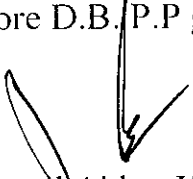



15th Apr. 2024

1. Mr. Umair Azam, Additional Advocate General alongwith Mr. Roz Amin Superintendent for the petitioners present. Learned counsel for the respondents/appellant present.

2. The only ground in this petition agitated by the learned Additional Advocate General is that the petitioners i.e. Additional Chief Secretary, P&D Department, Khyber Pakhtunkhwa, Peshawar and Secretary to Government of Khyber Pakhtunkhwa, Planning & Development Department, Khyber Pakhtunkhwa, Peshawar, were not arrayed as party in the main appeal, whereas, the implementation is sought against them. The learned counsel for respondent/appellant produced copy of Notification dated 09.01.2020, stating that during the pendency of the appeal, the services of the private respondents/appellant were included in the only regularized components of the Planning & Development Department and Planning Cells of the Administrative Department alongwith incumbents as well as left over posts as per Appendix in the Schedule-I of the Khyber Pakhtunkhwa Provincial Planning Service Rules, 2018. As to the question that the petitioners were not arrayed as party, the learned counsel for the respondents submitted that as the case was ripe, therefore, the application for impleadment was withdrawn. The Tribunal has been informed that the Government had also filed CPLA before the Supreme Court of Pakistan against the judgment of this Tribunal.

3. In view of the above state of affairs, the learned AAG shall assist the Tribunal on the maintainability of this petition. To come up on 29.04.2024 for hearing before D.B./P.P given to the parties.


(Muhammad Akbar Khan)
Member (E)


(Kalim Arshad Khan)
Chairman