

KHYBER PAKHTUNKHWA SERVICE TRIBUNAL

Restoration Application No.1331/2024 of, and order in Service Appeal No.921/2024 titled "Inam Ullah versus Police Department"

S.No. of Order & Date of proceeding	Order or other proceedings with signature of Chairman/Member(s)/Registrar and that of parties or counsel where necessary
Order-02 11 th November, 2024.	<p><u>Kalim Arshad Khan, Chairman</u></p> <p>Present:</p> <p>Mr. Muhammad Ayaz Khan, Advocate, on behalf of applicant.</p> <p>Arguments on the restoration application as well as main service appeal No.921/2024 were heard.</p> <p>2. Restoration application being filed within time by the appellant, is accepted and the main appeal stands restored on its original number.</p> <p>3. Appellant was serving as Constable and later on, was appointed as Junior Clerk in the Police Department on 05.04.2017; that due to the issue of militancy, he allegedly remained unable to attend the training program; that he was issued show cause notice for 29 days absence from training and resultantly vide impugned order dated 31.05.2018, he was dismissed from service; that feeling aggrieved, he filed departmental appeal on 22.08.2023, which was rejected on 07.09.2023, hence, the instant service appeal.</p> <p>4. Arguments heard. Record perused.</p> <p>5. It appears that impugned order of dismissal of the appellant from service was passed on 31.05.2018 against which the appellant preferred departmental appeal on 22.08.2023 i.e. after passage of almost five years, which as per Section-4 of the Khyber Pakhtunkhwa Service Tribunal Act,</p>

1974, is beyond the period of limitation. The appellant counsel not explained the delay.

6. In view of above, instant service appeal, being barred by time, stands dismissed in limine. Consign.

7. *Pronounced in open Court at Peshawar and given under my hand and the seal of the Tribunal on this 11th day of November, 2024*



(Kalim Arshad Khan)
Chairman

Mutazem Shah

MEMO OF COSTS
KHYBER PAKHTUNKHWA SERVICE TRIBUNAL, PESHAWAR

Service Appeal No.921/2024

Date of presentation of Appeal 13.05.2024
Date of hearing 11.11.2024
Date of Decision 11.11.2024

Inam Ullah, S/O Shakir Ullah R/O Tarkha Akbarpura, Tehsil Pabbi, district Nowshera.....(*Appellant*)

Versus

1. Superintendent of Police, (Investigation) District Police, Nowshera.
2. District Police Officer, Nowshera.....(*Respondents*)

SERVICE APPEAL UNDER SECTION 4 OF THE KHYBER
PAKHTUNKHWA SERVICE TRIBUNAL ACT, 1974.


PRESENT

Mr. Muhammad Ayaz Khan, Advocate, for the Appellant

Appellants	Amount	Respondent	Amount
1. Stamp for memorandum of appeal	Rs. Nil	1. Stamp for memorandum of appeal	Rs. Nil
2. Stamp for power	Rs. Nil	2. Stamp for power	Rs. Nil
3. Pleader's fee	Rs. Nil	4. Pleader's fee	Rs. Nil
4. Security Fee	Rs. Nil	4. Security Fee	Rs. Nil
5. Process Fee	Rs. Nil	5. Process Fee	Rs. Nil
6. Costs	Rs. Nil	6. Costs	Rs. Nil
Total	Rs. Nil	Total	Rs. Nil

Note: Counsel Fee is not allowed as the required certificate has not been furnished.

Given under our hands and the seal of this Court, this 11th day of November, 2024.


Kalim Arshad Khan
Chairman