

06.05.2024 1. Learned counsel for the appellant present. Mr. Muhammad Jan, District Attorney alongwith Faiz Ali Shah. ASI for the respondents present.

2. Petitioner through instant application seek amendment in his appeal which was filed on 23.02.2023 against order dated 18.09.2020 whereby major penalty of dismissal from service was imposed upon petitioner. Petitioner filed departmental appeal which was not decided till institution of service appeal within statutory period of 90 days. Respondent now submitted comments/reply wherein they mentioned that appellate authority partially accepted departmental appeal of the appellant by converting major penalty of dismissal from service into compulsory retirement vide order dated 15.12.2023. Therefore, appellant seek amendment in his appeal to this extent. As this development i.e conversion of dismissal from service into compulsory retirement is happened during pendency of appeal and order was passed by appellate authority which is continuation of earlier order of dismissal from service against which no second appeal lie under the rules. therefore, instant application is accepted and appellant is directed to submit amended appeal at principal seat Peshawar within a fortnight and also deposit TCS expenses within three days, thereafter notices be issued to the respondents for written reply. Adjourned. File to come up written reply on amended appeal on 03.06.2024 before S.B at camp court swat. Parcha Peshi given to the parties.



(Rashida Bano)  
Member (J)  
Camp Court, Swat