

Chairman copy

**BEFORE THE WORTHY CHAIRMAN, KHYBER PAKHTUNKHWA SERVICE
TRIBUNAL, PESHAWAR**

C.M.No _____ in Appeal No. 1237/ 2022

Ahsan Hassan Khan
S/o Santaraz
R/o Mian Abad, Baffa,
Tehsil & District Mansehra

..... Appellant

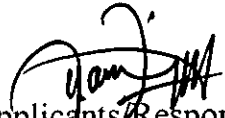
Vs.

1. CHAIRPERSON KHYBER PAKHTUNKHWA ENVIRONMENTAL PROTECTION
TRIBUNAL, PESHAWAR.

..... Respondent

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Applicants/Respondents
Through
Registrar
Environmental Protection Tribunal,
Peshawar

Dated: 2 / 10 / 2023

a-abad
23-10-23

BEFORE THE WORTHY CHAIRMAN, KHYBER PAKHTUNKHWA SERVICE TRIBUNAL, PESHAWAR

C.M.No _____ in Appeal No. 1237/ 2022 Khyber Pakhtunkhwa Service Tribunal

Ahsan Hassan Khan
S/o Santaraz
R/o Mian Abad, Baffa,
Tehsil & District Mansehra

Diary No. 8164
Dated 06-10-23

..... Appellant

Vs.

1. CHAIRPERSON KHYBER PAKHTUNKHWA ENVIRONMENTAL PROTECTION TRIBUNAL, PESHAWAR.

..... Respondent

APPLICATION FOR TRANSFER OF SUBJECT APPEAL TO PRINCIPAL SEAT AT PESHAWAR

RESPECTFULLY SHEWETH:

- 1. **That** the subject appeal is pending adjudication before this Tribunal in which the next date is 23.10.2023.
- 2. **That** the appellant has filed the subject appeal before the Khyber Pakhtunkhwa Services Tribunal at Camp Court, Abbottabad however the respondents in the same are permanently based at Khyber Pakhtunkhwa Environmental Protection Tribunal, Peshawar and the said Tribunal does not have any other office/premises in other parts of the Khyber Pakhtunkhwa province.
- 3. **That** it has recently been observed and directed in another appeal currently pending and pertaining to an ex-employee of the Khyber Pakhtunkhwa Environmental Protection Tribunal, Peshawar bearing appeal No.1093 /2022 and title "*Hameed Ullah Vs Chairperson Khyber Pakhtunkhwa Environmental Protection Tribunal, Peshawar and other*" that:

"24th July, 2023 1.....


2. This is an application for setting aside the ex-parte proceedings and allowing the applicants to defend the appeal by filing reply/comments. The original file was requisitioned. It appears from the description of the parties that the appellant had given his home address of Swat on the memo and grounds of appeal and it was because of that the matter was fixed at camp court Swat. However, it is noted that the appellant was Ex-Naib Qasid of the Environmental Protection Tribunal, Khyber Pakhtunkhwa Peshawar, which has its offices at Peshawar, therefore, this appeal ought to have been fixed before the Principal seat. The appeal is thus directed to be fixed at the Principal seat on the date already fixed. Since the matter was fixed before the D.B, therefore, it is deemed appropriate that notice of this application be issued to the appellant for

arguments on this application before D.B on 04.10.23 at Peshawar. PP given to the applicant. Since the main appeal has been transferred to Principal Seat, therefore, notices be issued to the appellant and his counsel in this respect.”

4. **That** as in the subject appeal the appellant has given his home address at Baffa, Tehsil and District Mansehra, therefore in view of the above directions given in an appeal pertaining to an ex-employee of the Khyber Pakhtunkhwa Environmental Protection Tribunal, Peshawar, it is in the interest of justice that the subject appeal be fixed before the Principal seat of Khyber Pakhtunkhwa Service Tribunal at Peshawar.

PRAYER:

It is, therefore, humbly prayed that in light of the contents of this application, the subject appeal is kindly transferred to Principal seat at Peshawar of this Worthy Tribunal for further proceedings.


Applicants/Respondents
Through
Registrar
Environmental Protection Tribunal,
Peshawar

**BEFORE THE WORTHY CHAIRMAN, KHYBER PAKHTUNKHWA SERVICE
TRIBUNAL, PESHAWAR**

Ahsan Hassan Khan
S/o Santaraz
R/o Mian Abad, Baffa,
Tehsil & District Mansehra

..... Appellant

Vs.

1. CHAIRPERSON KHYBER PAKHTUNKHWA ENVIRONMENTAL PROTECTION
TRIBUNAL, PESHAWAR.

..... Respondent

AFFIDAVIT

I, Naeem ulah S/o Arsale Khan, currently serving as
Registrar do hereby solemnly affirm and declare on oath that the contents
of the enclosed application are correct to the best of my knowledge and belief and that nothing
has been concealed or withheld from this Worthy Tribunal.

It is further stated on oath that in this appeal, the answering respondent have neither been
placed ex-parte nor their defense has been struck off/cost.


Deponent

ATTESTED
On the Verification
of Original Witness






KHYBER PAKHTUNKHWA
ENVIRONMENTAL PROTECTION TRIBUNAL
PESHAWAR

REGISTRAR OFFICE
PH: 091-9219003
kpkept@gmail.com

AUTHORITY LETTER

The competent authority, Acting Chairman, is pleased to authorize the official Mr. Shiraz Khan for submission of C.M application for transfer of appeal from Camp Court Abbottabad to Principal seat at Peshawar in appeal No.1237/22 at Khyber Pakhtunkhwa Service Tribunal Peshawar.


REGISTRAR
Environmental Protection Tribunal
Peshawar

Registrar
Environmental Protection
Tribunal



1

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

Service Appeal No. 1237 of 2022

Ahsan Hussan Khan son of Santaraz resident
of Mian Abad Baffa, Tehsil and District
ManshraAPPELLANT

VERSUS

Chairman, Khyber Pakhtunkhwa
Environmental Protection Tribunal, Peshawar
.....RESPONDENT.

APPEAL UNDER SECTION 4
OF KHYBER PAKHTUNKHWA
SERVICE TRIBUNAL ACT, 1974
AGAINST THE IMPUGNED ORDER
ENDST. NO.695/ADMIN DATED
11.05.2022 PASSED BY THE
RESPONDENT WHEREBY THE
APPELLANT WAS REMOVED FROM
THE SERVICE.

PRAYER: -

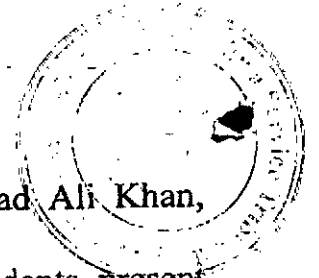
On acceptance of the instant service
appeal, the impugned order bearing
No.696/Admin dated 11.05.2022,
passed by the respondent may kindly
be set aside declaring them illegal
void and against the law as the

Certified to be true copy

[Signature]
Chairman
Khyber Pakhtunkhwa
Service Tribunal
Peshawar

27.04.2023

Appellant in person present. Mr. Asad Ali Khan,



Assistant Advocate General for the respondents present and sought time for submission of reply/comments. Learned Assistant Advocate General shall intimate the respondents to positively submit reply/comments on the next date. To come up for reply/comments on 21.06.2023 before the S.B at Camp Court Abbottabad. Parcha Peshi given to the parties.

Nacem Amin

SCANNED
KPST
Peshawar

(Salah-Ud-Din)
Member (J)
Camp Court Abbottabad

20th June, 2023 1. Learned counsel for the appellant and Mr. Asad Ali Khan, Assistant Advocate General alongwith Mr. Muhammad Nacem Khan, Registrar for the respondents present.

2. Reply on behalf of respondents has been submitted in office for scanning, the receipt of which was produced by the representative of the respondents. Office is directed to place on file the reply/comments submitted on behalf of respondents. To come up for arguments on 23.10.2023 before D.B at Camp Court, Abbottabad. P.P given to the parties.

Certified to be true copy

(Kalim Arshad Khan)
Chairman
Camp Court, Abbottabad

Mutazem Shah

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Urgent: 5/-
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06-10-23
06-10-23