

MEMO OF COSTS
KHYBER PAKHTUNKHWA SERVICE TRIBUNAL, PESHAWAR

Service Appeal No.1871/2024

Date of presentation of Appeal 10.10.2024
Date of hearing 28.10.2024
Date of Decision 28.10.2024

Shahid Shuja Uz Zaman son of Sher Muhammad
PSHT,.....(Appellant)

Versus

1. Secretary to Government of Khyber Pakhtunkhwa Establishment Department, Khyber Pakhtunkhwa, Peshawar.
2. Secretary to Government of Khyber Pakhtunkhwa Elementary & Secondary Education, Khyber Pakhtunkhwa, Peshawar.....(Respondents)

SERVICE APPEAL UNDER SECTION 4 OF THE KHYBER PAKHTUNKHWA SERVICE TRIBUNAL ACT, 1974 AGAINST THE IMPUGNED NOTIFICATION DATED 06.08.2020 COMMUNICATED BY RESPONDENT NO.2 VIDE LETTER DATED 06.06.2023 WHEREIN IT WAS STATED THAT SUB RULES 5 OF RULE 7 OF THE KHYBER PAKHTUNKHWA CIVIL SERVANTS (APPOINTMENT, PROMOTION & TRANSFER) RULES, 1989.


PRESENT

Mr. Tahir Sajid, Advocate, for the Appellant

Appellants	Amount	Respondent	Amount
1. Stamp for memorandum of appeal	Rs. Nil	1. Stamp for memorandum of appeal	Rs. Nil
2. Stamp for power	Rs. Nil	2. Stamp for power	Rs. Nil
3. Pleader's fee	Rs. Nil	4. Pleader's fee	Rs. Nil
4. Security Fee	Rs. Nil	4. Security Fee	Rs. Nil
5. Process Fee	Rs. Nil	5. Process Fee	Rs. Nil
6. Costs	Rs. Nil	6. Costs	Rs. Nil
Total	Rs. Nil	Total	Rs. Nil

Note: Counsel Fee is not allowed as the required certificate has not been furnished.

Given under my hand and the seal of this Court, this 28th day of October 2024.


Kalim Arshad Khan
Chairman

KHYBER PAKHTUNKHWA SERVICE TRIBUNAL

Service Appeal No.1871/2024 titled "Shahid Shujah Uz Zaman versus Government of Khyber Pakhtunkhwa" and thirteen appeals

S.No. of
Order &
Date of
proceeding

Order-02
28th
October,
2024.

**Order or other proceedings with signature of
Chairman/Member(s)/Registrar and that of parties or counsel where
necessary**

Present:

Mr. Tahir Sajid, Advocate, for the appellants.

Kalim Arshad Khan, Chairman: Through this single order this appeal and the connected Service Appeals are being decided as both are of similar nature. Appeal Nos: 1872/2024, 1873/2024, 1874/2024, 1875/2024, 1876/2024, 1877/2024, 1878/2024, 1879/2024, 1880/2024, 1881/2024, 1882/2024, 2034/2024 and 2035/2024.

2. Appellants cases in brief, as reflected from the record, are that they were serving in the Education Department against different posts of teaching; that the employees of the Provincial Government of Khyber Pakhtunkhwa had the option to forego their promotions; that the Government of Khyber Pakhtunkhwa deleted Rule-7(5) from the Khyber Pakhtunkhwa Civil Servants (Appointment, Promotion & Transfer) Rules, 1989 vide Notification No.SO(POLICY)E&AD/1-3/2020 dated 06.08.2020, communicated to respondent No.2 vide letter dated 06.06.2023; and held it mandatory that every civil servant shall actualize promotion and no one would forego his/her promotion and in case of foregoing promotion, the concerned civil servant shall be proceeded against under the Khyber Pakhtunkhwa Government Servants (Efficiency and Discipline) Rules, 2011; that feeling aggrieved, they filed