advisor for respondents No. 2 and 3 present.
2. Learned counsel for the respondents produced copy of final seniority list of Assistant Sub-Inspectors circulated vide notification dated 21.03.2023, to which learned counsel for the appellant objected that the appellant alongwith others from serial No. 14 to serial No. 51 were batchmates of the same selection process and according to merit list, prepared and finalized by the selection committee, the appellant ranked at merit order No. 32. This merit position of the appellant was admitted by the learned counsel for the respondents. Therefore, in view of the provisions of Rule-17(1)(a) of the Khyber Pakhtunkhwa Civil Servant (Appointment, Promotion and Transfer) Rules, 1989, being selectee of the same selection process, the appellant had to be placed in accordance with merit order No. 32 alongwith his batchmates i.e above Naseem Khan and below Inayat Ur Rehman and similarly the seniority, of the others, if any, disturbed from the merit order has also to be corrected. The appeal is disposed of as above.  
Consign.

3. *Pronounced in open Court at Peshawar under our hands and seal of the Tribunal on this 7<sup>th</sup> day of December, 2023.*

  
(Salah Ud Din)  
Member(J)

  
(Kalim Arshad Khan)  
Chairman