

17.08.2023 1. Learned counsel for the appellant present and argued that appellant was appointed on 07.07.2010 in BPS-16 who was promoted vide order dated 28.04.2015 in BPS-17 on acting charge basis. He further argued that at that time require length of service of the appellant was not completed that's why he was promoted on acting charge basis. The required length of service was completed on 07.07.2015 but appellant was malafiedly promoted on 09.02.2016, therefore, he is entitled to be promoted on 07.07.2015 in BPS-17. He further argued that appellant will have to be placed senior from direct recruitees of BPS-17 recruited in the year 2015 but due to malafide of respondent, appellant was shown junior to respondent\*No. 3 to 5 who was recruited in 2015. Appellant filed departmental appeal on 18.01.2023 which was not responded therefore, he filed service appeal on 22.06.2023. Points raised need consideration. Instant appeal is admitted for regular hearing subject to all legal objections. The appellant is directed to deposit security fee within 10 days. Thereafter, notices be issued to respondents for submission of written reply/comments. Respondents be summoned through TCS the expenses of which be deposited by the appellant within 3 days. Adjourned. To come up for written reply/comments on 29.09.2023 before S.B. P.P given to learned counsel for the appellant.

RECEIVED  
K.P.S.T.  
Peshawar

(Rashida Bano)  
Member (J)

\*Kaleem Ullah

29.9.23

Due to public Holy day.  
Therefore case is adjourned  
to 9-11-23

Q  
Reader

09-11-2023.

Due to Public Holiday the Case  
is adjourned to 14-12-2023.



- 14<sup>th</sup> Dec, 2023
1. Clerk to learned counsel for the appellant present. Mr. Asad Ali Khan, Assistant Advocate General for the respondents present.
  2. Written reply/comments on behalf of the respondents have not been submitted. Learned Asst: AG seeks time to submit the same on the next date. Granted. To come up for written reply/comments on 29.01.2024 before S.B. P.P given to the parties.



(Kalim Arshad Khan)  
Chairman

\*Adnan Shah\*