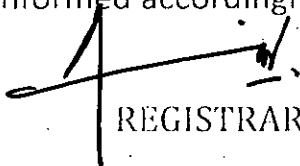


FORM OF ORDERSHEET

Court of _____

Misc. application No. 985/2023

S.No.	Date of order proceedings	Order or other proceedings with signature of judge
1	2	3
1	20/12/2023	<p>The Misc. application in appeal no. 1631/2022 submitted today by respondent no. 1 and 2 through Mehnaz law Officer. It is fixed hearing before Single at Peshawar on _____. Original file be requisitioned. Applicants be informed accordingly.</p> <p style="text-align: right;"> REGISTRAR</p>

BEFORE THE KHYBER PAKHTUNKHWA SERVICE

TRIBUNAL, PESHAWAR

Service Appeal No. 1631-A/2022

Misc application no. 985/2023

Khyber Pakhtunkhwa
Service Tribunal

Diary No. 10008

Dated 20-12-2023

1. Govt. of Khyber Pakhtunkhwa through Chief Secretary.
2. The Secretary to Government of Khyber Pakhtunkhwa, Energy and Power Department.

VERSUS

Muhammad Zakariya, Deputy Electric Inspector (Regional Electric Inspector Swat)

**APPLICATION FOR SETTING ASIDE EX-PARTEE
PROCEEDINGS AGAINST RESPONDENTS ORDER**

DATED 11-12-2023

Respectfully Sheweth:-

1. That the above titled case is pending before this Hon'ble Service Tribunal, Khyber Pakhtunkhwa Peshawar which was fixed for 11-12-2023.
2. That the para wise comments were already prepared on behalf of the respondents and were pending for counter signature through departmental procedure.
3. That the respondents got knowledge about the instant appeal through the order sheet dated: 11-12-2023, and the next date fixed for the instant appeal is 17-01-2024.
4. That the respondents came to know that EX-Partee proceeding has been passed / initiated on 11-12-2023 against the respondents.

5. That now the para wise comments is properly prepared and the respondents are ready to submit the written reply before the Khyber Pakhtunkhwa Service Tribunal Peshawar.

PRAYER

On the acceptance of the instant restoration application the impugned order dated 11-12-2023 may kindly be allowed to submit the para wise comments and also to give the opportunity of hearing the respondents before The Khyber Pakhtunkhwa Service Tribunal Peshawar and the above Service Appeal may kindly be decided on merits.

Dated: 20-12-2023

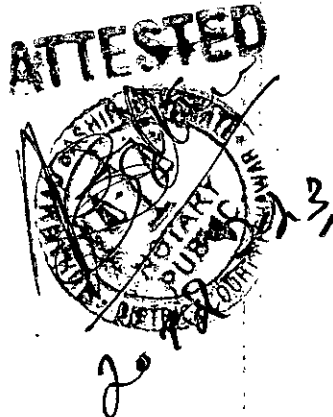
Applicant / Respondents

Through


MEHNAZ LAW OFFICER
Energy & Power Department

AFFIDAVIT

I, Mehnaz Pari D/o Amir Muhammad Khan (Law Officer in Energy & Power Department) do hereby solemnly affirm and declare on oath that the contents of this application are true and correct to the best of my knowledge and belief and nothing has been concealed from this Hon'ble Court.



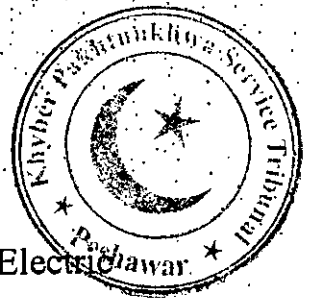
DEPONENT

CNIC: 14203-3478108-8

Cell: 0344-9302738

BEFORE THE KP SERVICE TRIBUNAL, PESHAWAR

SERVICE APPEAL NO. 1631 /2022



Muhammad Zakariya, Deputy Electric Inspector (BPS-18), Regional Electric Inspectorate District Swat.

(APPELLANT)

VERSUS

1. The Government of Khyber Pakhtunkhwa through Chief Secretary, Khyber Pakhtunkhwa, Peshawar.
2. The Secretary to Govt. of Khyber Pakhtunkhwa, Energy & Power Department Civil Secretariat, Peshawar.

(RESPONDENTS)

APPEAL UNDER SECTION 4 OF THE KP SERVICE TRIBUNALS ACT, 1974, AGAINST THE IMPUGNED SENIORITY LIST OF 10.01.2022 OF DEPUTY ELECTRIC INSPECTOR BPS-18, AND NOT EVEN CIRCULATED. WHEREIN THE NAME OF THE APPELLANT WAS NOT INCLUDED WITHOUT ANY JUSTIFICATION TAKING NO ACTION AGAINST AN APPEAL OF THE APPELLANT WITHIN THE STATUTORY PERIOD OF 90-DAYS.

PRAYER:

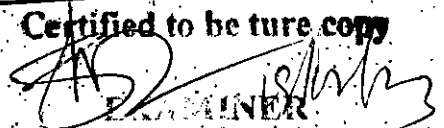
THAT ON ACCEPTANCE OF THIS APPEAL IMPUGNED SENIORITY LIST DATED 10.01.22 MAY BE SET ASIDE AND THE RESPONDENT MAY BE DIRECTED TO REDRAW, RECAST THE SENIORITY OF 2022, BY INCLUDING THE NAME OF THE APPELLANT AT HIS PROPER PLACE/SERIAL NO. ANY OTHER REMEDY WHICH THIS AUGUST TRIBUNAL DEEMS FIT AND APPROPRIATE THAT MAY ALSO BE AWARDED IN FAVOUR OF THE APPELLANT.

RESPECTFULLY SHEWETH:

FACTS:

1. That the appellant was performing his duty with the entire satisfaction of his senior and not giving any chance of the complainant.
2. That the appellant was appointed in BPS-18 vide order dated 13.12.2016. Copy of the order is attached as Annex-A & B.

Certified to be true copy


CHAIRMAN
Khyber Pakhtunkhwa
Service Tribunal
Peshawar

A. No. 1631/2022
M. Zakariya vs Govt



11th Dec, 2023

1. Learned counsel for the appellant present. Mr. Asad Ali Khan, Assistant Advocate General for the respondents present.
2. Written reply/comments on behalf of the respondents have not been submitted despite numerous opportunities, hence, they are ex-parte. To come up for preliminary hearing on 17.01.2024 before S.B. P.P given to the parties.

9

(Kalim Arshad Khan)
Chairman

Adnan Shah

Certified to be true copy
 [Signature]
 EXECUTIVE MEMBER
 Khyber Pakhtunkhwa
 Service Tribunal
 Peshawar

Date of Presentation of Application 19/12/23
 Number of Words 27
 Copying Fee 10/-
 Urgent 5/-
 Total 15/-
 Name of Copyiest _____
 Date of Completion of Copy 19/12/23
 Date of Delivery of Copy 19/12/23