

**BEFORE THE KHYBER PAKHTUNKHWA SERVICE
TRIBUNAL, PESHAWAR.**

Appeal No 320/ 2022

Abdul Sattar

..... Appellant

VERSUS


Government of KPK & Others

..... Respondents

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Appellant


Divisional Forest Officer
Kohistan Watershed Division
Besham

N.D = 06-5-9-23

P. Henry Swat

BEFORE THE KHYBER PAKHTUNKHAWA SERVICE TRIBUNAL PESHAWAR
CAMP COURT AT SWAT.

Khyber Pakhtunkhwa
Service Tribunal

Civil Petition No. 820/2022

Diary No. 5936

Dated 12-06-23

Abdul Sattar

VERSUS

Govt: Of KPK & Others

(Petitioner)

(Respondents)

Application for setting aside ex-parte proceeding and to allow the petitioners to defend their case and also to file written comments.

Respectfully submitted:

1. That the caption title petition is pending in this Honourable Court and has been fixed on 05/9/2023 for arguments.
2. That the petitioners through attorney attend this honorable court on 06/6/2023 and intended to submit their comments However, they were told by the reader of this Honorable Court that ex parte proceedings had taken place against them and now they are not allowed to submit their comments.
3. When the petitioners got the attested order sheets of the Honorable Court, it comes to their knowledge that the Honorable Court had placed ex parte proceedings and had also struck off the defense of the petitioners.

4. This Honorable Court, through different orders, direct the petitioner to submit envelops and tickets for the issuance of notices to the respondents, but in vain.
5. Notice/summons were not served upon the petitioners according to the law.
6. If the ex parte proceedings were not set aside, and the petitioners were not allowed to submit their written reply, the petitioners and the exchequer of the Government would suffer irreparable loss.
7. The petitioners did not commit this act intentionally, and the application in hand is according to the rules and law, and there is no hurdle in the acceptance of the instant petition.
8. The petitioner will be careful next time and will attend the court regularly.

It is, therefore, respectfully prayed that, on acceptance of the instant application the ex parte proceeding may kindly be set aside and the petitioner may kindly be allowed to defend their case and to file written comments


PETITIONER Forest Office
Kashmir Watershed Division
Besham

Through counsel

12/16/23


09.02.2023

A. No. 820/2022
Abdul Sattar
Learned counsel for the appellant present. Mr. Asif Masood

Ali Shah, Deputy District Attorney for the respondents present.

There is nobody present on behalf of 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 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 03.04.2023 before D.B at camp court, Swat.


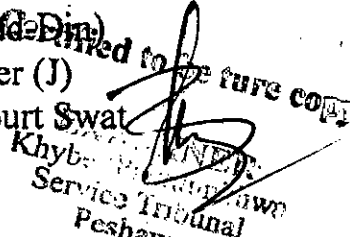
SCANNED
KPST
Peshawar



(Muhammad Akbar Khan)
Member (E)
Camp Court, Swat

03rd April, 2023

Appellant in person present. Mr. Muhammad Jan, District Attorney for the respondents present.

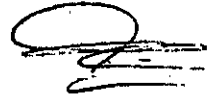
Appellant seeks adjournment on the ground that his counsel has not turned up from Peshawar. To come up for arguments on 02.05.2023 before the D.B at Camp Court Swat. Parcha Peshi given to the parties.


(Salah-ud-Din)
Member (J)
Camp Court Swat



(Kalim Arshad Khan)
Chairman
Camp Court Swat

8-12-22

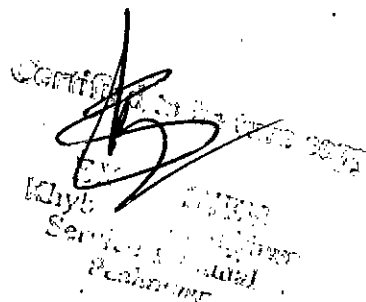
Case is hereby cancelled, The
The case is adjourned to 5-1-2023
for the bank.



05th Jan. 2023

Appellant alongwith counsel present. Mr. Muhammad Riaz Khan Paindakhel, Assistant Advocate General for the respondents present.

Written reply/comments on behalf of the respondents not submitted. Learned AAG requested for time. Granted. To come up for written reply/comments on 09.02.2023 before S.B at camp court, Swat.



Handwritten signature and official stamp of the Camp Court, Swat. The stamp includes the text 'CAMP COURT, SWAT' and 'S. B. Paindakhel'.

(Fareeha Paut)
Member(E)
(Camp Court, Swat)

02.05.2023

Appellant present through counsel.

Fazal Shah Mohmand, learned Additional Advocate General for respondents present.

Former made a request for adjournment in order to prepare the brief. Adjourned. To come up for arguments on 06.06.2023 before D.B at Camp Court, Swat. Parcha Peshi given to the parties.

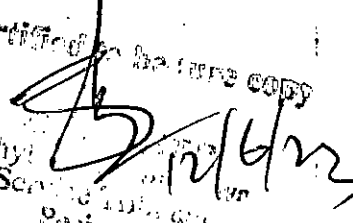


(Fareeha Paul)
Member (E)
Camp Court, Swat



(Rozina Rehman)
Member (J)
Camp Court, Swat

Mutazem Shah

Certified to be true copy

Keyi
Secretary
Peshawar

Date of Presentation of Application 12/6/23
Number of Page 3
Copying Fee 15/-
Urgent ST
Total 20/-
Name Shahzad
Date of 12/6/23
Date of Delivery 12/6/23