

BEFORE THE KP SERVICE TRIBUNAL, PESHAWAR.

C.M No. _____ 2024

In

SERVICE APPEAL No. 504/2024

Mr. Arshad Ali

V/S

C&W Deptt: etc.

.....


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APPELLANT

Arshad Khan

THROUGH:


(M. ASIF YOUSAFZAI)
ADVOCATE SUPREME COURT
OF PAKISTAN.

& 
(HILAL ZUBAIR)
ADVOCATE PESHAWAR.

Room No.FR-08, 4th Floor,
Bilour Plaza Peshawar Cantt:
Cell # 0333-9103240

BEFORE THE KP SERVICE TRIBUNAL, PESHAWAR.

C.M No. _____ 2024
In
SERVICE APPEAL No. 504/2024

Khyber Pakhtunkhwa
Service Tribunal

Diary No. 17794

Dated 8/11/24

Mr. Arshad Ali

V/S

C&W Deptt: etc.

.....
**APPLICATION FOR RESTRAINING AGAINST THE
POSTS OF ASSISTANT ENGINEER THE
RESPONDENTS FROM MAKING PROMOTION TILL
THE DISPOSAL OF MAIN SERVICE APPEAL**
.....

RESPECTFULLY SHEWETH:

1. That the above titled service appeal is pending before this august Tribunal which is fixed for 08.11.2024.
2. That the appellat filed this appeal against not considering the promotion quota of Pre-service B.Tech (Hons) Sub Engineers to the post of Assistant Engineer/SDO (BS-17).
3. That now the Respondent Department is going to make promotions in the disputed quota of Pre-Service B.Tech (Hons) the meeting of Departmental Promotion committee held on 16.09.2024 and it is quite expected that the respondent make a promotion in a week or two which will affect the valuable right of the appellat due to non availability of post. The same act will also further compliance the issue legally.
4. That according to Supreme Court Judgment reported as **2009-SCMR-396** when a matter is pending adjudication before the Tribunal or Court the Department should keep its hand off from the same.
5. That if the promotions are made on the disputed quota the purpose of this service appeal will be lost and this service appeal become infructuous.
6. That the act of the respondents is totally against the law and rules therefore restrain order of the Honorable Tribunal is necessary.

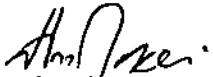
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It is, therefore, most humbly prayed that the respondents may be restrained from making promotion against Assistant Engineer posts on the disputed quota which is already challenged in this Service Appeal till the disposal of main service appeal. Any other remedy which this august Tribunal deems fit and appropriate that may also be awarded in the favour of the Appellant.


APPELLANT

Arshad Khan

THROUGH:


(M. ASIF YOUSAFZAI)
ADVOCATE SUPREME COURT
OF PAKISTAN,

& 
(HILAL ZUBAIR)
ADVOCATE PESHAWAR.

BEFORE THE KP SERVICE TRIBUNAL, PESHAWAR.

C.M No. _____ 2024

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SERVICE APPEAL No. 504/2024

Mr. Arshad Ali

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C&W Deptt: etc.

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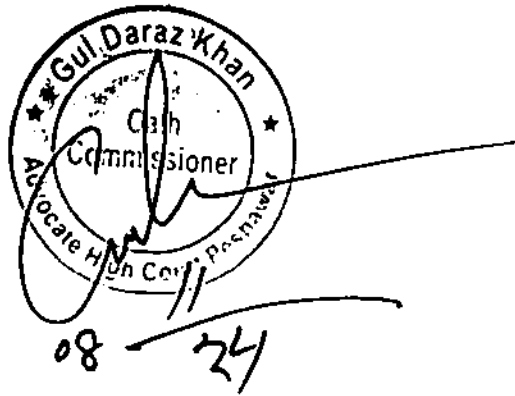
I, Arshad Ali Sub-Engineer, Highway Division, C&W Deptt Mardan (appellant), do hereby solemnly affirm and declare that the contents of this CM application are true and correct to the best of my knowledge and belief.


DEPONENT

Arshad Ali

IDENTIFIED BY:

(M.ASIF YOUSAFZAI)
ADVOCATE SUPREME COURT,
OF PAKISTAN.





GOVERNMENT OF KHYBER PAKHTUNKHWA
COMMUNICATION & WORKS DEPARTMENT

No SOE/C&WD/4-2/2023 (DPC)
Dated Peshawar, the September 16, 2024

To

1. The Chief Engineer (Centre),
C&W Peshawar.
2. The Special Secretary (Regulation),
Establishment & Admn. Department,
Peshawar
3. The Additional Secretary (Regulation),
Finance Department Peshawar.

Subject: MEETING OF THE DEPARTMENTAL PROMOTION COMMITTEE

I am directed to refer to this department letter of even number dated 27.08.2024 and 02.09.2024 on the subject noted above and to state that the Secretary C&W being chairman of the Departmental Promotion Committee has desired to convene meeting of Departmental Promotion Committee (DPC) on 19.09.2024 (Thursday) at 11:30 Hours under his Chairmanship in the Committee Room of C&W Secretariat to discuss the promotion cases of the following categories. (Necessary working papers have already been circulated).

- i. Promotion of Diploma Holders Sub Engineers to the post of Assistant Engineer/SDO (BS-17) C&WD on Regular Basis
- ii. Promotion of Pre-Service Graduate Sub Engineers to the post of Assistant Engineer/SDO (BS-17) C&WD on Regular Basis.
- iii. Promotion of In-Service Graduate Sub Engineers to the post of Assistant Engineer/SDO (BS-17) C&WD on Acting Charge Basis.
- iv. Promotion of Pre-Service B-Tech (Hons) Sub Engineers to the post of Assistant Engineer/SDO (BS-17) C&WD on Regular basis
- v. Promotion of Superintendent (BS-17) to the post of A.O/BS Accounts Officer (BS-17) C&WD on Regular/A.C.B Basis.
- vi. Promotion of Circle Head Draftsman to the post of Chief Draftsman (BS-17) C&WD on Regular/ Acting Charge Basis.
- vii. Promotion of Senior Scale Stenographer/Assistant (BS-16) to the post of superintendents (BS-17) on Regular Basis.
- viii. Promotion of Computer Operator (BS-16) to the post of Assistant Director (BS-17) C&WD on Regular Basis.

2. It is requested to kindly make it convenient to attend the subject meeting on the scheduled date, time and venue, please.

(ZAHOOR SHAH)
SECTION OFFICER (Estb)

Encls even No. & date

Copy forwarded to the:

1. PS to Secretary C&W Department, Peshawar.
2. PA to Additional Secretary (Admn/Tech) C&W Department, Peshawar.
3. PA to Deputy Secretary (Admn/Tech) C&W Department, Peshawar.

SECTION OFFICER (Estb)

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S.No	Name of Official	Father's Name	Domicile	Qualification	DOB	Date of entry Into Govt: Service	Date of Appointment to Class	BPS	Year of Passing prof. exam	Remarks
9	Inayatullah	Attaullah	Lakki	i. DAE(C) ii. B.Tech (Honos) 30/08/2015	03/05/1969	03/04/1987	01/10/2006	B-16	2010	Promoted from the post of Road Inspector. Verification from Higher Education Commission Pakistan vide ticket No. 1262170.
10	Niaz Muhammad	Taseer Khan	Dit Lower	i. DAE(C) ii. B.Tech (Hons) 10/11/2015	03/03/1992	01/09/2014	01/09/2014	B-12	01/12/2018	Initial Appointment. He is directed to submit Degree duly verified from Higher Education Commission of Pakistan otherwise his name will be excluded.
11	Muhammad Anif	Gul Muhammad	Malakand	i. DAE(C) ii. B.Tech (Honos) 01/12/2015	23/03/1986	01-09-2014	01-09-2014	B-12	2016	Initial Appointment. Verification of Degree from Higher Education Commission Pakistan vide ticket No. 1580164.
12	Shah Faisal Khan	Fazli Haq	FR Bannu	i. DAE(C) ii. B.Tech (Hons) 10/02/2016	08/03/1991	01/09/2014	01/09/2014	B-12	2016	Initial Appointment. Verification of Degree from Higher Education Commission Pakistan vide ticket No. 1320723.
13	Hamad Pervez	Muhammad Pervez	Peshawar	i. DAE(C) ii. B.Tech (Hons) 13/04/2016	13/03/1990	15/09/2009	14/01/2015	B-12	01/10/2018	Promoted from the post of Work Supervisor. Verification of Degree from Higher Education Commission Pakistan vide ticket No. 2143643.
14	Tariq Hussain	Muhammad Yousaf	Malakand	i. DAE(C) ii. B.Tech (Hons) 08/2016	01/03/1969	28/06/1994	28/06/1994	B-16	2010	Initial Appointment. He is directed to submit Degree duly verified from Higher Education Commission of Pakistan otherwise his name will be excluded.
15	Sana Ullah	Aam Khan	Charsadda	i. DAE(C) ii. B.Tech (Hons) 14/10/2016 iii. MS (Eng:	12/03/1993	01/09/2014	01/09/2014	B-12	01/12/2017	Initial Appointment. Verification of Degree from Higher Education Commission Pakistan vide ticket No. 1272849.
16	Ahab Muhammad	Taj Muhammad	Charsadda	i. DAE(C) ii. B.Tech 27/12/2016	03/03/1991	01/09/2014	01/09/2014	B-12	01/12/2017	Initial Appointment. Verification of Degree from Higher Education Commission Pakistan vide ticket No. 1263698.
17	Wajid Khan	Khan Khel	Khyber	i. DAE(C) ii. B.Tech(Hon) 31/03/2017	03/12/1993	07/06/2016	07/06/2016	B-12	01/12/2017	Initial Appointment. He is directed to submit Degree duly verified from Higher Education Commission of Pakistan otherwise his name will be excluded.
18	Faheem Khan	Muhammad Aslam	Charsadda	i. DAE(C) ii. B.Tech (Hons) 08/03/2018	20/04/1994	18/08/2017	18/08/2017	B-12	12/2020	Initial Appointment. He is directed to submit Degree duly verified from Higher Education Commission of Pakistan otherwise his name will be excluded.

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OFFICE OF THE CHIEF ENGINEER (CENTRE)
COMMUNICATION & WORKS DEPARTMENT
KHYBER PAKHTUNKHWA PESHAWAR
No. 266-E/ 1641/ CE/C&WD
Dated: 30/09/2024

Final Seniority List

In pursuance to Section 8 (1) and (5) of the Khyber Pakhtunkhwa Civil Servants Acts 1973, read with C&W Department (Recruitment/Appointment) Rules 2010 notified vide No. SOE/C&WD/8-12/2009 dated 25/03/2010. The Final Seniority List of Sub-Engineers (BPS-16/12) B.Tech Degree Holders (Hons) (In-Service) (Civil/Electrical/Mechanical) of the C&W Department, Khyber Pakhtunkhwa from the date of appointment/ acquiring degree whichever is later (as stood on 30/09/2024) and in light of Scrutiny Committee is hereby as under:-

S.No	Name of Official	Father's Name	Domicile	Qualification	DOB	Date of entry Into Govt: Service	Date of Appointment to Class	BPS	Year of Passing prof. exam	Remarks
1	Muhammad Iqbal-VI	Bakht Rokhan	Swat	i. DAE(M) ii. B.Tech (M) 04/03/2011	01/12/1968	20/12/1990	20/12/1990	B-16	2010	Initial Appointment. Verification of Degree from Higher Education Commission Pakistan vide ticket No. 2062899.
2	Arshad Ali Shah	Abdul Samad Khan	Mardan	i. DAE(C) ii. B.Tech (Hons) 12/01/2013	3/9/1970	8/4/1995	1/4/2008	B-12	2010	Promoted from the post of Tracer. Verification of Degree from Higher Education Commission Pakistan vide ticket No. 721393.
3	Zahidullah	Khaliq Dad	Kurram	DAE(C) ii. B.Tech (Hons) 20/04/2013	14/4/1969	5/11/1995	1/10/2006	B-16	2010	Promoted from the post of Road Inspector. Verification of Degree from Higher Education Commission Pakistan vide ticket No. 3599409.
4	Abdul Jamil	Abdul Hameed	Lakki Marwat	i. DAE(C) ii. B.Tech (Hons) 30/11/2014	01/04/1981	01/09/2014	01/09/2014	B-12	2016	Initial Appointment. Verification of Degree from Higher Education Commission Pakistan vide ticket No. 3598183.
5	Anwar Badshah	Shamsul Wahid	Malakand	i. DAE(C) ii. B.Tech (Hons) 10/01/2015	04/01/1990	01/09/2014	01/09/2014	B-12	2016	Initial Appointment. Verification of Degree from Higher Education Commission Pakistan vide ticket No. 1014226.
6	Ibad-ur-Rehman	Sher Alam	Peshawar	i. B.Sc ii. DAE (C) iii. B.Tech (Hons) 15/08/2011	03/03/1980	31/01/2007	14/01/2015	B-12	01/12/2017	Promoted from the post of Work Supervisor. Verification of Degree from Higher Education Commission Pakistan vide ticket No. 755955.
7	Tariq Shah	Noor Hussain	Peshawar	i. DAE (C) ii. B.Tech (Hons) 30/11/2013	24/04/1978	27/12/2006	14/01/2015	B-12	01/12/2017	Promoted from the post of Work Supervisor. Verification of Degree from Higher Education Commission Pakistan vide ticket No. 3597604.
8	Yasir Mehmood	Zakir Ullah	Peshawar	i. DAE(C) ii. B.Tech (Hons) 30/11/2013	02/06/1989	24/01/2009	14/01/2015	B-12	01/12/2017	Promoted from the post of Work Superintendent. Verification of Degree from Higher Education Commission Pakistan vide ticket No. 3597565.

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S.No	Name of Official	Father's Name	Domicile	Qualification	DOB	Date of entry Into Govt: Service	Date of Appointment to Class	BPS	Year of Passing prof. exam*	Remarks
19	Munir Ahmad	Muhammad Sadiq	South Waziristan	i. DAE(C) ii. B.Tech (Hons) 08/03/2018	02/07/1994	01/02/2018	01/02/2018	B-12	Oct-2018	Initial Appointment. He is directed to submit Degree duly verified from Higher Education Commission of Pakistan otherwise his name will be excluded.
20	Syed Faraz Shah	Ghulam Haider	Mardan	i. DAE (C) 2007 ii. B.Tech (Civil) 21/03/2018	25/01/1980	15/01/2011	30/03/2018	B-12	12/2020	Promoted from the post of Work Supervisor. Verification of Degree from Higher Education Commission Pakistan vide ticket No. 1798954.
21	Muhammad Ibrar-ul-Haq	Shoaib Mahmood	Mardan	i. D.A.E (C) 2000 ii. B.Tech (Hon) 31/08/2016	11/06/1981	17/01/2011	30/03/2018	B-12	OCT-2018	Promoted from the post of Work Supervisor. Verification of Degree from Higher Education Commission Pakistan vide ticket No.1685303.
22	Amir Aziz Wazir	Aziz ullah	F.R Bannu	i. DAE(C) ii. B.Tech(Hon) 01/06/2018	14/01/1994	06/06/2016	06/06/2016	B-12	01/12/2017	Initial Appointment. He is directed to submit Degree duly verified from Higher Education Commission of Pakistan otherwise his name will be excluded.
23	Sami-ud-Din Shah	Saharud Din Shah	Kohat	i. DAE(C) ii. B.Tech (Hons) 17/07/2018	28/10/1966	24/11/1986	01/10/2006	B-16	2011	Promoted from the post of Road Inspector. Verification of Degree from Higher Education Commission Pakistan vide ticket No. 1620240.
24	Miraj Khan	Khalil Khan	Bannu	B.Tech (Hon) 22/11/2018	08/04/1995	23/07/2018	23/07/2018	B-12	-	Initial Appointment. Verification of Degree from Higher Education Commission Pakistan vide ticket No. 2052349.
25	Kifayat Ullah Khan	Rafullah Khan	Bannu	i. DAE(C) ii. B.Tech 19/04/2019	05/04/1995	23/07/2018	23/07/2018	B-12	03/2023	Initial Appointment. Verification of Degree from Higher Education Commission Pakistan vide ticket No.2239780.
26	Ishfaq Ullah Khan	Zarwali Khan	Bannu	i. DAE(C) ii. B.Tech (Hons) 19/04/2019	18/05/1995	05/09/2018	05/09/2018	B-12	03/2023	Initial Appointment. Verification of Degree from Higher Education Commission Pakistan vide ticket No.2239791.
27	Sana Ullah Khan	Syed Ghulam	Bannu	i. DAE(C) ii. B.Tech (Hons) 30/04/2019	15/03/1991	01/09/2014	01/09/2014	B-12	12/2020	Initial Appointment. Verification of Degree from Higher Education Commission Pakistan vide ticket No.2353582.
28	Muhammad Tufail	Subhanullah	Charsadda	i. DAE(C) ii. B.Tech 30/10/2019	23/03/1996	24/07/2018	24/07/2018	B-12	12/2020	Initial Appointment. Verification of Degree from Higher Education Commission Pakistan vide ticket No.2560681.

Attestation to this Copy

S.No	Name of Official	Father's Name	Domicile	Qualification	DOB	Date of entry Into Govt: Service	Date of Appointment to Class	BPS	Year of Passing prof. exam	Remarks
29	Farhan Ali Khan	Umer Ali Khan	Bannu	B.Tech (Hon) 07/05/2020	10/12/1995	28/06/2018	28/06/2018	B-12	12/2020	Initial Appointment. Verification of Degree from Higher Education Commission Pakistan vide ticket No.2428865.
30	Irfan Ullah Khan	Obaid Ullah Khan	Bannu	B.Tech (Hon) 07/05/2020	10/11/1995	06/01/2020	06/01/2020	B-12	01/2022	Initial Appointment. Verification of Degree from Higher Education Commission Pakistan vide ticket No.2346897.
31	Waseem Rizwan	Rizwan Ullah	Peshawar	B.Tech (Hon) 08/11/2020	01/03/1996	28/06/2018	28/06/2018	B-12	-	Initial Appointment. He is directed to submit Degree duly verified from Higher Education Commission of Pakistan otherwise his name will be excluded.
32	Sajid Rehman	Rehman Gul	Peshawar	i. D.A.E (C) 2010 ii. B.Tech (Hons) 30/11/2014	06/06/1991	22/01/2011	30/04/2021	B-12	03/2023	Promoted from the post of Work Supervisor. Verification of Degree from Higher Education Commission Pakistan vide ticket No. 1686995.
33	Akhtar Hussain	Karim Bakhsh	Swat	i. DAE (Civil) ii. B.Tech(Honor) 01/09/2021	27/04/1973	28/03/1995	30/03/2018	B-12	03/2023	Promoted from the post of Tracer. Inter-se-seniority kept intact. He is directed to submit Degree duly verified from Higher Education Commission of Pakistan otherwise his name will be excluded.
34	Zia ul Haq	Muhammad Younis	Haripur	i. DAE (Civil) ii. B.Tech (Hons) 28/01/2022	31/03/1992	21/08/2017	21/08/2017	B-12	01/2022	Initial Appointment. He is directed to submit Degree duly verified from Higher Education Commission of Pakistan otherwise his name will be excluded.

Copy of the above forwarded to:-

1. The Secretary to Govt of Khyber Pakhtunkhwa, C&W Department Peshawar.
2. All Chief Engineers C&W Department Khyber Pakhtunkhwa.
3. The Managing Director, Pakhtunkhwa Highways Authority, Peshawar.
4. Project Director FMR/PMU C&W Department Peshawar.
5. All the Superintending Engineers in C&W Department Khyber Pakhtunkhwa.
6. All the Executive Engineers in C&W Department Khyber Pakhtunkhwa.
7. Assistant Director IT C&W Secretariat Peshawar. He is requested to upload the same on C&W official Website. (www.cwd.gkp.pk)


CHIEF ENGINEER (CENTRE)


Zahid Habib
Administrative Officer

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