

Service Appeal No.7208/2021 titled “Muhammad Arif Vs. Government of Khyber Pakhtunkhwa”

ORDER

2<sup>nd</sup> May, 2024

**Kalim Arshad Khan, Chairman**. Learned counsel for the appellant present. Mr. Muhammad Jan, District Attorney for the respondents present.


2. At the very outset, learned counsel for the appellant produced copy of order of the Tribunal passed in similar nature Service Appeal No.231/2022 titled “Rehana Yasmin Vs. Education Department”, and requested that the instant appeal might also be disposed of in terms of the said order. The relevant paragraph of the order is as under:

*“At the very outset learned counsel for the appellant produced copy of notification dated 29.04.2014 and contended that vide this notification the promotion of the appellant and others, mentioned in the notification from the post of Director Physical Education (DPE) (BPS-16 to BPS-17) on regular basis was given effect from 13.11.2007 instead of 19.05.2009. Learned counsel for the appellant submitted that in the impugned seniority list of 02.03.2021 the date of promotion of the appellant was still written as 19.05.2009 instead of 13.11.2007 and submitted that the appeal might be disposed of with the direction to the official respondents to incorporate the date of promotion of the appellant from BPS-16 to BPS-17 as 13.11.2007 in the impugned seniority list. The learned Additional Advocate General when confronted with the situation submitted that the department ought to have mentioned the correct date of promotion in the notification. The appeal is thus disposed of in the above terms. Costs to follow the event. Consign.”*

3. The contention of learned counsel for the appellant was found correct as both the appeals are similar in nature. Therefore, instant service appeal is disposed of in terms of the mentioned order. Costs shall follow the event.

Consign.

4. Pronounced in open Court at Peshawar under our hands and seal of the Tribunal on this 2<sup>nd</sup> day of May, 2024.



(Muhammad Akbar Khan)  
Member (E)



(Kalim Arshad Khan)  
Chairman