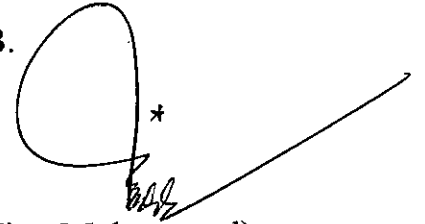13.12.2022   Appellant in person present. Mr. Muhammad Riaz Khan

Paindakhel, Assistant Advocate General for the respondents

present.

     Reply/comments on behalf of respondents not submitted.

Learned Assistant Advocate General seeks time to contact the

respondents for submission of reply/comments. To come up for

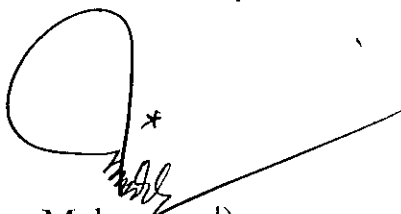reply/comments on 25.01.2023 before S.B.

(Mian Muhammad)
Member (E)

08.11.2022   Mr. Amjid Ali Khan, Advocate for the appellant present. Preliminary arguments heard.

Learned counsel for the appellant contended that the appellant is aggrieved of the impugned order dated 19.02.2013 whereby the appellant was removed from service against which he lastly instituted service appeal in the Service Tribunal. However, he had submitted departmental appeal to the appellate authority on which no order was passed by then. The Service Tribunal was therefore requested for withdrawal of the service appeal with permission to file the appeal afresh. The said application was allowed by the Service Tribunal on 18.01.2022 and by now, the departmental appeal of the appellant has been rejected vide appellate order dated 30.03.2022 whereafter the instant service appeal is filed afresh. It was further argued that the appellant was appointed as Chowkidar in GGHSS Shewa Razzar, Swabi on 07.10.2006. He was falsely implicated in murder case vide FIR No. 123 dated 01.02.2012. He was proceeded against departmentally and imposed upon him the major penalty of "removal from service" on 19.02.2013. The appellant has not been provided ample opportunity of self defence and has been condemned unheard which is violation of law, norms and principles of natural justice.

Points raised need consideration. The appeal is admitted to regular hearing, subject to all just and legal objections. The appellant is directed to deposit security and process fee within 10 days. Thereafter, notices be issued to the respondents for submission of written reply/comments. To come up for reply/comments before the S.B on 13.12.2022.

(Mian Muhammad)
Member (E)