

Service Appeal No.7603/2021 titled "Samina Gauhar Vs. The Government of Khyber Pakhtunkhwa" and two other appeals

ORDER

4<sup>th</sup> Oct. 2024

**Kalim Arshad Khan, Chairman:** Through this single order this

appeal and the following connected appeals are being decided as all are of similar nature. Appeal Nos: 7604/2021 and 1000/2023.

2. Learned counsel for the appellants present. Mr. Muhammad Jan, District Attorney for official respondents present. Private respondents have been placed ex-parte.

3. Brief facts of the cases, as per grounds and memo of appeals, are that appellants were appointed as Physical Education Teachers (BPS-09); that they were promoted from time to time to next higher scales and lastly, they were promoted to the post of Director Physical Education (BPS-17); that the appellants were allegedly rightful for promotion from the back dates i.e. the date of their acquiring the required qualification, however the same were granted with immediate effect; that due to their immediate promotions, they became juniors to the colleagues, allegedly junior to them and hence, the appellants were claim for promotion to BPS-19 instead of BPS-18 & 19; that feeling aggrieved, they filed departmental appeals but the same were not responded, hence, the instant service appeals.

4. Arguments heard. Record perused.



5. Perusal of record shows that the appellants have claimed promotion to the ranks of BPS-18 from back date and held themselves to be granted BPS-19.

6. None of the appellants has challenged any promotion order. It is also not clear that from which date they claim for promotion. Besides, no seniority list has been challenged by the appellants nor in any departmental appeal, specific seniority list has been challenged. Therefore, the requests of the appellants cannot be considered and the appeals in hand stand dismissed with costs. Consign.

7. *Pronounced in open Court at Peshawar and given under our hands and seal of the Tribunal on this 4<sup>th</sup> day of October, 2024.*



(Rashida Bano)  
Member (J)



(Kalim Arshad Khan)  
Chairman

\*Mutazem Shah\*