

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

891

**Rejoinder in Service Appeal No. 898 /2023**

Sher Ullah Assistant Director, Directorate of E&SE Khyber  
Pakhtunkhwa Peshawar.

(Appellant)

**VERSUS**

1. Chief Secretary Govt of Khyber Pakhtunkhwa Peshawar.
2. Secretary E&SE Govt of Khyber Pakhtunkhwa Peshawar.
3. Director E&SE Govt of Khyber Pakhtunkhwa Peshawar.

(Respondents)

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Dated 28.01.2024

  
Applicant

*Members  
2 copies handed over  
to appellant for  
AAG & members copy.*

(1)

BEFORE THE HON'BLE SERVICE TRIBUNAL KHYBER  
PAKHTUNKHWA PESHAWAR

Rejoinder in Service Appeal No. 891 /2023

Sher Ullah Assistant Director, Directorate of E&SE Khyber  
Pakhtunkhwa Peshawar.

(Appellant)

VERSUS

1. Chief Secretary Govt of Khyber Pakhtunkhwa Peshawar.
2. Secretary E&SE Govt of Khyber Pakhtunkhwa Peshawar.
3. Director E&SE Govt of Khyber Pakhtunkhwa Peshawar.

(Respondents)

AFFIDAVIT

I, Sher Ullah do hereby affirm and declare on oath  
that the contents of this <sup>Rejoinder</sup> ~~appeal~~ is true and correct to  
the best of my knowledge and belief nothing has  
been concealed from this Hon'ble Service Tribunal.

DEPONENT 

**ATTESTED**



2

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

Service Appeal No. 891 /2023

Khyber Pakhtunkhwa  
Service Tribunal  
Diary No. 11454  
Dated 28/2/24

Sher Ullah Assistant Director, Directorate of E&SE Khyber  
Pakhtunkhwa Peshawar.

(Appellant)

**VERSUS**

1. Chief Secretary Govt of Khyber Pakhtunkhwa Peshawar.
2. Secretary E&SE Govt of Khyber Pakhtunkhwa Peshawar.
3. Director E&SE Govt of Khyber Pakhtunkhwa Peshawar.

**REJOINDER ON BEHALF OF APPELLANT ON  
SERVICE APPEAL NO. 891/2023.**

**Respectfully Sheweth:**

The appellant submit as under:-

**PRELIMINARY OBJECTIONS:**

Objection 1 to 12 having no legal force and contradictory to the rules policy and law. The respondents just added these points to counter blast the legal proceedings of the appellant.

ON FACTS

1. That the reply of the respondents is totally baseless and just beating about the bushes and not coming to the point. They have narrated a baseless story which has no concern with the service history of the appellant. The case of the appellant has many times ~~brought~~<sup>be</sup> forwarded before the respondents by this Honorable Tribunal and every time they have submitted different replies and none of their replies match each others but every time they very irresponsibly replied and concealed the facts and wasted about eight years of this Honorable Court and tortured physically mentally, and, economically the appellant. The respondents have deprived the appellant of his legal rights and they have posted junior most persons on own pay grade transfers on this Promotion reserve seats and now they have no defense to cover off their **Nepotism, Favoritism, and Personal Like and Dislike** and favor of those blue eyed junior persons.

2. No comments.

3. No comments.

4. This para is also totally denied as the appellant has not asked about Deputy Director post (BPS-18) in his

appeal No. 891/2023. The respondents are narrating and irrelevant story to just waste the time and make confusion.

5. That this para is also not relevant to appeal No 891/2023 and respondents are not focusing on facts and illegally ~~traying~~ making to make confusion for illegal cover of their nepotism, personal like and dislike and favoritism given to their junior most persons. The appellant is asking for anti-dation of promotion of Assistant Director post and they are narrating irrelevant story of B&AO post.

6. That this para is similarly denied as per para 4 and 5 above. It is further clarified that this appeal No 891/2023 is in the result of appeal No. 1068/2015 while the appellant was in service, followed by appeal No. 4981/2021.

7. That this para is also denied as the respondents have intentionally delayed the appellant promotion though the promotion post was vacant w.e.f 09.03.2006 on the retirement of Rahim Ullah AD at the age of six<sup>ty</sup> years but no promotion process was started till 29.08.2014 and this post was kept occupied by BLUE EYED JUNIOR MOST PERSONS ON THEIR OWN PAY GRADE

TRANSFER for the reasons mentioned in appeal No. 891/2023. Concrete legal proofs are already provided and will be explained at the time of arguments.

- 8. That this reply of the respondents is also against the law and facts concealing.
- 9. That the respondents have not acted as per law and violated the facts and figures.
- 10. That this reply is also not agreed as explained above.

**GROUND**S

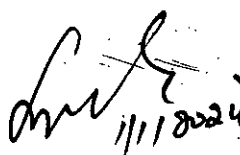
Grounds A to L stated by respondents are against the rules and have no Legs to strained on. They have totally irresponsibly replied the appellant appeal No. 891/2023 and also the entire case since 1068/2015 till date. So many times the Honourable Tribunal has put the case before the respondents and every time they have narrated a self-made stories which have no concerned with the appellant appeals. Their own replies are even contradictory to each other. Actually they are unsuccessfully trying to cover off their illegal nepotism, favoritism, and personal like, dislike given by them to blue eyed junior most

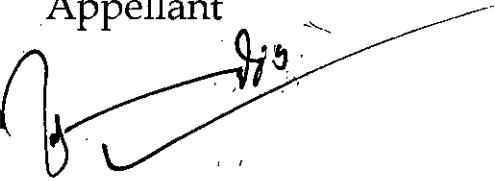
persons. And have concealed the clear cut recommendations of respondent No. 2 vide letter No. 4393 dated 30.0.2019 and No 2695 dated 25.02.2020. They have also ignored the Judgments of various Honorable Courts including this Honorable Tribunal reading anti-dation of promotion, already provided along with appeals. Even they have ~~written~~ the victimized the appellant of their own residence, Copies there-of already provided to them. Details proof will be explained and shown to the Honorable Court during arguments please.

PRAYER

It is most humbly prayed that on acceptance of appeal No 891/2023 the respondents may kindly be directed to anti-date the appellant promotion as AD w.e.f 09.03.2006 instead of 29.08.2014 with cost with all back benefits in favor of appellant ~~please~~.

Dated // / /2024

  
11/1/2024  
Appellant

Through 

Mehboob Ali Khan Dagai  
Advocate High Court  
Peshawar