24.10.2023 1. Learned counsel for the appellant present. Mr. Asad Ali Khan learned Assistant Advocate General for the respondents.

2. Learned counsel for the appellant argued that vide impugned order dated 05.07.2010 appellant was awarded major penalty of dismissal from service without adopting legal procedure by conducting regular inquiry. He further argued that appellant was proceeded against under RSO 2000, which is not applicable to the appellant being police employee because appellant will have to be dealt with under Police Rules, 1975 which have over writing effect being special law. He further argued that in RSO 2000 E&D Rules, 1973 was suspended not Police Rules 1975, therefore, he termed impugned order as void order by arguing that limitation will not run against the impugned void orders. Points raised need consideration, therefore, appeal is admitted for regular hearing subject to all legal objections. Appellant is directed to deposit security fee within 10 days. Written reply on behalf of respondents submitted which is placed on file. A copy of the same is handed over to the learned counsel for the appellant. To come up for arguments on 08.02.2024 before D.B. P.P given to learned counsel for the appellant.



(Rashida Bano)
Member (J)

*KaleemUllah*

8/2/24 Due to public Holiday (Elections) the Case is adjourned to 23/5/24.

Reader