

BEFORE THE KHYBER PAKHTUNKHWA SERVICE TRIBUNAL
PESHAWAR.

Re: _____ /2023
In
CM No. /2023
In
SA No.1239/2022

Khyber Pakhtunkhwa
Service Tribunal

Diary No. 16944

Dated 21-10-24

Hidayat Ullah

VS

HED & others

REPLY TO THE APPLICATION ON BEHALF OF
RESPONDENT/APELLANT IN CM NO. /2023 FILED BY
THE APPLICANT NAMEDLY ADNAN ISHAQ OFFICE ASSISTANT
BPS-16 IN ABOVE INSTANT SERVICE APPEAL.

RESPECTFULLY SUBMITTED:

PRELIMINARY OBJECTIONS:

1. That the application is neither tenable nor maintainable, hence application in hand may kindly be dismissed.
2. That the application in hands is not relevant in the eyes of law and based on presumption and apprehension which is not a valid ground to file the instant application for impleadment.
3. That applicant has filed the subject application on mala-fide intentions, just to waste the precious time of the Hon'ble Tribunal.
4. That the applicant has neither any cause of action nor any locus-standi to file the instant application for impleadment.

FACTS:

1. Correct and needs no comments.
2. Correct to the extent that appellant/respondent has filed Service Appeal after laps of 90 days of statutory period, however the applicant has misquoted the facts by saying that appellant departmental appeal has regretted. According to record appellant has filed departmental appeal on 18.08.2022 and after laps of statutory period of 90 days appellant has filed Service Appeal on 16.08.2022.
3. Need no comments.

4. Incorrect, denied and the application is totally based on apprehension and presumption. Applicant has neither legal ground/relevancy nor have any locus-standi to file the instant application. More so the appellant/respondent's right regarding seniority is protected under services rules and matter is still prejudice and it's early to say something, therefore application in hands is not maintainable and liable to be dismissed.
5. Incorrect and denied, the applicant has no cause of action to file the instant application.

It is, therefore, most humbly prayed that the application in hand may kindly be dismissed being meritless.

Dated: 17.10.2024

APPELLANT/RESPONDENT

THROUGH


MANSOOR SALAM
ADVOCATE HIGH COURT

VERIFICATION:

It is affirmed and declared that the contents of reply of appellant/respondent are true and correct to the best of my knowledge and belief.


VERIFIER

