

**BEFORE THE HON'BLE KHYBER PAKHTUNKHWA SERVICE
TRIBUNAL, PESHAWAR**

In Re:

S.A # 1910/22

Secretary, Sports & Youth Affairs. **APPLICANT**

VERSUS

Yarqand. **RESPONDENT**

REPLY ON BEHALF OF RESPONDENT Khyber Pakhtunkhwa
Service Tribunal

Respectfully Sheweth:

. 17292

... 29-10-24

Preliminary Objections:

- a. That application in hand is not maintainable in its present form, hence liable to be dismissed with cost.
- b. That the applicant has got no locus standi to file the present application.
- c. That the applicant is estopped by his own conduct to bring the present application.
- d. That the applicant has come to the court with unclean hands, he has suppressed the material facts from this Hon'ble Court and tried to mislead, his application deserves dismissal on this score alone.
- e. That application in hand is filed with malafide intentions.

ON FACTS:

1-3: Paras No.1 to 3 pertain to fact of execution/ implementation petition pending before this Hon'ble Tribunal, prayer in appeal and decision of this

Hon'ble Tribunal allowing the appeal of answering respondent.

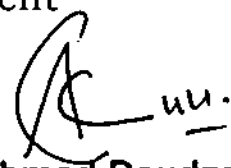
4-5: Paras No.4 & 5 are denied being formulated incorrectly, however, it is elaborated that the stance /contention of the objector is not of worth consideration, moreover, the contention of the objector is devoid of merits as the appeal has been allowed after hearing the case. The rules on the subject have already been evaluated and after thorough assessment of the law and rules on the subject the Hon'ble Tribunal passed the order on the basis of proper construction and interpretation of rules having regard to the settled principle laid down by the apex court, therefore, objection petition filed needs to be dismissed with cost.

6: That it is an admitted fact that the case cannot be re-opened at the stage of implementation as the order/judgment of this Hon'ble Tribunal is not suspended nor set aside.

It is, therefore, most humbly prayed that by keeping in view the speaking and vivid order of this Hon'ble Tribunal, the objection petition may kindly be dismissed with cost.

Through

Yar Qasid
Respondent



Ashfaq Ahmad Daudzai
Advocate Supreme Court

Dated: 29.10.2024

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AFFIDAVIT

I, **Yarqand** S/o Meher Qand R/o Bunyadi, P.O Nahaqi, Tehsil & District Peshawar, presently working as Sweeper at District Youth Affairs, Peshawar, do hereby solemnly affirm and declare on oath that the contents of the accompanying **Reply** are true and correct to the best of my knowledge and belief and nothing has been concealed from this Hon'ble Court.



Yarqand
DEPONENT
CNIC: 17301-8643009-5