

SA 335/2019

02<sup>nd</sup> Aug. 2023 01. Mr. Muhammad Saad Wazir, Advocate for the appellant present. Mr. Fazal Shahj Mohmand, Addl. Advocate General for the respondents present. Arguments heard and record perused.

02. Vide our detailed judgment consisting of 06 pages, we feel that the appellant had not been given an opportunity to cross-examine the complainants, the Principal of RTI and other witnesses which is against the spirit of fair trial. The appeal is, therefore, disposed of with the directions to the respondents to conduct denovo inquiry giving a fair opportunity to the appellant to cross examine all the witnesses, the complainants and the Principal RTI, Peshawar, within sixty days of the receipt of this judgment. Costs shall follow the event. Consign.

*Pronounced in open court in Peshawar and given under our hands and seal of the Tribunal on this 02<sup>nd</sup> day of August, 2023.*

  
(FARZEHA PAUL)  
Member (I)

\*Fazle Subhan, P.S\*

  
(RASHIDA BANO)  
Member (J)