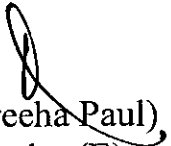


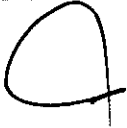
16<sup>th</sup> May, 2023

01. Counsel for the appellant present. Mr. Fazal Shah Mohmand, Addl. Advocate General for the respondents present.

02. The appeal was heard at some length. During the course of arguments, learned counsel for the appellant has produced a copy of judgment of this Tribunal dated 18.01.2022 in Service Appeal No. 5690/2020 titled "Pir Jan Alam Vs. Secretary Health Khyber P:akhtunkhwa Peshawar and others", whereby the then learned Bench had made observations regarding conduct of enquiry on the basis of which the impugned order was passed and converted the punishment of the appellant (of the said appeal) from removal from service to stoppage of two annual increments for two years.


03. We have heard learned counsel for the appellant at certain length and would like to request the learned counsel for the appellant and learned AAG to assist the Tribunal whether in case of a different view or at least if the Tribunal reaches a conclusion in this appeal that inquiry report should be set aside and a denovo enquiry should be conducted, then would there be a need to constitute a larger bench or not? Learned counsel for the appellant and learned AAG should assist the court with some additional points in their mind. To come up for further arguments on 13.06.2023 before the D.B at Peshawar.


  
(Fareeha Paul),  
Member(E)  
Camp Court, D.I.Khan)

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

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

Learned counsel for the appellant present. Mr. Fazal shah Mohmand, Additional Advocate General alongwith Mr. Farooq Khan, Litigation Officer for the respondents present and requested that the question formulated by the Tribunal on the previous date, may be heard alongwith the remaining arguments on the main appeal, therefore, to come up on 13.09.2023 for remaining arguments before the D.B. P.P given to the parties.

  
(Fareeha Paul)  
Member (E)

  
(Kalim Arshad Khan)  
Chairman

*\*Mutazem Shah \**