

ORDER

7th Oct. 2024

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

2. Appellant's case in brief, as per averments of appeal, is that as there was disputed in her appointment, for which, she had approached the Hon'ble Peshawar High Court, Peshawar and she was appointed on the direction of the Hon'ble Peshawar High Court, Peshawar vide its judgment dated 26.02.2020 passed in Writ Petition No.4627-P/2019, with back benefits, including seniority, at par with her other colleagues; that she submitted arrival report and started to perform her duty; that final seniority list of SPST (BPS-14) was issued on 31.01.2022, whereby, the appellant was placed junior to her alleged junior colleagues; that feeling aggrieved, she fled departmental appeal on 23.02.2023 but the same was not responded, hence, the instant service appeal.

3. Arguments heard. Record perused.


4. In pursuance of the judgment of the Hon'ble Peshawar High Court, Peshawar vide its judgment dated 26.02.2020 passed in Writ Petition No.4627-P/2019, she was appointed as SPST (BPS-14) vide order dated 04.05.2020 w.e.f 09.04.2010. The appellant has annexed seniority list of 2022 wherein, admittedly, her name has been included.


5. When confronted with the situation, the learned District Attorney has very fairly submitted that as the appellant was on the

roles of the department, therefore, her name ought to have been reflected in the seniority list.

6. While disposing of this appeal, we direct that name of the appellant be included in the seniority list, placing her at an appropriate place in accordance with law and rules. 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 7th day of October, 2024.*


(Farceha Paul)
Member (E)


(Kalim Arshad Khan)
Chairman

Mutazem Shah