

# FORM OF ORDERSHEET

Court of \_\_\_\_\_

Misc. application No. 976/2023

S.No.	Date of order proceedings	Order or other proceedings with signature of judge
1	2	3
1	15/12/2023	The Misc. application in appeal no. 1461/2023 submitted today by respondent no. 1 to 5 through A.I.G Police Establishment. It is fixed hearing before Single at Peshawar on <u>18-12-2023</u> . Original file be requisitioned. Applicants be informed accordingly.

  
REGISTRAR

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

**PESHAWAR**

Khyber Pakhtunkhwa  
Service Tribunal

Service Appeal No. 1461/2023 *MISC. APPLI NO. 976/2023*

Diary No. *9923*

Dated *15/2/2023*

1. Muhammad Azhar AIG/ Establishment, Khyber Pakhtunkhwa.
2. Syed Ashfaq Anwar, Capital City Police Officer, Peshawar.
3. Dr. Ishtiaq Ahmed, Additional Inspector General of Police, Investigation, Khyber Pakhtunkhwa.
4. Awal Khan, Additional Inspector General of Police, HQrs: Khyber Pakhtunkhwa.
5. Dr. Muhammad Akhtar Abbas, DIG/ Legal for Inspector General of Police, Khyber Pakhtunkhwa .....(Appellants)

VERSUS

DSP Rehmat Ullah.....(Respondent)

**APPLICATION FOR SETTING ASIDE EX-PARTE DATED 10.11.2023 AND RESTORING RIGHT OF FILING PARA-WISE COMMENTS**

Respectfully Sheweth:


1. That the above titled appeal is fixed before the Hon'ble Tribunal on 23.02.2024 for 23.02.2024.
2. That the Hon'ble Tribunal ordered against the respondents as ex-parte along with striking on the right of respondents on filing the Para-wise comments.
3. That feeling aggrieved the respondents seek right for restoration to file Para-wise comments on the following Grounds.

**GROUND:**

- A) That the valuable rights of the department/ respondents are involved with the instant Service Appeal.
- B) That the application is within time and there is nothing disobedience on the part of respondents.
- C) That on the very same day on which the respondents were proceeded ex-parte, the Para-wise comments were ready to file the delay was caused due to proper submission of attested copies and vetting of the said comments.
- D) That there is no legal bar in acceptance of the application in hand.
- E) That the delay was not intentional but due to the above reason respondents will show punctuality in future.
- F) That according to the rules of natural justice no one can be condemned unheard.

**PRAYERS:**

It is therefore, most respectfully prayed that on acceptance of this application the ex-parte proceedings against the respondents may be set aside and right to file Para-wise comments may kindly be restored, please.

  
(MUHAMMAD AZHAR) PSP  
Assistant Inspector General of Police,  
Establishment, Khyber Pakhtunkhwa,  
Peshawar

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

Service Appeal No. 1461/2023

DSP Rehmat ullah ..... (Appellant)

**VERSUS**

Inspector General of Police, Khyber Pakhtunkhwa etc.....(Respondents)

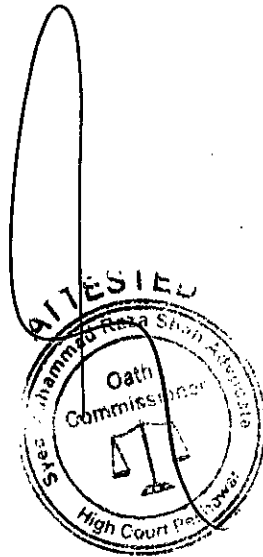
**AFFIDAVIT**

I, Faheem Khan DSP/ Legal, CPO, Peshawar, do hereby solemnly affirm on oath that the contents of accompanying Para-wise Comments/ Reply on behalf of answering respondents to the Service Appeal are correct to the best our knowledge and belief. Nothing has been concealed from this Honorable Tribunal.

*[Faint handwritten text, possibly a signature or note, is visible here.]*

*[Handwritten signature of Faheem Khan]*

**(FAHEEM KHAN)**  
**DSP/ Legal,**  
**CPO, Peshawar**



**15 DEC 2023**

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

Service Appeal No. 1461 /2023



Rehmat Ullah DSP Headquarter  
Frontier Reserve Police (F.R.P)  
Police Lines Peshawar.....**Appellant**

**V E R S U S**

1. Govt. of Khyber Pakhtunkhwa  
Through Chief Secretary Khyber Pakhtunkhwa,  
Civil Secretariat, Peshawar
2. Provincial Police Officer,  
Khyber Pakhtunkhwa, Peshawar
3. Additional Inspector General  
of Police Headquarter, C.P.O Peshawar
4. Additional Inspector General  
of Police Investigation, C.P.O Peshawar
5. Chief Capital City Police Officer, Police Lines,  
Peshawar
6. Assistant Inspector General of Police (Establishment)  
C.P.O Peshawar .....**Respondents**

**SERVICE APPEAL U/S 4 OF THE KHYBER  
PAKHTUNKHWA SERVICES TRIBUNAL  
ACT, 1974**

Certified to be true copy  
Khyber Pakhtunkhwa  
Service Tribunal  
Peshawar

A.No. 1461/2023  
Rahmatullah vs Govt



19<sup>th</sup> Oct, 2023

1. Appellant alongwith his counsel present. Mr. Masood Ali Shah, Deputy District Attorney for respondents present.

2. Security fee not deposited. Learned counsel for the appellant requested that time may be granted to him to deposit security fee. Granted. He may do so within three days. Thereafter notice be issued to the respondents through TCS for submission of reply/comments. The expenses of which be deposited by the appellant within three days. To come up for reply/comments on 10.11.2023 before S.B.P.P given to the parties

SCANNED  
KPJT  
Peshawar

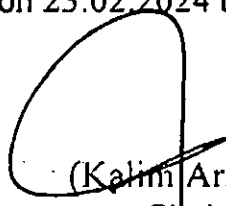


(Muhammad Akbar Khan)  
Member (I.)

10<sup>th</sup> Nov. 2023

1. Learned counsel for the appellant present. Mr. Habib Anwar, Additional Advocate General present.

2. There is nobody present on behalf of the respondents nor their written reply have been submitted, therefore, they are placed ex-parte. To come up for arguments on 23.02.2024 before D.B. P.P given to the parties.



(Kalim Arshad Khan)  
Chairman

\*Muzam Shah  
Date of Presentation of Application 13/10/23  
Number of Words 27  
Copying Fee 19/-  
Urgent  
Total 13/-  
Name of Copyist shahzad  
Date of Completion 13/10/23  
Date of Delivery 13/10/23

Certified to be true copy

EXAMINER  
Khyber Pakhtunkhwa  
Service Tribunal,  
Peshawar