

BEFORE THE KPK SERVICE TRIBUNAL, PESHAWAR

S.A No. 1123/2022

Bahramand Shah

versus

D.P.O & Others

REJOINDER

Respectfully Sheweth,

Preliminary Objections:

Khyber Pakhtunkhwa
Service Tribunal

Diary No.

5040

Dated

2/5/2023

All the 05 preliminary objections are illegal and incorrect. No reason in support of the same was ever given as to why appellant has not approached to the hon'ble Tribunal with clean hands, has suppressed actual / factual facts, appeal is based on facts and law, all the necessary parties have been impleaded and appellant is legally estopped by his own conduct.

ON FACTS

1. Needs no comments.
2. Not correct. As and when information was provided by the complainant, appellant lodge the FIR mentioned above.
3. Not correct. The para of the appeal is correct. As for as burning of Holy Quran by unknown person appellant tried his best to control the mob but being religious issue, the mob was very angry and being in numbers, they were out of control.
4. Admitted correct to the extent of date i.e. 07-03-2022 and when the others surrounding Police Stations were burned down by the angry mob, whether the SHOs of that Police Stations were also unable to control the mob to save government losses. A single SHO or five or six other policemen cannot control mob of hundred and thousand peoples.
5. Admitted correct to the extent of reply to the Show Cause Notice and till date law has not fixed standard of satisfaction.
6. Not correct. The punishment imposed of by appellant was of incompetent authority and the competent authority for appellant was / is DPO and not RPO.

7. Admitted correct by the respondents regarding imposition of punishment upon appellant.

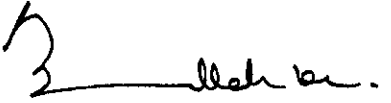
GROUND S:

All the grounds of the appeal are legal and correct, while that of the reply are incorrect and illegal. The same are reaffirmed once again.

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


Appellant

Through


Saadullah Khan Marwat
Advocate

Dated: 24-11-2022

AFFIDAVIT

I, Bahramand Shah (Appellant) do hereby solemnly affirm and declare that the contents of the **Rejoinder** are true and correct to the best of my knowledge and belief.


DEPONENT