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C.M.# 1155/2024

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

Khyber Pakhtunkhwa  
Service Tribunal

Diary No. 16544

Dated 09-10-24

Service Appeal No: 2618/2023

Asmat Ullah, Deputy Ranger, Wildlife, BPS-11,  
D.I.Khan.

.....**APELLANT**

**\*\*\*\*\*VERSUS\*\*\*\*\***

Sami Ullah Khan S/o Aman Ullah, Wildlife Watcher  
BPS-07, Wildlife Division, D.I. Khan R/o VIP Colony,  
Bannu Road, Dera Ismail Khan.

.....**RESPONDENT**

**APPEAL FOR SETTING ASIDE EXPARTE DECREE  
DATED 16/09/2024, PASSED BY THIS HON'BLE  
COURT AND RESTORING RIGHT OF FILING  
PARA WISE COMMENTS.**

***Respectfully Sheweth;***

- 1) That the above titled appeal was fixed before the Hon'ble Tribunal on 16/09/2024 for submission of Para Wise comments.

- 2) That the Honourable Tribunal ordered against the respondents No. 5 as ex parte along with striking on the right of respondents on filing the Para wise comments.
- 3) That feeling aggrieved the respondents seek right for restoration to file Para-wise comment on the following grounds:

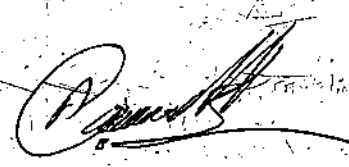
**GROUNDS:**

- A) That the valuable right of the department / respondents No. 5 are involved with the instant Service appeal.
- B) That the application is within time and there is nothing dis-obedience on the part of respondents.
- C) That on the very same day on which the respondents No. 5 were present and meet with the Reader and did not absent on the same day, the presence of the Respondent No. 5 in this Hon'ble Court, which is already present and saw in the CCTV cameras.
- D) That there is no legal bar in acceptance of the application in hand.
- E) That according to the rules of natural justice no one can be condemned un-heard.

F) That the filing to Para-Wise comments is very necessary for the just and proper disposal of the above Service Appeal.

*It is, therefore, most respectfully prayed that on acceptance of this application, the ex-parte proceedings against the respondent No. 5 may be set aside & right to file Para-Wise Comments may kindly be restored please.*

Dated: 09/10/2024



*Applicant / Respondent No. 5  
Him Self (Asmat Ullah)  
Deputy Ranger, Wildlife, D.I.Khan*

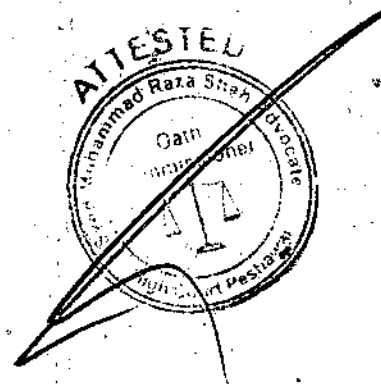
**AFFIDAVIT:**

I, *Asmat Ullah, Deputy Ranger, Wildlife, BPS-11, D.I.Khan*, do hereby solemnly affirm on oath that the contents of the instant petition are true and correct to the best of my knowledge and belief and nothing has been concealed from this Hon'able Tribunal.

DEPONENT 

CNIC NO: 12101-6687011-9

ATTESTED  
Muhammad Raza Shah  
Oath Commissioner  
Wildlife Dept. Peshawar



09 OCT 2024



SA 2618/2023

26.08.2024 01. Counsel for the appellant present. Mr. Asif Masood Ali Shah, DDA alongwith Khan Malook, DFO (Wildlife) for the respondents present.


02. Reply/comments on behalf of the respondents not submitted. Representative of the respondents requested for further time. Granted. To come up for written reply/comments and preliminary hearing on 16.09.2024 before the S.B. PP given to the parties.

SCANNED  
KPST  
Peshawar

  
(Fareeha Paul)  
Member(E)


\*Fazle Subhan, P.S\*

16.09.2024 1. Learned counsel for the appellant present. Mr. Arshad Azam, Assistant Advocate General alongwith Mr. Javed Iqbal, Social Conservator for official respondents present. None present on behalf of private respondents Nu. 5 & 6, therefore, they are placed ex-parte.

ATTESTED  
  
EXAMINER  
Khyber Pakhtunkhwa  
Service Tribunal  
Peshawar  
09-10-24

2. Reply/comments on behalf of official respondents not submitted. Representative of official respondents requested for time to submit reply/comments. Granted. To come up for reply/comments as well as preliminary hearing on 09.10.2024 before S.B. P.P given to the parties.

16.09.2024

  
(Muhammad Akbar Khan)  
Member (E)

16.09.2024

5



SA 2618/2023

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Member (E)

16.09.2024