

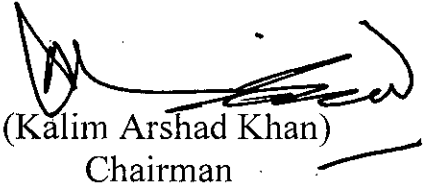
the Inspector General of Prisons, Khyber Pakhtunkhwa, Peshawar on 31.08.2020, which was communicated to the appellant vide letter dated 09.08.2020, but he had filed the appeal before the Tribunal on 11.06.2021. Although, in the "Ground-H" of the appeal, it has been agitated that the appellant had received the order from the office on 08.06.2021, but there is no supporting document regarding the contention of the appellant, so that the appeal could be held to have been filed within time.

6. In view of the above, instant service appeal, being barred by time, is dismissed with costs. Consign.

7. *Pronounced in open Court at Peshawar and given under our hands and seal of the Tribunal on this 4<sup>th</sup> day of October, 2024.*



(Rashida Bano)  
Member (J)



(Kalim Arshad Khan)  
Chairman

Service Appeal No.6581/2021 titled "Imdad Ullah versus Government of Khyber  
Pakhtunkhwa"

ORDER

4<sup>th</sup> Oct. 2024

**Kalim Arshad Khan, Chairman:** Learned counsel for the appellant present. Mr. Naseer Ud Din Shah, Assistant Advocate General for the respondents present.

2. Appellant's case in brief, as per averments of appeal, is that he appointed as Warder in the Prisons Department (BPS-05) and was posted at Central Prison Mardan; that while serving, he fell ill and remained unable to attend the duties; that being reported as absent, vide order dated 14.05.2020, he was removed from service; that feeling aggrieved, he filed departmental appeal but the same was rejected, hence, the instant service appeal.

3. Arguments heard. Record perused.

4. The appellant was appointed as a Warder in the Prisons Department (BPS-05) and assigned to Central Prison Mardan. During his tenure, he encountered health issues that rendered him unable to fulfill his duties. Consequently, he was marked absent and subsequently removed from service by order dated 14.05.2020. The appellant's grievance stems from this removal, which he contends was unjust given his circumstances. Despite filing a departmental appeal to contest the decision, his appeal was rejected, prompting the current service appeal.

5. Vide impugned order, he was removed from service on 14.05.2020 by the Superintendent Circle Headquarters, Prison Mardan, against which, appeal has been filed which was rejected by

