

BEFORE THE KHYBER PAKHTUNKHWA SERVICES TRIBUNAL, PESHAWAR

In Re: Service Appeal No.979 /2024

Muhammad Imran, Ex-Constable FRP, Peshawar Appellant

VERSUS

Provincial Police Officer (PPO) Khyber Pakhtunkhwa & others. Respondents

I N D E X

S. No.	Description of documents	Annex	Pages
1.	Application for condonation of delay		1
2.	Affidavit		2



Applicant/ Appellant

Through


Amin-ur-Rehman Yusufzai 


Khalid Khan Mohmand


Muaz Ashraf Khali


Abdul Majeed Tousafzai

&


Shams Ur Rehman
Advocates, Peshawar

Dated: 15.07.2024

19-09-24
Peshawar

BEFORE THE KHYBER PAKHTUNKHWA SERVICES TRIBUNAL, PESHAWAR

In Re: Service Appeal No.979 /2024

Muhammad Imran, Ex-Constable FRP, Peshawar Appellant

VERSUS

Provincial Police Officer (PPO) Khyber Pakhtunkhwa & others Respondents

APPLICATION FOR CONDONATION OF DELAY **Khyber Pakhtunkhwa Service Tribunal**

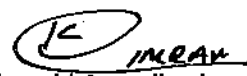
Diary No. 14293

Dated 18-07-24

Respectfully Sheweth:

1. That the titled Appeal is pending adjudication before this Hon'ble Tribunal and date: 19.09.2024 is fixed therein for onward proceedings.
2. That, admittedly, impugned order dated: 27.03.2024 of Respondent No.1 / PPO has not been communicated directly to the appellant, minute perusal whereof would clearly indicate that the same was addressed to Respondent No.2/Commandant FRP, Peshawar and no copy whereof was either issued or delivered to the applicant/ appellant, therefore, delay in filing of the titled appeal, if any, is not deliberate rather occasioned inadvertently, hence the instant application.
3. That valuable rights of the appellant/applicant is involved into the matter and decision of Respondent No.1 was kept concealed by Respondent No.3, till expiry of the statutory period of three months, hence the delay, if occasioned, is not deliberate in deserves to be condoned in the best of interest of justice and equity.
4. That applicant/appellant has got good prima facie case in his favour and is very sanguine of its success, moreover, balance of convenience also lies in his favour and if the subject relief has not been granted, he would suffer irreparable loss.
5. That facts and grounds of the titled appeal may be considered as an integral part and parcel of instant application.

It is, therefore, most humbly prayed that on acceptance of instant application, delay in filing of titled appeal, if any, may be condoned, so as to prevent applicant/appellant from being non-suited on the basis of technicalities instead to decide his matter on merits, enshrined in Article 10-A of the Constitution of Islamic Republic of Pakistan, 1973 and judgments of apex Court reported as **PLD 2003 SC 729**.



Applicant/ Appellant

Through



Amin-ur-Rehman Yusufzai


Khalid Khan Mohmand


Muaz Ashraf Khalil


Abdul Majeed Yusufzai

&


Shams-ur-Rehman
Advocates, Peshawar

Dated: 15.07.2024

2

BEFORE THE KHYBER PAKHTUNKHWA SERVICES TRIBUNAL, PESHAWAR

In Re: Service Appeal No.979 /2024

Muhammad Imran, Ex-Constable FRP, Peshawar Appellant

VERSUS

Provincial Police Officer (PPO) Khyber Pakhtunkhwa & others. Respondents

AFFIDAVIT

I, **Muhammad Imran S/O Khan Afzal (Ex-Constable FRP, Peshawar)** R/O Mohallah Baral Khel Yaqoobi, Tehsil Razzar District Swabi, do hereby solemnly affirm declare on oath that the contents of the accompanying **Application** are true and correct to the best of my knowledge and belief, and that nothing has been kept concealed from this Hon'ble Tribunal.

IMRAN

Identified By:

[Signature]

Amin ur Rehman Yusufzai
Advocate, Peshawar

DEPONENT
CNIC #: 16201-8374598-5
Cell: 0346-6531537



[Signature]
15/07/2024