

S.A No.532/2020

ORDER

5th July. 2024

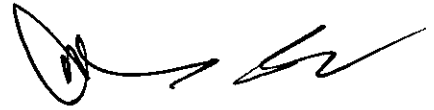
1. Learned counsel for the appellant present. Mr. Asif Masood Ali Shah, Deputy District Attorney for official respondents present. Private respondent No.5 present through counsel. Heard.

2. Vide our consolidated judgment of today placed on file of connected Service Appeal No.531/2020 titled "Inayat Ullah Vs. Government of Khyber Pakhtunkhwa", we allow this appeal and hold that orders passed by the Additional Commissioner were not passed by the appellate authority, therefore, remit this matter to the Commissioner Mardan Division, Mardan for passing order on the departmental appeal of the private respondent No.5. Needless to say that the orders passed in pursuance of the appellate order would have no value. The Commissioner may pass appropriate orders in accordance with law and rules, within 60 days of the receipt of the judgment. Costs shall follow the event. Copy of this judgment be placed on file of connected appeal. Consign.

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



(Rashida Bano)
Member (J)



(Kalim Arshad Khan)
Chairman