

**Service Appeal No. 906/2022 titled "Zia ur Rehman Versus Government of Khyber Pakhtunkhwa through Chief Secretary Civil Secretariat Peshawar and others"**

**ORDER**

15.11.2023

**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. The instant service appeal relates to the earlier Service appeals bearing No. 774/2022 titled "Reedad Khan Versus The Chief Secretary, Government of Khyber Pakhtunkhwa, Civil Secretariat Peshawar & others", Service Appeal bearing No. 775 titled "Samiullah Versus The Chief Secretary, Government of Khyber Pakhtunkhwa, Civil Secretariat Peshawar & others", Service Appeal bearing No. 776/2022 titled "Kafil Ahmad Versus The Chief Secretary, Government of Khyber Pakhtunkhwa, Civil Secretariat Peshawar & others", Service Appeal bearing No. 777/2022 titled "Ikram Ullah Versus The Chief Secretary, Government of Khyber Pakhtunkhwa, Civil Secretariat Peshawar & others", Service Appeal bearing No. 778/2022 titled "Sadiq Shah Versus The Chief Secretary, Government of Khyber Pakhtunkhwa, Civil Secretariat Peshawar & others", Service Appeal bearing No. 779/2022 titled "Muhammad Adnan Versus The Chief Secretary, Government of Khyber Pakhtunkhwa, Civil Secretariat Peshawar & others", Service Appeal bearing No. 780/2022 titled "Asad Iqbal Versus The Chief Secretary, Government of Khyber Pakhtunkhwa, Civil Secretariat Peshawar & others", Service Appeal bearing No. 781/2022 titled "Muhammad Shoaib Versus The Chief Secretary, Government of



Khyber Pakhtunkhwa, Civil Secretariat Peshawar & others”, Service Appeal bearing No. 782/2022 titled “ Adnan Khan Versus The Chief Secretary, Government of Khyber Pakhtunkhwa, Civil Secretariat Peshawar & others”, Service Appeal bearing No. 783/2022 titled “Muhammad Awais Versus The Chief Secretary, Government of Khyber Pakhtunkhwa, Civil Secretariat Peshawar & others”, Service Appeal bearing No. 784/2022 titled “Nasir Gul Versus The Chief Secretary, Government of Khyber Pakhtunkhwa, Civil Secretariat Peshawar & others”, Service Appeal bearing No. 802/2022 titled “Mohsin Nawaz Versus The Chief Secretary, Government of Khyber Pakhtunkhwa, Civil Secretariat Peshawar & others”, Service Appeal bearing No. 811/2022 titled “Tahir Khan Versus The Chief Secretary, Government of Khyber Pakhtunkhwa, Civil Secretariat Peshawar & others”, Service Appeal bearing No. 812/2022 titled “Ziafat Ullah Khan Versus The Chief Secretary, Government of Khyber Pakhtunkhwa, Civil Secretariat Peshawar & others”, Service Appeal bearing No. 813/2022 titled “Faheem Shahzad Versus The Chief Secretary, Government of Khyber Pakhtunkhwa, Civil Secretariat Peshawar & others”, Service Appeal bearing No. 814/2022 titled “Muhammad Shoaib Versus The Chief Secretary, Government of Khyber Pakhtunkhwa, Civil Secretariat Peshawar & others”, Service Appeal bearing No. 815/2022 titled “Ikram Ullah Versus The Chief Secretary, Government of Khyber Pakhtunkhwa, Civil Secretariat Peshawar & others”, Service Appeal bearing No. 816/2022 titled “Khair Ul Bashar Versus The Chief Secretary, Government of Khyber Pakhtunkhwa, Civil Secretariat Peshawar & others”, Service Appeal bearing No. 817/2022 titled



“Naveed Ahmad Versus The Chief Secretary, Government of Khyber Pakhtunkhwa, Civil Secretariat Peshawar & others” & Service Appeal bearing No. 818/2022 titled “Bahar Ali Versus The Chief Secretary, Government of Khyber Pakhtunkhwa, Civil Secretariat Peshawar & others”, which have been heard and decided by this Tribunal vide detailed judgment dated 03.03.2023. The appellant alongwith twenty three other persons were appointed in the erstwhile FATA Tribunal who was removed from service vide order dated 17.01.2022. The appeal of twenty other similarly placed employees was decided by the Tribunal on 03.03.2023. Operating Para of the judgment is reproduced below;

*For what has been discussed above, we hold that the appellants have not been treated in accordance with law and thus the impugned orders are not sustainable. On acceptance of all these appeals we set aside the impugned orders and direct reinstatement of all the appellants with back benefits.*

*Costs shall follow the event. Consign.*

03. Since respondents in the instant appeal, facts and legal points raised are the same, therefore, the instant appeal is also accepted and the impugned orders are set aside directing the respondents to reinstate the appellant with back benefits. Costs shall follow the event. Consign.

04. *Pronounced in open court at Peshawar and given under our hands and seal of the Tribunal on this 15<sup>th</sup> day of November, 2023.*

  
(Rashida Bano)  
Member (J)

  
(Muhammad Akbar Khan)  
Member (E)