


orders, which is missing in the instant appeal.

5. In view of the above finding, the appeal in hand is not maintainable and is dismissed in *limine*. Consign.

6. *Pronounced in open court at Peshawar and given under my hand and seal of the Tribunal on this 11<sup>th</sup> day of September, 2024.*

  
(MUHAMMAD AKBAR KHAN)  
MEMBER (E)

*\*Kamranullah\**

Service Appeal No. 1152/2024 titled "Dr. Wazir Khan Versus The Government of Khyber Pakhtunkhwa through Chief Secretary Khyber Pakhtunkhwa, Peshawa & others"

**ORDER**

11.09.2024 **MUHAMMAD AKBAR KHAN, MEMBER (E)**:- Mr. Farooq

Mohmand, Advocate for the appellant present. Preliminary arguments heard and available record perused which reveal that on the basis of complaint lodged against the appellant the respondent department through Notification dated 28.12.2023 initiated fact finding inquiry against the appellant. Feeling aggrieved from the impugned Notification dated 28.12.2023 the appellant approached the Hon'ble Peshawar High Court, Peshawar which was returned on the ground of jurisdiction vide objection dated 19.07.2024 & 23.07.2024, hence the present service appeal before the Tribunal.

2. Scrutiny of record available in the case file reveal that the appellant has approached this Tribunal without challenging any original or appellate order, as there is no order on file indicating the appellant's grievance. Section 4 of the Khyber Pakhtunkhwa Service Tribunal Act, 1974, mandates that an appeal must be filed against a specific order. Section-4 of the Khyber Pakhtunkhwa Service Tribunal, Act 1974 is reproduced as below:-

**Appeal to Tribunal.**--- *Any civil servant aggrieved by any final order, whether original or appellate, made by a departmental authority in respect of any of the terms and conditions of his service may, within thirty days of the communication of such order to him.*

3. The appellant's case does not fall within the ambit of Section 4 of the Khyber Pakhtunkhwa Service Tribunal Act, 1974, as he has approached this Tribunal without challenging any original or appellate order. Section 4 explicitly states that an appeal must be filed against a specific order, which is absent in this case. The Tribunal's jurisdiction is limited to appeals filed against specific final