

**ORDER**

13<sup>th</sup> Sep. 2024

1. Learned counsel for the appellant present. Mr. Muhammad Jan, District Attorney alongwith Mr. Wisal Ahmad, S.P (Courts) for official respondents present. Private respondent No.4 present through counsel. Heard.

2. Vide our detailed judgment of today placed on file, we would like to decide this case in a manner that the case of the appellant has been made out his case and the appellant ought to have been allowed in view of Rule-10 of "The Khyber Pakhtunkhwa Police Department (Information Technology Group) Service Rules, 2014". But simultaneously, we cannot skip the provision of Section-5 (IV) of the Regularization Act, therefore we direct the respondents to decide the case afresh by ensuring the date of publication of the names of the employees in the official gazette and consider the same to be the date of regularization and if that is found to be prior to the promotion of private respondents, then the appellant shall be ranked senior. Costs shall follow the event. Consign.

3. *Pronounced in open Court at Peshawar and given under our hands and the seal of the Tribunal on this 13<sup>th</sup> day of September, 2024.*



(Rashida Bano)  
Member (J)



(Kalim Arshad Khan)  
Chairman

SCANNED  
KPST  
Peshawar