

BEFORE THE KHYBER PAKHTUNKHWA SERVICE TRIBUNAL, PESHAWAR

Service Appeal No. 582/2018

Titled Miss Tamam Jan-vs-Medical Superintendent,
DHQ Hospital, Kohat and others.

ORDER

10th July, 2023

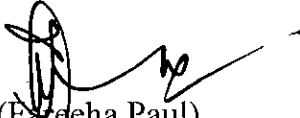
KALIM ARSHAD KHAN, CHAIRMAN: Mr. Muhammad Amin Khattak Lachi, Advocate for the appellant and Mr. Fazal Shah Mohmand, Additional Advocate General for the respondents present.


2. The instant appeal is against the order dated 28.11.2017 whereby on conclusion of an enquiry, the competent authority had stopped two annual increments of the appellant with non-accumulative effect.

03. When confronted with the situation that the impugned order was in violation of Rule 4 clause(ii) of the Khyber Pakhtunkhwa Government Servants (E&D) Rules, 2011 as there no specific period of stoppage of increments was mentioned, learned AAG did not controvert the situation nor learned counsel for the appellant controverted the situation that stoppage of increments with non-accumulative effect would in many manner adversely affect any of the rights of the appellant if the impugned order even passed specifying any period provided under the above rules.

04. In view of the above, instant appeal is disposed of. Costs shall follow the event. Consign.

05. *Pronounced in open court in Peshawar and given under our hands and seal of the Tribunal on this 10th day of July, 2023.*


(Fareeha Paul)
Member (E)


(Kalim Arshad Khan)
Chairman