

Service Appeal No. 1215/2022 titled “ Niaz Ali Versus Government of Khyber Pakhtunkhwa through Chief Secretary Khyber Pakhtunkhwa Peshawar and others”

ORDER
14.11.2023

MUHAMMAD AKBAR KHAN, MEMBER (E):- Learned counsel for the appellant present. Mr. Asif Masood Ali Shah, Deputy District Attorney for the respondents present. Arguments heard and record perused.

02. At the outset of arguments learned counsel for the appellant presented two similarly placed cases whereby Finance Department waived of the amount drawn in excess in respect of one Mr. Sabihullah, Driver of Health Department for the period beyond the age of superannuation vide No. FD/SOSR-II/6-1/2017 dated 07.01.2019. Similarly in another case vide No. FD (SOSR-II)6-1/2007 dated 25.10.2008 Finance Department waived of the amount drawn for the period of over stay beyond the age of sixty years in respect of one Gul Ahmed. The instant appeal being identical to the aforementioned two cases, we, therefore, direct the respondents to treat the appellant on equal footings by waiving of the amount drawn beyond the age of superannuation for which the appellant actually rendered duty in his parent office. The appeal in hand is disposed off on the above terms. Consign.

03. *Pronounced in open court at Peshawar and given under our hands and seal of the Tribunal on this 14th day of November, 2023.*



(Rashida Bano)
Member (J)



(Muhammad Akbar Khan)
Member (E)