

Chairman copy

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

C.M No _____ in Appeal No. 1304/2022

Basharat Qayyum
S/o Abdul Qayum
R/o Swati House, PMA Road,
Bilal Town, House No. CB41,
Street No. 15, Abbottabad Cantt.
Tehsil & District Abbottabad

..... Appellant


Vs.

1. Chairperson, Environmental Protection Tribunal, Khyber Pakhtunkhwa, Peshawar.
2. The Registrar, Environmental Protection Tribunal, Khyber Pakhtunkhwa, Peshawar.

..... Respondents

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Respondents
Through Registrar (Respondent No.2)
Khyber Pakhtunkhwa
Environmental Protection Tribunal,
Peshawar

Dated: 02/10 / 2023

A. abaeel
23-10-23

(D)

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

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Tehsil & District Abbottabad

**Khyber Pakhtunkhwa
Service Tribunal**

Case No. 8163

Dated 06-10-23

..... Appellant

Vs.

1. Chairperson, Environmental Protection Tribunal, Khyber Pakhtunkhwa, Peshawar.
2. The Registrar, Environmental Protection Tribunal, Khyber Pakhtunkhwa, Peshawar.

..... Respondents

**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 Service 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.....

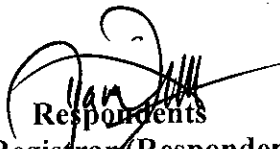
3. This is an application for setting aside the ex-parte proceedings and allowing the applicants to defend the appeal by filing reply/comments. The original file was requisitioned. It appears from the description of the parties that the appellant had given his home address of Swat on the memo and grounds 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 Abbottabad, Tehsil and District Abbottabad, 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.


Respondents
Through Registrar (Respondent No.2)
Khyber Pakhtunkhwa
Environmental Protection Tribunal,
Peshawar

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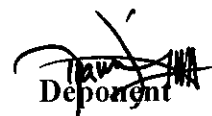
..... Respondents

AFFIDAVIT

I, Nazeem ulh 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 respondents have neither
been placed ex-parte nor their defense has been struck off/cost.

ATTESTED
On the Verification
of Original Witness


Deponent

