

Tribunal. Otherwise too, inquiry is in respect of factual controversy which requires adequate time to probe into the matter. Appellant was associated with the inquiry due which after participating in the inquiry he cannot challenge it.

5. In my humble view, order of this Tribunal is complied with and fully implemented and there is no need in the particular circumstances of the case in hand to reinstate the petitioner with all back benefits merely on technical ground as there is slight delay in conducting and concluding inquiry within period of 60 days by this Tribunal. However, petitioner is at liberty to challenge that order to the extent of all back benefits in accordance with law subject to all legal objections, if so advised. File be consigned to record room.

6. *Pronounced in open Court at Abbottabad and given under my hand and seal of the Tribunal on this 22nd day of July, 2024.*



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

Kaleemullah

E.P No.206/2024 in S.A No. 312/2022

ORDER

22.07.2024 **MR. RASHIDA BANO, MEMBER (J)**: Learned counsel for the petitioner present. Mr. Arshad Azam, Assistant Advocate General alongwith Mr. Ihsan Ullah, ADEO for the respondents present.

2. Representative of respondent submitted a copy of notification bearing Endst. No. 1867-75 dated 27.05.2024, vide which the petitioner has been reinstated into service from the date of removal from service and she was adjusted against the vacant post of PST BPS-12 at GGPS Sehri Jehanzeb with immediate effect.

3. Perusal of notification dated 27.01.2024 reveals that after receiving copy of the judgment dated 11.12.2023 of this Tribunal, DEO (F) Battagram vide letter bearing No. 4302 dated 28.12.2023 requested the Director, Elementary & Secondary Education Department, Peshawar for appointment of inquiry officer as a consequence of which DEO(F) Swat was appointed as inquiry officer on 02.05.2024 who conducted the enquiry and submitted report on 18.05.2024 as a result of which order dated 27.05.2024 was issued. Learned counsel for petitioner argued that direction of this Tribunal was not complied within the statutory period of sixty days, therefore, respondents were required to reinstate the petitioner with all back benefits.

4. Arguments of learned counsel for the petitioner have no force because process of denovo inquiry was initiated by DEO (F) Swat on 28.12.2023 which is within time limit given by this

