

BEFORE THE HONOURABLE SERVICE TRIBUNAL KHYBER PAKHTUNKHWA,  
PESHAWAR.

Appeal No.1895/2022

MUKHTAR ULLAH

(Appellant)

VERSUS

PPO etc.

(Respondents)

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DEPONENT

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

**Appeal No.1895/2022**

**MUKHTAR ULLAH**

**(Appellant)**

**VERSUS**

**PPO etc.**

**(Respondents)**

**PARA WISE COMMENTS ON BEHALF OF RESPONDENTS NO.1 To 5**

Respectfully Sheweth

The Respondents respectfully submit as under: -

**Khyber Pakhtunkhwa  
Service Tribunal**

Diary No. 6443

Dated 13/07/23

**PRELIMINARY OBJECTIONS.**

1. That the Appellant has got no cause of action.
2. That the Appeal is not maintainable under the law.
3. That the Appeal is barred by law & limitation.
4. That the Appellant has not been discriminated in any way.
5. That the Appeal is bad due to mis-joinder and non-joinder of necessary parties.
6. That the Appellant has approached the Honorable Tribunal with unclean hands.
7. That the Appellant has got no cause of action and locus-standi to file the instant Appeal.
8. That the Appellant has been estopped by his own conduct.

**BRIEF FACTS:**

1. Correct to the extent that the appellant is a citizen of Pakistan, rest of the para pertain to record.
2. Correct hence, need no comments
3. Correct to the extent that initially the Appellant was serving as a constable in levies\ khassadar force of sub division Wazir and subsequently merged in KP Police of sub Division Wazir in Bannu in 2019. Rest of the para pertains of record hence needs no comments.
4. Incorrect, the Appellant was not absorbed as an ASI but as a constable by the Home and Tribal Affairs Department. Incorrect, DPO Bannu constituted a Scrutiny Committee in order to probe into suspicious/controversial notification regarding absorption of Levis/ Khassadar Police Force. Appellant along with other 10 colleagues were directly absorbed as an ASI despite the truth that, no Scrutiny Committee (comprising DPO, DC/ AG/APA and DAO) had recommended their names for absorption in the Rank of ASI. ( Enquiry report is annexed)
5. Pertains to record hence need no comments
6. Correct to the extent that on 11.8.2021 the Appellant was selected for 03 months basic Police training by the DPO Bannu and the list was forwarded to AIG Police Training.

1. The Commission shall have the right to request the production of any documents or information in the possession, custody or control of the respondent.

- 2. The Commission shall have the right to require the respondent to attend before it and to answer questions on oath.
- 3. The Commission shall have the right to require the respondent to produce any person who is in the possession, custody or control of the respondent and who is likely to be able to provide information relevant to the proceedings.
- 4. The Commission shall have the right to require the respondent to disclose any information which is in the possession, custody or control of the respondent and which is likely to be able to provide information relevant to the proceedings.

**COMMISSION**

1. The Commission shall consist of the following members:

(a) A member appointed by the Commission for a term of not more than three years.

(b) A member appointed by the Commission for a term of not more than three years.

(c) A member appointed by the Commission for a term of not more than three years.

(d) A member appointed by the Commission for a term of not more than three years.

(e) A member appointed by the Commission for a term of not more than three years.

(f) A member appointed by the Commission for a term of not more than three years.

(g) A member appointed by the Commission for a term of not more than three years.

(h) A member appointed by the Commission for a term of not more than three years.

(i) A member appointed by the Commission for a term of not more than three years.

(j) A member appointed by the Commission for a term of not more than three years.

(k) A member appointed by the Commission for a term of not more than three years.

(l) A member appointed by the Commission for a term of not more than three years.

(m) A member appointed by the Commission for a term of not more than three years.

(n) A member appointed by the Commission for a term of not more than three years.

(o) A member appointed by the Commission for a term of not more than three years.

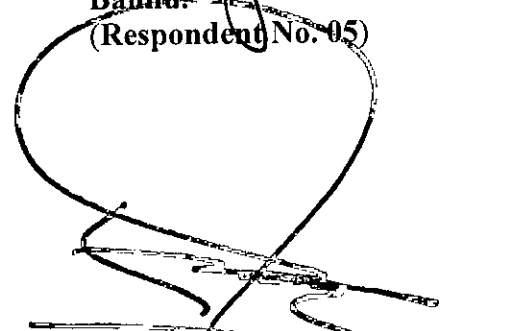
(p) A member appointed by the Commission for a term of not more than three years.

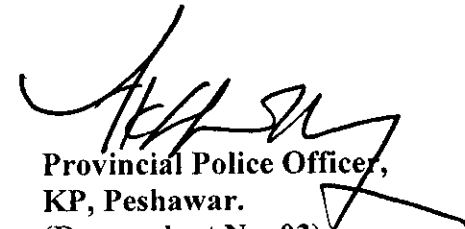
- U. Incorrect the conduct of the respondent is legal and lawful to order 03 Enquiry Committees at different forum is not beyond the mandate and constitutional parameter set by the law.
- V. Incorrect the respondent is bound to probe the matter at District level, Regional level as well as Provincial level.
- W. Pertains to record hence no comments.
- X. The Respondent department may kindly be allowed to raise additional ground at the time of arguments.

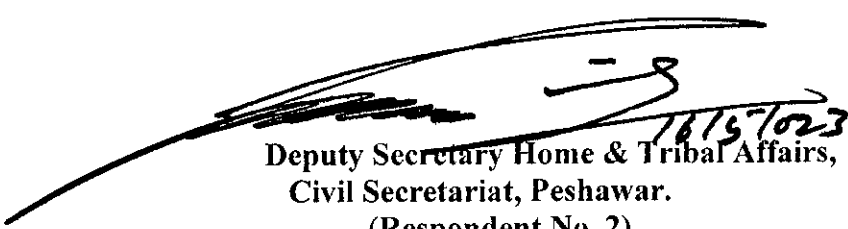
**PRAYER:**


It is therefore, most humbly prayed that the instant appeal may kindly be dismissed with cost.

  
District Police Officer,  
Bannu.  
(Respondent No. 05)

  
Regional Police Officer,  
Bannu Region, Bannu.  
(Respondent No. 04)

  
Provincial Police Officer,  
KP, Peshawar.  
(Respondent No. 03)

  
Deputy Secretary Home & Tribal Affairs,  
Civil Secretariat, Peshawar.  
(Respondent No. 2)

  
Secretary Home & Tribal Affairs,  
Civil Secretariat, Peshawar.  
(Respondent No. 01)  
Home Secretary,  
Khyber Pakhtunkhwa

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**(Appellant)**

**VERSUS**

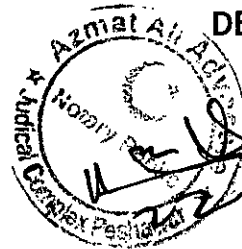
**PPO etc.**

**(Respondents)**

**AFFIDAVIT.**

I MR. Muhammad Farooq Khan DSP Legal Bannu, representative for Respondent No.1 to 5 do hereby solemnly affirm and declare that the contents of the accompanying comments submitted by us are true and correct to the best of our knowledge and belief and that nothing has been concealed from this Honorable Tribunal.

**ATTESTED**



**DEPONENT**

**S-223**

**BEFORE THE HONOURABLE SERVICE TRIBUNAL KHYBER PAKHTUNKHWA,  
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**MUKHTAR ULLAH**

**(Appellant)**

**VERSUS**


**PPO etc.**

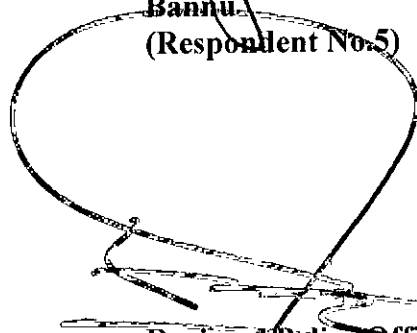
**(Respondents)**

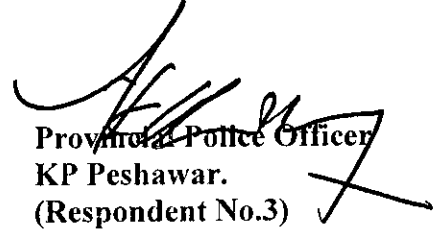
**AUTHORITY LETTER.**

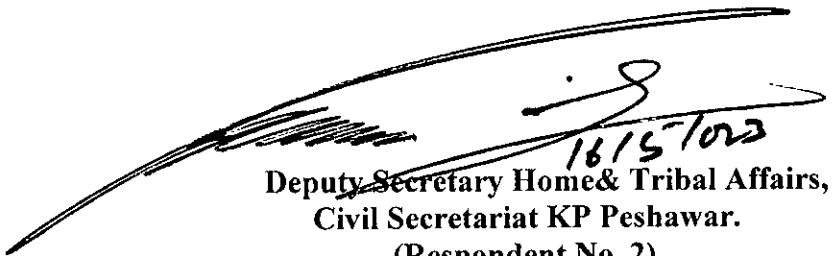
Mr. Muhammad Farooq Khan DSP Legal Bannu, is hereby authorized to appear before Honorable Tribunal on behalf of the undersigned in the above cited Appeal.


He is authorized to submit and sign all documents pertaining to the present Appeal.

  
District Police Officer  
Bannu  
(Respondent No.5)

  
Regional Police Officer,  
Bannu, Region Bannu  
( Respondent No.4)

  
Provincial Police Officer  
KP Peshawar.  
(Respondent No.3)

  
Deputy Secretary Home & Tribal Affairs,  
Civil Secretariat KP Peshawar.  
(Respondent No. 2)

  
Secretary Home & Tribal Affairs,  
Civil Secretariat KP Peshawar.  
(Respondent No. 1),  
Khyber Pakhtunkhwa