

Service Appeal No.2548/2023 titled "Imran versus Police Department"

ORDER

10th 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 was appointed as Constable in the Police Department; that while serving, vide order dated 10.10.2022 he was dismissed from service on the allegation of extortion of money from Cargo Trucks and assaulting a truck Driver; that he submitted departmental appeal, which was rejected on 27.02.2023; that he filed revision petition on 07.03.2023 which was decided by reinstating him in service and intervening period was treated as leave without pay by not holding entitled for back benefits, hence, the instant service appeal.

3. Arguments heard. Record perused.


4. Record shows that the appellant he was appointed as a Constable in the Police Department but faced serious allegations leading to his dismissal on October 10, 2022, specifically regarding extortion from cargo trucks and assaulting a truck driver. Following his dismissal, the appellant submitted a departmental appeal; however, it was rejected on February 27, 2023. Subsequently, he filed a revision petition before the Inspector General of Police, Khyber Pakhtunkhwa, Peshawar on March 7, 2023, which resulted in his reinstatement into service. Notably, the decision treated the intervening period as leave without pay and denied him back

benefits. This situation has led the appellant to file the current service appeal.

5. The revision petition of the appellant was regretted vide order dated 07.03.2023 while the appellant has filed the instant service appeal on 27.11.2023 i.e. after passage of more than eight months. As per Section-4 of the Khyber Pakhtunkhwa Service Tribunal Act, 1974 the appellant ought to have approached this Tribunal within 30 days of the appellate order.

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 10th day of October, 2024.*


(Fareeha Paul)
Member (E)


(Kalim Arshad Khan)
Chairman

Mutazem Shah