

BEFORE THE KHYBER PAKHTUNKHWA

SERVICE TRIBUNAL PESHAWAR

CM. No 1238/2024

in

Service Appeal No. 593/2024

1. DEO (M) Swabi
2. Director E&SE Dept. Peshawar

.....(Applicants)

VERSUS

Shaukat Ali S/O Muhammad Afzal PST GPS Nazar Banda,
R/O Nazar Banda P/O Jaganat, District Swabi


..... (Respondent)

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Date: 16-10-24




District Education Officer
Male Swabi

BEFORE THE KHYBER PAKHTUNKHWA

SERVICE TRIBUNAL PESHAWAR

CM. No 1238/2024

in

Service Appeal No.593/2024

Khyber Pakhtunkhwa
Service Tribunal

Case No. 16921

Dated 17-10-24

1. DEO (M) Swabi
2. Director E&SE Dept. Peshawar

..... (Applicants)

VERSUS

Shaukat Ali S/O Muhammad Afzal PST GPS Nazar Banda,
R/O Nazar Banda P/O Jaganat, District Swabi

..... (Respondent)

**APPLICATION FOR SETTING ASIDE PROCEEDING AGAINST THE ABOVE MENTIONED
APPLICANTS VIDE ORDER DATED 09.10.2024**

Respectfully Sheweth:

1. That the above titled appeal was fixed before the Honourable Tribunal on 07.06.2024 for submission of Written reply/ Para-wise comments.
2. That the Honourable Tribunal ordered against the above mentioned applicant as ex-parte on the right of applicant on filing the para-wise comments.
3. That feeling aggrieved the applicants seek right for setting aside ex-parte proceeding to file para-wise comments on the following grounds:

GROUND:

- A. That the valuable right of the department/ applicants is involved with the instant service appeal.

- B. That the application is within time and there is nothing dis-obedience on part of the applicants.
- C. That on the very same day on which the applicants were proceeded ex-parte, the para-wise comments were ready to file. The delay was caused due to proper submission of attested copies of the said comments.
- 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 unheard.
- F. That the filing of 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 applicants may be set aside and right to file para-wise comments may kindly be restored please.

Dated: /7 /10.2024



(MIDRAR ULLAH)
DEO (M) SWABI
E&SE DEPARTMENT KP.

Affidavit

I, Midrar Ullah, DEO (M) Swabi do hereby solemnly affirm and declare on oath that the contents of the application submitted by the respondents are true and correct to the best of my knowledge and belief and that nothing has been concealed from this Honourable Tribunal.



District Education Officer
Male Swabi

BEFORE THE SERVICE TRIBUNAL KPK PESHAWAR

Appeal No. 593 /2024



Shaukat Ali S/O Mohammad Afzal PST Teacher GPS Nazar
Banda Swabi, R/O Nazar Banda P/O Jaganat Tehsil Razar
District Swabi,(Appellant)

VERSUS

1. Director of E & SE KPK Peshawar.
2. D.E.O (M) Swabi
3. District Account office Swabi.....(Respondents)

Appeal U/s 4 of Service Tribunal Act 1974, for correction of dated of birth of appellant as 22-04-1968 instead of 01-01-1965 on the basis School leaving Certificate of appellant as well as CNIC of appellant, which are necessary documents for recording of date of birth of appellant.

PRAYER:

On acceptance of this appeal, date of birth of appellant may please be corrected as 22-04-1968 instead 01-01-1965 of appellant in Service record.

Sir,
PKAY-T

Appellant humbly submits as under:

1. That appellant is posted as PST teacher in GPS Center Saprana Tehsil razar Distt Swabi.
2. That appellant has passed Metric examination in the year 1982 i.e on 11-08-1982 and issued Metric passed certificate of the appellant in which dated of birth of

Sir,
PKA

ATTESTED

[Signature]
BY MINISTER
16-10-24



9th Oct, 2024

1. Learned counsel for the appellant present. Mr. Arshad Azam, Assistant Advocate General alongwith Mr. Nadeem Akhtar, ADEO for the respondents present.

2. Written reply/comments on behalf of the respondents have not been submitted, therefore, they are placed ex-parte. To come up for ex-parte arguments on 26.11.2024 before D.B. P.P given to the parties.

[Handwritten signature]
16-10-24

[Handwritten signature]

(Kalim Arshad Khan)
Chairman

Ashraf Shah, P.A.

Khyber Pakhtunkhwa Service Tribunal, Peshawar

Application No.	(193)	Date	16-10-24
Name of Applicant	Nadeem		
Number of Words	2-P		
Copying Fee	10/-		
Charges/Ordinary	8/-		
Total	18/-		
	200/-		
		16-10-24	
		16-10-24	