

Service Appeal No.288/2023 titled "Shoaib Khan Vs. Police Department"

ORDER

19<sup>th</sup> Sept. 2024 **Kalim Arshad Khan, Chairman.** Learned counsel for the appellant present. Mr. Muhammad Jan, District Attorney for the respondents present.

2. Learned counsel for the appellant was confronted to the prayer made in the appeal which is as under:

*"On acceptance of the instant service appeal the impugned order dated 03.11.2022 of the respondent No.1 (Communicated to the appellant on 31.01.2023), may graciously be set aside, and the appellant may graciously be up-graded to post of Constable Driver (BPS-07) with all back benefits etc. and treating the appellant along with other colleagues appointed under one & same advertisement and also extending the benefit of Finance Department Notification No.SO(FR)/FD/7-8/2015-16/CPO/3305 to the appellant, with any other orders deem proper may also be passed in the matter."*

3. The learned counsel for the appellant was apprised that appeal involved question of up-gradation and the Tribunal did not have the jurisdiction in the matter of up-gradation, to which, the learned counsel submitted that an appropriate order might be passed in this respect.



4. In view of the fact that this Tribunal lacks jurisdiction to grant the relief prayed in this appeal, this appeal is returned to the appellant for presentation before the proper forum. Order accordingly. Original appeal and copies of documents be returned to the appellant while order sheets, copies of appeal and documents be retained and it be consigned.

5. *Pronounced in open Court at Peshawar under our hands and seal of the Tribunal on this 19<sup>th</sup> day of September, 2024.*



(Rashida Bano)  
Member (J)



(Kalim Arshad Khan)  
Chairman

\*Mutazem Shah\*