

C.M NO:- 1275/24

BEFORE THE KHYBER PAKHTUNKHWA SERVICE TRIBUNAL
PESHAWAR.

Service Appeal No.380/2024

Nasir Rafiq Sub Inspector No.190/M Station House Officer, PS Manglawar, District Swat.

..... Appellant

VERSUS

The Provincial Police Officer Government of Khyber Pukhtunkhwa, Peshawar.

..... Respondent

INDEX

S#	Description of Documents	Annexure	Page
1.	Application	-	1
2.	Affidavit	-	2
3.	Authority Letter	-	3


DSP/Legal Swat.

C.M NO:- 1275/24

**BEFORE THE WORTHY CHAIRMAN SERVICE TRIBUNAL KHYBER
PUKHTUNKHWA, PESHAWAR**

Service Appeal No.380/2024

SI Nasar Rafiq VS PPO

**APPLICATION FOR SETTING ASIDE EX-PARTE ORDER DATED 08/10/2024
AND RESTORING RIGHT OF FILLING PARAWISE COMMENTS**

Khyber Pakhtunkhwa
Service Tribunal
Diary No. 1710/6
29/10/24

Respectfully Sheweth:

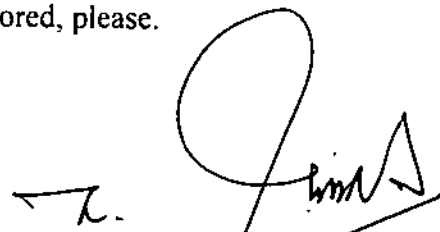
1. That the subject Service Appeal filed by the appellant namely Nasir Rafiq Sub-Inspector and next dated is fixed before this honorable Tribunal as 05/11/2024.
2. That the subject Service Appeal was filed by the appellant for seniority.
3. That this honorable Tribunal issued ex-parte order dated 08/10/2024 without taking into consideration the stance of Police department, which is not in accordance with natural justice.
4. That from ex-parte order, the answering respondents are deprived of their right of defense and submission of Parawise comments.
5. That the Parawise comments accordingly prepared and were ready for submission.
6. That the respondent department always complied with the direction of honorable Tribunal with letter and spirit.
7. That feeling aggrieved from Order dated 08/10/2024 of this honorable Tribunal, the respondents seek right for restoration to file Para-wise comments on the following Grounds.

GROUND

1. That the valuable rights of the department respondents are involved with the instant Service Appeal.
2. That the application is within time and there is no disobedience on the part of respondents.
3. That there is no legal bar in acceptance of the application in hand.
4. That the Parawise Comments were already signed by the answering respondents and were ready to be submitted before the next date, the respondents will show punctuality in future.
5. That according to the rules of natural justice, Audi-alterem-partem, no one cannot be condemned unheard.

PRAYER

It is therefore, most respectfully prayed that on acceptance of this application, the Ex-Parte proceedings dated 08/10/2024 against the respondent may be set aside and right to file Parawise comments may kindly be restored, please.



DIG/Legal, CPO
For, Provincial Police Officer,
Khyber Pakhtunkhwa Peshawar
(Respondent)
(Dr. Muhammad Athar Abbas) PSP
Incumbent

BEFORE THE SERVICE TRIBUNAL KHYBER PAKHTUNKHWA PESHAWAR.

Service Appeal No.380/2024

Nasir Rafiq Khan Sub Inspector No.190/M Station House Officer, Police Station Manglawar, District Swat.

..... Appellant

VERSUS

The Provincial Police Officer Government of Khyber Pukhtunkhwa, Peshawar.

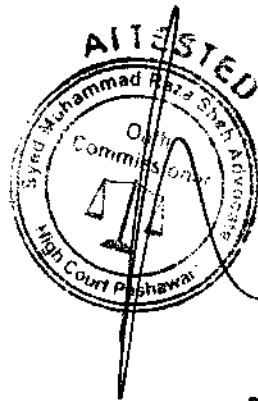
..... Respondent

AFFIDAVIT

We respondents do hereby solemnly affirm on oath and declare that the contents of the application for setting aside ex-parte order dated 08/10/2024 is correct/true to the best of our knowledge/belief and nothing has been kept secret from the Honorable Tribunal.

**Regional Police Officer,
Malakand Region.
(IRFAN ULLAH KHAN) PSP
(Incumbent)**

**DIG/Legal, CPO
For, Provincial Police Officer,
Khyber Pakhtunkhwa Peshawar
(Respondent)
(DR. MUHAMMAD ATHAR ABBAS) PSP
Incumbent**



23 OCT 2024

BEFORE THE SERVICE TRIBUNAL KHYBER PAKHTUNKHWA PESHAWAR.

Service Appeal No.380/2024

Nasir Rafiq Sub Inspector No.190/M Station House Officer, PS Manglawar District Swat.

..... Appellant

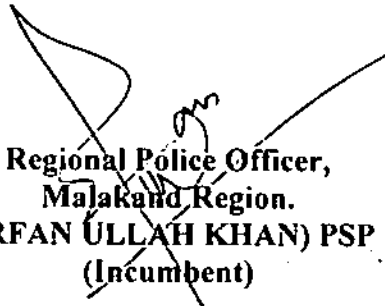
VERSUS

The Provincial Police Officer Government of Khyber Pukhtunkhwa, Peshawar.

..... Respondent

AUTHORITY LETTER

We respondents do hereby authorize Mr. Naeem Hussain DSP/Legal Swat to appear before the Tribunal on our behalf and submit application for setting aside ex-parte Order dated 08/10/2024 in connection with titled Service Appeal.


Regional Police Officer,
Malakand Region.
(IRFAN ULLAH KHAN) PSP
(Incumbent)

DIG/Legal, CPO
For, Provincial Police Officer,
Khyber Pakhtunkhwa Peshawar
(DR. MUHAMMAD ATHAR ABBAS) PSP
Incumbent

S.A# 380/24

القلم الحق S.A#365/24
نور الحق

08.10.2024 1. Learned counsel for the appellant present. Mr. Umair Azam, Additional Advocate General alongwith Mr. Ali Rehman, DSP (Legal) for the respondents present.



2. On previous date opportunity was granted to the respondents to submit reply/comments within seven days at the Principal Seat Peshawar but they failed to submit the same even today, therefore, they are placed ex-parte. To come up for arguments on 05.11.2024 before D.B at camp court Swat. P.P given to the parties.

APPROVED
10-10-24

(Muhammad Akbar Khan)
Member (E)
Camp Court Swat

Kamranullah

Key: Peshawar Service Tribunal, Peshawar	30
Case No.	Date 08-10-24
Name of Applicant	Hikmat
Number of Respondents	1-P
Applying Fee	5/-
Stamp Ordinary	81/-
Total	86/-
Name & Sign of Applicant	Zeeshan
Date of Completion of Filing	10-10-24
Date of Delivery of Copy	10-10-24



OFFICE OF THE
INSPECTOR GENERAL OF POLICE
KHYBER PAKHTUNKHWA
PESHAWAR

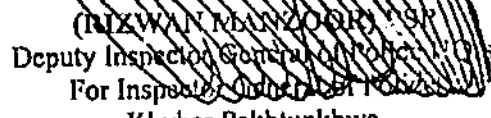
No. 134 PA/DIG/HQrs

Dated Peshawar, the 08/11/2023

ORDER

Inspector General of Police, Khyber Pakhtunkhwa is pleased to authorize Deputy Inspector General of Police, Legal, Khyber Pakhtunkhwa to sign the replies to Writ Petitions and Service Appeals instituted at different judicial forums on behalf of Inspector General of Police, Khyber Pakhtunkhwa and other Court matters. Besides, Deputy Inspector General of Police, Legal, Khyber Pakhtunkhwa shall apprise/consult and seek guidance from the Worthy Inspector General of Police, Khyber Pakhtunkhwa in cases being contested at different judicial forums.

This issues with approval of Inspector General of Police, Khyber Pakhtunkhwa.


(RIZWAN MANZOOR) DSP
Deputy Inspector General of Police, Legal,
For Inspector General of Police,
Khyber Pakhtunkhwa,
Peshawar

CC:

- Copy of above is forwarded to the:-
1. Addl: Inspector General of Police, HQrs Khyber Pakhtunkhwa.
 2. Deputy Inspector General of Police, Legal, Khyber Pakhtunkhwa.
 3. AIG/Establishment, Khyber Pakhtunkhwa.
 4. AIG/Legal, Khyber Pakhtunkhwa.
 5. PSO to Worthy Inspector General of Police, Khyber Pakhtunkhwa.
 6. Registrar CPO.
 7. OS, Legal Branch, CPO.