

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

*MISC. Appli. no 352/2024*  
**Service Appeal No.134/2024.**

Mr. Inayat Khan S/o Panakzai Caste, parachamkani resident of village Sarpakh Central Kurram, District Kurram.

.....Petitioner.


**VERSUS.**

1. Inspector General of Police, Government of Khyber Pakhtunkhawa Peshawar.
2. District Police Officer, District Kurram.
3. Regional Police Officer, Kohat Region Kohat.

.....Respondents.

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**Deponent**

*Focal Person DPO Kurram*  
*0301-2019342*

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**BEFORE THE KHYBER PAKHTUNKHWA SERVICE TRIBUNAL, PESHAWAR**

C.M. NO. 352/2024  
Service Appeal No. 134/2024

Khyber Pakhtunkhwa  
Service Tribunal

1. The Inspector General of Police, Khyber Pakhtunkhwa, Peshawar.
2. The District Police Officer, District Kurram.
3. The Regional Police Officer, Kohat Region Kohat.

Diary No. 12682

Dated 10-05-2024

**VERSUS**

Mr. Inayat Khan S/o Panakzai Ex-Constable Caste Parachamkani resident of Sarpakh Central Kurram, District Kurram.

**APPLICATION FOR SETTING ASIDE EX-PARTE DATED 16.04.2024 AND RESTORING RIGHT OF FILING PARA-WISE COMMENTS.**

Respectfully Sheweth:


1. That, the above-captioned Service Appeal No. 134/2024 filed by the appellant namely Inayat Khan, Ex-Constable, for reinstatement into the service, is fixed for 27.06.2024.
2. That, in the above instant case, the comments were submitted on 16.04.2024 in Khyber Pakhtunkhwa Service Tribunal, Peshawar, with issuing institution No. 12199 dated 16.04.2024, but the comments were not timely placed into the file before The Honorable Service Tribunal, Peshawar.
3. That, the Honorable Tribunal issued an ex-parte order dated 16.04.2024 without taking into consideration the stance of the Police department.
4. That, the said comments have been returned due to an ex-parte order, depriving the answering respondents of their right of defense.
5. That, the Para-wise comments accordingly prepared and are ready for re-submission.
6. That, respondents department always complies with the directions of Honorable Courts in letter and spirit.
7. That feeling aggrieved 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 of the acceptance of the application in hand.

**PRAYERS:**

It is therefore, most respectfully prayed that on acceptance of this application the ex-parte proceedings against the respondents may be set aside and this office has already submitted all the required documents, Para-wise comments etc. well in time and right to file Para-wise comments may kindly be restored, please.

  
District Police Officer,  
Kurram.  
(Respondent No.2)  
(Nisar Ahmed) QPM (PSP)  
Incumbent

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**BEFORE THE KHYBER PAKHTUNKHWA SERVICE TRIBUNAL, PESHAWAR**

**Service Appeal No.134/2024.**

Mr. Inayat Khan S/o Panakzai Ex-Constable Caste Parachamkani resident of Sarpakh Central Kurram, District Kurram.

.....Appellant.

**VERSUS**

1. The Inspector General of Police, Khyber Pakhtunkhwa, Peshawar.
2. The District Police Officer, District Kurram.
3. The Regional Police Officer, Kohat Region Kohat.


.....Respondents.

**AFFIDIVAT**

I, Nisar Ahmad PSP District Police Officer Kurram, do hereby solemnly affirm on oath that the contents of accompanying Application for restoration of right of submission of Para-wise comments, in behalf of respondents department are correct to the best of our knowledge and belief nothing has been concealed from this Honorable Tribunal.

It is further stated on oath that in this appeal, the answering respondents have been placed ex-parte their defense has been struck off.



  
District Police Officer,  
Kurram.  
(Respondent No.2)  
(Nisar Ahmed) QPM (PSP)  
Incumbent

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**BEFORE THE KPK SERVICE TRIBUNAL PESHAWAR**

APPEAL NO. 134 /2024



Mr. Innayat Khan , (Ex-Shoulder DSP),  
District central Kurram.

.....(Appellant)

**VERSUS**

1. The Inspector General of Police, Khyber Pakhtunkhwa, Peshawar.
2. The District Police Officer, Kurram Khyber Pakhtunkhwa.
3. The Regional Police Officer Kohat Region Kohat.

.....(Respondents)

**APPEAL UNDER SECTION 4 OF THE KP SERVICE TRIBUNALS ACT, 1974 AGAINST THE IMPUGNED ORDER DATED 05/07/2023 WHEREBY THE PENALTY OF DISMISSAL FROM SERVICE WAS IMPOSED UPON THE APPELLANT AND AGAINST THE ORDER DATED 06/09/2023 WHEREBY THE DEPARTMENTAL APPEAL OF THE APPELLANT HAS BEEN REJECTED FOR NO GOOD GROUNDS AND AGAINST NOT DECIDING THE REVIEW UNDER-11-A OF THE APPELLANT WITHIN STATUTORY PERIOD OF 90 DAYS.**

**PRAYER:**

**THAT ON THE ACCEPTANCE OF THIS APPEAL, THE IMPUGNED ORDER DATED 05/07/2023 AND 06/09/2023 MAY KINDLY BE SET ASIDE AND THE APPELLANT MAY KINDLY BE REINSTATED IN TO SERVICE WITH ALL BACK AND CONSEQUENTIAL BENEFITS. ANY OTHER REMEDY WHICH THIS AUGUST TRIBUNAL DEEMS FIT AND APPROPRIATE THAT MAY ALSO BE AWARDED IN FAVOUR OF APPELLANT.**

Certified to be true copy  
F. N. A. J. N. S. R.  
Khyber Pakhtunkhwa  
Service Tribunal  
Peshawar

(9)

Appeal No. 134/2024  
Inayat Khan vs Govt



16<sup>th</sup> Apr. 2024

1. Learned counsel for the appellant and Mr. Umair Azam, Additional Advocate General present.
2. On the previous date, a Head Clerk was present on behalf of the respondents, but today, nobody is present on behalf of the respondents' side. Hence, they are placed ex-parte. The appeal has already been admitted to full hearing, therefore, let it be fixed for hearing on 27.06.2024 before D.B. P.P given to the appellant's counsel.

Q

(Kalim Arshad Khan)  
Chairman

Certified to be true copy

\*Mutazem Shah\*

AMINER  
Khyber Pakhtunkhwa  
Service Tribunal  
Peshawar

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