

BEFORE THE KHYBER PAKHTUNKHWA SERVICES TRIBUNAL,
PESHAWAR

Service Appeal No.577/2024

Nasrullah Khan. **APPELLANT**

VERSUS

Higher Education Department & others. . . . **RESPONDENTS**

I N D E X

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Through

Respondent No.2


Abdullah Qazi

Advocate High Court

Dated: 05.11.2024

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COMMENTS ON BEHALF OF RESPONDENT NO.2

Khyber Pakhtunkhwa
Service Tribunal

Diary No. 17604

Dated 05-11-24

Respectfully Sheweth:

Preliminary Objections:

- a. That the appellant has got no cause of action or locus standi against the answering respondent, to file the instant appeal.
- b. That the appellant has not made the necessary party into his appeal and the appeal is liable to be dismissed on the ground of mis-joinder and non-joinder.
- c. That appeal is wrong and based on illegal and unlawful assumptions.
- d. That the appellant has concealed the material facts from this Hon'ble Tribunal and approached the court with unclean hands, hence not entitled to any relief and appeal of is badly barred by law.

ON FACTS:

1. Para No.1 of the appeal needs no comments.

2. Para No.2 needs proper proof.
3. Para No.3 needs no comments.
4. Para No.4 is incorrect, wrong and baseless, as per record name of the appellant is Nasrullah and date of birth is 01.04.1965. The respondent No.2 enters those particulars which are being furnished to respondent No.2.
5. Para No.5 is not related to the answering respondent.
6. Para No.6 needs proper proof.
7. Para No.7 needs proper proof.
8. Para No.8 needs no reply.
9. Para No.9 needs no reply.
10. Para No.10 needs no reply.
11. Answering respondent requests on the following grounds:-

ON GROUNDS:

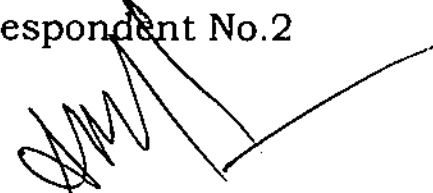
- A-C: Incorrect, wrong and baseless as stated. It is the policy of answering respondent that unnatural gap is rectified, when an applicant/candidate requests for the same in due course of law
- D: In response to para "D", it is submitted that tribe name, family name, father name and nick name is permitted to be added to the name as per policy of the respondent. Rest of the para is denied.

- E: Incorrect, wrong and baseless as stated, hence denied. Detailed reply has been given in the preceding paras.
- F: That the answering respondent also seeks permission to raise any other ground before this Hon'ble Tribunal at the time arguments.

It is, therefore, most humbly prayed that on acceptance of the instant comments, the appeal of the appellant may please be dismissed.

Through

Respondent No.2


Abdullah Qazi
Advocate High Court

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AFFIDAVIT

I, **Abdullah Qazi** Advocate High Court, as per instructions of my client/respondent No.2, do hereby solemnly affirm and declare on oath that the contents of the accompanying **Comments** are true and correct to the best of my knowledge and belief and nothing has been concealed from this Hon'ble Tribunal.



Handwritten signature of Abdullah Qazi
511-
Handwritten signature

ADVOCATE