


04.12.2023

1. Learned for the appellant present and contended that for a similar act of receipt of Benazir Income Support Programme, learned District Judge, Timergara absolved the accused Muhammad Saleem Khan, while on the other hand, the appellant was penalized to recovery of the received amount under the programme ibid vide impugned order passed by District & Sessions Judge, Shangla. The appellant being similarly placed civil servant could not be treated with discrimination. The appeal is admitted to regular hearing subject to all just and legal objections. Appellant is directed to deposit security and process fee within 10 days. Thereafter, notices be issued to the respondents for submission of written/comments. To come up for written reply/comments 02.01.2024 before S.B at camp court, Swat. P.P given to parties.

2. Alongwith the appeal there is an application for suspension of operation of impugned order. Notice of the application be given to the respondents. In the meanwhile, the disputed amount shall not be recovered from the appellant.

  
(Rashida Bano)  
Member (J)  
Camp Court, Swat