


FORM OF ORDERSHEET

Court of _____

Misc. application No. 157 /2024

S.No.	Date of order proceedings	Order or other proceedings with signature of judge
1	22/02/2024	<p>The Misc. application in Service appeal 1622/2023 submitted today by respondent no. 1 & 2 through Ali Rehman DSP Legal. It is fixed for hearing before touring Single Bench at Swat on _____ Original file be requisitioned.</p> <p style="text-align: right;"> REGISTRAR</p>

BEFORE THE KHYBER PAKHTUNKHWA SERVICE TRIBUNAL PESHAWAR.

Misc. Appli. No. 157/2024

Service Appeal No. 1622/2023

Khyber Pakhtunkhwa
Service Tribunal

1. Provincial Police Officer, Khyber Pukhtunkhwa, Peshawar.
2. Regional Police Officer, Malakand Region.

Diary No. 11280

Dated 22-02-2024

VERSUS

Sultan Zeb M-SI NO.247 Police Training School Swat district Swat

**APPLICATION FOR SETTING ASIDE EX-PARTE ORDER DATED 04/01/2024
AND RESTORING RIGHT OF FILING PARAWISE COMMENTS**

Respectfully Sheweth:

1. That the subject Service Appeal filed by the appellant namely Sultan Zeb Sub-Inspector and next dated is fixed before this honorable Tribunal as 04/03/2024.
2. That the subject Service Appeal was filed by the appellant for seniority with his colleagues.
3. That this honorable Tribunal issued ex-parte order dated 04.01.2024 without taking into consideration the stance of Police department, which is not in accordance with natural justice.
4. That from ex-parte order, the answering respondents are deprived of their right of defense and submission of Parawise comments.
5. That the Parawise comments accordingly prepared and were ready for submission.
6. That the respondent department always complied with the direction of honorable Tribunal with letter and spirit.
7. That feeling aggrieved from Order dated 04/01/2024 of this honorable Tribunal, the respondents seek right for restoration to file Para-wise comments on the following Grounds.

GROUND

- A. That the valuable rights of the department respondents are involved with the instant Service Appeal.
- B. That the application is within time and there is no disobedience on the part of respondents.
- C. That there is no legal bar in acceptance of the application in hand.

04-03-24
Swat.

- D. That the Parawise Comments were already signed by the answering respondents and were ready to be submitted on 04/01/2024, the respondents will show punctuality in future.
- E. That according to the rules of natural justice, Audi-alterem-partem, no one cannot be condemned unheard.

Prayer:-

It is therefore, most respectfully prayed that on acceptance of this application, the Ex-Parte proceedings against the respondents may be set aside and right to file Parawise comments may kindly be restored, please.



Regional Police Officer
(Muhammad Ali Khan) PSP
Malakand Region
Regional Police Officer
Saado Shafiq Swat
Malakand Region
(Respondent No.02)

BEFORE THE KHYBER PAKHTUNKHWA SERVICE TRIBUNAL PESHAWAR.

Service Appeal No. 1622/2023

Provincial Police Officer, Khyber Pukhtunkhwa, Peshawar & other.

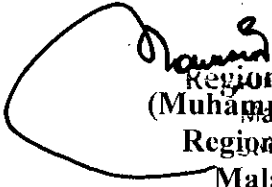
VERSUS

Sultan Zeb M-SI NO.247 Police Training School Swat district Swat

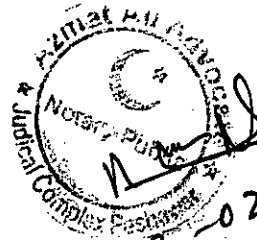
APPLICATION FOR SETTING ASIDE EX-PARTE ORDER DATED 04/01/2024
AND RESTORING RIGHT OF FILING PARAWISE COMMENTS


AFFIDAVIT

I, the undersigned do hereby solemnly affirm on oath and declare that the contents of the C.M application are correct/true to the best of our knowledge/ belief and nothing has been kept secret from the honorable Tribunal.


Regional Police Officer
(Muhammad Ali Khan) PSP
Regional Police Officer
Malakand Region
(Respondent No.02)

ATTESTED



Through

(ALI REHMAN)

DSP (legal)

Dated 22-02-24

BEFORE THE KHYBER PAKHTUNKHWA
SERVICE TRIBUNAL, PESHAWAR

Service Appeal No. 1622 of 2023



Sultan Zeb M-SI No. 247 Police Training School Swat,
District Swat.

...Appellant

VERSUS

1. The Provincial Police Officer Khyber Pakhtunkhwa,
Peshawar.
2. The Regional Police Officer Malakand Region,
Saidu Sharif, Swat.

...Respondents

SERVICE APPEAL UNDER SECTION 4
OF THE SERVICE TRIBUNAL, ACT, 1974
AGAINST THE ORDER 3550-52/E
DATED 14-03-2023, COMMUNICATED
VIDE O.B. NO. 42 DATED 22-03-2023,
WHEREBY THE SENIORITY OF THE
APPELLANT WAS DISTURBED
WITHOUT IN VIOLATION OF THE
LAW, RULES AND FACTS, HENCE THE
ORDER IMPUGNED IS LIABLE TO BE
SET ASIDE, FEELING AGGRIEVED THE
APPELLANT PREFERRED A
DEPARTMENTAL REPRESENTATION,
BUT THE SAME WAS ALSO DECIDED
VIDE NO. CPO/CPB/ 250 DATED
PESHAWAR 30 JULY, 2023 IN A VERY
MECHANICAL MANNER IN
COMPLETE NEGATION OF THE LAW,
RULES AND FACTS, HENCE BOTH THE

Certified to be true copy
EXAMINER
Khyber Pakhtunkhwa
Service Tribunal,
Peshawar
24-2-24

Appeal No. 1622/2023
Sultan Zeb vs Govt



07.12.2023

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

2. Reply/comments on behalf of respondents not submitted. Representative of the respondents requested for time to submit reply/comments. Granted. To come up for reply/comments as well as preliminary hearing on 04.01.2024 before S.B P.P given to the parties.

SCANNED
K-3T
Peshawar

(Muhammad Akbar Khan)
Member (E)
Camp Court Swat

04.01.2024
kanranullah

Learned counsel for the appellant present. Mr. Muhammad Jan learned District Attorney for the respondents present.

Neither any representative of the respondents present nor reply has been submitted, hence, they are placed *ex-parte*. To come up for preliminary hearing on 04.03.2024 before S.B at camp court, Swat. P.P given to the parties.

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EXAMINER
Khyber Pakhtunkhwa
Service Tribunal
Peshawar

(Kalim Arshad Khan)
Chairman
Camp Court, Swat

kanranullah

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