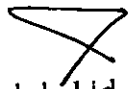


S.A # 1212/2018

21st Aug, 2023

1. Learned counsel for the appellant present. Mr. Muhammad Jan, District Attorney alongwith M/S Abdul Samad, Deputy Director, Dr. Hayat Khan, Assistant Director, Bahraman Khan Assistant Director and Rehman Ullah, ADEO for the respondents present.

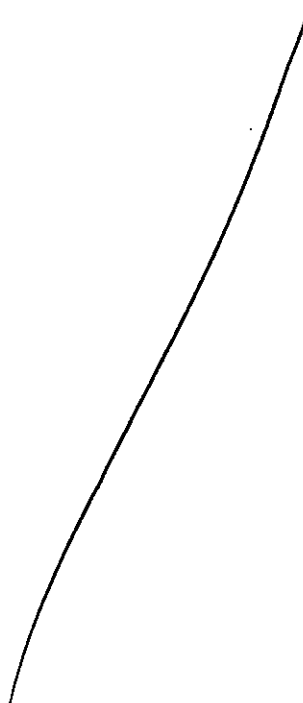
2. Arguments heard. Dr. Hayat Khan, Assistant Director, produced copy of some record/inquiry proceedings. To come up for consideration and order by tomorrow i.e. 22.08.2023 before D.B. P.P given to the parties.


(Salah-Ud-Din)
Member (J)



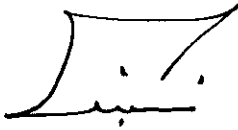
(Kalim Arshad Khan)
Chairman

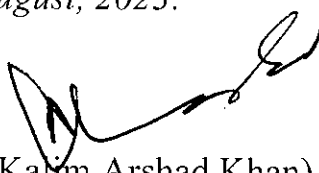
Mutazem Shah



performed duty and for the purpose, directions had been issued to the District Education Officer (Male) Bajaur. However, he requested that the department intended to dig out the facts pertaining to the accusation leveled against the appellant, in the report of DEO (Male) District Khyber, submitted to the Directorate vide No.3870 dated 19.04.2023 and, if found guilty, the appellant might be proceeded under the relevant rules in vogue and appropriate action might be taken within a period of 60 days. Since the main appeal was for release of salaries of the appellant, which had been released as above, therefore, there is nothing more to be resolved by the Tribunal in this appeal. Disposed of accordingly. Consign.

4. *Pronounced in open Court at Peshawar and given under our hands and seal of the Tribunal on this 22nd day of August, 2023.*


(Salah-Ud-Din)
Member (J)


(Kamal Arshad Khan)
Chairman

Mutazem Shah

**Service Appeal No.1212/2018 titled “Lal Badshah Vs. The Director (E&SE)
Department Khyber Pakhtunkhwa, Peshawar and others”**

ORDER

22nd Aug. 2023 **Kalim Arshad Khan, Chairman:** Learned counsel for the appellant, Mr. Muhammad Jan, District Attorney alongwith Dr. Hayat Khan, Assistant Director and Mr. Bahraman Khan, Assistant Director for the respondents present.

2. Brief facts of the case are that appellant while serving as PST at GPS Bar Bara Mastak, Landi Kota, Khyber Agency, submitted an application for his transfer to his home district i.e. District Bajaur which was accepted and he was transferred to District Bajaur. Accordingly, he started performing his duty at District Bajaur. That the appellant requested the respondent No.6 i.e. the District Accounts Officer, Bajaur for release of his salaries, in response of which, the appellant was told that his LPC has not been issued/communicated to the Accounts Office Bajaur. Therefore, he submitted departmental appeal to the respondent No.2 i.e. Director Elementary & Secondary Education Khyber Pakhtunkhwa, which was not responded to, hence, the instant service appeal.

3. At the very outset, learned counsel for the appellant produced copy of salary slip of the appellant for the month of July, 2023 and stated that the salary of the appellant had been released but arrears were yet to be paid. Dr. Hayat Khan, Assistant Director on behalf of the respondents present and produced copy of letter dated 11.05.2023, issued by the Directorate of Elementary & Secondary Education addressed to the District Education Officers (Male) Khyber & Bajaur regarding the matter in hand and stated at the bar that the appellant would also be paid arrears for the period he had