

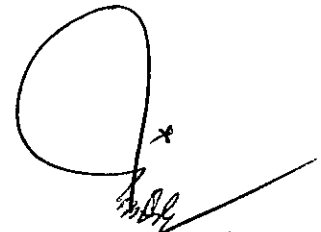
21.04.2022

Counsel for the appellant present. Preliminary arguments heard.

Learned counsel for the appellant contended that the appellant was awarded "major penalty of reduction to lower scale for a period of 01 year. Hence, entry of B-I passed examination in service rolls is available be withdrawn with immediate effect" vide impugned order dated 18.01.2021. On his departmental appeal dated 02.02.2021, appellate order was passed and the said penalty was upheld ^{kept} intact vide appellate order dated 01.07.2021 where-after he instituted the service appeal under Section-4 of the Khyber Pakhtunkhwa Service Tribunal Act, 1974 on 30.07.2021. It was further argued that no charge sheet or statement of allegations was served on the appellant and no regular enquiry ever conducted against him. The impugned order is therefore, a void order not sustainable in the eyes of law. In support of her arguments, she relied on 2000 SCMR 1743, PLD 1987 Supreme Court 304 and the Khyber Pakhtunkhwa Service Tribunal judgement dated 23.11.2017 in service appeal No. 1014/2012 and dated 13.01.2021 in service appeal No. 1077/2019.

The appeal is admitted to regular hearing subject to all just legal objections. The appellant is directed to deposit security and process fee within 10 days. Thereafter notices be issued to respondents for submission of reply/comments. To come up for reply/comments on

01.06.2022 before S.B.



(Mian Muhammad)
Member(E)

1st June, 2022

Appellant present in person. Mr. Raziq, HC for respondent present.

Representative for respondents seeks adjournment in order to submit reply/comments. Last chance is given. To come up for reply/comments on 01.07.2022 before S.B.



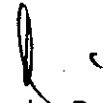
Chairman

Rs-400/-
Security & Process Fee
A. J. / 21/4/22

01.07.2022

Counsel for the appellant present. Mr. Kabir Ullah Khattak, Additional AG alongwith Muhammad Raziq, H.C for respondents present.

Written reply/comments on behalf of respondents submitted which is placed on file. A copy of the same is handed over to the learned counsel of the appellant. To come up for rejoinder/arguments on 01.09.2022 before D.B.


(Fareeha Paul)
Member (E)

01.09.2022

Learned counsel for the appellant present. Mr. Naseer Ud Din Shah, Assistant Advocate General for the respondents present.

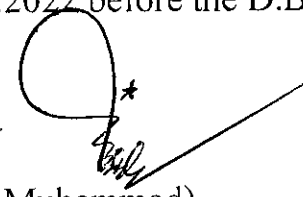
Learned Member (Judicial) Mrs. Rozina Rehman is on leave, therefore, arguments could not be heard. Adjourned. To come up for arguments on 19.10.2022 before the D.B.

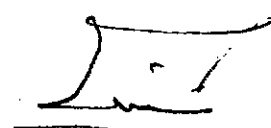

(Salah-Ud-Din)
Member(J)

19.10.2022

Appellant alongwith his counsel present. Mr. Naseer-ud-Din Shah, Assistant Advocate General for the respondents present.

Learned counsel for the appellant seeks adjournment being not prepared for arguments today. Adjourned. To come up for arguments on 29.11.2022 before the D.B.


(Mian Muhammad)
Member (E)


(Salah-Ud-Din)
Member (J)