


provided number of fair opportunities to submit reply and produce the relevant documents. The respondents failed and were placed ex-parte vide order dated 08.02.2023 till recording of the judgment, therefore, it would be unjust to linger on the matter on this pretext.

04. Be that as it may. Since the respondents have adjusted the appellant vide order dated 06.12.2022, therefore, he shall comply with the same. Needles to mention that the promotion is always with immediate effect i.e. the date on which it is notified so we observed that the appellant may not lose anything even in the shape of monetary benefits. Dismissed accordingly. Costs shall follow the event. Consign.

5. *Pronounced in open court in Peshawar and given under our hands and seal of the Tribunal on this 22nd day of October, 2024.*


(MUHAMMAD AKBAR KHAN)
Member (E)


(KALIM ARSHAD KHAN)
Chairman

BEFORE THE KHYBER PAKHTUNKHWA SERVICE TRIBUNAL
PESHAWAR

Service Appeal No. 1223/2023

Mr. Nazir Ahmed, SST (BPS-16), GHS No. 1 Sakhakot, District Malakand Versus The Government of Khyber Pakhtunkhwa through Secretary E&SE Department, Khyber Pakhtunkhwa, Peshawar & others

ORDER

22.10.2024 **Kalim Arshad Khan, Chairman:-** Learned counsel for the appellant present. Mr. Naseer-ud-Din, Shah, Assistant Advocate General for official respondents present.

2. Respondents are in this case placed ex-parte, however, opportunity was granted to the learned Assistant Advocate General to argue the case on behalf of the official respondents.

3. The appellant has annexed with the appeal his promotion order notified on 29.10.2021. He claim that he was not been given any posting since his promotion to actualized the promotion order. Learned Assistant Advocate General produced copy of two orders one of 01.12.2022 whereby the appellant was once again shown to have been promoted and vide adjustment order dated 06.12.2022 he was posted in GHS No. 2 Skhakot. When confronted with the situation whether the promotion order annexed with the appeal by the appellant was not made or what was the need to issue the second order on 01.12.2022, copy of the same was perused by the learned Assistant Advocate General during the course of arguments, the learned Assistant Advocate General could not explain the situation and has rather tried to get the matter adjourned on the pretext that he would produce some documents but as aspect