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Service Appeal No.15288/2020 titled "Shaista Begum Vs. Government of Khyber
Pakhtunkhwa"

ORDER

9th Sept. 2024

Kalim Arshad Khan, Chairman: Learned counsel for the appellant present. Mr. Muhammad Jan, District Attorney for the respondents present and heard.

2. Appellant's case in brief, as reflected from the memo and grounds of appeal, is that she was serving in the Education Department since 2005; that in the year 2009, she applied for the post of ADO which post required qualification of B.A and B.Ed; that she was appointed against the said post, however, she was allegedly eligible to be given five (05) additional marks of higher qualification but the same were not allowed to her; that due to the not allowing five additional marks, she her alleged junior colleagues were placed senior in the impugned seniority list dated 23.07.2019; that feeling aggrieved, she filed departmental appeal but the same was not responded, hence, the instant appeal.

3. Arguments heard. Record perused.

4. Main prayer of the appellant is that she should be granted five (05) additional marks of higher qualification because of which her merit position was disturbed. Merit order in this case is prepared by the Khyber Pakhtunkhwa Public Service Commission, which is obviously and undoubtedly an event before a person becomes a civil servant, therefore, interfering in the merit position or making any direction to the Khyber Pakhtunkhwa Public Service Commission to count the marks for

determining merit, would be outside the jurisdictional scope of this Tribunal.

5. In view of the above, instant service appeal is dismissed. Consign.

6. *Pronounced in open Court at Peshawar and given under our hands and seal of the Tribunal on this 9th day of September, 2024.*



(Rashida Bano)
Member (J)



(Kalim Arshad Khan)
Chairman

Mutazem Shah