


03.10.2023

Learned counsel for the appellant present. Preliminary arguments heard.

Learned counsel for the appellant contended that on account of being charged and arrested in case FIR No. 1687 dated 21.11.2018 under sections 302/34 PPC Police Station Gagra, the appellant was suspended from service with effect from 21.11.2018. He next argued that on conclusion of the trial, the appellant was convicted vide judgment dated 07.12.2019 passed by Additional Sessions Judge/Judge Model Criminal Trial Court/IZQ, Buner and in wake of the said conviction, he was dismissed from service on 11.09.2020. He further argued that the appellant challenged his conviction through filing of appeal before Peshawar High Court, Minora Bench, which was allowed vide judgment dated 01.02.2023 and he was acquitted of the charges against him. He next contended that upon acquittal of the appellant, he submitted departmental appeal, which was not responded within the stipulated period, hence the instant appeal.

Points agitated during preliminary hearing need consideration, therefore, the appeal in hand is admitted to regular hearing subject to all legal and valid objections. The appellant is directed to deposit security fee within 07 days. Respondents be summoned through TCS, the expenses of which be deposited by the appellant within Seven days. To come up for written reply/comments on 08.11.2023 before the S.B at Camp Court Swat. Parcha Peshi given to learned counsel for the appellant.


(Salah-Ud-Din)
Member (J)
Camp Court Swat