

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

C.No. 1332/2024  
**SERVICE APPEL NO.1888/2023**

District Police officer Mansehra and Others.

.....Respondents

**VERSUS**

Mohsin Ali Constable No.383, District Police Mansehra

.....Petitioner

**APPLICATION FOR SETTING ASIDE EXPARTEE PROCEEDINGS**

**DATED 29 / 10 / 2024**

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**Deponent**

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

C.M. 1332 / 2024

**SERVICE APPEL NO. 1888/2023**

Khyber Pakhtunkhwa  
Service Tribunal

District Police officer Mansehra and Others.

Diary No. 17568

..... Respondents 04-41-24

VERSUS

Mohsin Ali Constable No.383, District Police Mansehra

..... Petitioner

**APPLICATION FOR SETTING ASIDE EXPARTEE**

**PROCEEDINGS DATED 29 / 10 / 2024**

Respectfully Sheweth:- Applicant/respondents  
submit as under:

- 1) That the case titled above is pending adjudication before this Honorable Tribunal where in next date is fixed as 21 / 11 / 2024.
- 2) That when the representative of the applicant came to court for submission of reply on 29/10/2024 it came to the knowledge of the respondent that the respondents have been placed and proceeded ex-partee.
- 3) That the mentioned act on the part of the respondents was not intentional rather inadvertent.
- 4) That the application of the applicants/ respondents is well within time.
- 5) That law requires the decision of cases on Merit rather than on technical grounds.
- 6) That there is no legal hatch involved in the acceptance of the present application.
- 7) That applicants/respondents seeks permission to raise additional points at the time of arguments with prior permission of this Honorable Court.

**PRAYERS:-**

In view of above, it is most humbly prayed that exparte proceedings may kindly be set aside and applicants/respondents may be allowed to submit reply in the best interest of justice.



*District Police Officer  
Mansera*

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

C.M. \_\_\_\_\_ / \_\_\_\_\_ / \_\_\_\_\_  
**SERVICE APPEL NO.1888/2023**

District Police officer Mansehra and Others.

.....Respondents

**VERSUS**

Mohsin Ali Constable No.383, District Police Mansehra

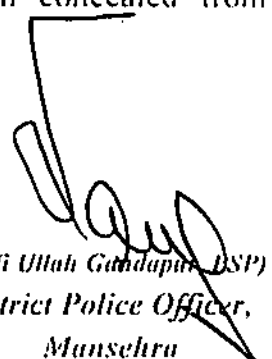
.....Petitioner

**APPLICATION FOR SETTING ASIDE EXPARTEE PROCEEDINGS**

**DATED 29 / 10 / 2024**

**AFFIDAVIT**

I, Shafi Ullah Gandapur, District Police Officer, Mansehra do solemnly affirm and declare that the contents of the application is true and correct to best of my knowledge and belief and that nothing has been concealed from this Honorable tribunal.

  
(Shafi Ullah Gandapur, DSP)  
District Police Officer,  
Mansehra



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

C.M \_\_\_\_\_ / \_\_\_\_\_ / \_\_\_\_\_  
**SERVICE APPEL NO.1888/2023**

District Police officer Mansehra and Others.

.....Respondents

**VERSUS**

Mohsin Ali Constable No.383, District Police Mansehra

.....Petitioner

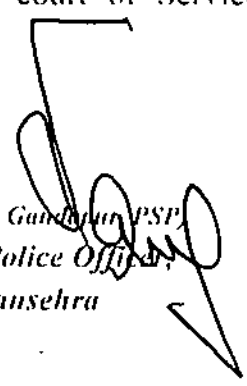
**APPLICATION FOR SETTING ASIDE EXPARTEE PROCEEDINGS**

**DATED 29 / 10 / 2024**

**AUTHORITY LETTER**

I, Shafi Ullah Gandapur, District Police Officer, Mansehra do hereby authorize and allow Mr. Haq Nawaz, to attend Honorable court of Service Tribunal, KPK, Peshawar in above mentioned service appeal.

(Shafi Ullah Gandapur, PSP)  
District Police Officer,  
Mansehra



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**BEFORE HONOURABLE KHYBER PAKHTUNKHWA SERVICE  
TRIBUNAL PESHAWAR**

Appeal No..... 1878/2023



Mohsin Ali, Constable No.383, District Police Mansehra. ....(Appellant)

**VERSUS**

1. Provincial Police Officer Khyber Pakhtunkhwa Peshawar.
2. Regional Police Officer, Hazara Region, Abbottabad.
3. District Police Officer, Mansehra.

(Respondents)

**SERVICE APPEAL UNDER SECTION-4 OF KPK SERVICE TRIBUNAL ACT 1974 AGAINST ORDER DATED 25-06-2021 OF THE DISTRICT POLICE OFFICER MANSEHRA WHEREBY APPELLANT HAS BEEN AWARDED PUNISHMENT OF "FORFEITURE OF 02 YEARS APPROVED SERVICE AND STOPAGE OF 03 YEARS INCREMENT WITHOUT CUMULATIVE EFFECT" AND ORDER DATED 22-11-2021 OF REGIONAL POLICE OFFICER HAZARA REGION ABBOTTABAD WHEREBY PENALTY OF FORFEITURE OF 03 YEARS APPROVED SERVICE HAS BEEN SET ASIDE AND ORDER DATED 21-07-2023 OF PROVINCIAL POLICE OFFICER KPK PESHAWAR WHEREBY REVISIONAL PETITION HAS BEEN REJECTED.**

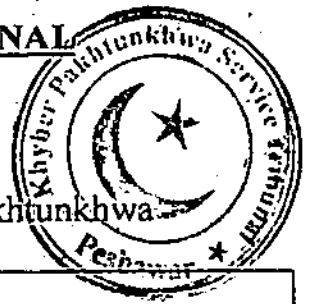
**PRAYER: ON ACCEPTANCE OF INSTANT SERVICE APPEAL ALL THREE ORDERS DATED 25-06-2021, 22-11-2021 AND 21-07-2023 OF THE RESPONDENTS MAY GRACIOUSLY BE SET ASIDE AND APPELLANT BE RELEASED HIS 03 YEARS STOPPED INCREMENTS WITH GRANT OF ALL CONSEQUENTIAL SERVICE BACK BENEFITS ON RENDITION OF ACCOUNT.**

Respectfully Sheweth:

That while appellant posted as GD Police Station City Mansehra, he was issued a Charge Sheet which was duly replied explaining facts of the matter and denying the allegations leveled therein being incorrect and baseless. (Copies of Charge Sheet and its Reply are attached as Annexure-"A&B").

**ATTESTED**  
  
**EXAMINER**  
Khyber Pakhtunkhwa  
Service Tribunal  
Peshawar

**KHYBER PAKHTUNKHWA SERVICE TRIBUNAL**



Service appeal No. 1888/2023

Muhasin Ali

versus

Government of Khyber Pakhtunkhwa

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.**

Order-05  
29<sup>th</sup>  
October,  
2024.

Present:

1. None for the appellant.
2. Mr. Umair Azam, Additional Advocate, General.
3. Written reply/comments on behalf of the respondents have not been submitted nor is there anybody present as representative, therefore, they are placed ex-parte. The appeal is admitted to full hearing subject to all just and legal objections. The appellant is directed to deposit security fee within 10 days. To come up for ex-parte arguments on 27.11.2024 before D.B at camp court Abbottabad.

Certified Signature of  
*[Signature]* 04-11-24  
EXAMINER  
Khyber Pakhtunkhwa  
Service Tribunal  
Peshawar  
\*Adnan Shah\*

*[Signature]*  
(Kalim Arshad Khan)  
Chairman  
Camp Court Abbottabad

Khyber Pakhtunkhwa Service Tribunal, Peshawar  
Application No. \_\_\_\_\_ Date 04/11/24  
Name of Applicant Carl Shadyant  
Number of Words/Pages 1-1  
Copying Fee \_\_\_\_\_  
Urgent/Ordinary SP  
Total \_\_\_\_\_  
Name & Sign of Copyist [Signature]  
Date of Completion of Copy 04/11/24  
Date of Delivery of Copy 04/11/24