

SCANNED
KPST
Peshawar

BEFORE THE SERVICE TRIBUNAL KHYBER
PAKHTUNKHWA PESHAWAR

Khyber Pakhtunkhwa
Service Tribunal

In S.A # 919/2022

Diary No. 7109
Dated 22/08/2022

Saif Ullah

Versus

Inspector General of Police KPK & Others

REJOINDER ON BEHALF OF APPELLANT

Respectfully Sheweth,

All the Preliminary objection raised by the Respondents are incorrect and baseless and not in accordance with law and rules rather the Respondents are stopped due to their own conduct to raised any objection at the stage on the appeal.

Facts

All the facts of the appeal are correct while reply of the Respondent Department is incorrect void ab-initio and illegal, because at the month of August 2019 the newly born baby namely Muhammad Azhar of the appellant becomes ill who ultimately died due to the said blood deceases this facts has already been brought in the knowledge of his higher ups by the appellant which has already been mentioned in departmental appeal of the appellant that's why the appellant was unable to performed his duty

with respondent department w.e.f 10.08.2019 to 26.08.2019 only for a period of 16-days and due to the said absentee the appellant has been dismissed from service by the respondent department on 07.02.2020 which has been communicated to the appellant on 10.08.2020 which has been rejected on 21.09.2020 on no good grounds

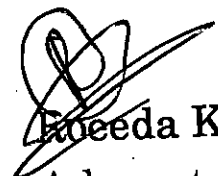
ON GROUNDS:-

All the grounds of the appeal are correct and accordance with law and prevailing rules and that of the Respondents are incorrect baseless because the appellant has been dismissed from service under Police Rule 1975 but the appellant has not been treated according to the said rules as such the impugned order has been passed without the fulfilling the codal formalities. Beside that the impugned dismissal order dated 07.02.2020 is also void because no specification of absentee has been given in the impugned order and so concerned the alleged bad entries and previous history of the appellant it was a past and closed chapter having no relevancy in the instant issue of the appellant, Furthermore the absence of the appellant was not intentionally but due to the reason mentioned above.

It is, therefore, requested that on acceptance of the instant rejoinder the impugned orders dated 07.02.2020 & 21.09.2020 and 01.04.2022 may kindly be set aside and the appellant may kindly be reinstated in service along with all back benefits.


Petitioner

Through


Noeda Khan
Advocate, High Court
Peshawar.