

Service Appeal No.1767/2020 titled "Yadullah Khattak Vs. Government of Khyber Pakhtunkhwa"

ORDER


5th June. 2024 **Kalim Arshad Khan, Chairman.** Appellant in person present.

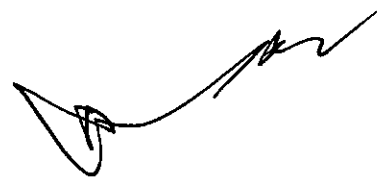
Mr. Asif Masood Ali Shah, Deputy District Attorney alongwith Mr. Abdul Rasheed, Superintendent for the respondents present.

2. Vide the earlier judgment dated 16.10.2019, the matter was remanded to the respondents to decide the departmental appeal of the appellant through a well-reasoned and speaking order within a period of sixty days from the date of receipt of the judgment. The departmental appeal was to be decided by the Chief Secretary to Government of Khyber Pakhtunkhwa, Peshawar, as it was made to him, but the order has been passed by the Senior Member Board of Revenue on 05.12.2019, impugned therein.

3. As the departmental representation, which ought to have been decided by the Chief Secretary Khyber Pakhtunkhwa, was decided by the SMBR, therefore, we send the matter back to the Chief Secretary Khyber Pakhtunkhwa for decision of the departmental appeal of the appellant, within 60 days. Costs shall follow the event. Consign.

4. *Pronounced in open Court at Peshawar under our hands and seal of the Tribunal on this 5th day of June, 2024.*


(Faheeha Paul)
Member (E)


(Kalim Arshad Khan)
Chairman