

S.No.	Date of order/ proceedings	Order or other proceedings with signature of Judge or Magistrate and that of parties where necessary.
1	2	3
	6 <sup>th</sup> June, 2024	<p style="text-align: center;"><b><u>KHYBER PAKHTUNKHWA SERVICE TRIBUNAL,</u></b> <b><u>PESHAWAR.</u></b></p> <p style="text-align: center;"><b>Service Appeal No. 498/2024</b></p> <p>Muhammad Akram Khan S/O Kher Muhammad R/O Hadd abanda, Tehsil Takhti Nasrati, District Karak. Presently at House No. 511, Sector F/8 opposite to Quaid-e-Azam School, double Road, Phase 6, Hayatabad, Peshawar. ... (Appellant)</p> <p style="text-align: center;"><u>Versus</u></p> <ol style="list-style-type: none"><li><b>The Director</b>, Khyber Pakhtunkhwa at GT Road, Peshawar.</li><li><b>District Education Officer (M)</b>, Kohat.</li><li><b>District Education Officer (M)</b>, Karak.</li></ol> <p style="text-align: right;">... (Respondents)</p> <p style="text-align: center;"><b><u>JUDGMENT.</u></b></p> <p style="text-align: center;"><b><u>KALIM ARSHAD KHAN CHAIRMAN:-</u></b> Appellant</p> <p>alongwith his counsel present and heard.</p> <p>02. Brief facts of the case are that the appellant was appointed as SV (Senior Vernacular) in the respondent-department on 01.09.1970; that the appellant performed duty till 1978 but due to some personal matters, the appellant submitted an application for leave, which was rejected; that the appellant, then, due to unavoidable circumstances, remained absent from duty; that show cause notice was issued to the appellant, with further departmental proceedings against the appellant; that the appellant was lastly absolved of the charges of absence and his service was restored; that the appellant was reappointed as CT in the year 1988 and performed his duties till 1996; that the appellant submitted an application to the Divisional Director, wherein he requested for leave without pay w.e.from 06.07.1978 to 12.04.1988 for regularization of service;</p>

That on 12.10.2016, he submitted an application to the Director Education for grant of pension gratuity and other emoluments which was not responded, and then he filed this appeal on 26.03.2024 before this Tribunal.

3. According to the appellant, he was appointed in the year 1970 and had performed duty till 1978. That the appellant was reappointed in the year 1988 and had been performing duties till 1996. That on 06.07.1978, he moved an application to the Divisional Director, wherein he requested for leave without pay w.e.from 06.07.1978 to 12.04.1988 for regularization of service. That on 12.10.2016, he submitted an application to the Director Education for grant of pension gratuity and other emoluments but filed appeal before this Tribunal on 26.03.2024, whereas he was supposed to file appeal before the Tribunal within thirty days after waiting for ninety days of filing the departmental appeal. This being so, this appeal being hopelessly barred by time, is dismissed in limine. Consign.

04. *Pronounced in open court in Peshawar and given under my hand and seal of the Tribunal on this 6<sup>th</sup> day of June, 2024.*



(Kalim Arshad Khan)  
Chairman

\*Adnan Shah, P.A.\*