

ORDER

30<sup>th</sup> Sept. 2024

**Kalim Arshad Khan, Chairman:** Learned counsel for the appellant present. Mr. Naseer Ud Din Shah, Assistant Advocate General alongwith Mr. Qasim Ali Khan, Capital City Police Officer, Peshawar present.

2. Appellant's case in brief, as per averments of the appeal, are that on 19.09.2000, he had filed appeal No.2202/2000 before this Tribunal, whereby, he had assailed his dismissal from service which was modified into minor penalty of stoppage of two annual increments and he was reinstated into service with all back benefits vide judgment dated 27.12.2002; that on 24.12.2013, he filed Appeal No.04/2014 for his selection for Intermediate College Course at PTC Hangu and during pendency of the said appeal, he was selected for the said course and the appeal became infructuous; that on 28.02.2022, appellant submitted representation for promotion to the rank of Assistant Sub Inspector (BPS-11) and Sub Inspector (BPS-14) as his colleagues were performing duties as Sub Inspectors, as well as for selection for Upper College Course and seniority as per Notification dated 12.05.2000; that his representation was filed vide order dated 18.10.2022, hence, the instant appeal.

3. Arguments heard. Record perused.

4. Perusal of the appellant's case, it is noted that he initially filed Appeal No. 2202/2000 on 19.09.2000, challenging his dismissal from service, which resulted in a modification to a minor penalty of

24<sup>th</sup> July, 2024 1. Learned counsel for the appellant and Mr. Muhammad

Jan, District Attorney for the respondents present.

2. On 29.03.2024 respondents were directed through representative to submit record of the appellant after reinstatement in the year 2002 that when and where he was placed in the seniority list and anyother list maintained by by the department sending the official for further trainings alongwith relevant Rules/SOPs, but the said record is yet to be submitted. Learned District Attorney is directed to submit the same, positively before the next date. To come up for arguments on 30.09.2024 before D.B. P.P given to the parties.

SCANNED  
KTS  
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\*Mutazem Shah \*

(Aurangzeb Khattak)  
Member (J)

(Kalim Arshad Khan)  
Chairman

stoppage of two annual increments and reinstatement with all back benefits, as per the judgment dated 27.12.2002. Subsequently, the appellant filed Appeal No. 04/2014 on 24.12.2013 regarding his selection for the Intermediate College Course at PTC Hangu, which became moot when he was selected for the course during the appeal's pendency. Most recently, on 28.02.2022, he submitted a representation for promotion to Assistant Sub Inspector (BPS-11) and Sub Inspector (BPS-14), noting that his colleagues had been performing duties in these roles, alongside requests for selection for the Upper College Course and clarification of his seniority as per the Notification dated 12.05.2000.

5. Perusal of the order dated 19.10.2022 shows that the representation of the appellant has been filed and that too with the signature of someone else and not by the CCPO himself.

6. In view of the above situation, instant service appeal is remanded back to the respondents to pass a speaking appellate order within 10 days of the receipt of this order. Costs shall follow the event. Consign.

7. *Pronounced in open Court at Peshawar and given under our hands and seal of the Tribunal on this 30<sup>th</sup> day of September, 2024.*

  
(Rashida Bano)  
Member (J)

  
(Kalim Arshad Khan)  
Chairman

\*Mutazem Shah\*