

**BEFORE THE KHYBER PAKHTUNKHWA SERVICE  
TRIBUNAL, PESHAWAR CAMP AT D.I.KHAN.**

Diary No. 11237

Dated 20-02-2024

Civil Misc. Petition No. \_\_\_\_\_ of 2024

In Service Appeal No.4811/2021

Muhammad Kashif Ali

Vs

Director Elementary &  
Secondary education etc

Appellant

Respondents

APPLICATION FOR IMPLEADMENT OF APPLICANT  
"MUHAMMAD ARIF KHAN SON OF INAYATULLAH, R/O  
GULSHAN HAMEED COLONY, D.I.KHAN" IN THE ABOVE  
TITLED SERVICE APPEAL IN THE PANEL OF  
RESPONDENTS.

Respectfully Sheweth:


1. That the above titled Service Appeal is pending adjudication before this Honourable Tribunal.
2. That the appellant in present Service Appeal has sought for restoration of the promotion notification dated 07.02.2020, which notification has already been challenged by the applicant in another Service Appeal titled "*Muhammad Arif Khan Vs. Govt. of Khyber Pakhtunkhwa etc*" wherein Kashif Ali (present appellant) has been arrayed as respondent No.6.
3. That the promotion notification dated 07.02.2020 is adversely effecting the rights of applicant. Moreover, the appellant in the Para No.3 of the instant service appeal has specifically referred the name and appeal of petitioner.
4. That the applicant is, therefore, a proper and necessary party to the presently service appeal particularly when the appellant is senior than the appellant.



5. That the impleadment of applicant in the panel of respondents would be in the interest of justice and this Honourable Tribunal has got ample powers to implead the applicant as such.

It is, therefore, very humbly prayed that the applicant may please be impleaded in the above titled service appeal in the panel of respondents.

Yours Humble Applicant

  
(Muhammad Arif Khan)  
Through Counsel


Dt. 30 January, 2024.

  
**AHMAD ALI**  
Advocate supreme Court

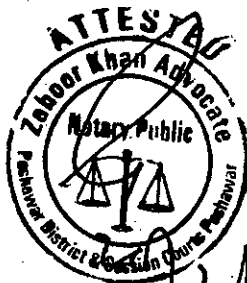
  
**KHALID MAHMOOD**  
Advocate High Court, D.I.Khan

**AFFIDAVIT:**

I, the applicant, do hereby solemnly affirm and declare on oath that all the Para-wise contents of this Civil Miscellaneous Petition are true & correct to the best of my knowledge and belief and nothing has been deliberately concealed from this Honourable Court.

  
Identified by counsel:  
Ahmad Ali ASC

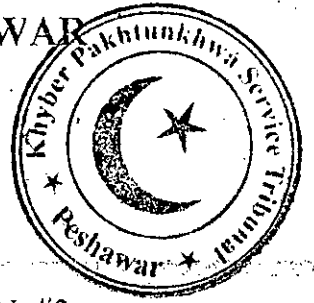
  
Deponent





BEFORE THE KP SERVICE TRIBUNAL PESHAWAR  
CAMP AT DERA ISMAIL KHAN.

Appeal no. <sup>4811</sup> of 2021.



Muhammad Kashif Ali DM Government Middle School No#2  
D.I.Khan.

VERSUS

1. Director Elementary and Secondary Education Deptt: Peshawar.
2. Deputy Director ( Estab) Elementary and Secondary Education Deptt: Peshawar.
3. District Education officer (male) Elementary and Secondary Education Deptt: D.I.Khan.
4. Sub-District Education Officer (male) D.I.Khan.
5. Account Officer Kechary Road D.I.Khan.
6. Government of KPK through secretary Elementary and Secondary Education Deptt: Peshawar.

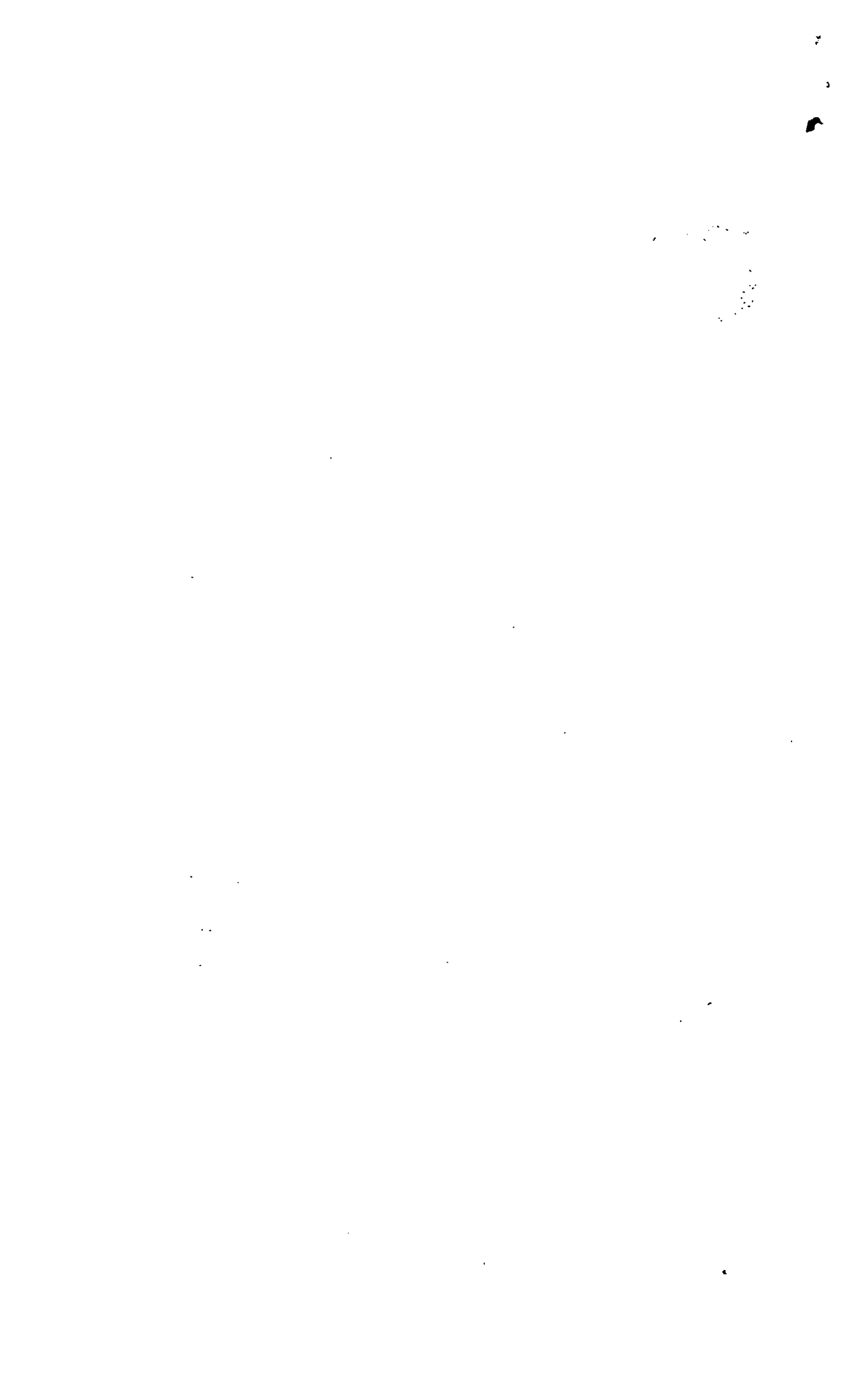
APPEAL UNDER SECTION 4 OF KP SERVICE TRIBUNAL ACT 1974 AGAINST ILLEGAL AND MALAFIDE OFFICE ORDER DATED; 16-11-2020 REGARDING WITHDRAWL OF ASDJUSTMENT ORDER DATED; 29-07-2020 AND VIDE OFFICE ORDER DATED 18-12-2020, WITHDRAW THE PROMOTION NOTIFICATION OF APPELLANT 07-02-2020 ON THE BACK OF APPELLANT.

That the brief facts of the case are as under:

1. That the Appellant is appointed as DM on 14-05-2014. Copy of Service Certificate is Annexure A.
2. That The case of promotion of Appellant as SST ( Bio. Chem) BPS-16 on regular basis was processed by the Department and after fulfillment of all codal formalities the Appellant was promoted as SST vide notification Dated 07-02-2020. The Appellant service are placed at the disposal of respondent No 3 for further adjustment against the post of SST. Copy of Notification is annexure B.

That Muhammad Arif filed Appeal before respondent No1 in which Challenge the above said Notification which was decided with the direction to consider him for the SST before next DPC subject to his

certified to be true copy  
Khyber Pakhtunkhwa Service Tribunal  
Peshawar




Appeal No. 4811/2021  
M. Kashif Ali vs Govt

20<sup>th</sup> Dec. 2023




1. Learned counsel for the appellant present. Mr. Asad Ali Khan, Assistant Advocate General for the respondents present.
2. Mr. Muhammad Khalid Advocate intended to file wakalatnama on behalf of one Muhammad Arif who is appellant in connected appeal but since he has not impleaded at present, therefore, he may make an application to get his client impleaded first. Arguments in this matter heard to a great extent but proper arguments could not be heard in the connected matter, therefore, to come up for arguments on 22.02.2024 before D.B at Camp Court, D.I.Khan. P.P given to the parties.

  
(Salah Ud Din)  
Member(J)

  
(Kalim Arshad Khan)  
Chairman  
Camp Court, D.I.Khan

\*Mutazim Shah\*

Certified to be true copy

  
20/2/24  
EXAMINER  
Khyber Pachtunkhwa  
Service Tribunal  
Peshawar

Date of Presentation of Application 20/2/2024  
Number of Words page 2  
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Urgent 5/-  
Total 15/-  
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Date of Completion of Copy 20/2/2024  
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Yours Humble Applicant

*M.A. Khan*  
(Muhammad Arif Khan)  
Through Counsel

Di 20 January, 2024.

*AA*  
**AHMAD ALI**  
Advocate supreme Court

*KM*  
**KHALID MAHMOOD**  
Advocate High Court, D.I.Khan

**AFFIDAVIT:**

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*AA*  
Identified by counsel:  
Ahmad Ali ASC

*M.A. Khan*  
Deponent

