

**BEFORE THE KPK, SERVICE TRIBUNAL, PESHAWAR**

S.A No. 202/2024

Khalil-ur-Rehman

versus

SP & Others

**REJOINDER**

**Khyber Pakhtukhwa  
Service Tribunal**

Diary No. 15382

Dated 03.09.24

**Respectfully Sheweth,**

**PRELIMINARY OBJECTION**

All the 06 Preliminary Objections are illegal and incorrect. No reason in support of the same is ever given as to why the appeal is bared, bad for mis and none joinder of necessary parties, without cause of action / locus standai, unclean hands, estoppel and concealment of material facts.

**ON FACTS**

1. Admitted to the extent of appointment as Constable, while rest of the para is not correct. The previous laxities was already dealt with and cannot make basis for further punishment.
2. Not correct. As per record with proof appellant was under operation in the hospital at Lakki Marwat and he was then discharged from the hospital on 27-08-2022. The para of the reply is not answered to the para of appeal. The said riffle was deposited in the police Kot there and then.
3. Admitted correct to the extent of Charge Sheet and reply there to. Such fact of admission in hospital is admitted by the respondents in the para.
4. Admitted correct by the respondents regarding second operation of appellant.
5. Not correct. The Charge Sheet was replied stating therein that Police Station Bragee was attacked time and again by the miscreants, being new establish Police Station and miscreants

hundreds and thousands in numbers cannot be competed with 05/06 police personnel's and that to with single riffle and ammunition.

6. Not correct. The para of the appeal is correct. The Incharge of the Police Station directed all the personnel's to keep riffle with themselves for protection from miscreants. The said riffle was not misplaced by appellatant.
7. Admitted correct the para of the appeal by the respondents by cancelling all orders by the authority.
8. Admitted correct by the respondents regarding submission of departmental appeal to the respondents for reinstatements in service and its rejection.
9. As above.

### **GROUNDS:**

All the grounds of the appeal are legal and correct while that of the reply are illegal and incorrect. The same are re-affirmed once again.

It is, therefore, most humbly prayed that the appeal be accepted as prayed for.

*Khodil*

Appellant

Through

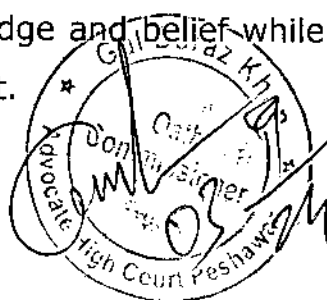
*Saadullah Khan Marwat*  
Saadullah Khan Marwat

Advocate,

Dated: 02-09-2024

### **AFFIDAVIT**

I, Khalil-ur-Rehman, appellatant do hereby solemnly affirm and declare that contents of the **Appeal & rejoinder** are true and correct to the best of my knowledge and belief while that of reply of respondents are illegal and incorrect.



*Khodil*  
DEPONENT