

BEFORE THE KPK, SERVICE TRIBUNAL, PESHAWAR

S.A No. 7595/2023

Rahat-ul-Ain

versus

DG & Others

REJOINDER

Respectfully Sheweth,

PRELIMINARY OBJECTION

All the 09 Preliminary Objections are illegal and incorrect. No reason in support of the same is ever given as to why appellant has no cause of action / locus standi, to pressurize respondents, against law and rules, not maintainable, malafide, unclean hands, limitation, no jurisdiction and bad for necessary parties.

ON FACTS

1. Admitted correct by the respondents.
2. Not correct. The para of the appeal is correct. The transfer order was issued by the then MS of the hospital because appellant was not fulfilling his ill-wishes. No vacancy was lying vacant at the time in LRH.
3. Not correct. Appellant reported for duty in LRH but was returned back due to non availability of the post. Her monthly salary was also stopped since 17-08-2015.
4. Admitted correct to the extent of filing of appeal before Service Tribunal and status-quo. During the said period she was at Govt. Baber Hospital on stay.
5. Not correct. The para of the appeal is correct. Regarding non compliance of stay order by respondents, COC for the purpose and then withdrawn the transfer order on 09-01-2017 and performed her duties at Govt. Baber Hospital.

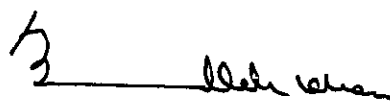
6. Admitted correct by the respondents regarding withdraw of appeal from the Tribunal after addressing her grievances.
7. Not correct. The para of the appeal is correct regarding subsequent transfer to Kohat Hospital not on administrative ground but in normal routine.
8. Not correct. The para of the appeal is correct regarding release of withheld salaries. The para of the reply is without proof regarding duty performance certificate from MS Kohat Hospital.

G R O U N D S:

All the grounds of the appeal are legal and correct while that of the reply are illegal and incorrect. The same are re-affirmed once again.

It is, therefore, most humbly prayed that the appeal be accepted as prayed for.

Dated: 06-03-2023

Appellant
Through 
Saadullah Khan Marwat
Advocate,

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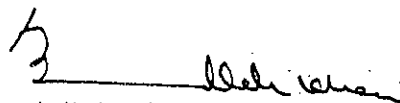
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Through

Appellant


Saadullah Khan Marwat

Advocate,

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