

**BEFORE THE HONORABLE KHYBER PAKHTUNKHWA
SERVICE TRIBUNAL PESHAWAR.**

R/Application No. 473/2023 in Service Appeal No: 7823/2021

Mst. Kousar Jehan, District, Mansehra.....Applicant.

VERSUS

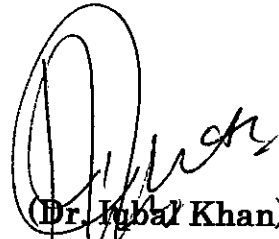
Government of, Khyber Pakhtunkhwa through the Secretary E&SE Department & others.....Respondent

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29-11-23

Peshawar



**(Dr. Iqbal Khan)
DIRECTOR**

E&SE Department Khyber
Pakhtunkhwa, Peshawar.
(Respondent No: 1).

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REPLY TO THE TITLED APPLICATION ON BEHALF OF THE RESPONDENT.

Respectfully Sheweth: -

The Respondents submit as under: -

1. That para-1 is incorrect as the titled Service Appeals was dismissed vide order dated 22-06-2023 in default by this Honorable Tribunal in favor of the Respondents *attached as Annex-A*.
2. That para-2 is incorrect as the statement of the appellant is baseless as no cogent proof & justification has been produced by the applicant for favor of perusal of this Honorable Tribunal, hence, the application is liable to be dismissed on the following grounds inter alia: -

GROUNDS:

- a) Incorrect & not admitted the plea of the applicant is without proof & justification.
- b) Incorrect & not admitted the plea of the applicant is without proof & justification & not supported by the medical prescription of the Physician concerned.
- c) Incorrect & not admitted the plea of the applicant is without proof, hence, resulted in the order dated 22-06-2023 of this Honorable Tribunal.
- d) Incorrect & not admitted as replied above.
- e) Incorrect & not admitted the stand of the appellant is without any proof.
- f) Incorrect & not admitted the order dated 22-06-2023 is legal.
- g) Incorrect & not admitted the factor of default on the part of the applicant was intentional on the date fixed.

h) Incorrect & not admitted the applicant has no cause of action & not entitled for restoration of his main appeal under the Rules.

Therefore, in view of the above made submissions it is humbly requested that this Honorable Tribunal may kindly be pleased to dismissed the titled application in favor of the Respondents in the interest of justice please.

Dated: ____ / ____ /2023


(Dr. Iqbal Khan)
DIRECTOR

E&SE Department Khyber
Pakhtunkhwa, Peshawar.
(Respondent No: 1).

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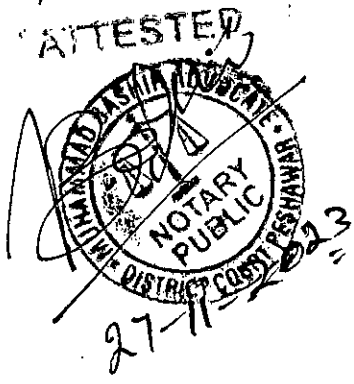
VERSUS

Government of, Khyber Pakhtunkhwa through the Secretary E&SE Department & others.....Respondent

AFFIDAVIT

I, Dr. Iqbal Khan Director E&SE Khyber Pakhtunkhwa, do hereby solemnly affirm & declare on oath that the contents of the instant para wise Comments are true & correct to the best of my knowledge & belief. 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.

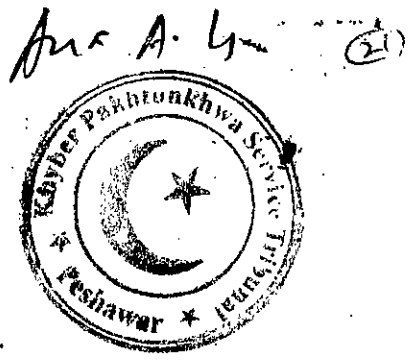
*The answering Respondent have neither
been place ex parte*



[Signature]
DEPONENT

S.A No.7823/2021

Kouser Jehan vs Govt



ORDER

22nd June, 2023

1. Nobody is present on behalf of appellant.
2. This case was called time and again but no one put appearance on behalf of appellant, therefore, the appeal in hand is dismissed in default.
3. Pronounced in open Court at Abbottabad given under our hands and seal of the Tribunal on this 22nd day of June, 2023.

(Kalim Arshad Khan)
Chairman
Camp Court, Abbottabad

*Mutazem Shah *

Date of Presentation of Application 03/7/23
Number of words Page 2
Copying Fee 10/-
Urgent 5/-
Total 15/-
Name of Copyiest Shahjad
Date of Completion of Copy 03/7/23
Date of Delivery of Copy 03/7/23

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EXAMINER 03/7/23
Khyber Pakhtunkhwa
Service Tribunal
Peshawar

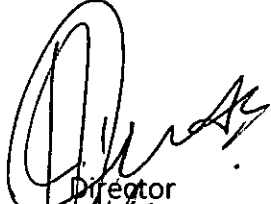


DIRECTORATE ELEMENTARY & SECONDARY EDUCATION
Khyber Pakhtunkhwa, Peshawar.

AUTHORITY LETTER

I, Dr. Iqbal Khan, Director (E&SE) Khyber Pakhtunkhwa Peshawar do hereby authorized Mr. Behramand Khan, Assistant Director Litigation-II of this Directorate for submission of Joint Parawise Comments to the R.A No. 473/2023 in **Service Appeal No. 7823/2021 case titled Kousar Jehan, CT District Mansehra Vs Government of Khyber Pakhtunkhwa & others** fixed for hearing on 27-11-2023, hence, an authority letter is hereby issued in favor of the above-named officer.

Dated: 27-11-2023


Director
E&SE Khyber Pakhtunkhwa,
Peshawa