

Service Appeal No.11014/2020 titled "Shabir Hussain Shah vs. Police Department"

ORDER

12th July, 2024

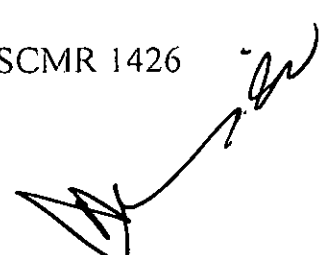
Kalim Arshad Khan, Chairman: Learned counsel

for the appellant present. Mr. Muhammad Jan, District Attorney for the respondents present.

2. Appellant's cases in brief, as per averments of appeals, are that vide promotion order dated 18.08.2015, appellant was promoted to the rank of Deputy Superintendent of Police (BPS-17), with immediate effect and not from the retrospective date i.e. 24.01.2014 when the colleagues of the appellant were promoted. Feeling aggrieved, he preferred departmental appeal, but the same was not responded, hence, the instant service appeal.

3. Arguments heard. Record perused.

4. The impugned order was passed on 24.01.2014, the appellant was promoted vide order dated 18.08.2015 but he filed departmental appeal on 25.06.2020 (after more than four years. The appellant filed departmental appeal beyond the period prescribed for filing the same, therefore, the appeal in hand is not maintainable in view of the cases titled "Anwarul Haq v. Federation of Pakistan" reported in 1995 SCMR 1505, "Chairman, PIAC v. Nasim Malik" reported in PLD 1990 SC 951 and "State Bank of Pakistan v. Khyber Zaman & others" reported in 2004 SCMR 1426



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

6. *Pronounced in open Court at Peshawar under our hands and seal of the Tribunal on this 12th day of July, 2024.*



(Rashida Bano)
Member (J)



(Karim Arshad Khan)
Chairman

Mutazem Shah