

**BEFORE THE KHYBER PAKHTUNKHWA SERVICE TRIBUNAL PESHAWAR.**

<sup>10</sup>  
**Service Appeal No:675/2024.**

*CM Appli No 987/2024*

Muhammad Shafiq Ex-Driver Constable of CCP, Peshawar.....**Appellant.**

**VERSUS.**

Provincial Police Officer, Khyber Pakhtunkhwa, Peshawar and others. **Respondents.**

**I n d e x**

S.NO	DOCUMENTS	ANNEXURE	PAGES
1	Application		1 to 2
2	Affidavit		3
3	Notice		4

4 Copy of order sheet

*5-8/*  
*[Signature]*  
DSP/Legal, 10/09  
CCP Peshawar.

**BEFORE THE KHYBER PAKHTUNKHWA SERVICE TRIBUNAL PESHAWAR.**

**Service Appeal No.675/2024.**

*CM AppLi NO - 987 / 2024*

1. Provincial Police Officer, Khyber Pakhtunkhwa, Peshawar.
2. Capital City Police Officer, Peshawar.
3. Superintendent of Police, Headquarters, Peshawar.

**Khyber Pakhtunkhwa  
Service Tribunal**

Diary No. 15700

Dated 11-09-2024

**VERSUS**

Muhammad Shafiq Ex-Constable Driver s/o Muhammad Rafiq r/o Gharib Abad, Dalazak Road,  
Peshawar.

**APPLICATION FOR SETTING ASIDE EX-PARTE DATED 22.08.2024 AND  
RESTORING RIGHT OF FILING PARA-WISE COMMENTS.**

**Respectfully Sheweth:-**

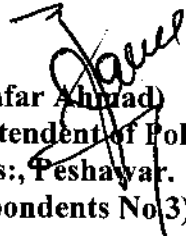
1. That, above captioned Service Appeal filed by the appellant namely Muhammad Shafiq which is fixed for 01.11.2024.
2. That the case was fixed for Preliminary Hearing on 22.08.2024 since the respondents had received notice of the case on 20.08.2024, hence the record was called from the concerned branch for preparation of para wise comments. (copy of notice is annexure as A)
3. That, this Hon'ble Tribunal issued ex-parte order dated 22.08.2024 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.
5. That, the para-wise comments accordingly prepared and are ready for submission.
6. That, respondent department always complied with the directions of Hon'ble Courts in litter and spirit.
7. That feeling aggrieved the respondents seek right for restoration to file Para-wise comments on the following grounds.

**Grounds:**

- A) That the valuable rights of the department/respondents are involved with the instant Service Appeal.
- B) That the application is within time and there is no disobedience on the part of respondents.
- C) That there is no legal bar in acceptance of the application in hand.
- D) That the delay was not intentional but due to the above justified reasons, the respondents will show punctuality in future.
- E) That according to the rules of natural justice, Anti-alteram-parten, no one cannot be condemned unheard.

**PRAYER:**

It is therefore, most respectfully prayed that on acceptance of this application the ex-parte proceedings against the respondents may be set aside and right to file Para-wise comment may kindly be restored, please.

  
(Zafar Ahmad)  
Superintendent of Police,  
HQrs., Peshawar.  
(Respondents No.3)

**BEFORE THE KHYBER PAKHTUNKHWA SERVICE TRIBUNAL PESHAWAR.**

**Service Appeal No.675/2024.**

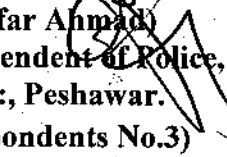
1. Provincial Police Officer, Khyber Pakhtunkhwa, Peshawar
2. Capital City Police Officer, Peshawar.
3. Superintendent of Police, Headquarters, Peshawar.

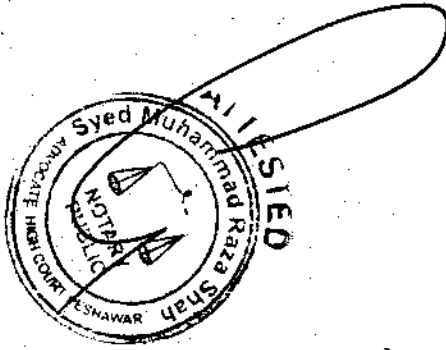
**VERSUS**

Muhammad Shafiq Ex-Constable Driver s/o Muhammad Rafiq r/o (Gharib Abad, Dalazak Road, Peshawar

**AFFIDAVIT**

I, Zafar Ahmad Superintendent of Police HQrs., Peshawar, do hereby solemnly affirm on oath that the contents of accompanying application for restoration of right of submission of Para-wise comments, on behalf of respondent department are correct to the best of our knowledge and belief. Nothing has concealed/kept secret from this Hon'ble Tribunal.

  
(Zafar Ahmad)  
Superintendent of Police,  
HQrs., Peshawar.  
(Respondents No.3)

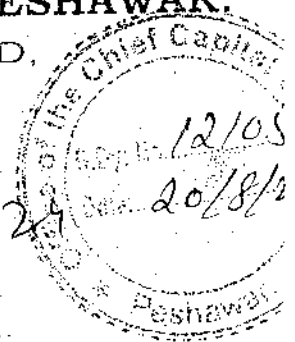


“A”

**KHYBER PAKHTUNKHWA SERVICE TRIBUNAL, PESHAWAR.**  
JUDICIAL COMPLEX (OLD), KHYBER ROAD,  
PESHAWAR.

No.

APPEAL No. 675 of 20 24



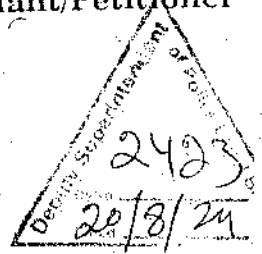
Muhammed Shafiq

Appellant/Petitioner

Versus

IGP Peshawar

RESPONDENT(S)



RESP No 2

~~Notice to Appellant/Petitioner~~ Chief Capital City  
Police (CCPO)  
Peshawar

Take notice that your appeal has been fixed for Preliminary hearing, replication, affidavit/counter affidavit/record/arguments/order before this Tribunal on 22-8-24 at 9.00 AM

You may, therefore, appear before the Tribunal on the said date and at the said place either personally or through an advocate for presentation of your case, failing which your appeal shall be liable to be dismissed in default.

- C.C.O.
- SSP/Coord
- SSD
- SP/Gen
- SP/Cash
- SP/City
- SP/Rural
- SP/Sec
- SP/TO
- SSP/Tr
- INSR
- PO/CC
- MS/CC
- AS/CC
- ...

EST  
For 7/5

20/8/24

received at 3:30 pm

[Signature]  
Registrar,  
Khyber Pakhtunkhwa Service Tribunal  
Peshawar.

**BEFORE THE KHYBER PAKHTUNKHWA SERVICE  
TRIBUNAL, PESHAWAR**



Service Appeal No. 1075/2024

Muhammad Shafiq,  
Ex-Constable Driver No.6534, Peshawar.  
S/o Muhammad Rafiq R/o Gharib Abad,  
Dalazak Road, Peshawar.

.....Appellant

**VERSUS**

1. Inspector General of Police, Peshawar.
2. Chief Capital City Police (CCPO), Peshawar.
3. Superintendent of Police (H/Q), Peshawar.

....Respondents

**APPEAL U/S 4 OF KHYBER PAKHTUNKHWA  
SERVICE TRIBUNAL ACT, 1974 AGAINST  
THE IMPUGNED ORDER DATED  
05.07.2024 OF THE RESPONDENT NO.3,  
WHEREBY, THE APPEAL OF THE  
APPELLANT FROM THE IMPUGNED  
ORDER DATED 24.06.2023 OF THE  
RESPONDENT NO.5 WAS DISMISSED AND  
THE IMPUGNED DISMISSAL ORDER  
ATTESTED**

EXAMINED  
Khyber Pakhtunkhwa  
Service Tribunal  
Peshawar

22<sup>nd</sup> Aug. 2024

A. No. 1075/2024  
M. Shabir vs Govt



1. Junior to counsel for the appellant present Masood Ali Shah, Deputy District Attorney present
2. Despite service through TCS, reply has not been submitted nor is anybody present on behalf of the respondents. Therefore, they are placed ex-parte. To come up for ex-parte arguments on 01.11.2024 before D.B. P.P given to the appellant's junior counsel.

ATTESTED

\*Mutazem Shah\*

EXAMINER  
Kyber Pakhtunkhwa  
Service Tribunal  
Peshawar

(Kalim Arshad Khan)  
Chairman

Date of Presentation of Application 23/8/24  
Number of Words pages = 2  
Copying Fee 10/-  
Urgent ✓  
Total 10/-  
Name of Copyist Shabir  
Date of Completion of Copy 23/8/24  
Date of Delivery of Copy 10/9/24