

BEFORE THE PESHAWAR HIGH COURT, MINGORA BENCH (DAR-UL-QAZA),
SWAT.

Service Appeal No. 155/2022

Hakim Said S/O Sultan Pervez R/O Shaltalu Tehsil Charbagh District Swat.

..... Appellant

VERSUS

District Police Officer, Swat & others.

Chamber of Sessions Swat

..... Respondents **5081**

Case No. **5081**

Dated **3/5/2023**

INDEX

S.No	Description of Documents	Annexure	Page
1	Parawise reply	-	1-2
2	Affidavit	-	3
3	Authority Letter	-	4
4	Copy of CNIC is enclosed as	"A"	5

5 Enlistment order

6

4/5/2023

District Police Officer, Swat
(Respondent No.01)

Service Appeal No. 155/2022

Hakim Said S/O Sultan Pervez R/O Shaltalu Tehsil Charbagh District Swat.

..... Appellant

VERSUS

District Police Officer, Swat & others.

..... Respondents

PARAWISE REPLY BY RESPONDENT 01 TO 03

Respectfully Sheweth,

PRELIMINARY OBJECTIONS.

1. That the appeal is badly barred by Law & limitation.
2. That the appellant has got no cause of action and locus standi to file the present appeal.
3. That the appeal is bad due to misjoinder and nonjoinder of necessary parties.
4. That the appellant has not come to the honorable Tribunal with clean hands.
5. That the instant appeal is not maintainable in its present form.
6. That the appellant has concealed the material facts from this Hon'ble Tribunal.
7. That this honorable court has got no jurisdiction to entertain the present appeal.

FACTS:

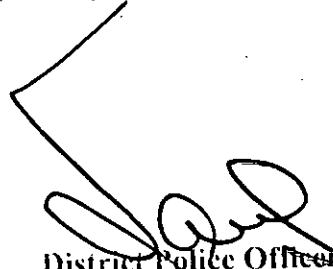
1. Pertain to record.
2. Incorrect. The date of birth of the appellant as per CNIC provided by him at the time of enlistment has been duly entered in Police record as 01/01/1982.
3. Incorrect. As stated above, date of birth of the appellant as per his CNIC provided by him at the time of enlistment in Police department is 01/01/1982.
(Copy of CNIC is enclosed as annexure "A")
4. Incorrect. That the date of birth of appellant i.e 01/01/1982 was recorded in his service book as per CNIC provided by him at the time of enlistment. The date of birth once entered in service book could only be rectify within two years of enlistment. Appellant was required to apply for the change or


be entertained. The date of birth of appellant will be presumed as correct and final after lapse of two years of enlistment.


- 5. Incorrect. Already explained above in detail in preceding Paras. Furthermore, the appellant is himself responsible for his provided CNIC to the respondents.
- 6. As stated above, the appellant was required to apply for the change or modification of his date of birth within two years after joining service in Police department. However he did not apply for the same with statutory period. Therefore under rules, correction regarding his date of birth at this belated stage cannot be entertained. After lapse of stipulated period, the date of birth of appellant will be presumed as correct and final.
- 7. Incorrect. Already explained in detail in the preceding Paras.
- 8. Incorrect. Already explained in detail in the preceding Paras.
- 9. Irrelevant, needs no comments.
- 10. Irrelevant, needs no comments.

PRAYER:

Keeping in views the above facts and circumstances, it is humbly prayed that the appeal of appellant being devoid of legal force may kindly be dismissed with costs, please.


 District Police Officer Swat
 (Respondent No. 01)


 Regional Police Officer
 Malakand Region,
 Regional Police Officer,
 Malakand Region
 (Respondent No. 02)


 Inspector General of Police
 Khyber Pakhtunkhwa, Peshawar
 (Respondent No. 03)

BEFORE THE KHYBER PAKHTUNKHWA SERVICE TRIBUNAL, PESHAWAR.

Service Appeal No. 155/2022

Hakim Said S/O Sultan Pervez R/O Shahtalu Tehsil Charbagh District Swat.

..... Appellant

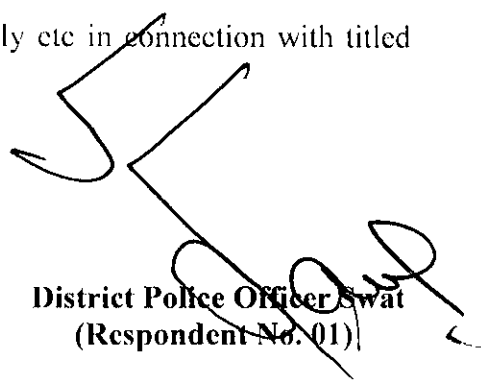
VERSUS

District Police Officer, Swat & others,

..... Respondents

AUTHORITY LETTER

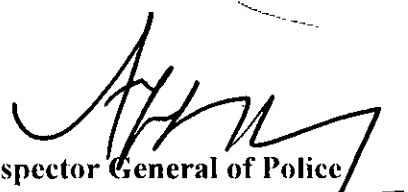
We, the above respondents do hereby authorize Mr. Naeem Hussain DSP/Legal Swat to appear before the Tribunal on our behalf and submit reply etc in connection with titled Service Appeal.



**District Police Officer Swat
(Respondent No. 01)**



**Regional Police Officer,
Malakand Region,
Regional Police Officer,
Malakand Region
(Respondent No. 02)**



**Inspector General of Police
Khyber Pukhtunkhwa, Peshawar
(Respondent No. 03)**

BEFORE THE KHYBER PAKHTUNKHWA SERVICE TRIBUNAL PESHAWAR.

Service Appeal No. 155/2022

Hakim Said S/O Sultan Pervez R/O Shaltalu Tehsil Charbagh District Swat.

..... Appellant

VERSUS

District Police Officer, Swat & others,

..... Respondents

AFFIDAVIT

We, the above respondents do hereby solemnly affirm on oath and declare that the contents of the appeal are correct/true to the best of our knowledge/ belief and nothing has been kept secret from the honorable Tribunal.

District Police Officer Swat
(Respondent No. 01)

Regional Police Officer,
Malakand Region,
Regional Police Officer,
Malakand Region
(Respondent No. 02)

ATTESTED



3-5-2023

Inspector General of Police
Khyber Pukhtunkhwa, Peshawar
(Respondent No. 03)

1-A 1

5602-1169523-0

Arrested
A
1/2

TR72801 15-02-159572-5

دوگانه سواران کیس میں ایک سواہی

30/04/2012 تاریخ 11/05/2005

معدومہ گورنمنٹ کے ایک سواہی میں



ENLISTMENT ORDER

Mr. Hakeem Said S/O Sultan Parvaiz
 Caste Afghan Village shattalan
 Police Station darbagh District Swat

is hereby enlisted in Special Police Force on contract basis for two years and allotted
 Constabulary No. 3051 with effect from 8.3.2010

Date of Birth 01-01-1982

Domicile Swat

Height 5-8

Chest 36 x 38

Education _____

[Signature]
 District Police Officer, Swat
[Initials]

FB No 45

Issued: 8.3.10

Copy of above to the District Accounts Officer Swat

Attested
 * 014