

BEFORE THE KHYBER PAKHTOOKHWA SERVICE TRIBUNAL,
PESHAWAR

Application No. _____/23 in

Service Appeal No. 1334 /2022

Mohammad Anwar Khan Appellant/Applicant

Khyber Pakhtukhwa
Service Tribunal

Diary No. 92925

Dated: 10/12/23

VERSUS

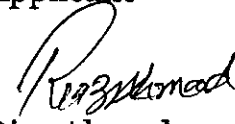
Secretary to the Government of Khyber Pakhtoonkhwa, Population Welfare
Department, civil secretariat Peshawar and others Respondents

I N D E X

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Applicant

Through


Riaz Ahmad
Advocate

(1)

BEFORE THE KHYBER PAKHTOOKHWA SERVICE TRIBUNAL,
PESHAWAR

Application No. _____/23 in

Service Appeal No. 1334/2022

Mohammad Anwar Khan Appellant/Applicant

VERSUS

Secretary to the Government of Khyber Pakhtoonkhwa, Population Welfare
Department, civil secretariat Peshawar and others Respondents

Application for filing seniority list of the appellant

Respectfully Sheweth:

1. That appeal of the appellant/applicant is pending hearing before this Hon'ble Tribunal camp court Swat in which next date fixed is 03/01/2024.
2. That in adjudication of the appeal the appellant's seniority list is necessary for the purpose of determining his seniority viz a viz his contention and prayer in the appeal.
3. That the said seniority list of the applicant / appellant is filed herewith for assistance of this Hon'ble Tribunal and in support of the appellant's prayer as Annex-A.

It is, therefore, requested that on acceptance of this application the seniority list of the applicant may kindly placed on file, please.

Dated ____/____/22

H. Anwar
Applicant

Through

Riaz Ahmad
Riaz Ahmad
Advocate

(2)

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Government of Khyber Pakhtunkhwa,
Directorate General Population Welfare
Plot No. 18, Sector: E-8, Phase-7, Hayatabad, Peshawar

Date Peshawar The 4/11/2018

OFFICE ORDER

F.No.4(15)/2017/Admn:- In pursuance of Section-8 of Khyber Pakhtunkhwa Civil Servants Act, 1973 read with rules 17 of Khyber Pakhtunkhwa Civil Servants (Appointment Promotion & Transfer) rules 1989, the Final seniority list of Assistant (BPS-16) (As stood on 27.11.2017), Population Welfare Department, Khyber Pakhtunkhwa is hereby ordered/circulated for general information.

SN.	Name	Date of birth	Domicile	Qualif:	Direct/ Promotee	Date of joining Govt: Service	Lower Grade	Present Grade	Date of Regularization	Posting	Remarks
1	Arif Abbas	15/08/1978	Peshawar	B.A.	Direct	07/05/2009	--	07/05/2009	24/09/2009	DG Office, Peshawar	Adhoc appointment has been regularized vide promulgation of Ordinance i.e. 24.09.2009, whereas interse seniority has been determined as per analogy of BPS-17 (NT) vide Admrc Deptt: PW letter No. SOE(PWD)-30/2012/Vol-11/1425-27 dated 06th Oct 2017, and vide Admrc Department guidance letter No. SOE(PWD)-30/2012/Vol-11/1511-13 dated 26th Oct 2017
2	Muhammad Hussain	05/05/1980	Peshawar	M.A.	Direct	11/05/2009	--	11/05/2009	24/09/2009	DG Office, Peshawar	
3	Muhammad Aqeel Babar	04/02/1982	Peshawar	B.A.	Direct	06/05/2009	--	06/05/2009	24/09/2009	DPW Office, Peshawar	
4	Mir Baiz Khan	10/03/1982	Chitral	BBA(Hons)	Direct	08/05/2009	--	08/05/2009	24/09/2009	DG Office, Peshawar	
5	Mohammad Anwar	01/04/1958	Dir Lower	B.A	Promotee	25/01/1983	25/04/1995	11/01/2012	--	DPW Office Dir Lower	
6	Mohammad Javed Khan	28/11/1958	Kohat	F.A	Promotee	26/01/1983	25/04/1995	11/01/2012	--	DPW Office Kohat	
7	Karamat Khan	10/05/1959	Peshawar	M.A.	Promotee	07/04/1983	23/08/1995	11/01/2012	--	DG Office, Peshawar	
8	Zafar Ali	01/03/1959	Peshawar	M.A.	Promotee	07/04/1983	23/08/1995	11/01/2012	--	DPW Office Peshawar	

Attested

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Government of Khyber Pakhtunkhwa,
Directorate General Population Welfare
Plot No. 18, Sector E-8, Phase-7, Hayatabad, Peshawar

F.No.4 (15)/2016/Admn
Dated Peshawar the 04/11/2018.

To

- | | | |
|-----|---------------------------|------------------------------------|
| 1. | Arif Abbas | Directorate General, PW Peshawar |
| 2. | Muhammad Hussain | Directorate General, PW, Peshawar. |
| 3. | Muhammad Aqeel Babar | DPW Office, Peshawar. |
| 4. | Mir Baiz Khan | Directorate General, PW, Peshawar. |
| 5. | Muhammad Anwar | DPW Office, Dir (Lower) |
| 6. | Muhammad Javid | DPW Office, Kohat. |
| 7. | Kiramal Khan | Directorate General, PW, Peshawar |
| 8. | Zafar Ali | DPW Office, Peshawar. |
| 9. | Muhammad Daud Khan Afridi | Directorate General, PW, Peshawar. |
| 10. | Sarfraz Khan | Directorate General, PW, Peshawar |
| 11. | Ashiq Nabi | Directorate General, PW, Peshawar |
| 12. | Abid Akbar | Directorate General, PW, Peshawar |

Subject:- FINAL SENIORITY LIST OF ASSISTANT (BPS-16) POPULATION WELFARE DEPARTMENT AS STOOD ON 27-11-2017


I am directed to refer to the subject noted above and to enclose herewith final seniority list of Assistant (BPS-16) as stood on 27.11.2017.


(Hidayat Khan)
Deputy Director (Admn)

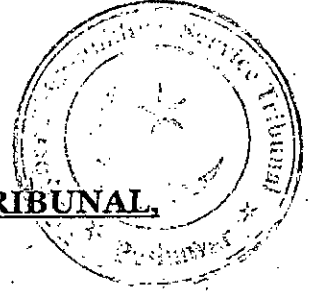
Copy forwarded to the:-

1. All Directors, DPWOs, Principal RTIs & CMO, PWD, KP.
2. PA to Advisor to CM for PWD, KP Peshawar.
3. PS to Director General, PWD, KP, Peshawar.


Deputy Director (Admn)

Hand of vide No. -75-89
04/11/18


(17)



BEFORE THE KHYBER PAKHTOOKHWA SERVICE TRIBUNAL,
PESHAWAR

Service Appeal No. 1334 /2022

Mohammad Anwar Khan R/O Village Kheema, Tehsil and P.O. Timargarah, District Lower Dir (Assistant BPS- 16 retired from the office of District Population Welfare Office, Lower Dir.)

..... APPELLANT

VERSUS

1. Secretary to the Government of Khyber Pakhtoonkhwa, Population Welfare Department, civil secretariat Peshawar.
2. Directorate General Population Welfare Department, Population Welfare Complex, Near PDA Building Hayatabad, Phase-V, Peshawar.
3. District Population Welfare Officer, Dir Lower.

.....RESPONDENTS

Appeal Under Section 4 Of The Khyber Pakhtoonkhwa Service Tribunal Act (Act 1 Of 1974) From The Order Bearing No. 4(5)/2018 Dated 04/05/2018 Whereby Assistants Bps 16 Were Promoted To The Post Of Assistant District Population Welfare Bps-16, Where The Order Being Was Due In 2017.

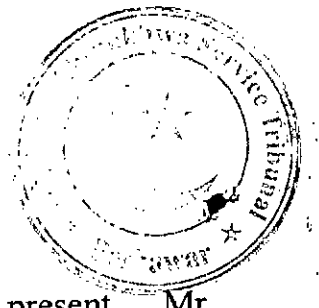
Prayer: On acceptance of the instant appeal this Hon'ble Tribunal would be pleased to grant proforma promotion to the appellant as the order was due in 2017 while the appellant was in service but it was delayed inordinately and the appellant proceeded on retirement on 31/03/2018 and the appellant's right of promotion was not granted to him.

Respectfully sheweth:

1. That the appellant has proceeded on retirement on 31/03/2018 as Assistant BPS-16 from the District Population Welfare Office, Population Welfare Department.
(Copy of the retirement order is enclosed herewith as Annex-A)
2. That in 2017 vacancies occurred for promotion of Assistants BPS-16 and other cadres to the post of Assistant District Population Welfare Officer BPS-16 and ACRs of the appellant were requisitioned which were sent to the office of respondent No. 2.
(Copies of the letter / biodata are enclosed herewith as Annexure-B)
3. That the promotion case was delayed till 04/05/2018 after a month a few days of the retirement of the appellant. The appellant submitted

Certified to be true copy

Khyber Pakhtoonkhwa
Service Tribunal,
Peshawar



07.11.2023

Appellant alongwith his counsel present. Mr. Muhammad Jan, District Attorney for the respondents present.

Learned counsel for the appellant seeks time for preparation of arguments. Adjourned. Last opportunity granted. To come up for arguments on 03.01.2024 before the D.B at Camp Court Swat. Parcha Peshi given to the parties.

(Fareeha Paul)
Member (E)
Camp Court Swat

(Salah-ud-Din)
Member (J)
Camp Court Swat

Naeem Amin

Certified true copy
MEMBER
Swat Service Tribunal
Peshawar

Date of Presentation of Application 15/12/23
Number of Pages 2 page
Copying Fee 10/-
Urgent 5/-
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Name of Counsel
Date of Completion of Application 15/12/23
Date of Presentation of Application 15/12/23