

**KHYBER PAKHTUNKHWA SERVICES TRIBUNAL, PESHAWAR**

**CHECK LIST**

*Shahid Mahmood* **Versus**

*Govt KPK & Oms*

..... Appellant

..... Respondents

S NO	CONTENTS	YES	NO
1.	This petition has been presented by: <u>Advocate</u> <u>Court</u>	√	
2.	Whether Counsel/Appellant/Respondent/Deponent have signed the requisite documents?	√	
3.	Whether appeal is within time?	√	
4.	Whether the enactment under which the appeal is filed mentioned?	√	
5.	Whether the enactment under which the appeal is filed is correct?	√	
6.	Whether affidavit is appended?	√	
7.	Whether affidavit is duly attested by competent Oath Commissioner?	√	
8.	Whether appeal/annexures are properly paged?	√	
9.	Whether certificate regarding filing any earlier appeal on the subject, furnished?	√	
10.	Whether annexures are legible?	√	
11.	Whether annexures are attested?		
12.	Whether copies of annexures are readable/clear?	√	
13.	Whether copy of appeal is delivered to AG/DAG?	√	
14.	Whether Power of Attorney of the Counsel engaged is attested and signed by petitioner/appellant/respondents?	√	
15.	Whether numbers of referred cases given are correct?	√	
16.	Whether appeal contains cutting/overwriting?	x	
17.	Whether list of books has been provided at the end of the appeal?	√	
18.	Whether case relate to this court?	√	
19.	Whether requisite number of spare copies attached?	√	
20.	Whether complete spare copy is filed in separate file cover?	√	
21.	Whether addresses of parties given are complete?	√	
22.	Whether index filed?	√	
23.	Whether index is correct?	√	
24.	Whether Security and Process Fee deposited? On _____		
25.	Whether in view of Khyber Pakhtunkhwa Service Tribunal Rules 1974 Rule 11, notice along with copy of appeal and annexures has been sent to respondents? On _____	√	
26.	Whether copies of comments/reply/rejoinder submitted? On _____		
27.	Whether copies of comments/reply/rejoinder provided to opposite party? On _____		

It is certified that formalities/documentation as required in the above table have been fulfilled.

Name:- Hidayatullah ktk

Signature:- Hidayat

Dated:- \_\_\_\_\_

This is an appeal filed by Mr. Shahid Mehmood today on 17/02/2022 for grant of promotion against which he preferred/made departmental appeal/ representation on 26.11.2021 the period of ninety days is not yet lapsed as per section 4 of the Khyber Pakhtunkhwa Service Tribunal Act 1974, which is premature as laid down in an authority report as 2005-SCMR-890.

As such the instant appeal is returned in original to the appellant/Counsel. The appellant would be at liberty to resubmit fresh appeal after maturity of cause of action.

No. 489 /ST,

Dt. 18/02 /2022.

  
REGISTRAR  
SERVICE TRIBUNAL  
KHYBER PAKHTUNKHWA  
PESHAWAR.

Mr. Hidayatullah Khattak Adv. Pesh.

25/02/2022

Re-submitted after laps of statutory period.

Thanks  
Hidayat  
Khattak

**BEFORE THE KHYBER PAKHTUNKHWA SERVICE TRIBUNAL,**  
**PESHAWAR**

Service Appeal No. 229 /2022

Shahid Mehmood.....Appellant

**V E R S U S**

Govt. of Khyber Pakhtunkhwa through Chief Secretary,  
Civil Secretariat, Peshawar & others.....Respondents

**I N D E X**

S#	Description of Documents	Annex	Pages
1.	Service Appeal with affidavit		1-7
2.	Stay application with affidavit		8-10
3.	Addresses of parties		11
4.	Copy of senior list	A	13-14
5.	Copies of the 15% quota and impugned Notification dated 15.05.2019	B-C	15-16
6.	Copy of the Order and judgment dated 20.09.2021 in Civil Appeal No.1021/2019	D	17-21
7.	Copy of Representation	E	22-23
8.	Wakalatnama		24

  
Appellant

Through

  
Hidayatullah Khattak  
Advocate High Court

Dated 12.02.2022

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**BEFORE THE KHYBER PAKHTUNKHWA SERVICE TRIBUNAL,**  
**PESHAWAR**

Service Appeal No. \_\_\_\_\_/2022

Shahid Mehmood Son of Noor Muhammad  
Jr. Scale Stenographer BPS-14)  
Office of the Deputy Commissioner Hangu

.....Appellant

**VERSUS**

- 1) Govt. of Khyber Pakhtunkhwa through Chief Secretary, Civil Secretariat, Peshawar
- 2) Senior Member Board of Revenue Peshawar
- 3) Secretary to Govt. of Khyber Pakhtunkhwa Revenue Department Peshawar

.....Respondents

**SERVICE APPEAL U/S 4 OF THE KHYBER  
PAKHTUNKHWA SERVICE TRIBUNAL ACT,  
1974 AGAINST THE NON-PROMOTION OF  
THE APPELLANT IN VIEW OF THE JUDGMENT  
OF THIS HON'BLE TRIBUNAL IN SERVICE  
APPEAL NO.1021-2019 TITLED ABDUL  
QAYUM TAHIR VS GOVT. OF KPK & OTHERS  
DATED 22.09.2021 AND IN THE LIGHT OF  
THE JUDGMENTS OF THE AUGUST SUPREME  
COURT OF PAKISTAN REPORTED AS 2009  
SCMR 1 AND FOR WHICH APPELLANT FILED  
DEPARTMENTAL REPRESENTATION ON**

**26.11.2021 DD NO.7461 WHICH IS STILL  
PENDING AND WITHOUT DISPOSAL, SINCE  
STATUTORY PERIOD HAS ELAPSED, HENCE  
THIS SERVICE APPEAL**

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**Prayer in Appeal**

**On acceptance of this service appeal,  
the appellant be promoted as Naib  
Tehsildar against 15% quota with effect  
from March 2019.**

**Any other relief, this Hon'ble Tribunal  
may deem fit for the safe administration  
of justice**

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**Respectfully Sheweth:-**

1. That the appellant was appointed as Junior scale stenographer in 2004 and till date performing his duties with utmost devotion hardworking and diligently till date.
2. That on 25<sup>th</sup> March 2019, appellant was directed to submit ACR for the promotion to the post of Naib Tehsildar against 15% reserved quota. **(Copy of senior list is attached as annexure "A")**

3. That the appellant was waiting for the issuance of promotion letter/order to the post of Naib Tehsildar but in the meanwhile provincial government issued amendment in the services rules of board of revenue and appellant was deprived of the right of promotion order alongwith other aspirant colleagues. **(Copies of the <sup>dtl 25/1/2016</sup> 15% quota and impugned Notification dated 15.05.2019 are attached as annexure "B" & "C" respectively).**
4. That aggrieved from the promotion amendment in the service Rules, Mr. Abdul Qayum Tahir Son of Qari Aaziz ur Rheman one of the appellants colleagues approached this Hon'ble Tribunal through service appeal No.1021/2019 and this this Hon'ble Tribunal on 22.09.2021 accepted and allowed the appeal of the Abdul Qayyum. **(Copy of the Order and judgment dated 20.09.2021 in Civil Appeal No.1021/2019 are attached as annexure "D")**.
5. That the appellant having the same right for promotion against 15% promotion quota which was taken away by the amendment dated 13.05.2019 is now entitled to the promotion as Naib Tehsildar against 15% reserve quota.

6. That the appellant submitted a departmental representation before the respondent No.2 for the issuance of the promotion order of the appellant as Naib Tehsildar on 26.01.2021 through DD No.7461 which is still pending before the competent forum without any disposal, hence statutory period has elapsed therefore the instant service appeal on the following grounds: **(Copy of Representation is attached as annexure "E")**:

**GROUND S:**

- A. That the respondent has not treated appellant in accordance with law, rules and policy on the subject and acted in violation of Article-4, 10-A and 27 of Constitution of Islamic republic of Pakistan. The Hon'ble Supreme Court of Pakistan vide reported judgment 2009 SMCR 1 has clearly directed all public functionary to adhere strictly the law laid down by the Supreme Court of Pakistan; where Supreme Court decided a point of law in respect of petitioner/appellant and the same cover the grievances of other similarly placed employees who may not have approached Court/tribunal, and their grievances lies on the same footing; dictate of

justice, rule of consistency and parity including good governance demands that the same relief shall also be granted to them without constraining them to approach Court/tribunal. In the instant case the grievance of the appellant are similar and identical with the grievance of the appellant namely Abdul Qayum Tahir whose services appeals has already been allowed by this Hon'ble Tribunal in Service Appeal No.1021/2019 dated 22.09.2020, therefore the appellant is entitled for the same relief.

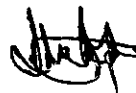
- B. That appellant has been highly discriminated, identical and similar relief has been granted by respondents and whereas the same relief has been denied in favour of the appellant which is against the spirit and provision of article-27 of the Constitution of the Islamic republic of Pakistan, 1973.
- C. That all public powers are into nature of trust and public functionary must act as repository to such trust. In the instant case the respondent being repository to public interest have violated the basic spirit of such trust. Appellant being entitled for his promotion on the score of merit as well as on the



score of law laid down by the Hon'ble Apex Court and also on the score of judgments of this Hon'ble Tribunal.

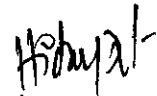
- D. That otherwise appellant is senior to his other collages for the promotion against 15% quota for Naib Tehsildar
- E. That the appellant have not been treated according to law and promotion policy.
- F. That appellant would like seek the permission of this Hon'ble Tribunal to share arguments on the merit of the instant appeal at the time of hearing.

It is, therefore most humbly prayed that **on acceptance of this service appeal, the appellant be promoted as Naib Tehsildar against 15% quota from the march 2019.**



Appellant

Through



**Hidayatullah Khattak**  
Advocate High Court

Dated 12.02.2022

**BEFORE THE KHYBER PAKHTUNKHWA SERVICE TRIBUNAL,**  
**PESHAWAR**

Service Appeal No. \_\_\_\_\_/2022

Shahid Mehmood.....Appellant

**VERSUS**

Govt. of Khyber Pakhtunkhwa through Chief Secretary,  
 Civil Secretariat, Peshawar & others.....Respondents

**AFFIDAVIT**

I, Shahid Mehmood Son of Noor Muhammad Jr. Scale Stenographer BPS-14) Office of the Deputy Commissioner Hangu, do hereby solemnly affirm and declare on oath that the contents of the accompanying **Service Appeal** are true and correct to the best of my knowledge and belief and nothing has been concealed from this Hon'ble Court.

*Shahid*

**DEPONENT**

14101-0795516-5

*Identified by  
 H. H. H. H.*

**BEFORE THE KHYBER PAKHTUNKHWA SERVICE TRIBUNAL,**  
**PESHAWAR**

Service Appeal No. \_\_\_\_\_/2022

Shahid Mehmood.....Appellant

**V E R S U S**

Govt. of Khyber Pakhtunkhwa through Chief Secretary,  
Civil Secretariat, Peshawar & others.....Respondents

**APPLICATION FOR RESTRAINING THE  
RESPONDENT NOT TO ISSUED PROMOTION  
ORDER TO NAIB TEHSILDAR, TILL THE FINAL  
DISPOSAL OF THE INSTANT WRIT PETITION**

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**Respectfully Sheweth:**

1. That the titled Service Appeal is being filed before this Hon'ble Tribunal in which no date of hearing is fixed.
2. That the grounds of main appeal may be considered as integral part of this application.
3. That the balance of convenience also lies in favour of the appellant.
4. That the appellant has a good prima facie case and all the three ingredients are in favour of the appellant.

5. That if the respondents are not restrained to issued promotion order then the appellant would sustain suffer irreparable loss.

It is, therefore, most humbly prayed that by accepting this application, the interim relief as prayed for in the instant application may kindly be passed in favour of the appellant against the respondents

  
Appellant

Through

  
**Hidayatullah Khattak**  
Advocate High Court

Dated 12.02.2022

**BEFORE THE KHYBER PAKHTUNKHWA SERVICE TRIBUNAL,**  
**PESHAWAR**

**Service Appeal No. \_\_\_\_\_/2022**

Shahid Mehmood.....**Appellant**

**VERSUS**

Govt. of Khyber Pakhtunkhwa through Chief Secretary,  
 Civil Secretariat, Peshawar & others.....**Respondents**

**AFFIDAVIT**

I, Shahid Mehmood Son of Noor Muhammad Jr. Scale Stenographer BPS-14) Office of the Deputy Commissioner Hangu, do hereby solemnly affirm and declare on oath that the contents of the accompanying **Application** are true and correct to the best of my knowledge and belief and nothing has been concealed from this Hon'ble Court.

*Identified by  
 H. Khan*

*[Signature]*

**DEPONENT**

14101-0795516-5

**BEFORE THE KHYBER PAKHTUNKHWA SERVICE TRIBUNAL,**  
**PESHAWAR**

Service Appeal No. \_\_\_\_\_/2022

Shahid Mehmood.....Appellant

**V E R S U S**

Govt. of Khyber Pakhtunkhwa through Chief Secretary,  
 Civil Secretariat, Peshawar & others.....Respondents

**ADDRESSES OF PARTIES**

**A P P E L L A N T:**

Shahid Mehmood Son of Noor Muhammad  
 Jr. Scale Stenographer BPS-14)  
 Office of the Deputy Commissioner Hangu

**R E S P O N D E N T S:**

- 1) Govt. of Khyber Pakhtunkhwa through Chief Secretary, Civil Secretariat, Peshawar
- 2) Senior Member Board of Revenue Peshawar
- 3) Secretary to Govt. of Khyber Pakhtunkhwa Revenue Department Peshawar

  
 Appellant

Through

  
**Hidayatullah Khattak**  
 Advocate High Court

Dated 12.02.2022

13

**TENTATIVE DIVISIONAL SENIORITY LIST OF JUNIOR SCALE STENOGRAPHER AND SENIOR CLERK AS STOOD ON 31-12-2018**

S.No	Name & Designation	Office	Date of Birth	Qualification	Date of 1 <sup>st</sup> Entry into Govt. Service	Date of Regular Appointment /Promotion to the Present post	Method of Recruitment	Remarks
1.	Sher Nawab, JSS	DC Kohat	02-03-1967	-	25-10-1987	25-10-1987	Direct	
2.	Shehzad Khan, JSS	DC Karak	26-12-1960	BA	12-03-1986	17-10-1990	Direct	Promoted as S.S.S on 22-03-2019
3.	Alif Rehman, JSS	DC Karak	15-05-1960	BA	13-06-1980	29-12-1991	By Promotion	
4.	Tanveer Khan, JSS	DC Kohat	14-09-1966	-	27-07-1986	18-07-2000	By Promotion	
5.	Shahid Mehmood, JSS	DC Hangu	01-03-1976	FA	28-07-1994	28-02-2004	Direct	
6.	Shahid Munawar, JSS	DC Hangu	23-02-1973	MA	28-02-2004	28-02-2004	Direct	
7.	Naseer Abbas, JSS	DC Hangu	01-02-1982	BA	01-03-2003	23-10-2009	Direct	
8.	Adil Mehmood, JSS	DC Kohat	20-10-1981	-	14-12-2012	14-12-2012	Direct	
9.	Abdul Basit Waqas, JSS	DC Kohat	25-04-1990	-	08-07-2014	22-03-2016	Direct	
10.	Omer Muhammad Khan, JSS	DC Kohat	05-11-1992	-	22-05-2013	22-03-2016	Direct	
11.	Muhammad Khanzala, JSS	DC Karak	17-02-1989	MA	15-01-2015	25-03-2016	Direct	
12.	Asif Jamal, JSS	DC Karak	08-10-1992	BS (Hon)	25-03-2016	25-03-2016	Direct	
13.	Imran Ul Zafar, JSS	DC Karak	28-04-1996	F.Sc/D.Com	25-03-2016	25-03-2016	Direct	
14.	Sartaj Ali, S/Clerk	DC Hangu	13-03-1967	FA	19-06-1988	24-10-2017	By promotion	
15.	Sharif Ullah S/Clerk/HVC	Commissioner Office Kohat	07-03-1975	-	01-06-1995	23-11-2017	By Promotion	

*Estab Branch*

*Dev*  
27.3.19

FROM : COMMISSIONER OFFICE KOHAT

FOR NO. : 09229260349

26 Mar. 2019 11:47 AM P1

14

16.	Hidayat Ullah Aziz, S/Clerk	DC Karak	20-02-1963	BA	01-07-1982	05-12-2017	By Promotion	Promoted to Assistant on 22-03-2019
17.	Zar Khan, S/Clerk	DC Karak	13-07-1961	Matric	01-07-1982	05-12-2017	By Promotion	Promoted to Assistant on 22-03-2019
18.	Hassan Mehmood, S/Clerk	DC Karak	01-03-1963	FA	01-07-1982	30-04-2018	By Promotion	Promoted to Assistant on 22-03-2019
19.	Javed Iqbal, JSS	DC Hangu	01-01-1993	BA	06-02-2018	06-02-2018		
20.	Taj Muhammad, S/Clerk	DC Kohat	02-09-1963	-	15-02-1983	28-12-2018	By Promotion	
21.	Muhammad Shoaib, S/Clerk	DC Kohat	14-03-1966	-	10-04-1983	28-12-2018	By Promotion	
22.	Riaz Ul Haq, S/Clerk	DC Kohat	15-03-1967	-	15-03-1967	28-12-2018	By Promotion	
23.	Muhammad Azam Khan, S/Clerk	DC Kohat	07-04-1965	-	09-02-1988	28-12-2018	By Promotion	
24.	Gul Raheem, S/Clerk	DC Kohat	08-10-1970	-	14-05-1992	28-12-2018	By Promotion	

-Sd-  
Commissioner Kohat Division,  
Kohat.

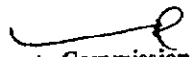
No. 1247/EA/S.I list

Copy forwarded to the :

1. Secretary, Board of Revenue, Khyber Pakhtunkhwa, Peshawar.
2. Deputy Commissioners, Kohat, Karak and Hangu.
3. PS to Commissioner, Kohat Division, Kohat.

For circulation of the same amongst the officials concerned for objection (if any) within 03 days.

Date :- 27-03-2019

  
Secretary to Commissioner,  
Kohat Division, Kohat.





## KHYBER PAKHTUNKHWA

Published by Authority

PESHAWAR, THURSDAY, 30<sup>th</sup> JUNE, 2016.

### GOVERNMENT OF THE KHYBER PAKHTUNKHWA BOARD OF REVENUE, REVENUE AND ESTATE DEPARTMENT.

#### NOTIFICATION

Dated: 25<sup>th</sup> January, 2016.

No. 6032-42/Estt/SSRC/Vol-II/2016.— In pursuance of the provisions contained in sub-rule (2) of rule 3 of the Khyber Pakhtunkhwa Civil Servants (Appointment, Promotion and Transfer) Rules, 1989, the Revenue and Estate Department in consultation with Establishment and Finance Departments, hereby directs that in this Department's Notification No. 32102/Admnl/SSRC, dated 26.12.2008, the following further amendments shall be made, namely:

#### AMENDMENTS

In the Appendix:

- (a) against serial No. 1, in column No. 7,—
- (i) In clause (b), the word "and" appearing at the end shall be deleted;
- (ii) For clause (c), the following shall be substituted, namely:
- "(c) sixteen (16) percent by promotion, on the basis of seniority-cum-fitness, from amongst Assistants and Senior Scale Stenographers of the offices of Commissioners, Deputy Commissioners and Political Agents having five years service as such; and"; and
- (iii) after clause (c), as so amended, the following shall be added, namely:
- "(d) four (4) percent by promotion, on the basis of seniority-cum-fitness, from amongst Assistants and Senior Scale Stenographers of the Board of Revenue having five years service as such."; and
- (b) against serial No. 2, in column No. 7,—
- (i) for clause (c), the following shall be substituted, namely:
- "(c) twelve (12) percent by promotion, on the basis of seniority-cum-fitness, from amongst Senior Clerks and Stenographers of the offices of Commissioners and Deputy Commissioner in the division concerned."; and
- (ii) in clause (c), the fullstop appearing at end shall be replaced by semi colon and the word "and" and thereafter the following shall be added, namely:
- "(e) three (3) percent by promotion, on the basis of seniority-cum-fitness, from amongst the Senior Clerks and Stenographers of the Board of Revenue.".

Sd/-xxx  
Secretary to Government of the  
Khyber Pakhtunkhwa,  
Revenue and Estate Department.

**GOVERNMENT OF KHYBER PAKHTUNKHWA,  
BOARD OF REVENUE,  
REVENUE & ESTATE DEPARTMENT  
Peshawar Dated the 13 / 05 / 2019**

**NOTIFICATION**

No. Estt:I/SSRC/2019/\_\_\_\_\_ In pursuance of provisions contained in sub-rule (2) of rule 3 of the Khyber Pakhtunkhwa Civil Servants (Appointment, Promotion and Transfer) Rules, 1989, the Revenue and Estate Department in consultation with Establishment Department and Finance Department, hereby directs that in this Department's Notification No. 32102-61/Admn:I/135/SSRC, dated: 26.12.2008, the following further amendments shall be made, namely:

**AMENDMENTS**

In the APPENDIX,-

(a) against Serial No. 1, in column No. 7, for clauses (c) and (d), the following shall be substituted, namely:

“(c) fifteen percent by promotion, on the basis of seniority – cum – fitness, from amongst Assistants and Senior Scale Stenographers of the offices of Commissioner and Deputy Commissioner, having five years services as such;

**Note:** Joint seniority list shall be maintained at Provincial level for the purpose of promotion; and

(d) five percent by promotion, on the basis of seniority-cum-fitness, from amongst Assistants and Senior Scale Stenographers of the Board of Revenue and Director Land Records Office having five years' service as such.

**Note:-** Joint seniority list shall be maintained for the purpose of promotion.”;

(b) against Serial No. 2, in column No.7.-

(i) for clause (b), the following shall be substituted, namely:

“(b) forty percent by promotion, on the basis of seniority –cum- fitness, from amongst the Kanungos with at least five years service as such, who have passed the Departmental Examination of Naib Tehsildar.”; and

(ii) clauses (c) and (e) shall be deleted.

(c) against Serial No. 3, in column No.7, for the existing entry, the following shall be substituted, namely;

“by transfer from amongst Naib Tehsildars.”

(d) against Serial No. 9, in column No. 7, the following Note to the existing entry shall be added, namely:

“Note:- The posts of Naib Tehsil Accountants and Naib Tehsil office Kanungo shall be deemed as Dying Cadre. On vacation of the above posts by retirement or promotion of the incumbents, no person shall be appointed by transfer to the same and shall forthwith to take up with the Finance Department for their abolition.”.

Sd/-

**SECRETARY TO GOVERNMENT OF  
KHYBER PAKHTUNKHWA  
REVENUE & ESTATE DEPARTMENT**

Revenue & Estate Deptt  
 Khyber Pakhtunkhwa

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BEFORE HONOURABLE KHYBER PAKHTUNKHWA  
SERVICE TRIBUNAL PESHAWAR

Appeal No....1021/2019

Khyber Pakhtunkhwa  
Service Tribunal

Diary No. 1136

Dated 05/8/2019

Abdul Qayyum Tahir S/O Qari Aziz-ur-Rehman, Senior Clerk,  
Office of the Commissioner Hazara Division, Abbottabad.

(Appellant)

VERSUS

1. Government of KPK through Chief Secretary, Civil Secretariat, Peshawar.
2. Senior Member Board of Revenue, KPK, Peshawar
3. Secretary to Government of KPK, Revenue Department, Peshawar.

(Respondents)

SERVICE APPEAL UNDER SECTION-4 OF KPK SERVICE TRIBUNAL ACT 1974 AGAINST THE ORDER DATED 11-07-2019 OF BOARD OF REVENUE KPK, PESHAWAR WHEREBY APPELLANT'S DEPARTMENTAL APPEAL DATED 24-06-2019 FOR PROMOTION AS NAIB TEHSILDAR HAS BEEN REJECTED AND NOTIFICATION DATED 13-05-2019 WHEREBY 15% RESERVED QUOTA OF MINISTERIAL STAFF FOR PROMOTION AS NAIB TEHSILDAR HAS BEEN DELETED FROM THE RULES.

PRAYER: ON ACCEPTANCE OF INSTANT SERVICE APPEAL ORDER DATED 11-07-2019 MAY GRACIOUSLY BE SET ASIDE AND ORDER DATED 13-05-2019 WHEREBY 15% RESERVED QUOTA OF MINISTERIAL STAFF FOR PROMOTION TO THE POST OF NAIB TEHSILDAR HAD BEEN DELETED MAY BE DECLARED AS ILLEGAL, UNLAWFUL, PERVERSE, AND INEFFECTIVE TO APPELLANT'S RIGHT OF PROMOTION AND THE APPELLANT MAY BE PROMOTED AS NAIB TEHSILDAR FROM THE DATE HE BECAME ELIGIBLE AND POST HAD FALLAN VACANT IN HAZARA DIVISION WITH ALL CONSEQUENTIAL SERVICE BACK BENEFITS.

Filed to-day  
Registrar  
9/10

ATTESTED  
  
Registrar  
Khyber Pakhtunkhwa  
Service Tribunal  
Peshawar

(18)

**BEFORE THE KHYBER PAKHTUNKHWA SERVICE TRIBUNAL PESHAWAR  
AT CAMP COURT ABBOTTABAD.**

Service Appeal No. 1021/2019

Date of Institution ... 05.08.2019

Date of Decision ... 22.09.2021



Abdul Qayyum Tahir S/O Qari Aziz-ur-Rehman, Senior Clerk,  
Office of the Commissioner Hazara Division, Abbottabad.

... (Appellant)

VERSUS

Government of Khyber Pakhtunkhwa through Chief Secretary, Civil Secretariat,  
Peshawar and two others.

... (Respondents)

MR. MOHAMMAD ASLAM TANOLI,  
Advocate

... For Appellant

MR. RIAZ AHMED PAINDAKHEL  
Assistant Advocate General

... For Respondents

SALAH-UD-DIN  
ATIQU-UR-REHMAN WAZIR

MEMBER (JUDICIAL)  
MEMBER (EXECUTIVE)

**JUDGMENT**

**ATIQU-UR-REHMAN WAZIR MEMBER (E):-** This single judgment shall dispose of the instant service appeal as well as the connected Service Appeal No 1022/2019 titled "Munir Akhtar Versus Government of Khyber Pakhtunkhwa through Chief Secretary, Civil Secretariat, Peshawar and two others", as common question of law and facts are involved therein.

2. Brief facts of the case are that the appellants namely Abdul Qayyum Tahir and Munir Akhtar initially joined the Revenue Department as Junior Clerks and subsequently were elevated to the post of Senior Clerk on 02-02-1983 and

ATTESTED

Assistant Advocate General  
Peshawar

29-06-2010 respectively. As per service rules, notified on 23-01-2015, 15% quota was reserved for promotion on the basis of joint seniority cum fitness from amongst the Senior Clerks of the office of Board of Revenue, Commissioners and Deputy Commissioners offices, for their further promotion to the post of Naib Tehsildar. Cases of promotion of the appellants were under process for quite some time, but could not materialize well in time and in the meanwhile, the respondents vide another notification dated 13-05-2019 amended the service rules and deleted the reserved quota of 15% for promotion of ministerial staff to the post of Naib Tehsildar. Feeling aggrieved, the appellants filed departmental appeals, which were filed without any consideration vide order dated 11-07-2019, hence the instant service appeals with prayers that the impugned order dated 11-07-2019 may be set aside and notification dated 13-05-2109, may be declared as illegal, void ab-initio and ineffective upon the appellants promotion rights and the appellants may be promoted to the post of Naib Tehsildar against the 15% quota reserved for ministerial staff, from the date when the appellants became eligible for such promotion and posts had fallen vacant in Hazara Division with all consequential benefits.

W/h

3. Learned counsel for the appellant has contended that the appellants were fully eligible for promotion to the post of Naib Tehsildar based on seniority cum fitness, but it was due to the lethargic and reckless attitude of the respondents that cases of promotion of the appellants lingered for years in the offices of respondents, which finally were refused under the pretext that the respondents has brought amendments in service rules vide notification dated 13-05-2019, thereby deleting the 15% quota reserved for ministerial staff; that by virtue of issuance of impugned notification dated 13-05-2019, the amendments has been made in Rules, 2008, whereas after issuance of Rules, 2015 in supersession of all previous rules, the rules, 2008 stands non-existent, therefore has no legal impact on the already accrued rights of promotion of appellants nor on the basis of such amendments in the non-existent rules, any reserved quota for promotion of ministerial staff can be deleted; that posts of Naib Tehsildar were lying vacant in Hazara Division, working paper for which were also submitted and cases of promotion in respect of the appellants were also included, which were also placed before the Departmental Promotion Committee(DPC); that again in 2015 cases of promotion in respect of the appellants came under consideration of the DPC, but were again ignored by the respondents due to their lethargic

ATTESTED


*[Signature]*  
 W. M. WAZIR  
 Deputy Commissioner  
 Hazara Division

behaviour; that in 2019, the Commissioner Hazara Division vide letter dated 27-02-2019, requested the board of revenue for promotion of the senior clerks to the post of Naib Tehsildar and in response, the board of revenue demanded for requisite documents of the senior clerks concerned, which were also provided, but in the meanwhile rules were amended and the appellants were not promoted, which was illegal unlawful and contrary to the norms of natural justice; that in the light of judgments of the superior courts, any change in the terms and condition of service of the civil servant with retrospective effect by depriving them of their vested rights cannot be done while the appellants remained eligible for considerable period of 20-years, but through impugned notification dated 13-05-2019, their right of promotion has been taken away which is not sustainable in the eye of law; that the respondents have not treated the appellants in accordance with law, departmental rules, regulation and policy on the subject and have acted in violation of Article-4 of the constitution and unlawfully issued the impugned order and notifications, which are unjust, unfair and are liable to be set at naught.

4. Learned counsel for respondents has contended that in 2015, under 15% quota reserved for senior clerks, cases of the appellants were placed before the DPC, but their cases were not considered for such promotion due to non-availability of post of Naib Tehsildar in their share at that time; that it is correct that the appellants were otherwise eligible for promotion on the basis of seniority cum fitness for promotion to the post of Naib Tehsildar, but in the meanwhile amendments were brought in the service rules and 15% quota reserved for their promotion was deleted.

5. We have heard learned counsel for the parties and have perused the record.

6. Record reveals that the appellants were otherwise fit for promotion based on seniority cum fitness and their cases were submitted for promotion more than once, but were not considered. Stance of the respondents to the effect that the appellants were not considered due to non-availability of posts is not correct, as record reveals that Commissioner Hazara vide letter dated 27-02-2019 had submitted cases of the appellants for convening meeting of DPC as well as mentioned that there are many vacancies available in the division to be filled in through promotion from amongst the senior clerks at the ratio of 15%, but the

ATTESTED  
  
 Commissioner  
 Hazara Division  
 Faisalabad

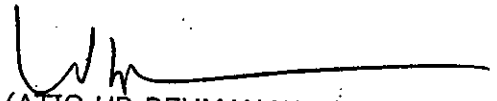
respondents as usual lingered the cases and finally refused on the grounds of amendments in service rules, which was not warranted. We are of the considered opinion that the appellants were fit for promotion in every respect and vacancies to that effect were also available, but it was due to malafide of the respondents that the appellants were kept deprived of their right of promotion. The amendments in service rules at a later stage, cannot deprive the appellants of their right of promotion already accrued to them as making the relevant amended rules applicable to the appellants would be against the law and natural justice.

7. In view of the foregoing discussion, the instant appeals are accepted. The appellants are held entitled for promotion to the post of Naib Tehsildar from the dates, when they became eligible for promotion. Parties are left to bear their own costs. File be consigned to record room.

ANNOUNCED  
22.09.2021

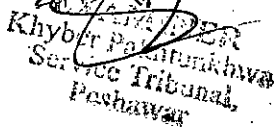


(SALAH-UD-DIN)  
MEMBER (JUDICIAL)  
CAMP COURT ABBOTTABAD

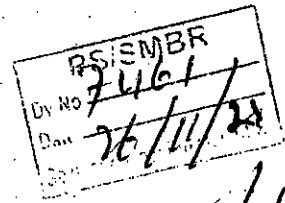


(ATIQ-UR-REHMAN WAZIR)  
MEMBER (EXECUTIVE)  
CAMP COURT ABBOTTABAD

Certified to be true copy.

  
Khyber Pakhtunkhwa  
Service Tribunal,  
Peshawar

Date of Presentation of Application 26/11/2021  
Number of Words 2000  
Copying Fee 22/-  
Urgent 4/-  
Total 26/-  
Name of Copiest \_\_\_\_\_  
Date of Completion of Copy 26/11/2021  
Date of Delivery of Copy 26/11/2021



To

The Senior Member Board of Revenue (SMBR),  
Khyber Pakhtunkhwa.

SUBJECT: APPEAL IN LIGHT OF JUDGMENT OF SERVICE TRIBUNAL  
KHYBER PAKHTUNKHWA DATED 22.09.2021

R/Sir,

With utmost reverence, it is stated that the undersigned was appointed as Junior Scale Stenographer in 2004 and serving till date. On 25th March, 2019, the undersigned was directed to submit ACR for promotion to the post of Naib Tehsildar (BS-14) against reserved quota of 15% allocated vide existing service rules of that time (**Copy enclosed**). Promotion of the undersigned was about to happen, in the meanwhile, amendments were made in the services rules of Board of Revenue, Revenue & Estate Department, whereby, the undersigned was deprived of the right of promotion towards Naib Tehsildar, as the reserved quota was abolished in the amended service rules.

Aggrieved by amendments in the service rules, one Mr. Abdul Qayyum s/o Qari Aziz Ur Rehman, Senior Clerk of the Office of the Commissioner Hazara Division, Abbottabad filed a petition in the Khyber Pakhtunkhwa Service Tribunal with the plea that amendment in the service rules, whereby 15% quota of Ministerial Staff for promotion as Naib Tehsildar has been deleted from the rules, may be graciously set aside.

On 22.09.2021, Khyber Pakhtunkhwa Service Tribunal announced the judgment in favor the above mentioned petitioner, reproduced as below (**Copy enclosed**):

*"in view of the foregoing discussion, the instant appeals are accepted. The appellants are held entitled for promotion to the post of Naib Tehsildar from the dates, when they became eligible from promotion. Parties are left to bear their own costs".*

Since, the undersigned was deprived of legal and constitutional right of promotion and pleading the same point of law relating to the terms and condition of service of a civil servant who litigated against the amendments in the service rules, therefore, the undersigned may be treated at par with the above mentioned petitioner in light of the judgment stated above. The Supreme Court of Pakistan in the case "Hameed Akhtar Niazi reported in 1996 SCMR 1185, held that:

*"If the service tribunal or Supreme Court decides a point of law relating to the terms of service of a civil servant which covers not only the case of civil servant who litigated, but also of other civil servants, who may have not taken any legal proceedings, in such a case, the dictates and rule of good governance demand that the benefit of such judgment by Service Tribunal/Supreme Court be extended to tot other civil servant, who may not be parties to the litigation instead of compelling them to approach the service tribunal or any other forum."*  
(copy enclosed).

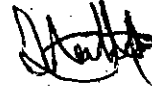


It is therefore, graciously requested that while implementing the above judgment of the Service Tribunal, the undersigned may also be treated at par with the petitioner of the above mentioned case, being related and cognate to the case pleaded in the said judgment please.

I am sanguine that my humble entreaty will be considered sympathetically please.

Dated: 26.11.2021

Yours obediently,



Shahid Mehmood S/o Noor Muhammad  
(Jr. Scale Stenographer BPS-14 )  
Office of the Deputy Commissioner Hangu  
Mobile No.0333-9683638

بعد الت صفا - سر دستہ ٹریبونل کی ذمہ داری



موزخہ	-----
مقدمہ	-----
دعویٰ	-----
جرم	-----

مشاہیر محمد ولد لوار محمد بنام سر دستہ ٹریبونل کی ذمہ داری

### باعث تحریر آنکہ

مقدمہ مندرجہ عنوان بالا میں اپنی طرف سے واسطے پیروی اور جواب دہی وکل کارروائی متعلقہ آن مقام کے لیے سر دستہ ٹریبونل کی ذمہ داری کے لیے ہوا ہے۔

مقررہ کر کے اقرار کیا جاتا ہے۔ کہ صاحب موصوف کو مقدمہ کی کل کارروائی کا کامل اختیار دیا گیا۔ نیز وکیل صاحب کو راضی نامہ کرنے و تقررات نامہ کرنے پر حلف دینے جواب دہی اور تہہ دعویٰ اور بصورت ڈگری کرنے اجراء اور وصولی چیک دروپیہ از عرضی دعویٰ اور درخواست ہر قسم کی تصدیق ذرائع پر دستخط کرانے کا اختیار ہوگا۔ نیز بصورت عدم پیروی یا ڈگری کی طرفہ یا اپیل کی برآمدگی اور مشورتی نیز دائر کرنے اپیل نگرانی و نظر ثانی و پیروی کرنے کا اختیار ہوگا۔ از بصورت ضرورت مقدمہ مذکور کے کل یا جزوی کارروائی کے واسطے اور وکیل یا مختار قانونی کو اپنے ہمراہ یا اپنے بہائے تقرر کا اختیار ہوگا۔ اور صاحب مقرر شدہ کو بھی وہی جملہ مذکورہ با اختیار حاصل ہوں گے اور اس کا ساختہ پروا ختم منظور قزل ہوگا۔ دوران مقدمہ میں جو خرچہ ہر جانش التوا نے مقدمہ کے سبب سے دہوگا۔ کوئی تاریخ پیشی مقام دورہ پر ہو یا حد سے باہر ہو تو وکیل صاحب پابند ہوں گے۔ کہ پیروی مذکور کریں۔ لہذا اذکالت نامہ لکھ دیا کہ سند ہے۔

دستخط سر دستہ ٹریبونل

۱۹۱۵۱۰۰۷۹۵۱۶۵۱

Accepted \_\_\_\_\_ 20 \_\_\_\_\_

المقام لہور کے لیے منظور ہوا ہے

**"B"**

**KHYBER PAKHTUNKHWA SERVICE TRIBUNAL, PESHAWAR**  
**JUDICIAL COMPLEX (OLD), KHYBER ROAD, PESHAWAR.**

No.

229

22

Appeal No. .... of 20 .....

Shahid Mehood

Appellant/Petitioner

Govt. of KPN through Chief Secy:

Respondent

Respondent No. ....

Govt. of KPN through Chief Secretary  
 Peshawar

Notice to: —

WHEREAS an appeal/petition under the provision of the Khyber Pakhtunkhwa Province Service Tribunal Act, 1974, has been presented/registered for consideration, in the above case by the petitioner in this Court and notice has been ordered to issue. You are hereby informed that the said appeal/petition is fixed for hearing before the Tribunal \*on.....at 8.00 A.M. If you wish to urge anything against the appellant/petitioner you are at liberty to do so on the date fixed, or any other day to which the case may be postponed either in person or by authorised representative or by any Advocate, duly supported by your power of Attorney. You are, therefore, required to file in this Court at least seven days before the date of hearing 4 copies of written statement alongwith any other documents upon which you rely. Please also take notice that in default of your appearance on the date fixed and in the manner aforementioned, the appeal/petition will be heard and decided in your absence.

Notice of any alteration in the date fixed for hearing of this appeal/petition will be given to you by registered post. You should inform the Registrar of any change in your address. If you fail to furnish such address your address contained in this notice which the address given in the appeal/petition will be deemed to be your correct address, and further notice posted to this address by registered post will be deemed sufficient for the purpose of this appeal/petition. ✓

Copy of appeal is attached. Copy of appeal has already been sent to you vide this office Notice No.....dated.....

Given under my hand and the seal of this Court, at Peshawar this.....

Day of..... June 20 22

for Reply

ISSUE BRANCH  
 CHIEF SECRETARY  
 Govt. of Khyber Pakhtunkhwa  
 Peshawar  
 03-6-22

*[Signature]*

Registrar,  
 Khyber Pakhtunkhwa Service Tribunal,  
 Peshawar.

Note: 1. The hours of attendance in the court are the same that of the High Court except: Sunday and Gazetted Holidays.  
 2. Always quote Case No. While making any correspondence.

**“B”**

**KHYBER PAKHTUNKHWA SERVICE TRIBUNAL, PESHAWAR.**  
**JUDICIAL COMPLEX (OLD), KHYBER ROAD,**  
**PESHAWAR.**

General Diary  
 Dy: No.....  
 Date... 3-06-22  
 Revenue & Estate  
 Khyber Pakhtunkhwa

No.

Appeal No. 229 of 20 22  
Shahid Mehoob Appellant/Petitioner

Govt. of KP through Chief Secy. Respondent

Respondent No. 2  
Senior Member Board of Revenue Peshawar

Notice to: —

WHEREAS an appeal/petition under the provision of the Khyber Pakhtunkhwa Province Service Tribunal Act, 1974, has been presented/registered for consideration, in the above case by the petitioner in this Court and notice has been ordered to issue. You are hereby informed that the said appeal/petition is fixed for hearing before the Tribunal \*on 19/07/22 at 8.00 A.M. If you wish to urge anything against the appellant/petitioner you are at liberty to do so on the date fixed, or any other day to which the case may be postponed either in person or by authorised representative or by any Advocate, duly supported by your power of Attorney. You are, therefore, required to file in this Court at least seven days before the date of hearing 4 copies of written statement alongwith any other documents upon which you rely. Please also take notice that in default of your appearance on the date fixed and in the manner aforementioned, the appeal/petition will be heard and decided in your absence.

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Copy of appeal is attached. Copy of appeal has already been sent to you vide this office Notice No.....dated.....

Given under my hand and the seal of this Court, at Peshawar this 16

Day of June 22 20 22

*for Reply*

*[Signature]*

Registrar,  
 Khyber Pakhtunkhwa Service Tribunal,  
 Peshawar.

Note: 1. The hours of attendance in the court are the same that of the High Court except Sunday and Gazetted Holidays.  
 2. Always quote Case No. While making any correspondence.

**"B"**

**KHYBER PAKHTUNKHWA SERVICE TRIBUNAL, PESHAWAR**  
**JUDICIAL COMPLEX (OLD), KHYBER ROAD,**  
**PESHAWAR.**

No.

229

Appeal No. Shahid Mahmood of 20

General Diary  
 No. ....  
 Date 03-06-22  
 Revenue & Estate  
 Khyber Pakhtunkhwa  
*She*

Govt. of KPK through Chief Secy.  
 Appellant/Petitioner

Respondent

Secretary to Govt. of KPK Revenue  
 Respondent No. ....  
 Deptt. Peshawar.

Notice to: —

WHEREAS an appeal/petition under the provision of the Khyber Pakhtunkhwa Province Service Tribunal Act, 1974, has been presented/registered for consideration, in the above case by the petitioner in this Court and notice has been ordered to issue. You are hereby informed that the said appeal/petition is fixed for hearing before the Tribunal \*on 19/7/22 at 8.00 A.M. If you wish to urge anything against the appellants/petitioner you are at liberty to do so on the date fixed, or any other day to which the case may be postponed either in person or by authorised representative or by any Advocate, duly supported by your power of Attorney. You are, therefore, required to file in this Court at least seven days before the date of hearing 4 copies of written statement alongwith any other documents upon which you rely. Please also take notice that in default of your appearance on the date fixed and in the manner aforementioned, the appeal/petition will be heard and decided in your absence.

Notice of any alteration in the date fixed for hearing of this appeal/petition will be given to you by registered post. You should inform the Registrar of any change in your address. If you fail to furnish such address your address contained in this notice which the address given in the appeal/petition will be deemed to be your correct address, and further notice posted to this address by registered post will be deemed sufficient for the purpose of this appeal/petition.

Copy of appeal is attached. Copy of appeal has already been sent to you vide this office Notice No. .... dated ..... 1/6

Given under my hand and the seal of this Court, at Peshawar this June 22 Day of ..... 20 ..

*for Reply*

[Signature]  
 Registrar,  
 Khyber Pakhtunkhwa Service Tribunal,  
 Peshawar.

Note: 1. The hours of attendance in the court are the same that of the High Court except Sunday and Gazetted Holidays.  
 2. Always quote Case No. While making any correspondence.

**"B"**

**KHYBER PAKHTUNKHWA SERVICE TRIBUNAL, PESHAWAR.**  
JUDICIAL COMPLEX (OLD), KHYBER ROAD,  
PESHAWAR.

*SB*

No.

Appeal No. *229* of 20 *22*  
*Shahid Mahmood* Appellant/Petitioner

*Govt of KPK through Chief Secy Peshawar* Respondent  
Respondent No. *13*

Notice to: — *Govt of KPK through Chief Secy Civil Secretariat Peshawar.*

WHEREAS an appeal/petition under the provision of the Khyber Pakhtunkhwa Province Service Tribunal Act, 1974, has been presented/registered for consideration, in the above case by the petitioner in this Court and notice has been ordered to issue. You are hereby informed that the said appeal/petition is fixed for hearing before the Tribunal \*on *19/07/2022* at 8.00 A.M. If you wish to urge anything against the appelland/petitioner you are at liberty to do so on the date fixed, or any other day to which the case may be postponed either in person or by authorised representative or by any Advocate, duly supported by your power of Attorney. You are, therefore, required to file in this Court at least seven days before the date of hearing 4 copies of written statement alongwith any other documents upon which you rely. Please also take notice that in default of your appearance on the date fixed and in the manner aforementioned, the appeal/petition will be heard and decided in your absence.

Notice of any alteration in the date fixed for hearing of this appeal/petition will be given to you by registered post. You should inform the Registrar of any change in your address. If you fail to furnish such address your address contained in this notice which the address given in the appeal/petition will be deemed to be your correct address, and further notice posted to this address by registered post will be deemed sufficient for the purpose of this appeal/petition.

*Copy of Application is attached*

~~Copy of appeal is attached. Copy of appeal has already been sent to you vide this office Notice No.....dated.....~~

Given under my hand and the seal of this Court, at Peshawar this *13<sup>th</sup>* Day of *June* 20*22*

*[Signature]*  
SECRETARY  
*13-6-22*

*[Signature]*  
Registrar,  
Khyber Pakhtunkhwa Service Tribunal,  
Peshawar.

Note: 1. The hours of attendance in the court are the same that of the High Court except Sunday and Gazetted Holidays.  
2. Always quote Case No. While making any correspondence.

**"B"**

**KHYBER PAKHTUNKHWA SERVICE TRIBUNAL, PESHAWAR.**  
JUDICIAL COMPLEX (OLD), KHYBER ROAD,  
PESHAWAR.

No.

Appeal No. 929 of 20 22

Shahid Mehmood

Appellant/Petitioner

Govt of KPK through Chief Secy Peshawar

Respondent

Respondent No. 10

Notice to: —

Senior Member Board of Revenue Peshawar

WHEREAS an appeal/petition under the provision of the Khyber Pakhtunkhwa Province Service Tribunal Act, 1974, has been presented/registered for consideration, in the above case by the petitioner in this Court and notice has been ordered to issue. You are hereby informed that the said appeal/petition is fixed for hearing before the Tribunal \*on 14/6/2022 at 8.00 A.M. If you wish to urge anything against the appellant/petitioner you are at liberty to do so on the date fixed, or any other day to which the case may be postponed either in person or by authorised representative or by any Advocate, duly supported by your power of Attorney. You are, therefore, required to file in this Court at least seven days before the date of hearing 4 copies of written statement alongwith any other documents upon which you rely. Please also take notice that in default of your appearance on the date fixed and in the manner aforementioned, the appeal/petition will be heard and decided in your absence.

Notice of any alteration in the date fixed for hearing of this appeal/petition will be given to you by registered post. You should inform the Registrar of any change in your address. If you fail to furnish such address your address contained in this notice which the address given in the appeal/petition will be deemed to be your correct address, and further notice posted to this address by registered post, will be deemed sufficient for the purpose of this appeal/petition.

Copy of Application is attached

~~Copy of appeal is attached. Copy of appeal has already been sent to you vide this~~

office Notice No.....dated.....

Given under my hand and the seal of this Court, at Peshawar this 10th

Day of June 20 22

[Signature]

Registrar,  
Khyber Pakhtunkhwa Service Tribunal,  
Peshawar.

- Note: 1. The hours of attendance in the court are the same that of the High Court except Sunday and Gazetted Holidays.  
2. Always quote Case No. While making any correspondence.

**"B"**

**KHYBER PAKHTUNKHWA SERVICE TRIBUNAL, PESHAWAR.**  
**JUDICIAL COMPLEX (OLD), KHYBER ROAD,**  
**PESHAWAR.**

No. SB  
 Appeal No. 999 of 20 22  
Shahid Meharood Appellant/Petitioner  
 Versus  
Govt of KPK through Chief Secy Peshawar Respondent  
 Respondent No. (3)

Notice to: — Secy to Govt of KPK Revenue Department  
Peshawar

WHEREAS an appeal/petition under the provision of the Khyber Pakhtunkhwa Province Service Tribunal Act, 1974, has been presented/registered for consideration, in the above case by the petitioner in this Court and notice has been ordered to issue. You are hereby informed that the said appeal/petition is fixed for hearing before the Tribunal \*on.....19/07/2022.....at 8.00 A.M. If you wish to urge anything against the appelland/petitioner you are at liberty to do so on the date fixed, or any other day to which the case may be postponed either in person or by authorised representative or by any Advocate, duly supported by your power of Attorney. You are, therefore, required to file in this Court at least seven days before the date of hearing 4 copies of written statement alongwith any other documents upon which you rely. Please also take notice that in default of your appearance on the date fixed and in the manner aforementioned, the appeal/petition will be heard and decided in your absence.

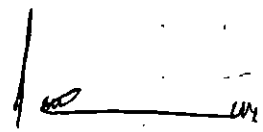
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Copy of Application is attached  
 Copy of appeal is attached. Copy of appeal has already been sent to you vide this

office Notice No.....dated.....

Given under my hand and the seal of this Court, at Peshawar this.....10/6.....

Day of.....June.....20 22

  
 Registrar,  
 Khyber Pakhtunkhwa Service Tribunal,  
 Peshawar.

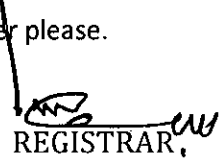


Note: 1. The hours of attendance in the court are the same that of the High Court except Sunday and Gazetted Holidays.  
 2. Always quote Case No. While making any correspondence.



Form- A  
FORM OF ORDER SHEET

Court of \_\_\_\_\_

Case No.- \_\_\_\_\_ 229/2022


S.No.	Date of order proceedings	Order or other proceedings with signature of judge
1	2	3
1-	25/02/2022	<p>The appeal of Mr. Shahid Mehmood resubmitted today by Mr. Hidayatullah Khattak Advocate may be entered in the Institution Register and put up to the Worthy Chairman for proper order please.</p> <p> REGISTRAR,</p>
2-	06.04.2022	<p>This case is entrusted to S. Bench at Peshawar for preliminary hearing to be put there on <u>06.04.2022</u></p> <p> CHAIRMAN</p> <p>Appellant present in person. Counsel are at strike. To come up for preliminary hearing on 12.05.2022 before S.B.</p> <p> Chairman</p>

12.05.2022

Appellant present through counsel. Preliminary arguments heard. Record perused.

Points raised need consideration. Instant appeal is admitted for regular hearing subject to all legal objections with direction to appellant to deposit security and process fee within 10 days. Thereafter, notices be issued to respondents for reply/comments. To come up for written reply/comments on 19.07.2022 before S.B.

RS Sookh  
Appellant Deposited  
Security & Process Fee  
-20/5/22

  
(Rozina Rehman)  
Member (J)

3<sup>rd</sup> June, 2022

Counsel for the petitioner/appellant present and submitted an application for restraining the respondents not to issue the final promotion order of Naib Tehsildar for which DPC was scheduled on 02.06.2022. Notice of the application be issued to the respondents for the date already fixed in the appeal.



Chairman