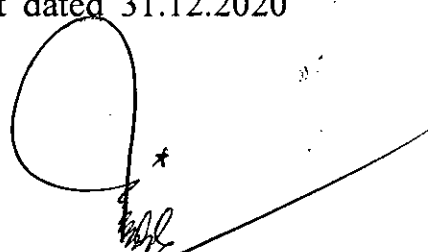


15.12.2022

Appellant in person present. Mr. Naseer-ud-Din Shah, Assistant Advocate General for the respondents present.

Reply/comments on behalf of respondents have already been submitted. As per order sheet dated 15.11.2022, the case was fixed before another Bench.

Appellant submitted an application for withdrawal of the application for suspension of order dated 27.08.2022, submitted by appellant in the office of Registrar Service Tribunal on 08.09.2022. Application for withdrawal is allowed and the office is directed to consign the said application for suspension to record room. To come up for preliminary hearing on main appeal before another Single Bench on 27.01.2023 as contained in order sheet dated 31.12.2020 and followed by last order sheet dated 15.11.2022.


(Mian Muhammad)
Member (E)


15.11.2022

Learned counsel for the appellant present. Mr. Kabirullah Khattak, Additional Advocate General for the respondents present.

As per previous order sheet dated 08.09.2022, reply/parawise comments on pre-admission notice were submitted today. Learned counsel for the appellant submitted rejoinder thereon. The basic question involved is of non-provision/non availability of the original impugned order to have been issued by the competent authority or appellate order to have been passed by the appellate authority on the original order which has to be impugned under Section 4 of the Khyber Pakhtunkhwa Service Tribunal Act, 1974. This observation had already been made by this Bench as contained in the order sheet dated 31.12.2020.

In view of the above, it deems prudent to fix this service appeal before another Bench. Adjourned. To come up for preliminary hearing as well as further proceedings before the S.B on 15.12.2022.

SCANNED
KFST
Peshawar


(Mian Muhammad)
Member (E)