

BEFORE THE HON'BLE KHYBER PAKHTUNKHWA SERVICE TRIBUNAL

Service Appeal No.906/2022

1. Zia-ur-Rehman s/o Sahib Din r/o Mohallah Hakeem Khel, Surizai Payan, Tehsil & District Peshawar, Chowkidar, Ex-FATA Tribunal.

(APPELLANT)

VERSUS

1. Govt. of Khyber Pakhtunkhwa through Chief Secretary and others.

(RESPONDENTS)

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(Asif Iqbal)

Section Officer (Litigation-III)
Home & TA's Department, Khyber
Pakhtunkhwa

BEFORE THE HON'BLE KHYBER PAKHTUNKHWA SERVICE TRIBUNAL

Service Appeal No.906/2022

1. Zia ur Rehman s/o Sahib Din r/o Mohallah Hakeem Khel, Surizai Payan, Tehsil & District Peshawar, Chowkidar, Ex-FATA Tribunal.

(APPELLANT)

VERSUS

1. Govt; of Khyber Pakhtunkhwa through Chief Secretary and others.

(RESPONDENTS)

**JOINT PARA-WISE COMMENTS ON BEHALF OF
RESPONDENT NO. 1 TO 3**

**RESPECTFULLY SHEWETH:-
PRELIMINARY OBJECTIONS:-**

1. That this Hon'ble Tribunal with profound respect has got no jurisdiction to entertain and adjudicate the instant appeal.
2. That the appellant is estopped by his own conduct to file the instant service appeal before this Hon'ble Tribunal.
3. That the appellant has got no locus standi to invoke the jurisdiction of this Hon'ble Tribunal.
4. That the appellant has concealed the entire material facts from this Hon'ble Tribunal.
5. That the appellant has not come with clean hands. Therefore, he is not entitled for any relief from this Hon'ble Tribunal.
6. That the appellant has got on cause of action to file the instant service appeal before this Hon'ble Tribunal.
7. That the service appeal is not maintainable in its present form.
8. That the service appeal is based on surmises and conjectures.
9. That the appellant is not an aggrieved person within the meaning of Section 4 of the Khyber Pakhtunkhwa Service Tribunal Act, 1974. Hence, the instant service appeal is liable to be dismissed on this score alone.
10. That the appeal of the appellant barred by law and limitation.

ON FACTS:

1. Pertains to record.
2. That Para 2 also pertains to record.
3. The Para 3 also needs no comments.
4. That Para 4 is correct.
5. Reference to Para 5, a full-fledged inquiry was conducted in the matter to check the credibility and authenticity of the process of Advertisement and selection and

it was held that the entire process of selection from top to bottom was "Coram Non Judge". Furthermore, inquiry was conducted against Mr. Sajjad ur Rehman ex-Registrar, FATA Tribunal under rule 10 of Khyber Pakhtunkhwa Govt; Servant (E&D), Rules, 2011 wherein the inquiry report held that the same selection Committee was constituted without any lawful authority. The said Committee comprised of temporary/ contract/daily wages employees of FATA Tribunal who themselves were candidates against these posts. The inquiry proceedings further revealed that there were no attendance sheet, minutes of the meeting and even the appointment orders were found ambiguous. The said Departmental Committee unlawfully increased the number of posts from 23 & 24 illegally and issued 24 orders without any recommendations of legitimate Departmental Selection Committee. Else then, the Inquiry Committee has termed all the said 24 appointments illegal and without lawful authority and recommended to be cancelled/withdrawn.

6. That Para 6 pertains to the appellant.
7. That Para 7 is totally incorrect, misconceived and hence denied as there was sufficient material available in shape of documentary proof and after issuance of show cause notice and fulfilling all legal and codal formalities, major penalty of removal from service was imposed upon the appellant under the relevant rules/law.
8. That Para 8 needs no comments.
9. That Para 9 also needs no comments.

GROUND:-

- A. Ground A is incorrect. The appellant was treated according to law.
- B. That Para B is totally incorrect and hence denied as the respondents have treated the appellant in accordance with Article 4 of the Constitution of Islamic Republic of Pakistan, 1973.
- C. Detail reply furnished in Para 5 and 7 of the facts above.
- D. Same reply as offered in Para C.
- E. That Para E is incorrect and hence denied to the extent that no retrospective effect is given in the removal order. The Authority acted in accordance with the mandate of law and constitution.
- F. That Para F is also incorrect detail reply offered in Para C.
- G. That Para G is incorrect and denied. Detail reply given in facts.
- H. Same reply as furnished in Para C above.
- I. That Para I is incorrect as no law, rules and judgments of the apex court has been violated. The appellant was treated in accordance with law, rules and constitution. Furthermore, detail reply already offered in Para 5 and 7 of the facts.
- J. That the respondents may also seek permission to take some other additional grounds at the time of arguments where necessary.

PRAYER:-

In view of the above narrated facts and grounds, it is, therefore, most humbly prayed that the instant service appeal may graciously be dismissed with special cost.


Secretary, Home & TA's Department
Govt; of Khyber Pakhtunkhwa
(Respondent No. 1)


Secretary, Establishment Department
Govt; of Khyber Pakhtunkhwa
(Respondent No. 2)


Chief Secretary,
Govt; of Khyber Pakhtunkhwa

AUTHORITY.

Mr. Muhammad Ibrahim Section Officer (Litigation), Home & Tribal Affairs Department, Khyber Pakhtunkhwa is hereby authorized to submit reply in Service Appeal No. 906/2022 titled Zia-ur-Rahman Vs Government of Khyber Pakhtunkhwa and others on behalf of respondent No.1,2 & 3 in the Service Tribunal Peshawar.


KAMRAN ULLAH

Deputy Secretary Litigation
Home & TA's Department, Peshawar

Deputy Secretary (Litigation)
Home & TA's Deptt:
Khyber Pakhtunkhwa

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BEFORE THE PESHAWAR HIGH COURT PESHAWAR

Service Appeal No.906/2022

1. Zia-ur-Rahman s/o Sahib Din r/o Mohallah Hakeem Khel, Surizai Payan, Tehsil & District Peshawar, Chowkidar, Ex-FATA Tribunal.
(Petitioner)

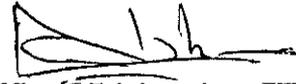
VS

Govt: of Khyber Pakhtunkhwa through Chief Secretary and others

Respondents

AFFIDAVIT

I Mr. Muhammad Ibrahim Section Officer Litigation-III Newly Merged Areas, Home & TA's Department, Peshawar do hereby solemnly affirms and declared that Parawise Comments be submitted by 1,2 & 3 are true and correct to the best of my knowledge and belief and nothing has been concealed from this honorable Court.



**Section Officer Litigation-III
Home & TA's Department, Peshawar**



JOB OPPORTUNITIES

Applications are invited from highly motivated candidates having domicile of Khyber Pakhtunkhwa and newly merged areas against the following vacant posts on regular basis.

No	Name of Post	BPS	No's of Post	Age	Qualification
1	Assistant Moharar/	14	04	18-32	BA/BSc/B.Com & Equivalent w 06 years experience.
2	Key Punch Operator	12	03	18-32	BA/BSc/B.Com & Equivalent
3	Stenographer	12	01	18-32	FA/FSc with Shorthand & typin, Speed up to 40 WPM
4	Junior Clerk	07	04	18-32	FA/FSc or Equivalent with Typing Speed up to 40 WPM
5	Driver	04	04	18-40	Middle pass having "LTV" Driving License
6	Naib Qasid	01	04	18-40	Middle Pass
7	Chowkidar	01	03	18-40	-

Term & Conditions:-

1. Age relaxation in deserving cases can be considered as per Government rules. 2. Only shortlisted candidates will be called for test/interview. 3. No TA/DA will be admissible for test/interview. 4. Application form alongwith attested copies of Testimonials, Experience Certificates, CNIC, Domicile Certificate and a recent photograph should reach on PO Box No. 131 within 15 days of advertisement. 5. Incomplete or applications received after closing date will not be entertained. 6. Government employee should apply through proper channel. 7. The competent authority reserves the right to change the terms & condition, not to fill, increase/decrease vacancies or cancel recruitment process without any reason & errors/omissions are subject to rectification.

Registrar
FATA Tribunal

Attested
Signature
Section Officer (Litigation-III)
Home & TA's Department
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8

Amended: B



OFFICE OF THE
REGISTRAR FATA TRIBUNAL,
PESHAWAR

ORDER

No. R/11/2018-19/1105 dated: 08.03.2019 On Recommendation of the Departmental Selection Committee, the Competent Authority is pleased to appoint Mr. Zia Ur Rahman S/o Sahib Din against the vacant post of Chowkidar BPS-01 (9130-290-17830) in FATA Tribunal at Peshawar under rule 10 sub rule 2 of Civil Servant (Appointment, Promotion and Transfer) Rules 1989 on the following terms and conditions:

Terms & conditions;

1. He will get pay at the minimum of BPS-01 including usual allowances as admissible under the rules. He will be entitled to annual increment as per existing policy.
2. He shall be governed by Civil Servant Act 1973 for purpose of pension or gratuity. In lieu of pension and gratuity, he shall be entitled to receive such amount as would be contributed by him towards General Provident Fund (GPF) along with the contributions made by Govt: to his account in the said fund, in prescribed manner.
3. In case, he wishes to resign at any time, 14 days notice will be necessary and he had thereof, 14 days pay will be forfeited.
4. He shall produce medical fitness certificate from Medical Superintendent/ Civil Surgeon before joining duties as required under the rule.
5. He has to join duties at his own expenses.
6. If he accepts the post on these conditions, he should report for duties within 14 days of the receipt of this order.

REGISTRAR
FATA TRIBUNAL

Copy to:

01. The Accountant General Pakistan Revenues Sub Office, Peshawar.
02. PS to ACS FATA, Peshawar.
03. PS to Secretary Law & Order FATA, Peshawar.
04. PS to Secretary Finance FATA, Peshawar.
05. Personal File.
06. Official Concerned.

Attested
[Signature]
Section Officer (Litigation-III)
Home & TA's Department.

REGISTRAR
FATA TRIBUNAL

9 ANNEX. C

GOVERNMENT OF KHYBER PAKHTUNKHWA
HOME & TRIBAL AFFAIRS DEPARTMENT
KHYBER ROAD PESHAWAR

HD/B&A/FATA Tribunal/55/2021/1520-25

Dated: 25-10-2021

To:

Mr. Zia Ur Rehman
Chowkidar (BPS-03),
Ex-FATA Tribunal.

Subject: SHOW CAUSE NOTICE.

I am directed to refer to the subject noted above and to enclose herewith Show Cause Notice (in original) duly signed by the Competent Authority for your compliance within stipulated time period and further necessary action.

[Signature]
Section Officer (B & A)

Encl: As above

Copy to:

1. PS to Secretary Home & TAs Department Khyber Pakhtunkhwa.
2. PS to Special Secretary Home & TAs Department Khyber Pakhtunkhwa.
3. PS to Additional Secretary (L & O) Home & TAs Department NMAs.
4. PA to Deputy Secretary (L & O) Home & TAs Department NMAs.
5. Section Officer (E-II) Government of Khyber Pakhtunkhwa Establishment Department with reference to his letter No. SOE-II(ED)2(9)2010 dated: 13.09.2021.

[Signature]
Section Officer (Litigation-III)
Home & TA's Department

[Signature]
Section Officer (B & A)

SHOW CAUSE NOTICE

CB

I Mr. Ikram Ullah Khan Secretary Home & Tribal Affairs Department as Competent Authority, under Khyber Pakhtunkhwa Government Servants (Efficiency & Discipline) Rules, 2011, do hereby serve upon you, Mr. Zia Ur Rehman, Chowkidar employees of Ex-FATA Tribunal as follows:-

"That Consequent upon the findings & recommendations of the Inquiry Committee it has been proved that the recruitment process for selection of 24 employees in Ex-FATA Tribunal was unlawful and all 24 appointment orders were issued without lawful Authority and liable to be cancelled".

I am, therefore, satisfied that you have been found guilty of "Misconduct" as specified in rule-3 of Khyber Pakhtunkhwa Government Servants (Efficiency & Discipline) Rules, 2011 read with Rule-2, Sub-Rule (I) (vi) "appointed in violation of law and rules".

2. To, dispense with the Inquiry and serve you with a show cause notice under Rule-7 of the ibid Rules.

3. As a result thereof, I, as Competent Authority, have tentatively decided to impose upon you the following penalty under the Rule-4 of the Khyber Pakhtunkhwa Government Servants (Efficiency & Discipline) Rule, 2011:-

i. Removal from service

4. you are therefore required to show cause as to why the aforesaid penalty should not be imposed upon you and also intimate whether you desire to be heard in person.

5. If no reply to this notice is received within seven days or not more than of fifteen days of this delivery, it shall be presumed that you have no defense to put in, and in that case ex-parte action shall be taken against you.



(IKRAM ULLAH KHAN)
HOME SECRETARY
(Competent Authority)


Section Officer (Litigation-III)
Home & TA's Department

Mr. Zia Ur Rehman,
Chowkidar
Ex-FATA Tribunal

ANNEX-D

To,

Home Secretary,
Khyber Pakhtunkhwa,
Peshawar,

Subject: Reply to the show cause notice dated 25.10.2021.

Respected Sir,

I very humbly submit the following few lines for your kind and sympathetic consideration:

1. That 23 posts including the post of the undersigned i.e. Chowkidar were advertised in daily AJJ and Aeen newspaper dated 09.02.2019 for open competition, being fit and eligible in all respect the undersigned applied for the post of Chowkidar.
2. That after gone all the rigors and selection process i.e interview, the undersigned was duly recommended for the post of Chowkidar and was appointed on the said post vide office order dated 08.03.2019.
3. That since my appointment I performed my duties with great zeal and devotion to the entire satisfaction of my superiors without any complaint whatsoever regarding my performance.
4. That while serving in the said capacity, the undersigned received a show Cause Notice dated 25.10.2021 by leveling false and baseless allegation which was never committed by the undersigned by any malafide intention nor any connection or relation with authority issued my appointment order and even have no relation with the recruitment process, the allegations are the following

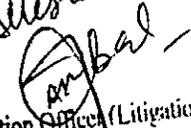
"That consequent upon the findings & recommendations of the inquiry committee it has been proved that the recruitment process for selection of 24 employees in Ex-FATA Tribunal was unlawful and all 24 appointment orders were issued without lawful authority and liable to be cancelled"

I am therefore satisfied that you have been found guilty of "Misconduct" as specified in rule-3 of Khyber Pakhtunkhwa & F.A's Department Government Servants (Efficiency & Discipline) Rules 2011.

Attested
[Signature]

Section Officer (Litigation-III)
& F.A's Department

5. That proper procedure was adopted in the process of recruitment i.e. advertisement, test and interview and the undersigned was appointed on the post after gone all the rigors and selection process provided under the law.
6. That the allegation so leveled against me regarding the misconduct is false and baseless in have never committed any act or omission which could be term as misconduct and the allegations leveled against me does not come in the orbit of misconduct.
7. That there is nothing on the part of undersigned which term as misconduct as undersigned applied for the advertised post while having all the request eligibility criteria and also compete along with all other candidates who applied for the post and when found fit and eligible for the post declare recommended for the post of Chowkidar
8. That the members of Tribunal attended the test and interview on the said date and all the committee members were agreed principally on the selection and recommendation of the selection committee and on such principle on the same date issued the appointment orders and the copy of the recommendation of selection committee was handed over to section officer and further process, and on the same issued when the inquiry officer called upon the selected candidates they given on Oath the statement that they duly appeared before the selection committee.
9. That the so-called inquiry committee called upon all the selected candidate and given Oath regarding the favoritism an nepotism if so made in favor of any of the candidate which they duly replied on oath that no such act of favoritism and nepotism were exist in the present selection process, furthermore none of the member of the selection committee were duly inquired in the matter as all the process was taken place in their presence nor any sort of evidence was taken on record which can proof any of the allegation.

Attested

 Section Officer (Litigation-III)
 Home & TA's Department

10. That the inquiry committee did not associate me with the inquiry proceedings. Not a single witness has been examined during the enquiry in my presence nor I have been given opportunity to cross examine any of the evidence which show my involvement in any malafide action or my eligibility for the post in question.

11. That the undersigned was not even served with a charge sheet and statement of allegation, neither any fact finding nor regular inquiry was conducting which can show any sort of involvement of the undersigned in the requirement process, which is mandatory provision under the law.

12. That the undersigned is a responsible, cautious citizen and cannot even think of the display of the charges leveled against me.

13. That the inquiry committee did not associate me properly with the inquiry proceedings. Not a single witness has been examined during the enquiry in my presence nor I have been given opportunity to cross examine those who may have deposed anything against me during the inquiry.

14. That the undersigned has never committed any act or omission which could be termed as misconduct, I duly performed my duties as assigned with full devotion, zeal and loyalty albeit I have been roped in the instant false and baseless charges.

15. That the charges leveled against me were neither proved during the inquiry proceedings, nor any independent and convincing proof/evidence has been brought against me in the inquiry that could even remotely associate me with the charges, as such the charges remained unproved during the inquiry and the inquiry officer has thus rendered his findings on mere surmises and conjunctures regarding charges, further to add that the so called inquiry was conducted in sajjad ur Rehman registrar case.

16. That the undersigned has at his credit an unblemished and spotless service career, during entire service career, I have never given any chance of complaint whatsoever regarding my performance. I always preferred the interests of the department over and above my personal interests. The proposed penalty if imposed upon me, it would be too harsh and would stigmatized the bright and spotless service record of the undersigned.

Attested
Amjad
Section Officer (Litigation-III)
Home & TA's Department

14

17. That I also desire to be heard in person.

It is, therefore, humbly prayed that on acceptance of this reply the subject Show cause may kindly be dropped and I may be exonerated of the charges leveled against me.

Yours Faithfully,



Zia Ur Rehman

Chowkidar

Ex-FATA Tribunal.



Section Officer (Litigation-III)
Home & TA's Department

14

17. That I also desire to be heard in person.

It is, therefore, humbly prayed that on acceptance of this reply the subject Show cause may kindly be dropped and I may be exonerated of the charges leveled against me.

Yours Faithfully,



Zia Ur Rehman
Chowkidar
Ex-FATA Tribunal.

Admitted
AW/brk
Section Officer (Litigation-III)
Home & TA's Department

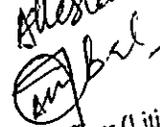
false and baseless allegation which was never committed by the undersigned by any malafide intention nor any connection or relation with authority issued my appointment order and even have no relation with the recruitment process, the allegations are the following

17

"That consequent upon the findings & recommendations of the inquiry committee it has been proved that the recruitment process for selection of 24 employees in Ex-FATA Tribunal was unlawful and all 24 appointment orders were issued without lawful authority and liable to be cancelled'

I am therefore satisfied that you have been found guilty of "Misconduct" as specified in rule-3 of Khyber Pakhtunkhwa Government Servants (Efficiency & Discipline) Rules 2011.

- 5. That the undersigned duly submitted reply to the show cause by denying all the false and baseless allegation leveled against the undersigned.
- 6. That proper procedure was adopted in the process of recruitment i.e. advertisement, test and interview and the undersigned was appointed on the post after gone all the rigors and selection process provided under the law.
- 7. That the allegation so leveled against me regarding the misconduct is false and baseless and have never committed any act or omission which could be term as misconduct and the allegations leveled against me does not come in the orbit of misconduct.
- 8. That there is nothing on the part of undersigned which term as misconduct as undersigned applied for the advertised post while having all the request eligibility criteria and also compete along with all other candidates who applied for the post and when found fit and eligible for the post declare recommended for the post of Chowkidar.
- 9. That the members of Tribunal attended the test and interview on the said date and all the committee members were agreed principally on the selection and recommendation of the selection committee and on such principle on the same date issued the appointment orders

Attested

 Section Officer (Litigation-III)
 Home & TAs Department

was handed over to section officer and further process, and on the same, issued when the inquiry officer called upon the selected candidates they given on Oath the statement that they duly appeared before the selection committee.

10. That the so-called inquiry committee called upon all the selected candidate and given Oath regarding the favoritism an nepotism if so made in favor of any of the candidate which they duly replied on oath that no such act of favoritism and nepotism were exist in the present selection process, furthermore none of the member of the selection committee were duly inquired in the matter as all the process was taken place in their presence nor any sort of evidence was taken on record which can proof any of the allegation.

11. That the inquiry committee did not associate me with the inquiry proceedings. Not a single witness has been examined during the enquiry in my presence nor I have been given opportunity to cross examine any of the evidence which show my involvement in any malafide action or my eligibility for the post in question.

12. That the undersigned was not even served with a charge sheet and statement of allegation, neither any fact finding nor regular inquiry was conducting which can show any sort of involvement of the undersigned in the requirement process, which is mandatory provision under the law.

13. That the undersigned is a responsible, cautious citizen and cannot even think of the display of the charges leveled against me.

14. That the inquiry committee did not associate me properly with the inquiry proceedings. Not a single witness has been examined during the enquiry in my presence nor I have been given opportunity to cross examine those who may have deposed anything against me during the inquiry.

15. That the undersigned has never committed any act or omission which could be termed as misconduct, I duly performed my duties as assigned with full devotion, zeal

Subscribed
[Signature]
Section Officer (Litigation-III)
Home & TA's Department

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and loyalty albeit I have been roped in the instant false and baseless charges.

16. That the charges leveled against me were neither proved during the inquiry proceedings, nor any independent and convincing proof/ evidence has been brought against me in the inquiry that could even remotely associate me with the charges, as such the charges remained unproved during the inquiry and the inquiry officer has thus rendered his findings on mere surmises and conjunctures regarding charges, further to add that the so called inquiry was conducted in sajjad ur Rehman registrar case.

17. That it is pertinent to mentioned here that one Sajjad ur Rehman who was also removed from his service with the allegation that he has no authority/power of appointment, against which he filed service appeal before the honourable Service Tribunal Khyber Pakhtunkhwa Peshawar, which was allowed in favor of sajjad ur Rehman.

18. That the undersigned has at his credit an unblemished and spotless service career, during entire service career, I have never given any chance of complaint whatsoever regarding my performance. I always preferred the interests of the department over and above my personal interests. The penalty of Removal from Service imposed upon me, is too harsh and stigmatized the bright and spotless service record of the undersigned.

19. That the penalty so imposed upon the undersign is illegal unlawful against the law and facts hence liable to be set aside inter alia on the following grounds:

GROUND OF DEPARTMENTAL APPEAL

A. That the undersigned has not been treated in accordance with law hence the rights secured and guaranteed under the law and constitution is badly violated.

B. That no proper procedure has been followed before awarding the major penalty of Removal from service,

Alleged
[Signature]
Section Officer (Litigation-III)
Home & TA's Department

the whole proceedings are thus nullity in the eyes of law.

- 19
- C. That it is pertinent to mentioned here that one Sajjad ur Rehman who was also removed from his service with the allegation that he has no authority/Power of appointment, against which he filed service appeal before the honourable Service Tribunal Khyber Pakhtunkhwa Peshawar, which was allowed in favor of sajjad ur Rehman and he was reinstated into service.
- D. That the undersign has not done any act or omission which can be turned as mis-conduct, thus the undersign cannot be punished for the irregularities if so occurred in the recruitment process.
- E. That the undersign has not been given proper opportunity of personal hearing before awarding the penalty, hence the undersign have been condemned unheard.
- F. That the charges were denied by the undersigned had never admitted, nor there was sufficient evidence available to held the undersigned guilty of the charges.
- G. That the superior courts have in a number of reported judgments held that in case of awarding major penalty of Removal from service regular procedure of holding inquiry cannot be dispensed with that too when the charges are denied by the employee.
- H. That the undersign has never committed any act or omission which could be termed as misconduct the charges leveled against the undersign are false and baseless besides the same are neither probed nor proved albeit the undersign has illegally been removed from service.
- I. That the undersign at his credit unblemished and spotless service career, the penalty imposed upon the undersign is too harsh and is liable to be set aside.

Alister
Section Officer (Litigation-III)
Home & TA's Department

20
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J. That the reply of show cause submitted may also be consider as integral part of the undersign departmental appeal as each and every alleged allegation was rebutted in detail as to probe the matter in question.

K. That the undersign is jobless since his Removal from service.

It is, therefore, humbly prayed that on acceptance of this appeal the order dated 17.01.2022, May please be set aside and the undersigned may kindly be reinstated into service with all back benefits.

Yours Obediently,


Zia Ur Rehman
Chowkidar (BPS-03)
Ex-FATA Tribunal
Peshawar.

15-2-2022

Attested


Warden Officer (Litigation-III)
Home & TA's Department

22 ANNEX 21

GOVT. OF THE KHYBER PAKHTUNKHWA
SERVICE TRIBUNAL PESHAWAR

277
Appeal No. _____ 2021

Khyber Pakhtunkhwa
Diary No. 806
Date: 22/11/2021

Sajjad ur Rehman S/O Haji Yaqoob Jan R/O House No 573, Street
No 28, Sector E-5, Phase 7 Hayatabad Peshawar.

(Appellant)

VERSUS

1. Govt. of Khyber Pakhtunkhwa through Chief Secretary
Secretariat Peshawar.
2. Govt. of Khyber Pakhtunkhwa through Secretary Home & Tribal
Affairs department Civil Secretariat Peshawar.
3. Govt. of Khyber Pakhtunkhwa through Secretary Establishment
Civil Secretariat Peshawar

(Respondents) *

Filed to-day
Registrar
22/11/2021

Appeal under Section 4 of the Khyber
Pakhtunkhwa Service Tribunal Act, 1974,
against the impugned Order dated 10.09.2020
whereby the appellant has been awarded the
major penalty of removal from service. and
against which the departmental appeal dated
25.09.2020 was filed before the competent
authority which is still not responded after laps
of statutory period on 90 days.

Re-submitted to
and filed.
Prayer in Appeal: -

Registrar
12/2/2021

ON ACCEPTANCE OF THIS APPEAL THE
ORDER DATED 10.09.2020, MAY PLEASE
BE SET ASIDE AND THE APPELLANT
MAY KINDLY BE REINSTATED INTO
SERVICE WITH ALL BACK BENEFITS.

Attested
[Signature]
Section Officer (Litigation-III)
Home & TA's Department

ATTESTED
[Signature]
Khyber Pakhtunkhwa
Service Tribunal
Peshawar