

BEFORE THE KHYBER PAKHTUNKHWA SERVICE TRIBUNAL PESHAWAR

Appeal No.602/2023

**Khyber Pakhtunkhwa
Service Tribunal**

Diary No. 6495

Dated 14/7/2023

Haroon Ahmad.....Appellant

VERSUS

Govt. of Khyber Pakhtunkhwa through Secretary Home & Tribal Affairs & others...Respondents

INDEX

S.No.	Description of documents	Pages
1.	Joint Para-wise comments	1-2
2.	Affidavit	3
3.	Authority letter	4


Additional Assistant Commissioner-I Karak

(17)

BEFORE THE KHYBER PAKHTUNKHWA SERVICE TRIBUNAL PESHAWAR.

Service Appeal No. 602/2023.

Haroon Ahmad Appellant

Khyber Pakhtunkhwa
Service Tribunal

Diary No. 6495

Date: 14/07/23

Versus

Govt: of Khyber Pakhtunkhwa through Secretary Home & Tribal Affairs & others

..... Respondents

JOINT PARAWISE COMMENTS ON BEHALF OF RESPONDENT NO.1 and 4.

Respectfully Sheweth

PRELIMINARY OBJECTION.

1. That the case of the petitioner is premature therefore he has got no cause of action.
2. That the appellant has no locus standi to bring the present service appeal.
3. That the appellant has no legal grounds in support of his service appeal.
4. That the appellant has not come to this Honorable Tribunal with clean hands, apart from other infirmities the service appeal suffers from gross concealment and misstatement of facts. The petitioner are therefore, not entitled to any relief.

FACTS.

1. Pertains to record, hence, no comments.
2. Pertains to record, hence, no comments.
3. Incorrect. It relates merged Districts areas i.e. (Ex-FATA) "Khyber Pakhtunkhwa Levies Force Act 2019. Furthermore separate service rules were framed for PATA Federal Levies Force performing duties in "PATA" known as "PATA Federal Levies Service (Amended) Rules 2013".
4. As explained in Para-03.
5. Incorrect. The mandate of the law does not cover District Karak and the appellant's services have not been merged in Khyber Pakhtunkhwa Police.
6. Correct.
7. Pertains to record.
8. Correct.

2

GROUNDS.


- a. Incorrect. The Notifications issued by Respondent No. 1 with lawful authority under the PATA Federal Levies Force (Amended) Rules, 2013. Furthermore, separate service rules were also framed thereunder for PATA Federal Levies Force performing duties in "PATA" known as "PATA Federal Levies Service (Amended) Rules, 2013.
- b. Incorrect. The appellants have not been absorbed in the Khyber Pakhtunkhwa Police and Rules of Home & Tribal Affairs Department Govt. of Khyber Pakhtunkhwa with regard to levies force is in operation which is strictly followed.
- c. Incorrect as stated in Para-b above.
- d. Incorrect. The Notification dated 29/05/2019 relates to Merged Areas Districts.
- e. Incorrect being policy matter.
- f. As stated in Para-e above.
- g. Incorrect. The Notifications are lawful.
- h. As stated in Para-e above.
- i. As stated in Para-g above.
- j. As stated in Para-e above.
- k. Incorrect. Both the notifications are lawful.
- l. As stated in Para-k above.

PRAYER.

It is therefore, humbly prayed that the service appeal of the appellants is being incorrect, frivolous, illegal without any substance and against the record be dismissed with cost.



Secretary
Home & Tribal Affairs Deptt:
Govt. of Khyber Pakhtunkhwa
Peshawar
(Respondent No. 01)



Commandant Levies/
Deputy Commissioner
Karak
(Respondent No. 04)



**OFFICE OF THE DEPUTY COMMISSIONER /
COMMANDANT LEVIES FORCE KARAK**

Ph. No. 0927-210825, Fax: 210925

E-mail: dckarak.kp@gmail.com

Facebook: www.facebook.com/dckrk

No. 179 /DC/Levy/C.Cases

Dated Karak the 12/07 /2023

AUTHORITY LETTER

Mr. Shamim Ullah, CNIC No. 17301-9166212-5, Additional Assistant Commissioner-
I Karak (BPS-17) is hereby authorized to vet/ file comments on behalf of Respondent No. 01 & 04 before
the Khyber Pakhtunkhwa Service Tribunal Peshawar in Appeal No. 601,602,603,604 & 605 titled as
Quaid-e-Azam & Others Versus Govt. of Khyber Pakhtunkhwa & Others.

He is further authorized to defend the case on behalf of the undersigned (Respondent
No. 04) on the date of hearing which is fixed as 14-07-2023.


Secretary

Govt. of Khyber Pakhtunkhwa
Home & Tribal Affairs Department
(Respondent No. 01)


DEPUTY COMMISSIONER KARAK
(Respondent No. 04)