

BEFORE THE SERVICE TRIBUNAL KHYBER PAKHTUNKHWA PESHAWAR

SERVICE APPEAL NO 2439/2023

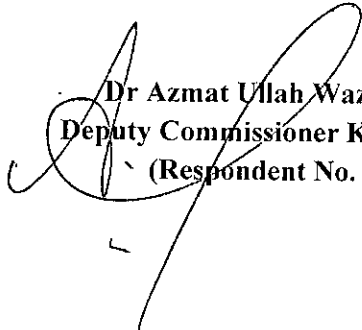
Noor Muhammad Yasir Assistant Programmer.....Appellant

Versus

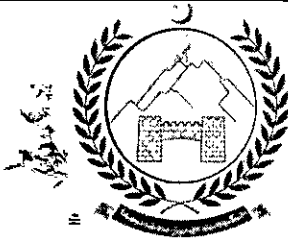
Govt of Khyber Pakhtunkhwa Home & Tribal Affairs Peshawar and Others..... Respondents

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Dr Azmat Ullah Wazir
Deputy Commissioner Kohat.
(Respondent No. 3)

Next Date
12-02-2024
Peshawar



OFFICE OF THE DEPUTY COMMISSIONER KOHAT

①

NO. 275 DC/KT

Dated 26/1/26

AUTHORITY LETTER

Mr. Zakir Hussain Superintendent (BPS-17) is hereby authorized to submit para-wise comments / reply in the Service Appeal No. 2439 titled as Noor Muhammad Yasir versus Government in Khyber Pakhtunkhwa Service Tribunal and to represent the undersigned in the subject case on 30-01-2024 and subsequent dates.

Further-more, the officer concerned may also update the undersigned about the proceedings of the Tribunal on each date of hearing.


(Dr. Azmatullah Wazir)
Deputy Commissioner Kohat

SERVICE APPEAL NO 2439/2023

Noor Muhammad Yasir Assistant Programmer.....Appellant

Versus

Govt of Khyber Pakhtunkhwa Home & Tribal Affairs Peshawar and Others.....Respondents

AFFIDAVIT

I Dr. Azmatullah Wazir, Deputy Commissioner Kohat do hereby solemnly affirm and declare that the para wise comments / report are true and correct to the best of my knowledge and belief and that nothing has been concealed therein from this hon'ble Tribunal.

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.



6/2/24

DEPONENT

(Dr. Azmatullah Wazir)
Deputy Commissioner Kohat

CNIC NO. _____

Mobile No. _____

Respondent No-03-

3

BEFORE THE SERVICE TRIBUNAL KHYBER

PAKHTUNKHWA PESHAWAR

Khyber Pakhtunkhwa
Service Tribunal

SERVICE APPEAL NO 2439/2023

Diary No. 11016

Dated 06-2-2024

Noor Muhammad Yasir Assistant Programmer.....Appellant

Versus

Govt of Khyber Pakhtunkhwa Home & Tribal Affairs Peshawar and Others.....Respondents

**PARA WISE COMMENTS TO THE SERVICE APPEAL ON BEHALF OF
RESPONDENT NO 03**

PRELIMINARY OBJECTIONS:-

1. That the appellant has no cause of action or locus standi.
2. That the appellant has not come to the Tribunal with clean hands.
3. That the appellant has been estopped by his own conduct to file the instant appeal.
4. That the appeal is badly time barred.
5. That the appeal is not maintainable in its present form.
6. That the appeal is bad for misjoinder and non joinder of necessary parties.

FACTS:-

1. No comments.
2. Correct to the extent that appellant was transferred to this office vide Section Officer (General) Home & Tribal Affairs Department Peshawar vide Notification No E&A (HD)1-12/2021 dated: 13/07/2021 (**Annexed A**). The appellant submitted his arrival on 13-07-2021 but thereafter he did not attend the office for a single day and remained absent. Consequently the same was reported to his parent department i.e. Secretary Home & TA Department Peshawar and his services were surrendered vide this office letter No 689-91/DC-Kt/LC dated: 08/12/2022 (**Annexed B**).
3. Relates to other respondents.
4. Incorrect. As per para-2 above.
5. Relates to other respondents.
6. Relates to other respondents.
7. Relates to other respondents.
8. Relates to other respondents.
9. Relates to other respondents.

GROUNDS:-

- A. Relates to other respondents.
- B. Relates to other respondents.
- C. Relates to other respondents.
- D. Relates to other respondents.
- E. Relates to other respondents.
- F. Relates to other respondents.
- G. As stated in Para-2 of the facts.
- H. As stated in Para-2 of the facts.
- I. No comments.

PRAYERS:-

In the view of above, it is humbly prayed that the appeal is not maintainable, against the law, may therefore be dismissed.


Dr. Azmat Ullah Wazir
Deputy Commissioner Kohat.
(Respondent No. 3)



GOVERNMENT OF KHYBER PAKHTUNKHWA
HOME & TRIBAL AFFAIRS DEPARTMENT

Dated Peshawar the July 13, 2021

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NOTIFICATION

No. E & A (HD) 1- 12 / 2021. The Competent Authority is pleased to transfer Mr. Noor Muhammad Yasir Assistant Programmer of Computerization of Arms Licenses from the Office of Deputy Commissioner Hangu and post him in the Office of Deputy Commissioner Kohat with immediate effect in the best public interest further order.

Special Secretary-II
Home Department

Encls: No. & date Even.

Copy forwarded to:

1. Deputy Commissioner Hangu
2. Deputy Commissioner Kohat
3. PS to Home Secretary, Khyber Pakhtunkhwa.
4. PS to Special Secretary-II Home, Khyber Pakhtunkhwa.
5. AD Arms Home Department
6. PA to Deputy Secretary (Admn) Home Department.
7. Official concerned.

Section Officer (General)
Phone # 091 921-4104
Cell # 0333-912-1456



OFFICE OF DEPUTY COMMISSIONER
DISTRICT KOHAT

No. 689-91 /DC-KT/LC.

Dated Kohat the, 8-12- 2022

The Secretary,
Home & TAs Department Government of
Khyber Pakhtunkhwa, Peshawar

SUBJECT:- SURRENDER OF SERVICE OF MR. NOOR MUHAMMAD YASIR ASSISTANT PROGRAMMER (BPS-16) COMPUTERIZATION OF ARMS LICENSE BRANCH DC OFFICE KOHAT.

Respected Sir,

Reference to the subject noted above and to say that Mr. Noor Muhammad Yasir Assistant Programmer (BPS-16) has not joined his official duty, though he has assumed charge on 03-07-2021, but still absent from official duty. Therefore, his services may please be surrendered for the best public interest please.

Deputy Commissioner
Kohat

CC:

1. The Deputy Secretary (Admin) Home & TAs Department Government of Khyber Pakhtunkhwa, Peshawar.
2. The Section Officer (General) Home & TAs Department Government of Khyber Pakhtunkhwa, Peshawar.

Deputy Commissioner
Kohat