

BEFORE THE SERVICE TRIBUNAL KHYBER
PAKHTUNKHWA PESHAWAR

In S.A # 2316/2023

Saif Ullah

Versus

Govt of KPK through Secretary Wild Life & Others

AFFIDAVIT

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Dated: 06.02.2024

Petitioner

Through

Mukamil Shah Taskeen
Mukamil Shah Taskeen
Advocate, High Court
Peshawar.

BEFORE THE SERVICE TRIBUNAL KHYBER
PAKHTUNKHWA PESHAWAR

In S.A # 2316/2023

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Khyber Pakhtunkhwa
Service Tribunal

Diary No. 11126

Dated 14-02-2024

REJOINDER ON BEHALF OF APPELLANT

Respectfully Sheweth,

All the Preliminary objection raised by the Respondents are incorrect and baseless and not in accordance with law and rules rather the Respondents are estopped due to their own conduct to raised any objection. Therefore the same are not maintain able, the appeal of the appellant within time, the appellant has come with clean hand, with bonafide intention under the prevailing law. He is stated the truth and nothing has been concealed from this Hon'ble Tribunal. The question of estopped is not raised the impugned orders issued by the respondents are based on malafide intention, the appellant being aggrieve person is entitled for the relief as he sought .

Facts

1. Para No.1 of the reply need no comments.

2. In Para No.2 of the comments it is submitted that absence of the appellant was due to accident, detailed mentioned in the appeal.
3. Para No.3 of the comments is incorrect it is submitted that detailed fact mentioned in the appeal is true based on real fact. No inquiry was ever conducted nor any inquiry dispensation order was issues all allegation in the comments are false.
4. Para No.4 of the reply is incorrect, department appeal of the appellant was malafidely turned down.
5. Para No.5 of the reply is incorrect.
6. Para No.6 of the reply is incorrect, Both the orders impugned are nullity in the eye of law which are not sustainable and are required to be set aside on the ground as mentioned in the appeal.

ON GROUNDS:-

1. All the grounds of comments of the respondents are incorrect, baseless while all the grounds of the appeal are correct and accordance with law and prevailing rules, the appellant has been removed from service malafidely while the appellant has not been treated according to the rules as such no

charge sheet no statement of allegation has been issued.

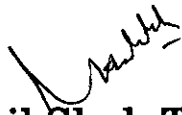
That the impugned order has been passed without fulfilling the codal formalities which comes under the definition the void order.

It is, therefore, requested that the appeal may kindly be accepted as prayed for.

Dated: 06.02.2024

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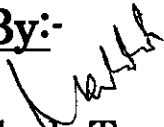
AFFIDAVIT

I, *Saifullah S/o Rushan Khan R/o Urmar Payan Peshawar Ex-Mali Peshawar, Zoo Peshawar*, do hereby solemnly affirm and declare on oath that contents of the Rejoinder are true and correct to the best of my knowledge and belief and nothing has been concealed from this Hon'ble court.


Deponent
CNIC# 17301-1272379-9
Cell:0333-9189442

14 FEB 2024

Identified By:-


Mukamil Shah Taskeen
Advocate High Court
Peshawar

