

BEFORE THE KHYBER PAKHTUNKHWA SERVICE TRIBUNAL,

PESHAWAR

C.M No: -1282/24

Service Appeal No.508/2024

1. Director Education E&SE Peshawar.
2. District Education office (F) Swabi

..... Applicants

VERSUS

Majeed Azhar SST (BPS-17) Government Girls High School Thano District Swabi.

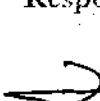
..... Respondent

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DEPONENT

Respondent No-2


District Education Officer
(Female) Swabi

Dr. Shamim Akhtar
DISTRICT EDUCATION OFFICER
FEMALE SWABI.



BEFORE THE KHYBER PAKHTUNKHWA SERVICE TRIBUNAL,
PESHAWAR

CM Application No. 292/2024
In
SERVICE APPEAL: 508/2024

**Khyber Pakhtunkhwa
Service Tribunal**

Diary No. 1796

Dated 24/10/24

1. Director Education E&SE Peshawar.
2. District Education Office(F) Swabi.

(Applicants)

VERSUS

MAJEEDA AZHAR SST (BPS-17) R/o Govt Girls High School Thano District
Swabi.

(Respondent)

**APPLICATION FOR SETTING ASIDE THE EX-PARTE ORDER DATED
18.09.2024 PASSED AGAINST THE RESPONDENTS NOW APPLICANTS
VIDE ORDER DATED: 18/09/2024 THIS HON'BLE TRIBUNAL.**

Respectfully Sheweth:

On Facts:-

1. That the above titled appeal was fixed before this Honourable Service Tribunal on 18/09/2024 for submission of reply/comments on behalf of the respondents.
2. That vide order dated 18.09.2024 this Honourable Tribunal passed an Ex-Parte order against the above-mentioned applicants due to non-submission of para wise comments. (annexure "A")
3. That aggrieved the applicants seeking for setting aside Ex-Parte order for filing para wise comments on the following grounds:

On Grounds:-

- A. That the valuable legal rights of the Department/applicants are involved with the instant Service Appeal.
- B. That the application is within time and there is nothing on record regarding a non-submission of reply on the part of applicants.
- C. That on the very same day on which the applicants were proceeded Ex-Parte the para wise comments were ready to file before this Hon'ble Tribunal.
- D. That there is no legal bar in acceptance the titled application.
- E. That according to the norms of natural justice no one 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 by this Hon'ble Tribunal order dated 18.09.2024.

It is therefore, most respectfully prayed that on acceptance of this application the Ex-Parte order against the applicants may kindly be set aside & right to file para wise comments may kindly be restored.

Dated: 23.10.2024

SHAMIM AKHTAR
DEO (F) SWABI

Applicant/Respondents No-1 & 2

**District Education Officer
(Female) Swabi**

BEFORE THE KHYBER PAKHTUNKHWA SERVICE TRIBUNAL,
PESHAWAR

Service Appeal No.508/2024

Majeeda Azhar SST(BPS-17) Government Girls High School Thano, District Swabi

.....**Appellant**


VERSUS

1. Director Elementary and Secondary Education Khyber Pakhtunkhwa, Peshawar.
2. District Education Officer (Female) Swabi.

.....**Respondents**

AFFIDIVAT

I, Dr.SHAMIM AKHTAR DEO(F) SWABI do here by solemnly affirm and declare on oath that the contents of the instant Para wise comments are true and correct to the best my knowledge & belief. It is further stated on oath that in this appeal the answering respondents have instituted application for set aside of ex-parte moreover their defense has not been struck off/cost.


Deponent
District Education Officer
(Female) Swabi

DR.SHAMIM AKHTAR
DEO (F) SWABI



AUTHORITY LETTER

It is certified that MR.SAYYED BASIT MUNEER LITIGATION OFFICER DEO(F) SWABI is authorized to attend the K.P.S.T PESHAWAR on behalf of District Education Office SWABI and submit all kind of records in SERVICE APPEAL NO: 508/2024 titled MAJEEDA AZHAR Vs GOVT.

Dr
**District Education Officer
(Female) Swabi**

DR.SHAMIM AKHTAR
SA
DEO (F) SWABI



**BEFORE THE KHYBER PAKHTUNKHWA SERVICES TRIBUNAL
PESHAWAR**

Service Appeal No:- 508 /2024

Majeeda Azhar SST (BPS-17) Government Girls High School Thano
District Swabi.

Appellant

Versus

1. Director Elementary & Secondary Education Peshawar.
2. District Education Officer (Female) Swabi.

Respondents

APPEAL UNDER SECTION 4 OF THE KHYBER PAKHTUNKHWA

SERVICE TRIBUNAL ACT, 1974, FOR THE RELEASE OF

SALARY W.E.F 01.10.2023 TILL DATE AND ONWARDS AS THE

APPELLANT IS CONTINUOUSLY PERFORMING HER DUTIES AT

THE PLACE OF HER POSTING MENTIONED ABOVE, FOR WHICH

HER DEPARTMENTAL APPEAL DATED 20.11.2023 HAS NOT

BEEN RESPONDED WITHIN THE STATUTORY PERIOD OF 90

DAYS.

ATTESTED

**EXAMINER
Khyber Pakhtunkhwa
Services Tribunal
Peshawar**

23-11-24



03rd June, 2024

SCANNED
KPST
Peshawar


1. Learned counsel for the appellant present. Mr. Arshad Azam, Assistant Advocate General present.
2. Despite service through TCS, neither respondents are present before the Tribunal nor reply has been submitted, therefore, they are placed ex-parte. To come up for arguments on 18.09.2024 before the D. Parcha Peshi given to the parties.


 (Kalim Arshad Khan)
 Chairman

Nareem Anwar

18.09.2024 1. Learned counsel for the appellant present. Mr. Asif Masood Ali Shah, Deputy District Attorney for the respondents present.

2. Learned Deputy District Attorney stated at the bar that they are going to file application for setting aside *ex-parte* proceedings initiated against them on 03.06.2024. He may do so within a week. File to come for arguments on // / // /2024 before D.B. P.P given to the parties.


 Khyber Pakhtunkhwa Service Tribunal
 Peshawar
 23-10-24


 (Fareeha Paul)
 Member (E)


 (Rashida Bano)
 Member (J)

Kalceemullah

Khyber Pakhtunkhwa Service Tribunal, Peshawar

Application No. 303

Name of Applicant Basit

Number of Pages 2

Copying Fee 10/-

Urgency 5/-

Total 15/-

Name of Applicant reesham

Date of Copying 23-10-24

Date of Delivery 23-10-24