

13.02.2023

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

2. After arguing the matter at certain length, the learned counsel for the appellant was confronted with the order of Hon'ble Peshawar High Court placed by the appellant on file in Writ Petition No. 841-D/2020 passed on 27.10.2021, wherein the Hon'ble Peshawar High Court was pleased to dispose of the Writ Petition with the direction to the authorities/respondents to decide the case of the petitioner in the light of the recommendation of the inquiry report so conducted by Principal GHS Paroa, D.I. Khan, to which learned counsel for the appellant was fair enough to assist the Tribunal that the direction, passed by the Hon'ble Peshawar High Court, was not so far complied with by the respondents and instead the District Education Officer submitted a letter to Worthy Additional Registrar D.I.Khan Bench annexing therewith an order of 2012 whereby the appellant was removed from service w.e.f. 01.11.2012. This order of 2012 was discussed in the inquiry and even then the findings^c was passed by the inquiry officer that the District Education Officer concerned may decide the case of the appellant under the Khyber Pakhtunkhwa Government Servants (Efficiency & Discipline) Rules, 2011, while the Hon'ble Peshawar High Court had also directed the respondents to decide the case of the petitioner (Appellant having) in the light of recommendation of the inquiry report. The learned counsel further submitted that he would not press this appeal and would instead file an application for initiating contempt proceedings against the respondents for non compliance of the order/direction of the Hon'ble Peshawar High Court, passed in the above Writ Petition and in case the appellant received/served with any other adverse order during the COC, which according to the appellant, might infringe the rights of the appellant/any terms and conditions of the service of the appellant,

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he might resort to the legal remedy available to him. Disposed of accordingly.

Consign.

3. *Pronounced in open court at camp court D.I.Khan and given under our hands and seal of the Tribunal this 13th day of February, 2023*



(Muhammad Akbar Khan)
Member (E)



(Kalim Arshad Khan)
Chairman
Camp Court D.I. Khan