

1957/2023

BEFORE THE KPK SERVICE TRIBUNAL KPK PESHAWAR

MISC. APPL: No. 985/2024

1. Divisional Forest Officer, Patrol Squad Forest Division Saidu Sharif Swat.
2. Divisional Forest Officer, Alpuri Forest Division Alpuri District Shangla.
3. Divisional Forest Officer, Daur Watershed Division Abbottabad.
4. Chief Conservator of Forest Malakand Forest Region-III, Saidu Sharif District Swat.
5. Conservator of Forest Malakand Forest circle East Saidu Sharif Swat.
6. Sub Divisional Forest Officer Litigation Saidu Sharif Swat.
7. Divisional Forest Officer Mardan Forest Division Mardan. (inquiry Officer)
8. Conservator of Forest Malakand Forest Circle District Swat.
9. Government of Khyber Pakhtunkhwa through Secretary Forest at Peshawar.

VERSUS

Ex-Naib Qasid Hussain Khan S/o Sherawan R/o Rasha  
Ghatta Dangram District Swat.

Khyber Pakhtunkhwa  
Service Tribunal  
Diary No. 15619  
Dated 9/9/24

APPLICATION FOR SETTING ASIDE EX PARTY  
PROCEEDINGS DATED 03-09-2024 INITIATED  
AGAINST THE DEFENDANT (FOREST).

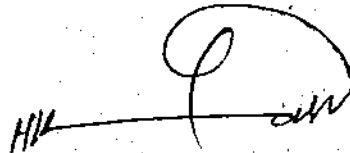
Respectfully Sheweth:

- 1- That the above mentioned case is pending before this Hon'ble Court which is fixed for 06.11.2024.
- 2- That the counsel of Defendant (Forest) was out station in court proceeding due to which was unable to attend this Hon' able court on due date.
- 3- That this Hon' able court initiating ex-party proceeding on 03.09.2024 against the Defendant. (Forest).
- 4- That nonappearance of the Defendant was not intentionally but due to the reason mentioned in Para.

- 5- That the instant appeal is well within time.
- 6- That there is no legal bar for accepting of the instant application.

It is therefore most humbly prayed that the ex-party proceeding initiated against the Defendant (Forest) may kindly be set aside.

Dated 09/09/2024



Sub Divisional Forest Officer  
Litigation Saidu Sharif Swat  
On behalf of respondents No.1 to 9  
Homish Kumar

1957/2023

BEFORE THE KPK SERVICE TRIBUNAL KPK PESHAWAR

1. Divisional Forest Officer, Patrol Squad Forest Division Saidu Sharif Swat.
2. Divisional Forest Officer, Alpuri Forest Division Alpuri District Shangla.
3. Divisional Forest Officer, Daur Watershed Division Abbottabad.
4. Chief Conservator of Forest Malakand Forest Region-III, Saidu Sharif District Swat.
5. Conservator of Forest Malakand Forest circle East Saidu Sharif Swat.
6. Sub Divisional Forest Officer Litigation Saidu Sharif Swat.
7. Divisional Forest Officer Mardan Forest Division Mardan. (inquiry Officer)
8. Conservator of Forest Malakand Forest Circle District Swat.
9. Government of Khyber Pakhtunkhwa through Secretary Forest at Peshawar.

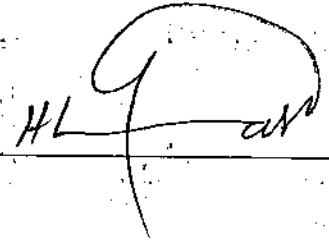
VERSUS

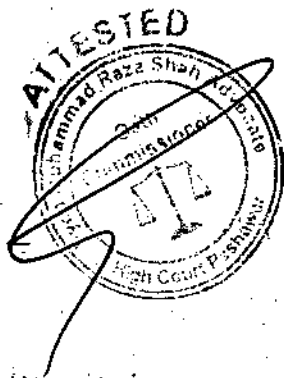
Ex-Naib Qasid Hussain Khan S/o Sherawan R/o Rasha Ghatta Dangram District Swat.

AFFIDAVIT

I, Homish Kumar Sub Divisional Forest officer Litigation do hereby do hereby affirm and declare on oath that the contents of this application is true and correct to the best of my knowledge and belief nothing has been concealed from this Hon'ble Service Tribunal.

Deponent





BEFORE THE SERVICE TRIBUNAL KHYBER  
PAKHTUNKHWA AT PESHAWAR.



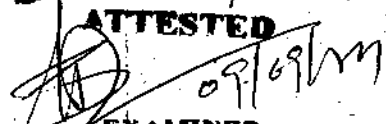
Service Appeal No. 1957 of 2023

Ex Naib Qasid Hussain Khan s/o Sherawan r/o Rasha Ghatta,  
Dangram District Swat. ....Appellant

VERSUS

- (1) Divisional Forest Officer, Patrol Squad Forest division, Saidu Sharif, Swat.
- (2) Divisional Forest Officer Alpuri Forest, Division, Alpuri, District Shangla.
- (3) Divisional Forest Officer Daur Watershed Division, Abbottabad.
- (4) Chief Conservator of Forest, Malakand Forest Region-III, Saidu Sharif, District Swat
- (5) Conservator of Forest, Malakand Forest Circle East, Saidu Sharif Swat.
- (6) Sub-Divisional Forest Officer Litigation Saidu Sharif Swat.
- (7) Divisional Forest Officer Mardan Forest Division Mardan (Inquiry Officer)
- (8) Conservator of Forest, Malakand Forest Circle District Swat
- (9) Government of Khyber Pakhtunkhwa through Secretary General Forest at Peshawar.....respondents

Appeal Under Section IV of the KPK Service Tribunal Act 1974  
against the office order No.27 dated 08/02/2023 passed by respondent  
No.1 vide which the learned respondent No.1 removed the petitioner  
from his service.

ATTESTED  
  
EXAMINER  
Khyber Pakhtunkhwa  
Service Tribunal  
Peshawar

A. No. 1957/2023  
Hussain Khan vs Govt

3<sup>rd</sup> Sep, 2024

1. Learned counsel for the appellant. Mr. Uzair Azam,  
Additional Advocate General for the respondents present.



2. On the previous date last chance was given to the respondents to submit reply, failing which their right of submission of reply was to be deemed as struck off. The matter was adjourned on payment of cost of Rs. 2000/- but till date, reply has not been filed nor is there anybody is present on behalf of the respondents, therefore, they are placed ex-parte. The appeal is admitted to full hearing subject to all just and legal objections. The appellant is directed to deposit security fee within 10 days. To come up for ex-parte arguments on 06.11.2024 before D.B at camp court Swat. P.P given to the parties.

\*Adnan Shah\*

ATTESTED  
09/09/24  
EXAMINER  
Khyber Pakhtunkhwa  
Service Tribunal  
Peshawar

(Kalim Arshad Khan)  
Chairman  
Camp Court Swat

Date of Presentation of A. 09-9-24  
Number of Words page = 2  
Copying Fee 10/-  
Urgent 5/-  
Total 25/-  
Name of Copyist Shafiq  
Date of Completion 09-9-24  
Date of Delivery of Copy 09-9-24