

Restoration Application No.491/2023 titled "Bilal Ahmad Vs. District Police Officer,
Khyber, and others"

ORDER

11th Oct. 2023

1. Learned counsel for the petitioner present. Mr. Asad Ali Khan, Assistant Advocate General for the respondents present.

2. Learned counsel for the petitioner stated that the petitioner had submitted an application for withdrawal of the appeal with permission to file fresh appeal but the Tribunal had not considered the request and had dismissed the appeal as withdrawn vide order dated 07.06.2023. The learned counsel explained that during the course of arguments before the Tribunal, at that time, the status of the petitioner could not be ascertained as to whether he was or not a civil servant. He stated that the petitioner has now found the record and claims that he was civil servant. Be that as it may, the appeal was dismissed as withdrawn simplicitor and could not be restored by making an application as has been done by the petitioner, therefore, while disposing of this petition holding it to be not maintainable, it is observed that the petitioner is at liberty to seek redressal of the grievance under the law, if any, and if such matter is filed before the Tribunal, that has to be decided in accordance with its own merits and limitation etc. Consign.

3. *Pronounced in open Court at Peshawar and given under my hand and seal of the Tribunal on this 11th day of October, 2023.*


(Kalim Arshad Khan)
Chairman