



also shows that the appellant had gone abroad without any NOC departmental permission or Ex-Pakistan leave.

5. Keeping in view the above situation, instant service appeal is dismissed with costs. Consign.

6. *Pronounced in open Court at Abbottabad and given under our hands and seal of the Tribunal on this 25th day of September, 2024.*


(Farzeha Paul)
Member (E)


(Kalim Arshad Khan)
Chairman

Mutazem Shah

Service Appeal No.880/2022 titled "Azam Shahzad Vs. Government of Khyber Pakhtunkhwa"

ORDER

25th Sept. 2024

Kalim Arshad Khan, Chairman: Learned counsel for the appellant present. Mr. Asif Masood Ali Shah, Deputy District Attorney for the respondents present.

2. Appellant's case, as reflected from the available record of the appeal, is that he was serving in the Police Department as Constable; that in order to meet the financial needs, he applied for leave and proceeded abroad i.e. Qatar; that upon return from abroad, he approached the department for joining duties, wherein, he was informed regarding the impugned order of dismissal from service dated 21.12.2020; that feeling aggrieved, he filed departmental appeal on 30.06.2021 but the same was turned down, hence, the instant service appeal.

3. Arguments heard. Record perused.

4. Record shows that the appellant went abroad and was of the view that his leave application might have been accepted, while he was granted only 30 days leave. Resultantly, on the ground of absence, he was dismissed from service on 21.12.2020. Firstly, he filed departmental appeal on 30.06.2021 and kept mum and again moved an application on 26.04.2022. There is an application found placed on file which shows that the appellant had applied for two years Ex-Pakistan leave. Strange enough to note that for the purpose of construction of house, he filed Ex-Pakistan leave. The application is neither signed nor any date has been put on the same. The record