

BEFORE THE KPK, SERVICE TRIBUNAL, PESHAWAR

S.A No. 690/2024

Khalid Khan

versus

CCPO & Another

REJOINDER

Khyber Pakhtunkhwa
Service Tribunal

Diary No. 16067

Dated 26-09-24

Respectfully Sheweth,

PRELIMINARY OBJECTION

All the 07 Preliminary Objections are illegal and incorrect. No reason in support of the same is ever given as to why the appeal is barred by law / limitation, bad for mis and none joinder of necessary parties, unclean hands, no cause action / locus standi, estoppel, concealment of material facts and none maintainable.

ON FACTS

1. Not correct. The para of the appeal is not replied to its contents regarding appointment as Constable. The allegation leveled in the reply has no concern with the facts. He never acted against the credibility of police force but his standard was kept up.
2. Not correct. The para is without proof regarding torcher of public. It was also held by the apex court that general allegation shall not be given any importance.
- 3-4. Admitted correct by the respondents regarding service of Show Cause Notice. The allegations have been denied by the appellant being general one. There exists no standard in law of the satisfaction of the authority.
5. Not correct. The misconduct of the appellant was never proved through cogent evidence. When charges denied then conduct of regular enquiry becomes mandatory. The authority cannot say that there is no need for departmental enquiry.

6. Not correct. The para of the appeal is correct regarding submission of departmental appeal and its rejection.

GROUNDS:

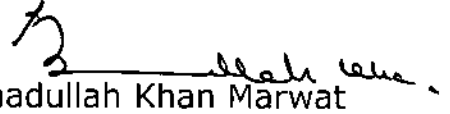
All the grounds of the appeal are legal and correct while that of the reply are illegal and incorrect. The same are re-affirmed once again.

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



Appellant.

Through



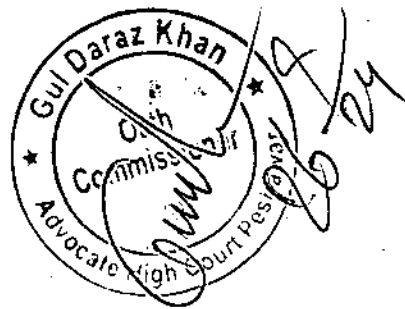
Saadullah Khan Marwat

Advocate,

Dated: 24-09-2024

AFFIDAVIT

I, Khalid Khan appellant 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.




DEPONENT