

18.05.2023

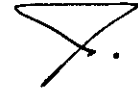
Learned counsel for the appellant present. Mr. Asif Masood Ali Shah, Deputy District Attorney for official respondents present.

Learned counsel for the appellant stated that as certain development has taken place, however he is not in possession of the documents regarding the same, therefore, adjournment may be granted. Adjourned. To come up for arguments on 26.05.2023 before the D.B. Parcha Peshi given to the parties.

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(Muhammad Akbar Khan)
Member (E)



(Salah-ud-Din)
Member (J)

Service Appeal No.7780/2021 titled "Khurshid Khan Vs. Government of Khyber Pakhtunkhwa through Chief Secretary Khyber Pakhtunkhwa and others".


25th May, 2023


1. Learned counsel for the appellant present. Mr. Fazal Shah Mohmand, Additional Advocate General for official respondents No.1 to 3 present. Private respondent is not in attendance, therefore, placed ex-parte.

2. At the very outset learned counsel for the appellant submitted that the appellant had made an application to the department for retirement w.e.f 05.07.2023, which, according to the learned counsel for appellant, was positively processed and the same was lying with the Worthy Chief Minister, Khyber Pakhtunkhwa for final approval. Learned AAG controverted the situation and submitted that the appellant might not be entitled for any relief on his making application for retirement.

3. Be that as it may, even if the application for pre-mature retirement is not approved, admittedly, the appellant is going to attain 60th year of his age in February, 2024 that is not more than a year from today. Therefore, we allow this appeal, as spending less than a year more at the station, would not cause any departmental disrupt nor would that be against the public interest. Consign.

4. ***Pronounced in open Court at Peshawar under our hands and seal of the Tribunal on this 26th day of May, 2023.***


(Fareeha Pami)
Member (E)


(Kalim Arshad Khan)
Chairman