

01.02.2023

Learned counsel for the appellant present and argued that appellant was taken into custody by the secret agency on 21.07.2016 as a result he was removed from service vide order dated 21.12.2016. He further argued that appellant was handed over to the police of Police Station Kalo Khan on 18.01.2021 vide D.D No.4. After which appellant was reinstated into service nu the respondents on 14.08.2022. He further argued that appellant filed application for consideration his absence/intervening period into leave of kind due which was rejected vide impugned order dated 22.05.2023, which is against the rules and principle of natural justice. He further argued that absence of the appellant was not wilfull rather he was in the clutches of agency as he was not in gainful business during this period. Appellant filed departmental appeal which was not responded to, hence the instant service appeal. Points raised need consideration. 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. Respondents be summoned through TCS the expenses of which be deposited by the appellant. To come up for written reply/comments 08.03.2024. P.P given to learned counsel for the appellant.



(Rashida Bano)
Member (J)

SCANNED
KPS
Peshawar

08.03.2024 1. Learned counsel for the appellant present. Mr. Habib Anwar, Additional Advocate General alongwith Mr. Fazal Hadi, Assistant for the respondents present.

2. Reply/comments on behalf of respondents not submitted. Representative of the respondents requested for time to submit reply/comments. Granted. To come up for reply/comments on

18.04.2024 before S.B. P.P given to the parties.



(Muhammad Akbar Khan)
Member (E)

kamranullah

18.04.2024 1. Learned counsel for the appellant present. Mr. Arshad Azam learned Assistant Advocate General alongwith Fazal Hadi, ADEO for the respondents present.

2. An application received through office on behalf of Secretary Elementary & Secondary Education for deletion of his name from the panel of respondents being unnecessary party. Learned counsel for the appellant has no objection, therefore, Secretary Elementary & Secondary Education is deleted from the panel of respondents.

Office is directed to make entry in the memo of appeal with red ink.

Written reply on behalf of respondents not submitted.

Representative of respondent sought time for submission of the

same. Last chance is given. To come up for written reply/comments

on 15.05.2024 before S.B. P.P given to parties.



(Rashida Bano)
Member (J)

Kaleemullah