

Misc. Application No. 319/2024 titled “Munir Ahmad Khan versus The Secretary Health Department, Khyber Pakhtunkhwa Peshawar and others”.

ORDER

17th May, 2024 Kalim Arshad Khan, Chairman: Learned counsel for the applicant present. Mr. Muhammad Jan, District Attorney for the respondents present.

2. This application is for correction of typographical errors in Para-3 of the order of this Tribunal dated 19.04.2024 passed in Service Appeal no.518/2023 titled “Munir Ahmad Khan versus The Secretary Health Department, Khyber Pakhtunkhwa Peshawar and others”.


3. In the order dated 19.04.2024 in paragraph- 3, it was started with the words that:

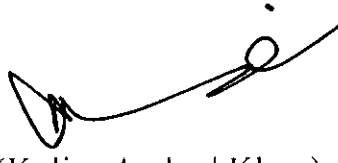
“The learned counsel for the appellants referred to tentative joint seniority list of Clinical/PHC Technologists (BPS-17) Paramedics Health Department Khyber Pakhtunkhwa, wherein at serial No. 73 to 81, the employees having “Pharm-B” qualification were initially recruited on the recommendations of Khyber 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 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. In the above paragraph, instead of writing word “**Pharm-D**” inadvertently word “**Pharm-B**” was written at two places which are sought to be corrected through this application. As such the application is allowed and it is directed that the word “**Pharm-B**” as mentioned in Para-3 at two places of the order shall be read as “**Pharm-D**”. Application decided accordingly. Consign.

5. *Pronounced in open court in Peshawar and given under our hands and seal of the Tribunal on this 17th day of May, 2024.*


(Muhammad Akbar Khan)
Member(E)


(Kalim Arshad Khan)
Chairman