

S.No.	Date of order/ proceedings	Order or other proceedings with signature of Judge or Magistrate and that of parties where necessary.
1	2	3
	22 nd June, 2023	<p style="text-align: center;"><u>KHYBER PAKHTUNKHWA SERVICE TRIBUNAL,</u> <u>AT CAMP COURT ABBOTTABAD.</u></p> <p style="text-align: center;">Service Appeal No. 279/2023</p> <p>Rani Nazir Ex-Lady Constable No. 410, District Police Mansehra, resident of Mujahid Abad, Tehsil Buffa, District Mansehra. ... (Appellant)</p> <p style="text-align: center;"><u>Versus</u></p> <ol style="list-style-type: none">1. Provincial Police Officer, Khyber Pakhtunkhwa Peshawar.2. Regional Police Officer, Hazara Region, Abbottabad.3. District Police Officer, Mansehra. <p style="text-align: right;">... (Respondents)</p> <p>Present:</p> <p style="text-align: center;">Mr. Muhammad Aslam Tanoli, Advocate.....For Appellant</p> <p style="text-align: center;"><u>ORDER.</u></p> <p style="text-align: center;"><u>KALIM ARSHAD KHAN CHAIRMAN:-</u> The instant appeal is against the order dated 01.10.2021 passed by the District Police Officer, Mansehra, whereby the appellant was dismissed from service because of her absence for 74 days i.e. from 16.07.2021 to 30.09.2021. Against the order of dismissal passed by the District Police Officer, Mansehra on 01.10.2021, the appellant filed departmental appeal on 16.02.2022, which was filed/decided on 25.02.2022 by the Regional Police Officer, Hazara Division holding the same to be barred by time. Therefore the appellant ought to have filed appeal before this Tribunal within thirty days but she has come to the Tribunal on 06.02.2023 i.e. almost a year</p>



after the order of the Regional Police Officer whereby her departmental appeal was filed. She has filed application for condonation of delay on the grounds that the orders of the departmental authority had been passed in violation and derogation of the statutory provisions of law, departmental rules and regulations governing the terms and conditions of service of the appellant, therefore, she had a recurring cause of action to challenge the same irrespective of time frame. That the appellant had vigorously been pursuing her case and filed the departmental appeal within time. The appellant has failed to point out as to which law, rule or regulation was violated by the respondents. None of the grounds taken in the application for condonation of delay are convincing or plausible or for that matter forwarding any sufficient cause or at the least showing any circumstance beyond the control of the appellant, therefore, the application for condonation of delay could not be considered. Not only the departmental appeal but also the appeal before the Tribunal are barred by time, therefore, this appeal is dismissed accordingly. Consign.

02. *Pronounced in open court in Abbottabad and given under my hand and seal of the Tribunal on this 22nd day of June, 2023.*



(Kalim Arshad Khan)
Chairman
Camp Court Abbottabad

Adnan Shah