

BEFORE THE KHYBER PAKHTUNKHWA SERVICE TRIBUNAL PESHAWAR.

Appeal No. 1096,1097&1098/2024

**Waheed Ullah
Amir Khatam
Inyat Ullah.....**

Appellants.

VERSUS

1. Director, Local Government & Rural Development Department, Khyber Pakhtunkhwa.
2. Government of Khyber Pakhtunkhwa through Secretary Local Government, Elections & Rural Development Department, Civil Secretariat, Peshawar.
3. Assistant Director Local Government & Rural Development Mohmand.....

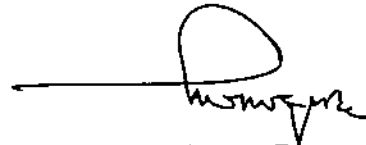
Respondents.

INDEX

S #	Description of Documents	Annexure	Page #
1	Joint Parawise reply	-	1-3
2	Affidavit	-	4

Through

Respondents



Assistant Director (Sr.)
LG&RDD, Mohmand

BEFORE THE KHYBER PAKHTUNKHWA SERVICE TRIBUNAL PESHAWAR.

Appeal No. 1096,1097&1098/2024

Khyber Pakhtunkhwa
Service Tribunal

Dist. No. 17850

Dated 04/11/24

Waheed Ullah
Amir Khatam
Inyat Ullah.....

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JOINT PARA WISE COMMENTS ON BEHALF OF RESPONDENTS

Respectfully Sheweth!
Preliminary Objections:

- i. The Appellant has no locus standi and cause of action.
- ii. The Appellant has not come to the Service Tribunal with clean hands.
- iii. The Appellant has concealed the facts & truth from the Honorable Service Tribunal.
- iv. The Appeal is not maintainable.
- v. That the appeal is barred by law and limitation.

ON FACTS

1. Pertains to record.
2. Pertains to record.
3. Pertains to record.
4. 10 positions of Village Secretaries were kept vacant for reserved quota, which were selected randomly through draw, however, the process was rolled back by the Hon'ble Peshawar High Court, Peshawar vide judgment announced on

17-01-2024 in Writ Petition No. 3658-P/2022. The seats were later on filled under initial recruitment by appointing appellant.

5. Explained above in Para # 4.
6. Correct as explained above.
7. Incorrect, the departmental appeal addressed to the Director LG&RDD, Khyber Pakhtunkhwa delivered in the office of Assistant Director (Sr.) LGRDD, Mohmand through registered mail on 05/08/2024 was not found entertainable, as they already have approached this Hon'ble tribunal, and trying to mislead the tribunal by making such statements.
8. Neither the Hon'ble Peshawar High Court, Peshawar mentioned any such direction regarding any monetary back benefits, nor the appellant performed any duty for which the benefit is prayed, hence payment of salaries for the period is not only loss to the public exchequer, but also against the justice.

ON GROUNDS:

- A. Denied, the appellant was appointed soon after the receipt of the judgment copy.
- B. Denied, in light of above explanation.
- C. Denied, as explained above.
- D. Incorrect, the Seniority of the appellant was placed according to rules / law. Furthermore, no financial loss occurred to the appellant.
- E. Denied, no such decision is available on record, whereby any such appellant has been given for no duty.
- F. Explained above.
- G. That the respondents also seek permission to raise further points at the time of arguments.

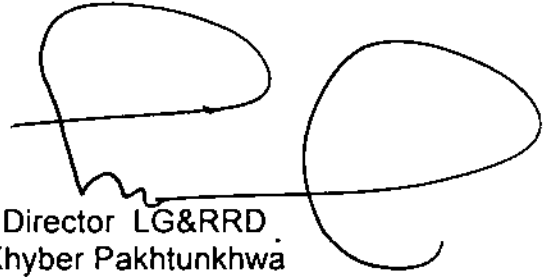
PPRAYER:

It is, therefore, humbly prayed on the acceptance of the instant parawise comments the appeal of the appellant may kindly be dismissed.



Assistant Director
LG&RDD, Mohmand
Respondent No. 3

Muhammad Ilyas Afridi



Director LG&RRD
Khyber Pakhtunkhwa
Respondent No. 1

Zia ur Rehman



Secretary LG, E&RDD,
Khyber Pakhtunkhwa
Respondent No. 2

Daud Khan

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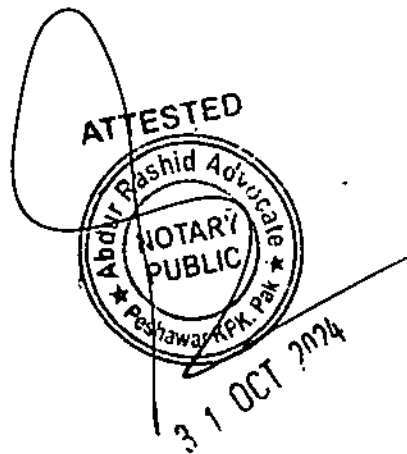
AFFIDAVIT

I, Muhammad Ilyas Afridi, Assistant Director (Sr.) Local Government & Rural Development, Mohmand solemnly affirm and declare on oath that Joint Para wise reply in **Appeal No. 1096,1097&1098/2024 Waheed Ullah, Amir Khatam, Inyat Ullah VS Director and Others** are true and correct to the best of my knowledge & belief and nothing has been intentionally concealed from this Honorable Tribunal. It is further stated on oath that in this appeal the answering respondents have neither been placed ex-parte nor their defense has been struck off.


Deponent
CNIC #. 21201-4366920-9
Cell #. 03349208457

Identified By

**Advocate General
Khyber Pakhtunkhwa**





**DIRECTORATE GENERAL
LOCAL GOVERNMENT & RURAL DEVELOPMENT
DEPARTMENT KHYBER PAKHTUNKHWA**

AUTHORITY LETTER

Muhammad Ilyas Afridi, Assistant Director (Sr.) Local Government & Rural Development Department, Mohmand is hereby authorized to submit Joint Parawise Comments / reply in the Khyber Pakhtunkhwa Service Tribunal, Peshawar on behalf of Respondents in Appeal No.1096,1097,1098 / 2024 Waheed Ullah & others VS Government of Khyber Pakhtunkhwa.

**Deputy Director (Litigation)
LG&RDD, Khyber Pakhtunkhwa**

**Deputy Director (Litigation)
Directorate General Local Govt: &RDD
Khyber Pakhtunkhwa**

Muhammad Jehangir Khan