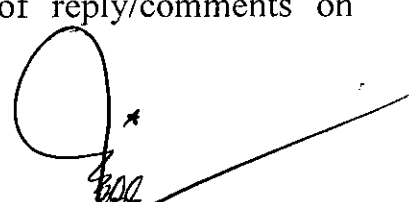


23.01.2023

Learned counsel for the appellant present. Preliminary arguments heard.

Learned counsel for the appellant argued that the appellant was dismissed from service vide impugned order dated 05.01.2021 on the allegation of his involvement in a criminal case under FIR No. 608 dated 25.09.2020 charged for the offences specified by Sections 302/324/34 PPC, at Police Station Karak as well as absence from duty with effect from 25.09.2020 to 08.12.2020. Learned counsel for the appellant further contended that after acquittal of the appellant in the criminal case by the competent court of jurisdiction on 11.10.2022, he filed departmental appeal on 17.11.2022 which was declined vide appellate order dated 09.12.2022, hence the appellant filed the instant service appeal on 17.01.2023. He next argued that neither any charge sheet or statement of allegations were served upon the appellant nor any show-cause notice was issued to the appellant. The ends of natural justice have not been fulfilled before imposition of the major penalty of dismissal from service. The impugned orders are therefore, liable to be set-aside, he requested while concluding his arguments.

Points raised need consideration, therefore, the appeal in hand is provisionally admitted to regular hearing subject to all legal and valid objections. The appellant is directed to deposit security fee within 07 days. Notices be issued to the respondents for submission of reply/comments through TCS, the expenses of which also be deposited by the appellant within 07 days. To come up for submission of reply/comments on 07.03.2023 before the S.B.


(Mian Muhammad)
Member (Executive)