

BEFORE THE KHYBER PAKHTUNKHWA SERVICE TRIBUNAL,  
PESHAWAR

Service Appeal No. 1874 of 2023

Hamayoon S/o Muhammad Yousaf Khan R/o Village Runyal, Tehsil Matta,  
District Swat.

...Appellant

VERSUS


The Secretary Elementary and Secondary Education Department Government of  
Khyber Pakhtunkhwa, Peshawar and Others.

...Respondents

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Appellant Through

  
Imdad Ullah  
Advocate Swat

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Camp Court  
Swat  
05-01-2024

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**BEFORE THE KHYBER PAKHTUNKHWA**

**SERVICE TRIBUNAL, PESHAWAR**

Service Appeal No. 1874 of 2023

Khyber Pakhtunkhwa  
Service Tribunal

Diary No. 99/70

Dated 19-12-2023

Hamayoon S/o Muhammad Yousaf Khan R/o Village  
Runyal, Tehsil Matta, District Swat.

...Appellant

**VERSUS**

The Secretary Elementary and Secondary Education  
Department Government of Khyber Pakhtunkhwa,  
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...Respondents

**REJOINDER BY THE APPELLANT**

Preliminary Objections:

That all the preliminary objections are incorrect, baseless, against the law, rules and facts, thus are specifically denied. Moreover the Appellant has got a prima facie case in his favour and has approached this Honorable Tribunal well within time with clean hands and this Honourable Tribunal has got the jurisdiction to adjudicate upon the same.

On Facts:

- i. Para 1 of the comments being admission needs no reply.

- ii. *Para 2 of the comments also being admission needs no reply as well.*
- iii. *Para 3 of the comments as drafted is incorrect and misconstrued the Appellant himself has given complete details of his leave period, thus the para is denied to the extent.*
- iv. *Para 4 of the comments as drafted also is devoid of merits illusive, thus denied as well.*
- v. *Para 5 of the comments as drafted also is incorrect, baseless and devoid of merits, hence denied.*
- vi. *Para 6 of the comments as drafted also is ill construed evasive hence is denied as well.*
- vii. *Para 7 of the comments as drafted also is devoid of merits and evasive, thus the same is denied for the reason.*
- viii. *Para 8 of the comments as drafted also is based on misstatements and concealment of material facts, thus the same is denied specifically as well.*
- ix. *Para 9 of the comments as drafted is devoid of merits and against the law, rules and facts, thus the same is denied as well.*

On Grounds:

- a. *Ground A of the comments as drafted is against the law and rules on the subject, thus the same is denied specifically.*
- b. *Ground B of the comments as drafted is based on misstatements and concealment of material facts, thus the same is denied as well.*
- c. *Ground C of the comments as drafted is devoid of merits, thus the same is denied as well.*
- d. *Ground D of the comments as drafted is vague and evasive, thus the same is denied for the reason.*
- e. *Ground E of the comments as drafted also is vague and evasive thus is denied as well.*

*It is, therefore, very respectfully prayed that on acceptance of this rejoinder the appeal of the Appellant ay very kindly be deiced as prayed for originally.*

Appellant  
*H m*  
Hamayoon  
Through Counsel,  
*Imdad*  
Imdad Ullah  
Advocate Swat

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SERVICE TRIBUNAL, PESHAWAR

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VERSUS

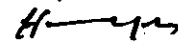
The Secretary Elementary and Secondary Education  
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AFFIDAVIT

It is solemnly stated on Oath that all the contents of  
this rejoinder are true and correct to the best of my  
knowledge and belief and nothing has either been  
misstated or kept concealed before this Honourable  
Tribunal.

Deponent



Hamayoon

ATTESTED

