


23.11.2023

1. Learned counsel for the appellant present and argued that the appellant was reinstated into service in light of judgment passed by this Tribunal on 05.07.2018 in service appeal No. 261/2016. He further argued that the authority passed order of reinstatement of the appellant on 17.09.2018 with all back benefits but later on deduction from the appellant was started on the pretext with reinstatement of the appellant with all back benefits is not ordered by this Tribunal. Perusal of order dated 06.07.2018 reveals that intervening period was directed to be treated as leave of the kind due. Appellant challenged order of deduction in departmental appeal on 07.08.2023, which was not responded within statutory period, hence the instant service appeal. 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. Thereafter, notices be issued to respondents for submission of written reply/comments. Respondents be summoned through TCS the expenses of which be deposited by the appellant within 3 days. Adjourned. To come up for written reply/comments on 08.12.2023 before S.B. P.P given to learned counsel for the appellant.

2. Annexed with the appeal there is an application restraining the respondents from the illegal deduction till the disposal of the appeal. Notice of this application be issued to the respondents. In the meanwhile, respondents are directed to stop deduction till the date fixed.

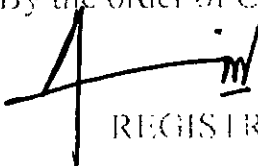

(Rashida Bano)
Member (J)

FORM OF ORDER SHEET

Court of _____

Appeal No. _____

2434/2023

S.No.	Date of order proceedings	Order or other proceedings with signature of judge
1	2	3
1-	20/11/2023	<p>The appeal of Mr. Hamid Ullah presented today by Mr. Kamran Khan Advocate. It is fixed for preliminary hearing before Single Bench at Peshawar on <u>23.11.2023</u>. Parcha Peshai is given to the counsel for the appellant.</p> <p>By the order of Chairman</p> <p> REGISTRAR</p>