

BEFORE THE KPK, SERVICE TRIBUNAL, PESHAWAR

S.A No. 814/2023

Sardar Riaz-ud-Din

versus

PPO & Others

REJOINDER

Khyber Pakhtunkhwa
Service Tribunal

Diary No. 11282

Dated 22-02-2024

Respectfully Sheweth,

PRELIMINARY OBJECTION

All the 07 Preliminary Objections are illegal and incorrect. No reason in support of the same is ever given as to why the appeal is not based on facts, is barred by law and limitation, not maintainable, bad for mis and none joinder of necessary parties, estoppel, unclean hands, no cause and locus standi.

ON FACTS

- 1-3. Not commented upon by the respondents as these paras was termed to record.
4. Not correct. Receipt of representation is attached here with. (Copy Attached)
5. In response to para No. 05 of the comments, it is submitted that it was not the fault of appellant to deprive him from promotion and other service benefits because the lapses was not on his part but of the department and for that he shall not be punished. It was incumbent upon the respondents that appellant should have been given promotion etc. to the next higher post / grade conditionally that if he was cleared then the said benefit should follow by the department otherwise he should have been reverted to the original position because other colleagues namely Asadullah and Alam Zeb were given the said position / benefit etc.

Changing antidation confirmation was / is void per the mandate of law and judgments of the superior courts.

01-03-2024

6. Not correct and as stated in para No. 04 above, postal receipt of the Post Office is attached herewith.

GROUNDS:

All the grounds of the appeal are legal and correct while that of the reply are illegal and incorrect. The same are re-affirmed once again.

It is, therefore, most humbly prayed that the appeal be accepted as prayed for.

Sardar Riaz

Appellant

Through

Saadullah Khan Marwat

Saadullah Khan Marwat

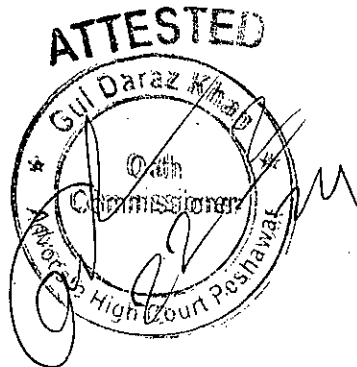
Advocate,

Dated: 21-02-2024

AFFIDAVIT

I, Sardar Riaz-ud-Din, appellant do hereby solemnly affirm and declare that contents of the **Appeal & rejoinder** are true and correct to the best of my knowledge and belief while that of reply of respondents are illegal and incorrect.

Sardar Riaz
DEPONENT



No. 1332

For Insu

RGL51744239

Rs Ps

Stamps affixed except in case of uninsured letters of not more than the initial weight prescribed in the Post-Office Guide or on which no acknowledgment is due.

80

Received a registered letter addressed to

Date-Stamp

Initials of Receiving Office

Write here "letter", "postcard", "packet" or "parcel" before it when necessary.

Insured for Rs. 23 (in figures) (in words)

If insured.

Insurance fee Rs. 10 Ps. (in words) (Kilo Grams)

Name and address of sender

Vertical handwritten signature on the right margin.

Handwritten signature at the bottom of the page.