

Ph: 9220581.

MOST IMMEDIATE

CPLA No ~~332~~-P/2022 etc.-SCJ

Supreme Court of Pakistan

Islamabad, the 24th April, 2024

From

The Registrar
Supreme Court of Pakistan
Islamabad.

Khyber Pakhtunkhwa
Service Tribunal

Diary No. 12437

Dated 29/4/24

To

The Registrar,
Khyber Pakhtunkhwa Service Tribunal,
Peshawar C/o Assistant Registrar(Peshawar).

Subject:- **CIVIL PETITION NOS. 332-P TO 338-P OF 2022.**

Secretary Elementary & Secondary Education
Department, Govt. of Khyber Pakhtunkhwa, Peshawar
and others **...Petitioner(s)**

VERSUS

Abdullah Javed **...Respondent(s)**

(on appeal from the consolidated judgment of the
Khyber Pakhtunkhwa Service Tribunal, Peshawar dated
02.02.2022 passed in Service Appeal Nos. 2756 to
2762/2021)

Dear Sir,

I am directed to enclose herewith a certified copy of the
order dated **18.04.2024** passed in the above cited Civil Petitions for
information and necessary action.

Kindly acknowledge receipt of this letter along with its
enclosure.

Yours faithfully

Encl:- As Above


ASSISTANT REGISTRAR (CIVIL-II)
FOR REGISTRAR

IN THE SUPREME COURT OF PAKISTAN

(Appellate Jurisdiction)

Present:

Mr. Justice Muhammad Ali Mazhar
Mrs. Justice Ayesha A. Malik
Mr. Justice Irfan Saadat Khan

Civil Petitions No.332-P to 338-P of 2022

Secretary Elementary & Secondary Education
Department, Govt. of Khyber Pakhtunkhwa,
Peshawar and others

...Petitioners

Versus

Abdullah Javed
Qazi Javed Iqbal
Nasir Ali
Qazi Behram
Qazi Shaheen Iqbal
Mst. Azra Bibi,
Qazi Sikandar

(in CP 332-P/22)
(in CP 333-P/22)
(in CP 334-P/22)
(in CP 335-P/22)
(in CP 336-P/22)
(in CP 337-P/22)
(in CP 338-P/22)
...Respondents

For the Petitioner:

Mr. Shah Faisal Ilyas, Addl.AG KPK

For the Respondents:

N.R.

Date of Hearing:

18.04.2024

ORDER

Learned Additional Advocate General Khyber Pakhtunkhwa argued that the Service Tribunal has allowed the appeals filed by the respondents as prayed. However, in the memo of appeals filed by the respondents, they prayed for the direction to consider them for promotion to the post of Subject Specialist (BPS-17) with effect from 2009 i.e. the date when the *ad-hoc*/contract SS (BPS-17) have been regularized with all back benefits including seniority. Learned Additional Advocate General further submits that there is no concept of ante-dated promotion, therefore, to such extent the impugned judgment is unjustified. Issue notice to the respondents.

ATTESTED

CMA's No.390-P to 396-P/2022

Senior Court Associate

Supreme Court of Pakistan
Islamabad

Learned Additional Advocate General states that the respondents have filed petition for implementation of the order before the Service Tribunal, therefore, he requests for some restraining order.

Issue notice to the respondents. Subject to all just exceptions, the operation of the impugned judgment is suspended till the next date of hearing.

Sd/-HJ

Sd/-HJ

Sd/-HJ



CERTIFIED TO BE TRUE COPY

Mudassar
Senior Court Associate
Supreme Court of Pakistan
Islamabad