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BEFORE THE KHYBER PAKHTUNKHWA SERVICE TRIBUNAL, PESHAWAR

EP. No.183/2024 IN S.A. NO. 1184/2019


Syed Musadiq Shah Junior Clerk, Estate Office, Administration Department..... **Appellant**

Versus

Govt. of Khyber Pakhtunkhwa & Others **Respondents**

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Deponent

(2)

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

E.P No. 183/2024 in S.A No. 1184/2019

Mr. Musaddiq Shah, Junior Clerk Estate Office, Administration Department

.....(Appellant) Khyber Pakhtunkhwa
Service Tribunal

VERSUS

Govt. of Khyber Pakhtunkhwa through Chief Secretary & others.

Diary No. 12903

Dated: 21/5/24

.....(Respondents)

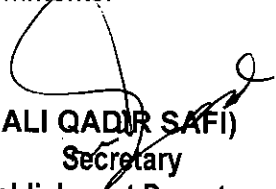
PARAWISE COMMENTS FOR/ON BEHALF OF THE RESPONDENTS NO. 1 TO 3.

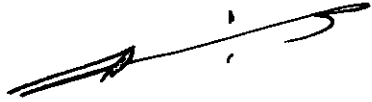
Respectfully Sheweth,

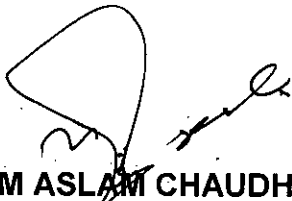
1. The appellant has got no cause of action and appeal is also time barred.
2. The appellant is estopped by his own conduct.
3. The appeal is bad for mis-joinder and non-joinder of necessary parties.
4. The appellant has not come to this Hon'ble Tribunal with clean hands.
5. The appellant has suppressed and twisted the facts with malafide intention for his own benefit.
6. The appeal is badly time barred.

ON FACTS

1. Pertains to record, hence no comments.
2. **Incorrect:** The judgment of Honorable Service Tribunal has been conditionally implemented and name of the appellant has been entered in the Seniority list of Junior Clerk (BS-11).
3. Pertains to record, hence no comments.
4. **Incorrect:** Order of the Honorable Tribunal has been implemented. As far as giving seniority to the appellant w.e.f 11.08.2008 is concerned, the same will be determined upon finalization of CPLA filed in the Supreme Court of Pakistan.
5. As explained in Para-4.
6. No comments.


(ALI QADIR SAFI)
Secretary
Establishment Department
through Kaleem Ullah,
Special Secretary Establishment
(Respondent No.2)


(MUHAMMAD ISRAR)
Secretary to Govt. of Khyber Pakhtunkhwa
Administration Department
(Respondent No.3)


NADEEM ASLAM CHAUDHARY,
Chief Secretary
Khyber Pakhtunkhwa
Through
Kaleem Ullah, Special Secretary Establishment
(Respondent No.1)



BEFORE THE SERVICE TRIBUNAL , PESHAWAR

EP No. 183/2024- In Service Appeal No.1184/2019

Syed Musadiq Shah Junior ClerkPetitioner

Versus

Government of Khyber Pakhtunkhwa & others.....Respondents

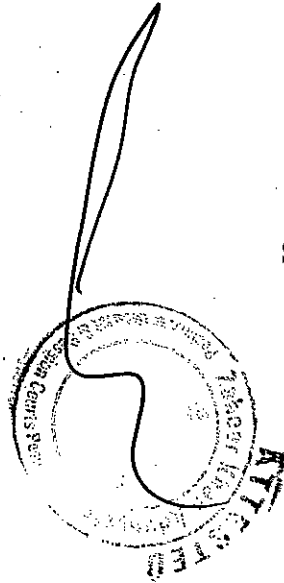
AFFIDAVIT

I, **Kaleem Ullah Baloch**, Special Secretary Establishment Department, do hereby solemnly declare that the content of parawise comments is correct and true to the best of my knowledge and record and nothing has been concealed from this Honorable Court.

It is further stated on oath that in this Appeal, the answering respondents have neither been placed ex-parte nor their defense has been struck-off.

Deponent

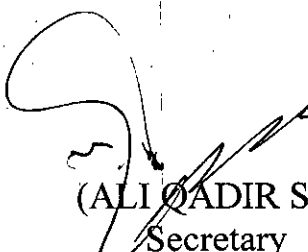
Ali Qadir Safi
, Secretary Establishment
through Kaleem Ullah,
Special Secretary stablishment
Mobile No. 0333-9391493




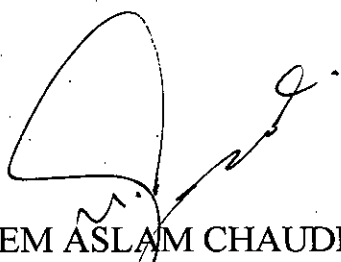
GOVERNMENT OF KHYBER PAKHTUNKHWA
ESTABLISHMENT & ADMINISTRATION DEPARTMENT

AUTHORITY LETTER

Mr. Sultan Shah, Superintendent Litigation Section-I, Establishment Department, Government of Khyber Pakhtunkhwa is hereby authorized to submit Joint Parawise Comments before the Hon'ble Service Tribunal, Peshawar in connection E.P.No. 183/2024 titled Syed Musadiq Shah Versus Govt. of Khyber Pakhtunkhwa on behalf of Respondents.


(ALI QADIR SAFI)
Secretary
Establishment Department
through Kaleem Ullah,
Special Secretary Establishment
(Respondent No.2)


(MUHAMMAD ISRAR)
Secretary to Govt. of Khyber
Pakhtunkhwa
Administration Department
(Respondent No.3)


NADEEM ASLAM CHAUDHARY,
Chief Secretary
Khyber Pakhtunkhwa
Through
Kaleem Ullah, Special Secretary Establishment
(Respondent No.1)