


29.02.2024 1. Learned counsel for the appellant present. Mr. Muhammad Jan, District Attorney for the official respondents present. Learned counsel for private respondent No. 5 present. Mr. Hameed Khan, Advocate for respondent No.3 present and submitted an application for setting aside ex-parte proceeding dated 17.01.2024 against respondent No.3.

2. Arguments on application heard.


3. Learned counsel for the appellant has raised no objection upon setting aside ex-parte proceedings against respondent No.3. In the interested of justice ex-parte proceedings against respondent No.3 are set aside on payment of costs of Rs. 5000/. Respondent No.3 is directed to submit written reply within fortnight positively. In case he failed to submit reply no further opportunity will be granted to him. Adjourned. To come up for cost and arguments on 14.03.2024 before D.B. P.P given to the parties.

  
(Fareeha Paul)  
Member (E)

  
(Rashida Bano)  
Member (J)

13<sup>th</sup> Feb, 2024

Appellant alongwith his counsel present. Mr. Asif Masood Ali Shah, Deputy District Attorney for official respondents present. Junior to learned counsel for private respondent No. 5 also present and requested for adjournment on the ground that learned senior counsel for private respondent No. 5 is busy in Peshawar High Court, Peshawar. Adjourned. To come up for arguments on 21.02.2024 before the D.B. Parcha Peshi given to the parties.

  
(Salah-ud-Din)  
Member (J)

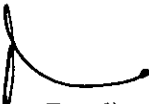
  
(Kalim Arshad Khan)  
Chairman


*\*Naeem Amin\**

21<sup>st</sup> Feb. 2024

1. Learned counsel for the appellant and Mr. Asif Masood Ali Shah, Deputy District Attorney for the respondents present.

2. Arguments were opened by the learned counsel for the appellant Abdur Rahim. The matter is of seniority. The seniority is determined under the provisions of Section-8 of the Khyber Pakhtunkhwa Civil Servants Act, 1974 read with Rule-17 of the Khyber Pakhtunkhwa Civil Servants (Appointment, Promotion and Transfer) Rules, 1989, however, the learned counsel contends that in this particular case, the seniority was relatable to acquisition of certain qualification. When confronted whether there were any specific rules of the Department in this regard, to which he sought some time. The case pertains to 2012, therefore, last opportunity is granted to both the parties to argue the case. To come up for arguments on 29.02.2024 before D.B. P.P given to the parties.

  
(Fareeha Paul)  
Member (E)

  
(Kalim Arshad Khan)  
Chairman

*\*Mutazem Shah\**