


03. So far application for requisition of PER of the appellant from respondent No 3 is concerned as PER of the appellant has no concern with the matter involved in the instant appeal therefore, this application is rejected. File to come up record and arguments on 06.05.2024. P.P given to the parties.


(Fareeha Paul)
Member (E)


(Rashida Bano)
Member (J)

17.04.2024

01. Learned counsel for the appellant present. Mr. Muhammad Jan, District Attorney for the respondent present.

02. Appellant submitted two application one for requisition summoning inquiry file conducted against Mr. Nasir Kamal Ex-ADJ from respondent No 2 and other for requisition of PER of the appellant from respondent No 3. Record reveals that appellant was issued with charge sheet on 12.10.2019 and statement on the allegation that "during disciplinary proceedings against Mr. Nasir Kamal Ex-ADJ, LakkiMarwat, before Peshawar High Court, Peshawar, the complainant had produced audio recordings which revealed that you acted as an intermediary/ agent between the litigants, and Ex-Judicial Officer and he (Ex-judicial officer) used your cell phone number for conversation with litigants" during pendency he was proceeding against and vide the impugned order dated 06.07.2020 major penalty of dismissal from service was awarded to the appellant. Inquiry /disciplinary proceeding conducted against Mr. Nasir Kamal Khan Ex- AD & SJ LakkiMarwat was the basis of initiating disciplinary proceeding against the appellant which resulted into his dismissal from service therefore in our humble view file of the said disciplinary proceeding is necessary for just decision of the appeal in hand, hence application filed for requisition of the record of disciplinary proceeding conducted against Mr. Nasir Kamal Ex-ADJ is accepted and representative of the respondent is directed to produce the same.

