

SA 328/2023

18th Mar. 2024 01. Miss Roeda Khan, Advocate for the appellant present. Mr. Muhammad Jan, District Attorney for the respondents present. Arguments heard and record perused.


02. Vide our detailed judgment consisting of 05 pages, in connected service appeal No. 165/2023, titled "Sher Khan Versus Government of Khyber Pakhtunkhwa through Secretary E&SE, Peshawar and others" we are of the view that necessary procedure under the Khyber Pakhtunkhwa Government Servants (Efficiency & Discipline) Rules 2011 had to be followed before awarding the major penalty. The case is, therefore, referred back to the respondent department to reinstate the appellant in service for the purpose of inquiry, conduct a formal inquiry by serving proper charge sheet and statement of allegations as per rules, and associate him in the inquiry. The entire process of inquiry shall be completed within sixty days of the receipt of copy of this judgment. Issue of back benefits is subject to the outcome of inquiry. Cost shall follow the event. Consign.

03. *Pronounced in open court in Peshawar and given under our hands and seal of the Tribunal this 18th day of March, 2024.*


(FAREEHA PAUL)

Member (E)

Fazle Subhan, P.S


(RASIHDA BANO)
Member (J)