

**ORDER**


12<sup>th</sup> June, 2023

1. Appellant in person present. Mr. Fazal Shah Mohmand, Additional Advocate General for respondents present.

2. Vide our detailed judgement of today placed on file, We hold that the Enquiry Officer had taken pains and had conducted thorough and detailed enquiry wherein he had recorded statements of a number of officers/officials duly associating the appellant with the proceedings, therefore, the same does not suffer from any defect. Yes, the recommendation No.2, referred to above was not taken into consideration by the competent authority while passing the impugned notification, therefore, we, maintain the punishment of removal of the appellant from service and also the recovery of known and ascertained losses. However, the department is at liberty to proceed regarding the recommendation No.2 of the enquiry proceedings but strictly in accordance with law. The appeal is disposed of in the above terms. Costs shall follow the event. Consign.

3. *Pronounced in open court at Peshawar and given under our hands and seal of the Tribunal on this 12<sup>th</sup> day of June, 2023.*

  
(Salah Ud Din)  
Member(Judicial)

  
(Kalim Arshad Khan)  
Chairman

*\*Adnan Shah, P.A\**