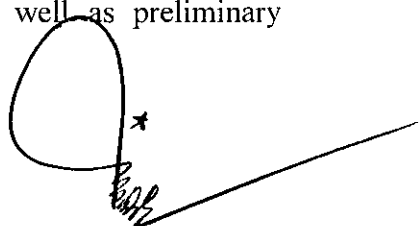


19.07.2022

Mr. Noor Muhammad Khattak, Advocate for the appellant present.

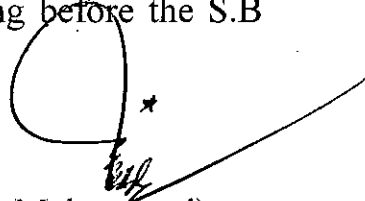
Learned counsel for the appellant contended that the appellant is aggrieved of the impugned order dated 14.11.2018 whereby he was awarded major penalty of dismissal from service. Feeling aggrieved, the appellant preferred departmental appeal on 21.02.2019 which was rejected being badly time barred vide appellate order dated 05.04.2019. The appellant preferred mercy petition which was also rejected on 09.01.2020 being badly time barred. The appellant submitted presumably another mercy petition on 05.10.2021 which was rejected on 26.01.2022 in continuation of earlier order dated 09.01.2020. When the learned counsel for appellant was confronted with the question of limitation he argued that being a void order, limitation does not run against the void order. An application for condonation of delay is though submitted with the service appeal but no specific reason has been mentioned to justify the abnormal delay of 02 years. At this stage, this appeal is not admitted to regular hearing and pre-admission notice *being* a viable and prudent option, to be issued to respondents for submission of reply/comments. Adjourned. To come up for reply/comments as well as preliminary hearing on 20.10.2022 before S.B.


(Mian Muhammad)
Member (E)

20.10.2022

Junior counsel for the appellant present. Mr. Muhammad Jan,
District Attorney for the respondents present.


Reply/comments on behalf of respondents not submitted
Learned District Attorney requested for time to submit
reply/comments on the next date. Adjourned. To come up for
reply/comments as well as preliminary hearing before the S.B
on 30.11.2022.


(Mian Muhammad)
Member (E)

30.11.2022

Junior to counsel for the appellant present. Mr.
Kabir Ullah Khattak Additional Advocate General
alongwith Ahamad Jan S.I for respondents present.

Written reply on behalf of respondents submitted
which is placed on file. A copy of the same is handed
over the junior counsel for the appellant. Adjourned. To
come up for preliminary hearing on 09.01.2023 before
S.B.


(Kalim Arshad Khan)
Chairman