

Service Appeal No.1662/2023 titled "Izat Gul Vs. Government of Khyber
Pakhtunkhwa"

ORDER

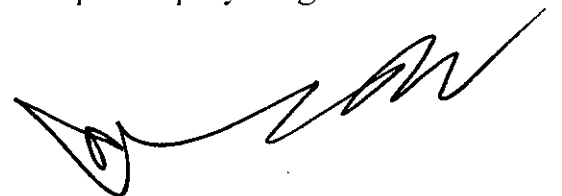
22nd July. 2024

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

2. Appellant's case in brief is that he was appointed as Assistant Registrar (BPS-16) in the Cooperative Department on 26.04.1989; that the said post was upgraded to BPS-17 w.e.f 07.05.2020; that the appellant was given additional duties of Deputy Registrar (Technical) (BPS-18) for almost three years; that the posts of Instructor Cooperative Training College (BPS-17), Deputy Registrar Technical (BPS-18) and Principal Cooperative Training College (BPS-18) were lying vacant; that the appellant was allegedly entitled for promotion to the post of Principal or Deputy Registrar (Technical) on seniority cum fitness basis but due to non-issuance of seniority list, his promotion case was not processed and in the meanwhile, he, on attaining the age of superannuation, retired from service on 09.04.2023; that for grant of proforma promotion, he filed two appeals i.e. one on 03.04.2023 and second on 06.04.2023 but the same were not responded, hence, the instant service appeal.

3. Arguments heard. Record perused.


4. For seeking pro-forma promotion to the post of Instructor and then to the post of Principal/Deputy Registrar




Cooperative Societies, the appellant filed two appeals. One written on 03.04.2023 and submitted on 05.04.2023 while the other written on 06.04.2023 and submitted on 07.04.2023. There is admittedly, no original or appellate order, and if at all, the representation of the appellant is considered, then he ought to have filed this appeal within 30 days after waiting period of 90 days, but he has filed this appeal on 125th day of filing the appeal, therefore, this appeal is barred by time. There is an application for condonation of delay but the delay has not been plausibly explained therein.

5. In view of the above, the appeal in hand is dismissed being barred by time, with costs. Consign.

6. *Pronounced in open Court at Peshawar given under our hands and seal of the Tribunal on this 22nd day of July, 2024.*


(Aurangzeb Khattak)
Member (J)


(Kalim Arshad Khan)
Chairman

Mutazem Shah