

BEFORE THE KHYBER PAKHTUNKHWA SERVICE TRIBUNAL
PESHAWAR

Service Appeal No. 338/2024

CM. No = 668

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

Khyber Pakhtunkhwa
Service Tribunal

Diary No. 14118

Dated 09/07/24

Appellant

VERSUS

Asad Ullah Ex-Constable No.1487 District Police Kohat.

Respondent.

APPLICATION FOR SETTING ASIDE EX-PARTE DATED
03.05.2024 AND RESTORING RIGHT OF FILING PARA-
WISE COMMENTS

Respected Shewith,


1. That the above captioned Service Appeal filed by the appellant namely Ajmal Saddiq & Asadullah wherein they are seeking ~~ante~~ ~~dated~~ reinstatement against dismissal order.
2. That this Hon'ble Court Tribunal issued-ex parte order dated 03.05.2024 without taking into consideration the stance of police department, which is not in accordance with natural justice.
3. That the notice of captioned Service Appeal received to the respondent department much lately and after this the record collection taken much time.
4. That from ex-parte order the answering respondents deprived of their right of defence.
5. That, the para-wise comments accordingly prepared and are ready for its submission.
6. That, respondents department always complied with the direction of Hon'ble Court in letter and spirit.
7. That feeling aggrieved the respondents seek right for restoration of file para-wise comments on the following grounds.

Grounds

- 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 justification reason, the respondents will show punctuality in future.
- E. That accordance to the rules of natural justice, Audi alteram partem no one cannot be condemned unhear.

It is, therefore most humbly prayed that the instant application the ex-parte proceedings vide order dated 0305.2024 against the respondents may set aside and right to file para-wise comments may kindly be restored please.



District Police Officer Kohat
(Respondent No.2)

(Muhamamd Umar Khan) PSP

BEFORE THE KHYBER PAKHTUNKHWA SERVICE TRIBUNAL
PESHAWAR

Service Appeal No. 338/2024

Asadullah, Ex-Constable No.1487 District Police Kohat

Appellant

VERSUS

Region Police Officer, Kohat and others

Respondent.

Affidavit

I, **Muhammad Omar Khan PSP** District Police Officer, Kohat, do hereby solemnly affirm and declare on Oath that the contents of the application for restoring right of submission of para-wise on behalf of respondents are correct to the best of my knowledge and belief.



District Police Officer Kohat
(Respondent No.2)
(Muhamamd Omar Khan) PSP



09 JUL 2024

BEFORE THE KHYBER PAKHTUNKHWA SERVICE TRIBUNAL
PESHAWAR

SERVICE APPEAL NO. 338/2024

Asad Ullah, Ex-Constable No.1487,
District Police, Kohat.



VERSUS

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

(RESPONDENTS)

APPEAL UNDER SECTION 4 OF THE KHYBER
PAKHTUNKHWA SERVICE TRIBUNALS ACT, 1974
AGAINST THE ORDER DATED 24.09.2023, WHEREBY
THE APPELLANT WAS DISMISSED FROM SERVICE
AND AGAINST THE ORDER DATED 16.01.2024
RECEIVED BY THE, APPELLANT ON 31.01.2024,
WHEREBY THE DEPARTMENTAL APPEAL OF THE
APPELLANT HAS REJECTED FOR NO GOOD
GROUND.

● PRAYER:

THAT ON THE ACCEPTANCE OF THIS APPEAL, THE
ORDER DATED 24.09.2023 AND 16.01.2023 MAY
KINDLY BE SET ASIDE AND THE APPELLANT MAY
BE REINSTATED INTO HIS SERVICE WITH ALL
BACK AND CONSEQUENTIAL BENEFITS. ANY
OTHER REMEDY, WHICH THIS HONORABLE
TRIBUNAL DEEMS FIT AND APPROPRIATE THAT,
MAY ALSO, BE AWARDED IN FAVOUR OF
APPELLANT.

ATTESTED

EXAMINED
Khyber Pakhtunkhwa
Service Tribunal
Peshawar

A. No. 338/2024
Abdulrahman is Grant



3rd May, 2024 1. Learned counsel for the appellant and Mr. Muhammad Jan

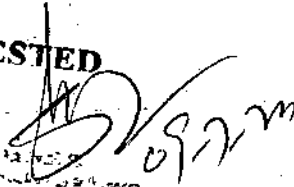
District Attorney present.

2. Despite service, respondents are not before the Tribunal nor the have submitted reply, therefore, they are placed ex-parte. The appeal is admitted for regular hearing subject to all just and legal objections. Appellant is directed to deposit security fees within seven days. To come up for arguments on 09.07.2024 before D.B. P.P given to the appellant's counsel.


(Kalim Arshad Khan)
Chairman

Mutazem Shah

ATTESTED


09-7-24

Date of Presentation of Application... 09-7-24
Number of ~~Pages~~ pages = 2
Copying Fee... 10/-
Urgent... 5/-
Total... 15/-
Name of Co... Shafiqul
Date of Completion... 09-7-24
Date of Delivery... 09-7-24