

6<sup>th</sup> Nov. 2023

1. Learned counsel for the appellant present. Mr. Habib Anwar, Additional Advocate General alongwith Mr. Iftikhar Ahmad, Litigation Assistant for the respondents present.

2. Learned counsel for the appellant has at the very outset submitted that the appellant had not filed departmental appeal to the appellate authority. Learned counsel for the appellant submits that she would advise her client to first file departmental appeal as required by Section-4 of the Khyber Pakhtunkhwa Service Tribunal Rules, 1974 and then to further voice for his grievance. She requests for withdrawal of this appeal to remove the defect and file it again. The appellant is allowed to withdraw this appeal and to file fresh which, if filed will be decided on its own merits subject to limitation etc. Consign.

3. *Pronounced in open court in Peshawar and given under my hand and seal of the Tribunal on this 6<sup>th</sup> day of November, 2023.*

  
(Kalim Arshad Khan)  
Chairman

\*Adnan Shah \*