



**KHYBER PAKHTUNKHWA SERVICE TRIBUNAL**

Misc. Application No. 256/2024

Secretary E&SE, Kyber Pakhtunkhwa          versus          Hamid Khan

S.No. of Order & Date of proceeding	<b>Order or other proceedings with signature of Chairman/Member(s)/Registrar and that of parties or counsel where necessary</b>
Order-03 24 <sup>th</sup> October, 2024.	<p>Present:</p> <ol style="list-style-type: none"><li>1. Mr. Naseer Ud Din Shah, Assistant Advocate General for the petitioner.</li><li>2. Mr. Hamid Khan, respondent.</li></ol> <p>Former seeks adjournment on the ground that he has not prepared the case. Granted. To come up for arguments on 31.10.2024 before D.B.</p> <p>P.P given to the parties.</p> <p style="text-align: center;"> (Muhammad Akbar Khan) Member (E)</p> <p style="text-align: center;"> (Kalim Arshad Khan) Chairman</p> <p><i>*Adnan Shah*</i></p>

**KHYBER PAKHTUNKHWA SERVICE TRIBUNAL**

Misc. Application No. 256 of 2024

Secretary E&SE, Khyber Pakhtunkhwa etc versus Hamid Khan.

Mir Zaman Safi  
Advocate with  
31/10/2024  
I have no objection on the setting aside  
ex-parte proceedings initiated against respondents

S.No. of Order & Date of proceeding	Order or other proceedings with signature of Chairman/Member(s)/Registrar and that of parties or counsel where necessary
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Order-04  
31<sup>st</sup> October,  
2024.


Present:

1. Mr. Naseer-ud-Din Shah, Assistant Advocate General, on behalf of the applicants.
2. Mr. Mir Zaman Safi, Advocate on behalf of the respondent.

Learned Assistant Advocate General on behalf of the applicants stated at the bar that the applicants were proceeded ex-parte vide order dated 05<sup>th</sup> Jan, 2023 passed by this Tribunal in Service Appeal No. 388/2022 titled "*Hamid Khan versus The Secretary, E&SE Department, Khyber Pakhtunkhwa, Peshawar and 02 others*". He requested for setting-aside the ex-parte proceedings initiated against them. Learned counsel for the respondent is having no objection on setting aside of ex-parte proceedings initiated against the applicants and in this respect, his endorsement was also obtained on the margin of order sheet. Furthermore, the law favors adjudication on merit by avoiding technicalities. Accordingly, the instant application for setting aside ex-parte proceedings against the applicants is accepted and applicants are allowed to join the proceedings. They are directed to submit written reply/comments within 07 days in Service Appeal No. 388/2022 titled "*Hamid Khan versus The Secretary, E&SE Department, Khyber Pakhtunkhwa, Peshawar and 02 others*". Office is directed to place the copy of this order in Service Appeal No. 388/2022. While this application is disposed of and cosigned to the record room.

ANNOUNCED  
31.10.2024

  
(Fareeha Paul)  
Member (Executive)

  
(Aurangzeb Khattak)  
Member (Judicial)