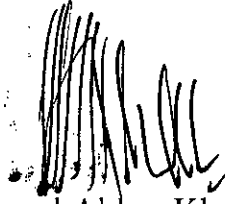


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dates of their acquiring qualification prescribed for initial recruitment in column No. 3. When confronted with the situation whether the qualifications of the appellants and those mentioned at serial No. 73 to 81 of the seniority list (the employees recruited through initial appointment) was different or not to which Yousif Khan representative of the respondents could not controvert the situation and the qualification for initial recruitment was considered to be Pharm-B as is that of the appellants, therefore, there is at present no hurdle in inclusion of the names of the appellants in the joint seniority list of the Clinical/PHC Technologists (BPS-17). This being so the appeal is disposed of with the direction to accordingly include the names of appellants as per rules. Consign.

4. *Pronounced in open court at Peshawar and given under our hands and seal of the Tribunal on this 19th day of April, 2024.*



(Muhammad Akbar Khan)
Member (Executive)



(Kalim Arshad Khan)
Chairman

Service Appeal No. 518/2023 titled “Munir Ahmad Khan versus The Secretary Health Department, Khyber Pakhtunkhwa, Peshawar and others”.

ORDER

19th April, 2024 **Kalim Arshad Khan, Chairman**: Through this single order, this appeal and Service Appeal No. 2318/2023 titled “Noor Daraz Khan Vs. Government of Khyber Pakhtunkhwa through Secretary Health, Attached Department, Khyber Road, Peshawar and others” are being decided as both are of similar nature.

2. Learned counsel for the appellants present. Mr. Muhammad Jan, District Attorney alongwith Mr. Yousif Jamal, Assistant for the respondents present.

3. The learned counsel for the appellants referred to tentative joint seniority list of Clinical/PHC Technologists (BPS-17) Paramedics Health Department Khyber Pakhtunkhwa, wherein at serial No. 73 to 81, the employees having Pharm-B qualification were initially recruited on the recommendations of Khyber Pakhtunkhwa Public Service Commission against the post of Clinical Technologist Pharmacy (BPS-17). The learned counsel for the appellants referred to serial No. 4 of the Service Rules of the department. According to clause (b) at column No.5 of serial No. 4 of the Service Rules, 20% posts were to be filled by promotion on the basis of seniority-cum-fitness from amongst the Chief Technicians, Senior Technicians and Technicians having qualification prescribed for initial recruitment with three years service as such in the relevant technology. In the note it was provided that for the purpose of promotion, there shall be maintained a joint seniority list of Chief Technicians, Senior Technicians and Technicians with reference to the

