

Service Appeal No.1738/2023

ORDER

4<sup>th</sup> Dec. 2023

**Kalim Arshad Khan, Chairman:** Learned counsel for the appellant present and heard.


2. This appeal is with the prayer that respondents might be directed to implement the order dated 18.10.2017 and reinstate the appellant into service with all back benefits. The order dated 18.10.2017 is a letter found placed at Page-12 of the appeal, issued by the Government of Pakistan, Ministry of States & Frontier Regions, Islamabad addressed to the Deputy Commissioner, Malakand/Commandant Malakand Levies Force, Malakand. The contents of the letter are reproduced below:

*"The undersigned is directed to refer to the subject cited above and to say that Mr. Ghafoor Khan, Regt No.4947 has submitted an appeal for re-instatement in service. The appellant also filed a Writ Petition at Peshawar High Court Dar-ul-Qaza at Swat. The Honorable Court disposed off the case with the directions to the petitioners to submit a departmental appeal before the competent authority i.e. Secretary, SAFRON for sympathetic consideration.*

*It is therefore requested that Mr. Ghafoor Khan may kindly be re-instated into service."*

It is pertinent to mention here that the Government of Pakistan is not made as party in this appeal nor could learned counsel for the appellant convince the Tribunal as to how the Tribunal could implement any direction given by the Ministry of States & Frontier Regions made to the Deputy Commissioner Malakand because it is purely an internal matter of Ministry of States & Frontier Regions and the Deputy Commissioner Malakand, whereas, there is no order of the Tribunal sought to be implemented. Therefore, this appeal is apparently misconceived and is dismissed in limine. Consign.

3. *Pronounced in open Court at Peshawar and given under my hand and seal of the Tribunal on this 4<sup>th</sup> Day of December, 2023.*

  
(Kalim Arshad Khan)  
Chairman