

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

CM No. 577/2023

Service Appeal No. 410-D/2022.

Provincial Police Officer, Khyber Pakhtunkhwa, Peshawar & others.....petitioners.

VERSUS

Shah Jahan son of Malik Sultan resident of Bakhtawar Abaad, Tehsil & District D.I.Khan (Appellant in main appeal).....respondent.

**PETITION ON BEHALF OF PETITIONERS /RESPONDENTS IN THE MAIN APPEAL
FOR SETTING ASIDE THE ORDER DATED 21.12.2023 WHEREBY THE
PETITIONERS /RESPONDENTS WERE PLACED EX-PARTE.**

INDEX

S. NO	DESCRIPTION OF DOCUMENTS	ANNEXURE	PAGE No.
1.	Petition for of petitioner/respondents		01
2.	Order sheet dated 18.01.2024	A	02
3.	Authority letter		01
4.	total		04


RESPONDENTS

BEFORE THE HONORABLE KHYBER PAKHTYUN KHWA SERVICE TRIBUNAL PESHAWAR

CMNo.577/2023

Service Appeal No.410-D/2022

Khyber Pakhtukhwa
Service Tribunal

Diary No. 11272

Provincial Police Officer, Khyber Pakhtunkhwa, Peshawar & Others.....Petitioners. 21/2/24

VERSUS

Shah Jahan Son of Malik Sultan resident of Bakhtawar Abad Tehsil & District D.I.Khan (Appellant in main appeal).....respondents.

PETITION ON BEHALF OF PETITIONERS / RESPONDENTS IN THE MAIN APPEAL FOR SETTINGH ASIDE THE ORDER DATED 21.12.2023 WHEREBY THE PETITIONERS / RESPONDENTS WERE PLACED EX-PARTE.

RESPECTFULLY SHEWETH

1. That the above titled service Appeal is pending before the honorable Tribunal Camp Court at D.I.Khan and date is fixed for hearing on 22-02-2024 as per order sheet dated 18-01-2024 (Copy of order sheet dated 18-01-2024 is attached as annexure "A").
2. Due to abundance of officials and litigation affairs the petitioners/Respondents were compelled to file their reply with in due date and time.
3. That the petitioners/respondents have received an order sheet dated 21-10-2023 where in, the petitioner / respondents were placed Ex-parte.
4. That the petitioner/despondence have not deliberately or willfully used any delay tactics in the submission of Para-Wise Comments in the subject case.
5. That the petitioners/respondents attended the Honorable Tribunal each and every date of hearing in the above titled case.

PRAYERS:-

It is therefore , humbly prayed that the Ex-parte order / proceedings dated 21-10-2023 in the interest Justice and the petitioners/respondents may kindly be provided an opportunity of submission of comments/defense in the interest of Justice.



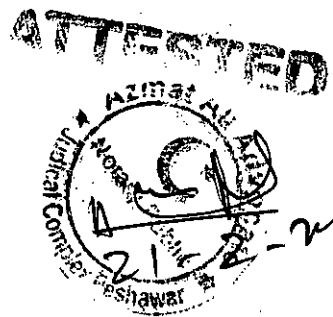
Superintendent of Police FRP,
D.I.Khan Range, D.I.Khan
(Respondent No.02,4 & 5)
(Azmat Ali Khan)
Incumbent

Affidavit

That all the contents of petition are true and correct to the best of my knowledge and belief



Superintendent of Police FRP,
D.I.Khan Range, D.I.Khan
(Respondent No.02,4 & 5)
(Azmat Ali Khan)
Incumbent



①



**BEFORE THE HON'BLE SERVICE TRIBUNAL
KHYBER PAKHTUNKHWA, PESHAWAR.**

12 (2) Petition No. 577/2023

G.M No.

697
2023
10/08/23

In

Service Appeal No. 410-D/2022

Shah Jahan son of Malik Sultan resident of Bakhtawar Abad, Tehsil
& District D.I.Khan.

APPLICANT

VERSUS

1. The Government of Khyber Pakhtunkhwa through Provincial Police Officer / Inspector General of Police, Khyber Pakhtunkhwa, Peshawar.
2. Regional Police Officer, D.I.Khan Division.
3. Deputy Inspector General, Dera Ismail Khan.
4. Superintendent of Police / FRP, D.I.Khan Range.
5. Commandant Frontier Reserve Police, Khyber Pakhtunkhwa, Peshawar.
6. District Police Officer, D.I.Khan.
7. Superintendent of Police Investigation, D.I.Khan.
8. The Deputy Superintendent of Police, FRP, D.I.Khan Range.

(Respondents)

APPLICATION UNDER SECTION 12(2) OF CPC
FOR SETTING ASIDE THE JUDGMENT / ORDER
DATED 27.06.2022 PASSED BY THIS
HONOURABLE TRIBUNAL IN SERVICE APPEAL
NO. 410-D/2022 BEING BASED ON
MISREPRESENTATION ETC.

ATTESTED

EXAMINER
Khyber Pakhtunkhwa
Service Tribunal
Peshawar

15/2/24


18.01.2024 1. Learned counsel for the appellant present. Mr. Habib Anwar, Additional Advocate General alongwith Mr. Javid, Inspector (Legal) for the respondents present.



2. Learned AAG requested for adjournment on the ground that he is going to file application for setting aside ex-parte proceeding initiated against respondents on 21.10.2023. Request is acceded to, with direction to submit the same within a week at principal seat Peshawar. Learned counsel for the appellant made a request for deletion of the names of respondents No. 2, 3, 6 & 7 being unnecessary parties. Names of respondents No. 2, 3, 6 & 7 be deleted accordingly. Office shall make entries in the memo and grounds of appeal and in the relevant register. Adjourned. To come up for preliminary hearing on 22.02.2024 before S.B at camp court, D.I.Khan. P.P given to the parties.

Certified to be true copy

EXAMINER
Khyber Pakhtunkhwa
Service Tribunal
Peshawar


(Rashida Bano)
Member (J)
Camp court, D.I.Khan

Date of Presentation 15/2/24
Number of Page 2
Copying Fee 10/-
Urgent 15/2/24
Total 15/2/24
Name of Shahid
Date of 15/2/24
Date of Delivery 15/2/24

BEFORE THE HONORABLE KHYBER PAKHTYUN KHWA SERVICE TRIBUNAL PESHAWAR

CMNo.577/2023

Service Appeal No.410-D/2022

Provincial Police Officer,Khyber Pakhtunkhwa,Peshawar &
Others.....Petitioners.

VERSUS

Shah Jahan Son of Malik Sultan resident of Bakhtawar Abad Tehsil & District
D.I.Khan(Appellant in main appeal).....repondent.

**PETITION ON BEHALF OF PETITIONERS / RESPONDENTS IN THE MAIN APPEAL
FOR SETTINGH ASIDE THE ORDER DATED 21.12.2023 WHEREBY THE
PETITIONERS / RESPONDENTS WERE PLACED EX-PARTE.**

AUTHORITY LETTER

Respectfully Sheweth

We respondents do hereby solemnly authorize Mr.Javed Khan Inspector of FRP
D.I.Khan Range to attend the Honorable Tribunal and submit affidavit/Para-wise
comments required for the defense of above Service Appeal on our behalf.



Superintendent of Police FRP,
D.I.KhanRange,D.I.Khan
(Respondent No.02,4& 5)
(Azmat Ali Khan)
Incumbent

