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BEFORE THE HONORABLE
KHYBER PAKHTUNKHWA SERVICE TRIBUNAL PESHAWAR

Service Appeal No. 2259/2023

1. Regional Police Officer, Kohat Region, Kohat.
2. District Police Officer, Hangu.

Khyber Pakhtunkhwa
Service Tribunal

Case No. 12662

Dated 09-08-24

VERSUS

Muhammad Nawaz

**APPLICATION FOR SETTING ASIDE EX PART DATED 29.04.2024 AND
RESTORING RIGHT OF FILING PARA-WISE COMMENTS**

Respectfully Sheweth:

1. That, above captioned Service Appeal filed by the appellant namely Muhammad Nawaz ex-constable for reinstatement in service which is fixed for 11.07.2024
2. That, the comments/written reply was submitted for the purpose of vetting due to deficiencies the same were returned the same as evident correction from the signature and stamp of the AG Office.
3. That, this Hon'ble Tribunal issued ex-parte order dated 29.04.2024 without taking into consideration the stance of Police department, which is not accordance with natural justice.
4. That, from ex-parte order the answering respondents are deprived of their right of defense.
5. That, the Para-wise comments accordingly prepared and are ready for submission.
6. That, respondent department always complied with the directions of Hon'ble Courts in letter and spirit.
7. That feeling aggrieved the respondent seek right for restoration of 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.
- D. That the delay was not intentional but due to the above justified reasons, the respondent will show punctuality in future.
- E. That according to the rules of natural justice, Audi-alterem-partem, no one cannot be condemned unheard.

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PRAYERS:-

It is therefore, most respectfully prayed that on acceptance of this application of this application the ex-part proceeding against the respondent may be set aside and right to file Para wise comments may kindly be restored, please.


(MUHAMMAD KHALID) PSP
District Police Officer,
Hangu

For R-1 + 2

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BEFORE THE HONORABLE, SERVICE TRIBUNAL
KHYBER PAKHTUNKHWA, PESHAWAR

■ **Service Appeal No. 2259/2023**

Muhammad Nawaz No. 508

District Hangu

.....**APPELLANT**

Versus

Regional Police Officer, Kohat Region Kohat

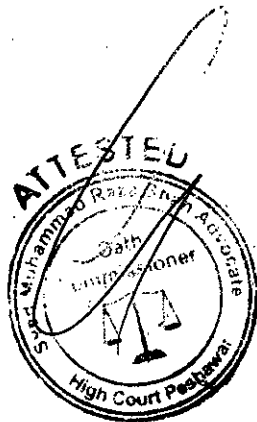
& Other

..... **RESPONDENTS**

AFFIDAVIT

I Muhammad Khalid PSP District Police Officer Hangu and Respondent, do hereby solemnly affirm on oath and declare that the contents of accompanying application for restoration of right of submission of parawise comments, on behalf of Respondents department are correct to the best of our knowledge and belief. Nothing has been concealed from this Honorable Tribunal.


(MUHAMMAD KHALID) PSP
District Police Officer,
Hangu



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BEFORE THE KHYBER PAKHTUNKHWA SERVICE TRIBUNAL,

PESHAWAR:



Service Appeal No 2259 /2023

Muhammad Nawaz, Ex-Constable No. 508, District
Hangu.....(Appellant)

VERSUS

1. Regional Police Officer, Kohat Region, Kohat.
2. District Police Officer (DPO), Hangu.....(Respondents)

APPEAL U/S 4 OF THE KHYBER
PAKHTUNKHWA SERVICE TRIBUNAL
ACT 1974, AGAINST THE IMPUGNED
ORDER DATED 03/10/2023 WHEREBY
DEPARTMENTAL APPEAL OF THE
APPELLANT AGAINST THE IMPUGNED
ORDER (IMPUGNED HEREIN) DATED
03/07/2023 WAS DISMISSED.

Prayer in appeal:

*On acceptance of the instant Service Appeal,
both the impugned orders may very graciously be set
aside and the appellant may kindly be reinstated on
the post with all back benefits.*

Certified to be true copy
09-5-23
EXAMINER
Khyber Pakhtunkhwa
Service Tribunal
Peshawar

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Appeal No. 2259/2023
Muhammad Nawaz vs Govt



06.03.2024

1. Learned counsel for the appellant present. Mr. Habib Anwar, Additional Advocate General alongwith Mr. Israr-ud-Din, Inspector for the respondents present.

2. Reply/comments on behalf of respondents not submitted. Representative of the respondents requested for time to submit reply/comments. Last opportunity is granted. To come up for reply/comments on 29.04.2024 before S.B. P.P given to the parties.



(Muhammad Akbar Khan)
Member (E)

Kamranullah

29th Apr. 2024

1. Learned counsel for the appellant present. Mr. Muhammad Jan, District Attorney present. Nobody is present on behalf of the respondents.

2. On the previous date, Mr. Israr Ud Din, Inspector was present and had sought time to file reply. Last opportunity was granted but till date, the respondents failed to submit reply/comments. Therefore, they are placed ex-parte. To come up for arguments on 11.07.2024 before D.B. P.P given to the appellant's counsel.

Certified to be true copy


(Kalim Arshad Khan)
Chairman

Mutazem Shah

EXAMINER
Khyber Pakhtunkhwa
Service Tribunal
Peshawar

09/5/24

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Date of Presentation of Application 09-5-24
Number of page 2
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