


27<sup>th</sup> Feb. 2024 1. Learned counsel for the appellant present and heard.

2. At the very outset, learned counsel for the appellant very fairly submitted that respondent No.1 was arrayed as party as abandoned precaution, however, there was no need to array respondent No.1 as party and requested for deletion of respondent No.1 from the panel of respondents. Deleted accordingly. Office is directed to make necessary entries in this regard. The learned counsel says that the appellant is aggrieved of the contents of letter dated 06.06.2023 of the Establishment Department, whereby, in utter violation of rules, it was stated that the officers/officials who do not comply with the promotion order of the competent authority or to avoid promotion through different means, would be proceeded against under the Khyber Pakhtunkhwa Government Servants (Efficiency and Discipline) Rules, 2011. Aggrieved of the same, the appellant filed departmental appeal on 14.09.2023 and similarly, other 39 employees had also filed separate appeals against the same order/letter, which, according to learned counsel, had been admitted to full hearing and are fixed for 04.03.2024 at the Principal Seat, Peshawar for reply, therefore, the delay in filing of this appeal has to be condoned because other appeals of the same order are filed within time. The submission of the learned counsel is genuine. This appeal thus is admitted to full hearing subject to all just and legal objections by the other side. The appellant is directed to deposit security fees within 10 days. The respondents be summoned through TCS, the expenses of which be deposited by the appellant within seven days. To come up for reply/comments on 04.03.2024 before S.B at the Principal Seat, Peshawar. P.P given to the appellant.

*\*Mutazem Shah \**

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