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REGISTERED
No. C.P.3967/2021 - SCJ
SUPREME COURT OF PAKISTAN

Islamabad, dated 06/08/2023

From The Registrar,
Supreme Court of Pakistan,
Islamabad.

To The Registrar,
Khyber Pakhtunkhwa Service Tribunal,
Peshawar.

Subject: **CIVIL PETITION NO. 3967 OF 2021**

Umar Sharif
Versus

The Provincial Police Officer, Khyber Pakhtunkhwa, Peshawar and others

**On appeal from the Judgment/Order of the Khyber Pakhtunkhwa
Service Tribunal, Peshawar dated 15/03/2021 in A.-1467/2018.**

Dear Sir,

I am directed to enclose herewith a certified copy of the Order/Judgment of this Court dated 02/08/2023 dismissing the above cited case in the terms stated therein for information and further necessary action.

Please acknowledge receipt of this letter along with its enclosure immediately.

Encl: Order/Judgment:

Yours faithfully,



(MUHAMMAD MUJAMID MEHMOOD)
ASSISTANT REGISTRAR (IMP)
FOR REGISTRAR

IN THE SUPREME COURT OF PAKISTAN
(Appellate Jurisdiction)

PRESENT:

MR. JUSTICE MUHAMMAD ALI MAZHAR
MS. JUSTICE MUSARRAT HILALI

CIVIL PETITION NO.3967 OF 2021

(On appeal from the judgment dated 15.03.2021
passed by the K.P.K. Service Tribunal, Peshawar,
in Appeal No.1467/2018

Umar Sharif

...Petitioner

VERSUS

The Provincial Police Officer,
Khyber Pakhtunkhwa, Peshawar and others

...Respondents

For the Petitioner:

Mr. Shahid Qayyum Khattak, ASC.
Mr. Muhammad Sharif Janjua, AOR

For the Respondents:

N.R.

Date of Hearing:

02.08.2023

ORDER

Muhammad Ali Mazhar, J.— Through the instant civil petition for leave to appeal, the petitioner assails the judgment dated 15.03.2021, passed by learned Khyber Pakhtunkhwa Service Tribunal (**‘the Tribunal’**), in Appeal No.1467/2018, whereby the appeal was dismissed on the ground that the second departmental appeal was preferred on 04.10.2018 after his release from jail is misconceived as he had already availed the chance of first departmental appeal on 16.06.2017 when he was on bail but no appeal was filed in the Tribunal and there was no provision of filing second departmental appeal under the law.

2. After hearing learned counsel for the petitioner and going through the impugned judgment, we find no substantial question of law of public importance, as envisaged under Article 212(3) of the Constitution of Islamic Republic of Pakistan, 1973, in this petition

ATTESTED



Court Associate
Supreme Court of Pakistan
Islamabad.




which is *sine qua non* to exercise our jurisdiction. Therefore, this petition is dismissed and leave refused.

Self - - - - - 5
Self - - - - - 5



Certified to be True Copy


Court Associate
Supreme Court of Pakistan
Islamabad

"Not approved for reporting"