

BEFORE THE KHYBER PAKHTUNKHWA SERVICE TRIBUNAL,
PESHAWAR

Service Appeal No. 330/2024

Idrees Ahmad Ex-Chowkidar.

...Appellant

VERSUS

The District Education Officer (Male) District Swat.

...Respondent

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Appellant Through


Imdad Ullah

Advocate Swat

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BEFORE THE KHYBER PAKHTUNKHWA
SERVICE TRIBUNAL, PESHAWAR

Service Appeal No. 330/2024

Khyber Pakhtunkhwa
Service Tribunal

Diary No. 12882

Dated: 21.05.2024

Idrees Ahmad Ex-Chowkidar.

...Appellant

VERSUS

The District Education Officer (Male) District Swat.

...Respondent

REJOINDER BY THE APPELLANT

Respectfully Sheweth:

Preliminary Objections:

That all the preliminary objections are incorrect, baseless and based on misstatements and concealment of material facts, thus the same are specifically denied. Moreover the Appellant has got a prima facie case in his favour and has approached this Honourable Tribunal well within time with clean hands and this Honourable tribunal has got the jurisdiction to adjudicate upon the same.

On Facts:

- i. Para 1 of the comments as drafted amounts to admission thus needs no reply.*

- ii. *Para 2 of the comments as drafted also mounts to admission, hence needs no reply.*
- iii. *Para 3 of the comments as drafted amounts to admission, being vague and evasive.*
- iv. *Para 4 of the comments as drafted to the extent of non-resumption of duties is incorrect and need solid proof, thus the para is denied to the extent.*
- v. *Para 5 of the comments as drafted is incorrect and devoid of merits, thus the same is denied.*
- vi. *Para 6 of the comments as drafted also is denied being devoid of merits.*
- vii. *Para 6 of the comments as drafted also is ill construed and devoid of merits, thus the same is denied.*
- viii. *Para 8 of the comments as drafted is based on misstatements thus the same is denied.*
- ix. *Para 9 of the comments as drafted is incorrect, baseless and based on misstatements, thus the same is specifically denied. Moreover the Appellant was never communicated the impugned order and only during the pendency of the service appeal he was informed.*
- x. *Para 10 of the comments as drafted also is denied being devoid of merits.*

- xi. *Para 11 of the comments as drafted is based on concealment of facts, thus the same is denied as well.*
- xii. *Para 12 of the comments is devoid of merits hence denied on the following grounds.*

Grounds:

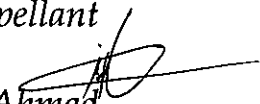
- a. *Ground A of the comments as drafted is incorrect and devoid of merits, thus the same is specifically denied.*
- b. *Ground B of the comments as drafted also is denied being devoid of merits.*
- c. *Ground C of the comments as drafted is incorrect and based on misstatements, thus the same is denied as well.*
- d. *Ground D of the comments as drafted also is based on misstatements, thus the same is denied.*
- e. *Ground E of the comments as drafted also is devoid of merits thus the same is denied as well.*
- f. *Ground F of the comments as drafted being evasive amounts to admission, thus needs no reply.*

It is, therefore, very respectfully prayed that on acceptance of this rejoinder the service appeal of


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*the appellant may very kindly be decided as prayed
for originally.*

Appellant


Idrees Ahmad

Through Counsel


Imdad Ullah

Advocate Swat

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AFFIDAVIT

It is solemnly stated on Oath that all the contents of this rejoinder are true and correct to the best of my knowledge and belief and nothing has either been misstated or kept concealed before this Honourable Tribunal.

Deponent

Idrees Ahmad

ATTESTED

[Signature]

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* Date 20-5-2024

OATH COMMISSIONER