


27.10.2023 1. Learned counsel for the appellant present. Mr. Asad Ali Khan learned Assistant Advocate General for the respondents present.

2. Learned counsel for the appellant argued that earlier appellant filed service appeal bearing No. 498/18 which was partially accepted wherein major penalty of dismissal from service was converted into minor penalty of stoppage of increments for two years and intervening period was treated as leave without pay, which means that matter was finally decided but respondents again respondents initiated departmental proceedings against the appellant and vide impugned order dated 31.01.2023 again major penalty of dismissal from service was awarded from the date of reinstatement which is discrimination and against principle of natural justice and rules on the subject. Appellant filed departmental appeal which was rejected vide order dated 16.05.2023, hence the instant service appeal was filed on 07.06.2023 under Section 4 of Khyber Pakhtunkhwa Service Tribunal Act, 1974. Points raised need consideration. Instant appeal is admitted for regular hearing subject to all legal objections. The appellant is directed to deposit security fee within 10 days. Written reply/comments have already been submitted. Learned counsel for the appellant submitted rejoinder, which is placed on file. To come up for arguments on 21.12.2024 before D.B. P.P given to learned counsel for the appellant.


(Rashida Bano)
Member (J)