

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

Service Appeal No. 924/2024

C.M. No. 1320/2024

Khyber Pakhtunkhwa  
Police Tribunal

No. 17472

Dated 31-10-24

1. Inspector General of Police, Khyber Pakhtunkhwa.
2. Deputy Inspector General of Police, HQs: Khyber Pakhtunkhwa.
3. Registrar, CPO, Peshawar.

VERSUS

Muhammad Jamshid Sub Inspector No.241/K presently posted at Regional  
Police Kohat

**APPLICATION FOR SETTING ASIDE EX-PARTE DATED 18.09.2024  
AND RESTORING RIGHT OF FILING PARA-WISE COMMENTS**

RESPECTFULLY SHEWETH:

1. That, above captioned Service Appeal filed by the appellant namely Muhammad Jamshid wherein he is seeking ante-dated promotions / confirmations.
2. That, this Hon'ble Tribunal issued ex-parte order dated 18.09.2024 without taking into consideration the stance of Police department, which is not in accordance with natural justice.
3. That, the notice of captioned Service Appeal received to the respondent department much lately and after this the record collection taken much time.
4. That, from ex-parte order the answering respondents are deprived of their right of defence.
5. That, the Para-wise comments accordingly prepared and are ready for its submission.
6. That, respondent department always complied with the directions of Hon'ble Courts in letter and spirit.
7. That feeling aggrieved the respondents seek right for restoration to file Para-wise comments on the following Grounds.

**GROUND:**

- 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, Audi-alteram-partem, no one cannot be condemned unheard.

**PRAYERS:**

It is therefore, most respectfully prayed that on acceptance of this application the ex-parte proceedings vide order dated 18.09.2024 against the respondents may be set aside and right to file Para-wise comments may kindly be restored, please.



Registrar, CPO, Peshawar  
(Respondent No.3)  
(AFSAR JAN)  
Incumbent

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

Service Appeal No. 924/2024

1. Inspector General of Police, Khyber Pakhtunkhwa.
2. Deputy Inspector General of Police, HQrs: Khyber Pakhtunkhwa.
3. Registrar, CPO, Peshawar.

VERSUS

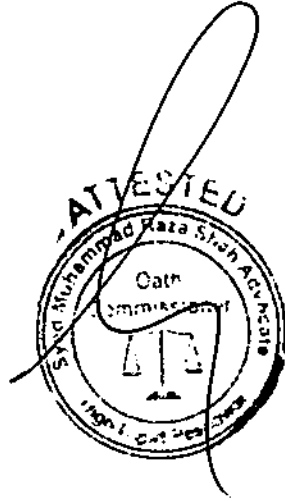
Muhammad Jamshid Sub Inspector No.241/K presently posted at Regional  
Police Kohat

**AFFIDAVIT**

I, Afsar Jan, Registrar, CPO, Peshawar do hereby solemnly affirm on oath that the contents of application for restoring right of submission of Para-wise comments on behalf of respondents are correct to the best of my knowledge/ belief.

  
31/10/24.

Registrar, CPO, Peshawar  
(Respondent No.3)  
(AFSAR JAN)  
Incumbent



31 OCT 2024



(1)

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

SERVICE APPEAL NO. 924 /2024

*Muhammad Jamshid* (Sub-Inspector, No. 241/k), at Regional Police Kohat.

...APPELLANT

VERSUS

1. *Inspector General of Police*, Khyber Pakhtunkhwa, Peshawar
2. *Deputy Inspector General of Police*, Headquarters Khyber Pakhtunkhwa, Peshawar
3. *Registrar for Inspector General of Police*, Khyber Pakhtunkhwa, Peshawar.

...RESPONDENTS

Service appeal under section - 4 of the Khyber Pakhtunkhwa services tribunal act - 1974, against the Impugned Promotion Notification No.48/CPO/E-II/Promotion dated 25-01-2024, and against the impugned letter No.58-70/E-III Dated 22-03-2024, where by the Appellant is Deferred from Promotion to the post of Inspector (BPS-16), and the departmental appeal dated: 22/04/2024 has not been decided inspite of laps of statutory period, hence the instant service appeal.

Respectfully Sheweth,

1. That the Appellant is a naturally born bonafide citizen of Islamic Republic of Pakistan and hails from a respectable family.
2. That the appellant is appointed as constable on 01-03-1999, and then promoted as officiated ASI/PASI on 27-10-2009 confirmed as ASI on List "E" on 29-08-2011, and thereafter Promoted as Officiating SI on 15-08-2016 and followed by Confirmation as SI per Police Rules 13.18 on 15-08-2018. In this the appellant served as SI since 2016.

EXAMINER  
Khyber Pakhtunkhwa  
Service Tribunal  
Peshawar


30<sup>th</sup> Aug. 2024

1. Appellant in person present. Mr. Arshad Azam, Assistant Advocate General alongwith Mr. Tariq Usman, DSP (Legal) for the respondents present.

2. Representative of the respondents requested for adjournment in order to submit reply/comments. Granted by way of last chance. To come up for reply/comments on 18.09.2024 before S.B, P.P given to the parties.

SCANNED  
KFST  
Peshawar

\*Mutozem Shah \*

  
(Kalim Arshad Khan)  
Chairman


18<sup>th</sup> Sept, 2024

1. Learned counsel for the appellant present. Mr. Umair Azam, Additional Advocate General present.

2. Written reply on behalf of the respondents has not been filed nor is there anybody present as representative despite last chance given on the previous date, therefore, they are placed ex-parte. To come up for arguments on 01.11.2024 before D.B. P.P given to the <sup>appellant</sup> ~~parties~~.

EXAMINER  
Khyber Pakhtunkhwa  
Service Tribunal  
Peshawar

\*Adnan Shah, P.A.\*

  
(Kalim Arshad Khan)  
Chairman