

additional post, therefore he can be posted or transferred at any time. Appellant has not explained as to what malafide respondent has got against appellant.

- B. Para No 2 of appeal is wrongly framed. There is no law or rules that an employee shall be posted at particular place for a specific period.
- C. Para C of the appeal is incorrect. Respondent has no malice or malign against the appellant or other employee of the department. All transfers and postings are made on merits. Appellant being on application post cannot claim posting on permanent post. Appellant himself was posted in District Hangu against the policy on the recommendation of the then minister. Appellant had himself applied for his transfer to his home district. Above all, the appellant along with other servants were transferred. Appellant has not highlighted that what ill-will the competent authorities had with the Appellant.
- D. Para No D is wrongly framed. Appellant and others were posted on additional post and was given undertaken that they would not object their transfer or posting whence and wherever required. No violation of rules or law has been made.
- E. Para No E is misconceived. In transfer order, no where reasons are advanced. No servant is entitled to claim permanent posting on particular place. It is the prerogative of competent authority to make transfer of a servant to any place.



F. That all the contents of the instant appeal are against the law and prescribed rules.

G. That the appellant who is an employee only wants to put a pressure upon the concerned department as well as mentally physically, financially harassed the respondent No.3

H. That the appellant is only trying to waste the valuable and precious time of this August Tribunal as well as to put pressure and undue influence upon the respondents.

I. That all the actions affairs have been done within the parameters of law and prescribed rules in the affairs of the appellant

J. That the respondent have acted strictly within the domain of law, Rules and natural justice hence keeping in view the reply of the respondents the instant appeal is not maintainable and wants to be dismissed with cost as this August Tribunal deems fit.

K. That any other facts grounds if any, will be raised with the permission of this August Tribunal any stage keeping in view the above facts and goods the instant appeal is baseless groundless may be dismissed with cost and any other relief which is not stated into the said reply may also be granted into the favour of the respondents against appellant.

Abdul Wahab Patwari  
Halqa Moza Samana  
District Hangu

Through

Anwar Hussain  
Advocate Peshawar.

Dated: 28-08-2023



**BEFORE THE KHYBER PAKHTUNKHWA SERVICE  
TRIBUNAL PESHAWAR**

Service Appeal No. \_\_\_\_\_/2023

Mazhar Iqbal \_\_\_\_\_ Appellant

**Versus**

Commissioner Kohat & Others \_\_\_\_\_ Respondents

**AFFIDAVIT**

I, do hereby solemnly affirm & declare that all contents of the reply are correct to the best my knowledge and belief & nothing has been concealed from this Hon'ble Tribunal, furthermore stated on Oath that the respondent No.03 not placed ex-parte, nor his defence struck off.

Dated: 28.08.2023

DEPONENT

*عبدالواہب*

Abdul Wahab Patwari  
CNIC# 14101-8194064-1

Identified By:

Anwar Hussain  
Advocate, High Court  
Peshawar.



**BEFORE THE SERVICE TRIBUNAL KHYBER PAKHTUNKHWA**

Mazhar Iqbal

(Appellant)

**VERSUS**

Commissioner Kohat etc

(Respondents)

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**SERVICE APPEAL**

**Application on behalf of Respondent No 3**

RESPECTFULLY SHEWETH!

1. The appellant has no locus standi to submit the instant appeal.
2. Appellant has got no cause of action.
3. Appellant is estopped to file the appeal.
4. Appellant has concealed the real facts, therefore appeal is not maintainable.
5. There is nothing in favour of appellant for grant of temporary injunction.

**It is therefore very humbly prayed that appeal being meritless may kindly be dismissed.**

**Plaintiff**

Through;-

**Dated: 28-08-2023**

  
**Anwar Hussain**

Advocate High Court



**BEFORE THE KHYBER PAKHTUNKHWA SERVICE  
TRIBUNAL PESHAWAR**

Service Appeal No. 1663 /2023

Mazhar Iqbal \_\_\_\_\_ Appellant

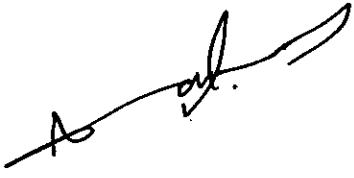
**Versus**

Commissioner Kohat & Others \_\_\_\_\_ Respondents

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Dated 28.08.2023.

  
**Anwar Hussain**  
Advocate High Court  
Peshawar.

**BEFORE THE SERVICE TRIBUNAL KHYBER  
PAKHTUNKHWA**

Mazhar Iqbal

(Appellant)

**VERSUS**

Commissioner Kohat etc

(Respondents)

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**SERVICE APPEAL**

**WRITTEN REPLY ON BEHALF OF RESPONDENT No 3**

RESPECTFULLY SHEWETH!

**Preliminary Objections**

1. The appellant has no locus standi to submit the instant appeal.
2. Appellant has got no cause of action.
3. Appellant is estopped to file the appeal.
4. Appellant has concealed the real facts, therefore appeal is not maintainable.

**Factual Objections**

- A. In reply to para No 1 it is submitted that appellant is permanent employee of Revenue Deptt in Distt Hangu, KPK, rather he was appointed on additional post. Appellant being appointed on