

BEFORE THE KPK, SERVICE TRIBUNAL, PESHAWAR

S.A No. 191/2023

Shakeel Nasir

versus

SSP & Others

REJOINDER

Respectfully Sheweth,

PRELIMINARY OBJECTION

Khyber Pakhtunkhwa
Service Tribunal

Entry No. 7653

Dated 19/09/23

All the 06 Preliminary Objections are illegal and incorrect. No reason in support of the same is ever given as to why the appellant has no cause of action, barred by law and limitation, estoppel, not maintainable, unclean hands and is bad for misjoinder and none joinder of necessary parties.

ON FACTS

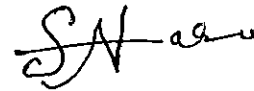
1. Needs no comments.
2. Not correct. The para of the appeal is correct regarding registration of FIR.
3. Not correct. The para of the appeal is not replied to its contents regarding transitory bail to Karak and its rejection on 03-04-2020.
4. Admitted correct by the respondents regarding Charge Sheet.
5. Admitted correct by the respondents on release on bail by the High Court of Bannu Bench.
6. Not correct. When the appellant was behind the bar, then how enquiry was conducted. CDR is not admissible in evidence.
7. Admitted correct by the respondents regarding Final Show Cause Notice.

8. Not correct. The allegations were never proved in the court of law.
9. Admitted correct by the respondents regarding dismissal of appellant from service.
10. Admitted correct by the respondents regarding submission of representation and its rejection.
11. Admitted correct by the respondents regarding Revision Petition and its rejection.
12. As above. Appellant was acquitted from the baseless charges.
13. Admitted correct by respondents regarding subsequent representation after acquittal from the criminal case.

GROUND S:


All the grounds of the appeal are legal and correct, while that of the reply are illegal and incorrect. The same are re-affirmed once again.

It is, therefore, most humbly prayed that the appeal be accepted as prayed for.



Appellant

Through



Saadullah Khan Marwat

Advocate,

Dated: 18-09-2023