

has not denied by the respondents anywhere. They should place her in the seniority list. Contention of the respondents that she is not the recommendee of the Khyber Pakhtunkhwa Public Service Commission.

6. The appellant is serving the department since long. If she was not the recommendee, they should have proceeded against her. But if otherwise, they should include her in the seniority list as she is the employee of the respondent department.

7. In view of the above, instant service appeal is accepted and the respondents are directed to place the appellant in the seniority list alongwith her colleagues, at proper place, in accordance with law and rules. Costs shall follow the event. Consign.

8. *Pronounced in open Court at Peshawar and given under our hands and the seal of the Tribunal on this 14th day of November, 2024*



(Rashida Bano)
Member (J)

Mutazem Shah



(Kalim Arshad Khan)
Chairman

KHYBER PAKHTUNKHWA SERVICE TRIBUNAL

Restoration Application No.1191/2024 of, and order in Service Appeal
No.5817/2021 titled "Lubna Gul versus Education Department"

S.No. of Order & Date of proceeding	Order or other proceedings with signature of Chairman/Member(s)/Registrar and that of parties or counsel where necessary
<p>Order-04 14th November, 2024.</p>	<p><u>Kalim Arshad Khan, Chairman</u></p> <p>Present:</p> <ol style="list-style-type: none">1. Mr. Noor Muhammad Khattak, on behalf of applicant.2. Mr. Muhammad Jan, District Attorney on behalf of respondents.3. Arguments on the restoration application as well as main service appeal No.5817/2021 were heard.2. Restoration application being filed within time by the appellant, is accepted and the main appeal stands restored on its original number.3. Appellant was appointed as Lecturer (BPS-17) vide Notification dated 23.10.2023 and was serving in the respondent department. Her grievance relates to omission of her name in the seniority list as stood corrected upto 30.11.2019. She tried her best to include her name in the seniority list as well as to send her for mandatory training along with her colleagues, she filed departmental appeal but the same was not responded, hence, the instant service appeal.4. Arguments heard. Record perused.5. The appellant, being appointed through Khyber Pakhtunkhwa Public Service Commission as Lecturer Psychology (BPS-17) vide Notification dated 23.10.2023. is on role of the respondent department. Her employment

MEMO OF COSTS
KHYBER PAKHTUNKHWA SERVICE TRIBUNAL, PESHAWAR

Service Appeal No.5817/2021

Date of presentation of Appeal 07.06.2021
Date of hearing 14.11.2024
Date of Decision 14.11.2024

Lubna Gul, Lecturer GGDC, Dabgrahi Peshawar,

.....(*Appellant*)

Versus

1. **The Chief Secretary, Khyber Pakhtunkhwa, Peshawar.**
2. **The Secretary Higher Education, Archives & Libraries, Khyber Pakhtunkhwa, Peshawar**

Respondents)

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SERVICE APPEAL UNDER SECTION 4 OF THE KHYBER
PAKHTUNKHWA SERVICE TRIBUNAL ACT, 1974.


PRESENT

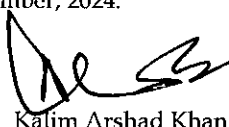
1. Mr. Noor Muhammad Khattak, Advocate, for the Appellant
2. Mr. Muhammad Jan, District Attorney, for respondents

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. 100/-	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. 100/-	Total	Rs. Nil

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

Given under our hands and the seal of this Court, this 14th day of November, 2024.


Rashida Jaso
Member (Judicial)


Kalim Arshad Khan
Chairman