

BEFORE THE HONORABLE KHYBER PAKHTUNKHWA
SERVICE TRIBUNAL, PESHAWAR

In Re SA No.801/2023

1. Govt. of Khyber Pakhtunkhwa through
Secretary, Home & Tribal Affairs Department,
Civil Secretariat Peshawar.
2. Inspector General of Police, Khyber Pakhtunkhwa,
Peshawar.
3. District Police Officer Karak. Respondents

VERSUS

Abdullah Shah S/o Amal Shah Appellant
R/c Sheikhan, Dabb Begu Khel,
Esak, Tehsil & District Karak

INDEX

S.NO	DESCRIPTION	ANNEXURE	PAGE NO.
1.	Application	-	1-2
2.	Affidavit	-	03

Respondents
Through
Representative

①

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

Service Appeal No.801/2023

1. Govt. of Khyber Pakhtunkhwa through
Secretary, Home & Tribal Affairs Department,
Civil Secretariat Peshawar.
2. Inspector General of Police, Khyber Pakhtunkhwa,
Peshawar.
3. District Police Officer Karak.

**Khyber Pakhtunkhwa
Service Tribunal**

Diary No. 16303

Dated 18/7/24

..... Respondents

VERSUS

Abdullah Shah S/o Amal Shah
R/o Sheikhan, Dabb Begu Khel,
Esak, Tehsil & District Karak

..... Appellant

**APPLICATION FOR SETTING ASIDE EX-PARTE ORDER DATED 23.05.2024
AND RESTORING RIGHT OF FILING PARAWISE COMMENTS.**

Respectfully Sheweth:-

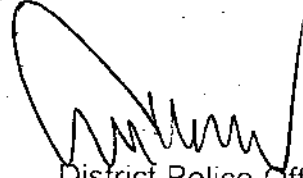
1. That above captioned Service Appeal led by the appellant namely Abdullah Shah S/o Amal Shah r/o Sheikhan, Dabb Begu Khel, Esak, Tehsil & District Karak for reinstatement in service which is fixed for 25.07.2024.
2. That this Hon'ble Tribunal issued ex-parte order dated 23.05.2024 without taking into consideration the stance of Police department which is not in accordance with natural justice.
3. That from ex-parte order the answering respondents are deprived of their right of defence.
4. That the para-wise comments accordingly papered and are ready for submission.
5. That respondent department always complied with the directions of Hon'ble Courts in letter and spirit.
6. 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 in acceptance of the application in hand.
- D. That the delay was not intentional but due to the above justifiable reasons, the respondents will show punctuality in future.
- E. That according to the rules of natural justice, Audi-alterem-partam, no one should be condemned unheard.

(2)

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



District Police Officer,
Karak
(Respondent No.3)
(KHAN KHAIL KHAN)Provl:
Incumbent

BEFORE THE HONORABLE KHYBER PAKHTUNKHWA
SERVICE TRIBUNAL, PESHAWAR

Service Appeal No. 801/2023
Abdullah Shah S/o Amal Shah
R/o Sheikhan, Dabb Begu Khel,
Esak, Tehsil & District Karak

..... Appellant

VERSUS

Inspector General of Police,
Khyber Pakhtunkhwa & others

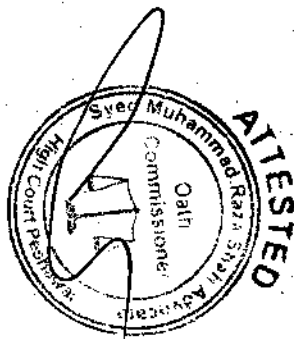
..... Respondents

AFFIDAVIT

I, Khan Khail Khan District Police Officer, Karak Respondent No.3 do hereby solemnly affirm and declare on oath that the contents of objection petition are and correct to the best of my knowledge/ belief. Nothing has been concealed from this Hon'ble Service Tribunal.



District Police Officer,
Karak
(Respondent No.3)
(KHAN KHAIL KHAN)Provl:
Incumbent



11 8 JUL 2024

BEFORE THE KHYBER PAKHTUNKHWA SERVICE TRIBUNAL,
PESHAWAR



Service Appeal No. 801 /2023

~~Abdullah~~ Abdullah Shah S/o ~~Amir~~ Amir Shah R/o Sheikhan, Dab Begu
Khel, Esak, Tehsil & District Karak. APPELLANT

VERSUS

1. Govt. of Khyber Pakhtunkhwa through Secretary,
Home & Tribal Affairs Department, Civil Secretariat,
Peshawar.

② Inspector General of Prisons, Khyber Pakhtunkhwa,
Peshawar. RESPONDENTS

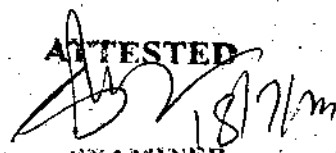
3. District Police Officer, Karak

APPEAL U/S 4 OF THE SERVICE TRIBUNAL
ACT, 1974 AGAINST THE IMPUGNED ORDER
DATED 16.11.2014, OF RESPONDENT NO.2.

Respectfully Sheweth:

1. That appellant joined the respondents' Department as a Constable on 11.12.1994 at the Kohat Police strength.
2. That since his enrollment in the respondents' department, the appellant, performed his official work with honesty, dedication and zeal and zest, for 19-years 7-months and 14-days.
3. That with the performance of the appellant, his officers were also satisfied and never preferred any complaint against the appellant.

ATTESTED


EXAMINER
Khyber Pakhtunkhwa
Service Tribunal
Peshawar

A.No. 801/23

Abdullah Shah vs Govt

(5)

23rd May. 2024

1. Junior to counsel for the appellant and Mr. Umair Azam, Additional Advocate General present.



2. Despite service, nobody is present on behalf of respondents nor they have submitted reply. Therefore, they are placed ex-parte. To come up for arguments on 25.07.2024 before D.B. P.P given to the appellant's junior counsel.

(Kalim Arshad Khan)
Chairman

Mutazem Shah

ATTESTED

EXAMINER
Khyber Pakhtunkhwa
Service Tribunal
Peshawar

18/7/23
Date of Presentation of Application 18/7/23
Number of ~~Words~~ pages = 2
Copying Fee 10/-
Amount 5/-
Total 15/-
Name of Copyist Shahzad
Date of Completion of Copy 18/7/23
Date of Delivery of Copy 18/7/23