

BEFORE THE KHYBER PAKHTUNKHWA SERVICE TRIBUNAL, PESHAWAR.

In Service Appeal No. 110/2024

Mrs. Khalid Latif

Appellant.
Khyber Pakhtunkhwa
Service Tribunal

VERSUS

Diary No. 12263

Secretary to Govt of KPK Peshawar.....

Dated 18/6/24
Respondents.

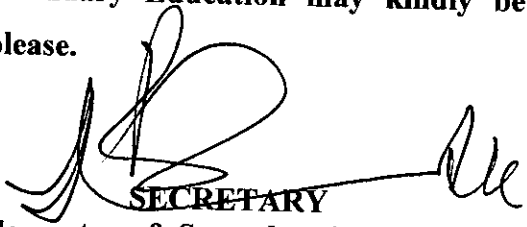
Subject:- **APPLICATION FOR DELETION THE NAME OF RESPONDENT (SECRETARY ELEMENTARY & SECONDARY EDUCATION DEPARTMENT) FROM THE PANEL OF RESPONDENT**

Respectfully sheweth,

The respondent No. 01 most humbly submits as under:-

1. That as per the Khyber Pakhtunkhwa Service Tribunal letter dated 02-02-2024, "un-necessary parties are also arrayed as respondents, whereas, Rule-6(4) of the Rules requires that the competent authority whose order is challenged, shall be shown as respondent No. 01".
2. That in the subject Service Appeal the applicant is PST (BPS-12) which comes under the competency of District Education Officer/Director Elementary & Secondary Education.
3. That it is pertinent to mention here that the Civil Servant (BPS-16) and below comes under the competency of Director Elementary & Secondary Education and District Education Officers.
4. That the Secretary Elementary & Secondary Education is unnecessary parte in all Service Appeal of BPS-16 & below and required deletion from the list of respondents.

Prayer:- **In view of the above, it is humbly requested that the Secretary Elementary & Secondary Education being Proforma Respondent in cases of BPS-16 & below employee of Elementary & Secondary Education may kindly be deleted from the panel of respondents please.**


SECRETARY
Elementary & Secondary Education,
Department Khyber Pakhtunkhwa.
(Respondent No. 01)

20-5/2024

BEFORE THE KHYBER PAKHTUNKHWA SERVICE TRIBUNAL
PESHAWAR

APPEAL NO. 110 /2024

Mr. Khalid Latif, PST (BPS-12) (Rtd.),
GPS No.1, Wazir Bagh, Peshawar..... APPELLANT

VERSUS

- 1- The Government of Khyber Pakhtunkhwa through Secretary (E&SE) Department, Khyber Pakhtunkhwa, Peshawar.
 - 2- The Director (E&SE) Department, Khyber Pakhtunkhwa, Peshawar.
 - 3- The accountant General, Khyber Pakhtunkhwa, Peshawar.
 - 4- The District Education Officer (M), District Peshawar.
- RESPONDENTS

APPEAL UNDER SECTION-4 OF THE KHYBER PAKHTUNKHWA SERVICE TRIBUNAL ACT, 1974 FOR THE GRANT OF PRO-FORMA PROMOTION TO THE APPELLANT TO THE POST OF SPST (BPS-14) AND PSHT (BPS-15) W.E.F THE DATE WHEN COLLEAGUES AND JUNIOR COLLEAGUES OF THE APPELLANT HAVE BEEN PROMOTED i.e. 26.01.2013 AND 06.02.2013 AND AGAINST NO ACTION TAKEN ON THE DEPARTMENTAL APPEAL OF APPELLANT WITHIN THE STATUTORY PERIOD OF NINTY DAYS

PRAYERS:

That on acceptance of this appeal the appellant may very kindly be granted/allowed pro-forma promotion to the post of SPST (BPS-14) and PSHT (BPS-15) w.e.f 26.01.2013 and 06.02.2013 with all consequential benefits. Any other relief which this august Tribunal deems fit that may also be awarded in favor of the appellant.

R/SHEWETH:


ON FACTS:

Brief facts giving rise to the present appeal are as under:-

- 1- That appellant was the employee of respondent department and had served the department as PST (BPS-12) from the date of 1st appointment till the date of retirement quite efficiently and upto the entire satisfaction of his superiors. Copy of the order and service book are attached as annexure.....A & B.
- 2- That the appellant while serving as PST (BPS-07) the post of the appellant was up-graded in BPS-12 vide Finance Department Notification dated 11.07.2012 and subsequently introduced the sub cadres of SPST (BPS-14) and PSHT (BPS-15). Copy of the Notification dated 11.07.2012 is attached as AnnexureC.

22.02.2024

Appellant in person present and requested for adjournment on the ground that his counsel is not available today due to death of his close relative. Adjourned. To come up for preliminary hearing on 17.04.2024 before the S.B. Parcha Peshi given to the appellant.


(Salah-ud-Din)
Member (J)

Nacem Amin