

BEFORE THE KPK, SERVICE TRIBUNAL, PESHAWAR

Khyber Pakhtunkhwa
Service Tribunal

Diary No. 3760

dated 11/11/22

S.A No. 1768/2022

Farman Ullah

versus

CCPO & Others

REJOINDER

Respectfully Sheweth,

PRELIMINARY OBJECTION

All the 07 Preliminary Objections are illegal and incorrect. No reason in support of the same is ever given as to why the appeal is barred by law / limitation, bad for none and mis-joinder of parties, unclean hands, without cause of action / locus standi, concealed material facts and not maintainable on merit.

ON FACTS

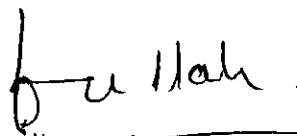
1. Admitted correct by the respondents regarding dismissal of appellant from service, filing of appeal for the purpose, its acceptance and converted of penalty from dismissal into minor penalty of stoppage of 02 annual increments and reinstatement in service with all back benefits as for as departmental proceeding is concerned, the same was never conducted as per the mandate of law and that is why his appeal for reinstatement was accepted with all back benefits.
2. Not correct. When appellant was reinstated into service by the hon'ble Tribunal with all back benefits, then nothing was left for department to not honor the judgment of the hon'ble Tribunal. He was not deputed for training of Intermediate College Course with colleagues, so he filed subsequent appeal and then under compulsion he was deputed for the course and the appeal was withdrawn being in-fractionous.

2. Not correct. The record shows that the department never dealt with appellant as per law and rules. He was dropped from training for no legal reason, he was not assigned his proper position in the seniority list and was ignored purposely at every stage with ulterior motive.
3. Not correct. The representation of appellant was not decided as per law but was filed without giving any plausible reason.

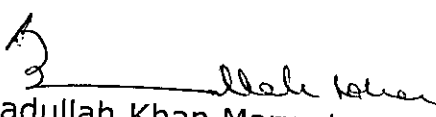
GROUNDS:

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: 31-10-2023