

BEFORE SERVICE TRIBUNAL KHYBER PAKHTUN, PESHAWAR.

Syed Badshah

Appellant

VS

Government of kp & Others

Respondents

**APPLICATION FOR AND ON BEHALF OF RESPONENTS FOR
SETTING ASIDE THE EX-PARTE PROCEEDINGS**

RESPECTFULLY SHEWETH:

1. That the above titled appeal is pending adjudication before this Hon'ble Tribunal, and is fixed for 22.02.2023.
2. That the applicant/respondents was proceeded against ex-parte vide order of this honorable tribunal dated 06.01.2023, on the ground that the applicant/respondents did not submitted the reply/comments in the above title appeal.
(copy of order sheet is attached)
3. That the Counsel for the applicant/Respondents was present in honorable tribunal on due date and requested that the signatures of respondents are still required and after that the respondents will submit the reply/comments in above title appeal.
4. That the honorable tribunal did not consider even the attendance of counsel of the applicant/respondents and proceeded ex-parte and the right of defense of the applicant/respondents has struck off due to the reason mentioned above.

It is, therefore, most respectfully prayed that on acceptance of this Application the ex-parte proceedings may kindly be set aside and the applicant/respondents may kindly be allowed to submit the para wise reply/comments in above title appeal for the interest of justice.

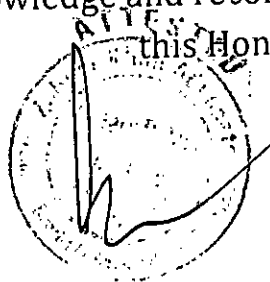
Respondents

Through

Counsel

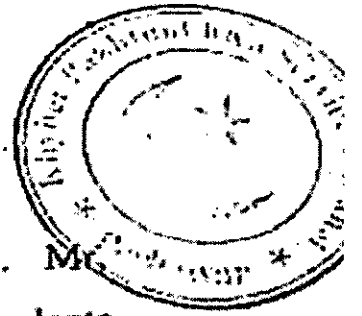
AFFIDAVIT

Stated on Oath that the contents of instant application are true and correct to the best of my knowledge and record and nothing has been concealed from this Hon'ble tribunal.



DEPONENT

1 FEB 2023



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Learned counsel for the appellant present. Mr. Muhammad Adeel Butt, Addl:AG for official respondents present.

There is nobody present on behalf of the respondents nor did they submit written reply/comments. The time provided in Rule-12 of the Khyber Pakhtunkhwa Service Tribunal Rules, 1974 for filing reply is seven days before the date fixed but despite providing opportunity the respondents have not filed the comments. They are thus placed ex-parte and their right to file reply stands struck off. To come up for arguments on 22.02.2023 before D.B.

(Kalim Arshad Khan)
Chairman

Certified to be true copy

KHYBER PAKHTUNKHWA
Service Tribunal,
Peshawar

of Verification 18-01-23
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