


## ORDER

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

1. Appellant alongwith his counsel present. Mr. Fazal Shah Mohmand, Additional Advocate General for respondents present.

2. Vide our detailed judgment of today placed in service appeal No. 7079/2021 titled "Fahad Shah versus Secretary Board of Revenue, Government of Khyber Pakhtunkhwa, Peshawar and others" (copy placed in this file), we are constrained to allow these appeals and set aside the impugned orders of the competent authority as well as the appellate authority and remit the matter back to the departmental head i.e. worthy Senior Member Board of Revenue, Khyber Pakhtunkhwa to himself constitute fresh enquiry committee or to refer the matter to the competent authority for such constitution a of enquiry committee for conducting de-novo enquiry also addressing the above questions. The appellants are reinstated for the purpose of de-novo enquiry. The issue of back benefits etc. will be subject to the final outcome of the de-novo enquiry. Copy of this judgment shall also be placed on ~~the~~ <sup>the</sup> ~~connected~~ <sup>connected</sup> appeals. Copy of this judgment be also sent by name to the worthy Chief Secretary, Khyber Pakhtunkhwa for his information. 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 15<sup>th</sup> day of June, 2023.*

  
(Salah Ud Din)  
Member(Judicial)

  
(Kalim Arshad Khan)  
Chairman