

**BEFORE THE HON'BLE KHYBER PAKHTUNJHWA SERVICE TRIBUNAL**

**SADIQ SHAH**

**V \ S**

**GOVERNMENT OF KP**

Khyber Pakhtunhwa  
Service Tribunal

Case No. **4303**

Dated **13/3/23**

**APPLICATION FOR PLACING THE REJOINDER ON FILE BY THE APPELLANT**

**RESPECTFULLY SHEWTH,**

1. That the captioned service appeal is pending before this Hon'ble Tribunal and is fixed for **11.05.2023**
2. That the petitioner will be submitting the rejoinder to the parawise comments of the respondents and request the permission of this Hon'ble Court to allow them to be place the same on file.

It is most humbly prayed that the Appellant be kindly allowed to place their rejoinder on file.

Appellant

Through

**FARHAN TARIQ.**  
Advocate, Peshawar

BEFORE THE HON'BLE KHYBER PAKHTUNKHWA SERVICE TRIBUNAL,  
PESHAWAR

In Re: Appeal . 7281-P/2021

**Sadiq Shah**  
Vs  
**Government of KPK and others**

**REJOINDER FOR/ON BEHALF OF PETITIONER**  
**TO THE PARAWISE COMMENTS OF RESPONDENTS.**

**Preliminary Objection:-**

Unwarranted, uncalled for and unsubstantiated stereotype objections have been raised for the sake of mere objections only. Not only the Appeal is tenable/competently filed but the same also merits to be accepted due to sheer/flagrant discrimination, one sided inquiry and violation of rights of the Petitioner despite of the fact that the Petitioner applied to the department for the post of Theology Teacher and submitted all the required documents.

**On Facts:-**

1-13. Misconceived assertions have been raised by the respondents. The answering respondents have placed their whole emphasis on the point that the petitioner has appointed but fake documents were submitted by him at the time of appointment. The fact remains that the Petitioner at the time of appointment submitted all the relevant documents which were asked to be submitted by the respondents. Needless to mention here that the Petitioner also submitted fee for verification of documents. The Petitioner has not deceived the respondents but has followed the rules and law by submitting the verified documents at the time of arrival of charge. It is also very important to note here that the appellant performed his duties for more then 3 months and till then not even a single complaint was filed against him.

It is also very much in place to mention here that the inquiry report submitted before the Hon'ble Tribunal clearly shows that the Appellant was never made party to the inquiry infact the same was made in his absence. Moreover the malafide of respondents is clear from the attendance report already submitted in the main file which shows that the Appellant was present in school at the time when the so called inquiry was conducted.

The malafide of the respondents is clear from the fact that the termination letter was issued by the respondents on the 25<sup>th</sup> March 2021 while the charge taken by the other person/ Ajmali Khan was on 24<sup>th</sup> March of 2021.

**On Grounds:-**

1 to 7 Misconceived, misleading assertions have been made by respondents. The Appellant not only submitted his documents/ verified documents but also submitted fee for verification at the time of appointment. The appellant received monthly salary which is evident from the salary slips already attached with the main appeal. The appellant not even for a single day remained absent from his duty and has performed his duty with great devotion. The respondents have malafidely and with the sole intention to adjust the blue eyed one made a false case against the appellant which is not only baseless but also has damaged the reputation of the appellant. If at all there was any fake or bogus document submitted by the appellant it was the duty of the respondents to check the same as verification fee was submitted by the appellant at the time of appointment.

Moreover, the so called inquiry report submitted by the respondents with their comments clearly shows that the appellant was not heard in personal at all. It is also very much in place to mention here that the appellant was not even telephonically informed and that is evident from the fact that he was present in school on the date of the so called inquiry.

It is, therefore, prayed that on acceptance of instant rejoinder the main Appeal may kindly be accepted/allowed as prayed for.

Appellant  
through

  
**Farhan Tariq**  
Advocates High Court(s)

**Affidavit**

I, **Sadiq Shah S/o Khanawada** do here solemnly affirm and declare on oath that the contents of above rejoinder are true and correct to the best of my knowledge and belief and nothing has been concealed from this Hon<sup>ble</sup> Tribunal



13-3-21  
Sadiq Shah

Deponent