

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

Appeal No. 1250/2022

Junaid Amin

(Appellant)

VERSUS

PPO etc.

(Respondents)

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DEPONENT

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PARA WISE COMMENTS OF RESPONDENTS NO. 1 to 6

Respectfully Sheweth

The respondents respectfully submit as under: -

Khyber Pakhtunkhwa
Service Tribunal

Diary No. 18166

Dated 21-11-24

PRELIMINARY OBJECTIONS.

1. That the Appellant has got no cause of action.
2. That the Appeal is not maintainable under the law.
3. That the Appeal is barred by law & limitation.
4. That the Appellant has not been discriminated in any way.
5. That the Appeal is bad due to mis-joinder and non-joinder of necessary parties.
6. That the Appellant has approached the Honorable Tribunal with unclean hands.
7. That the Appellant has got no cause of action and locus-standi to file the instant Appeal.
8. That the Appellant has been estopped by his own conduct.

ON FACTS

1. Pertains to record.
2. Incorrect, the appellant was placed at serial No. 29 of seniority list instead of serial No. 27, rest of the Para pertains to record. Moreover, the DPC meeting held in the year 2022 vide notification No. 276-85/E-V dated 27.01.2022, the appellant was again deferred on the basis of missing ACRs for a period of 01.01.2019 to 03.04.2019.
3. Correct to the extent that others/colleagues were promoted as their requirements were complete but the applicant was deferred due to non availability of his basic requirements for promotion (ACRs).
4. Incorrect, the appellant badly failed to complete and submit his ACR well within time, hence, his appeal was devoid of merits.
5. The appellant has got no cause of action to file instant service appeal.


GROUND:

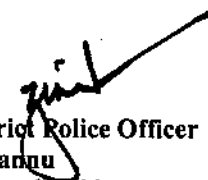
- A. Incorrect, the promotion notification on 27.01.2022 issued by respondent No. 1 after approval of departmental promotion committee constituted according to law for promotion of Junior Clerks to next promotion.
- B. Correct to the extent but according to law/Rules, Government employee should be promoted to the next Rank on the basis if, the applicant qualified and fit for promotion.
- C. Incorrect, ACR for the period of 01.01.2019 to 03.04.2019 was found missing which is mandatory for promotion but the appellant was unable to produce his missing ACRs before the promotion committee, hence deferred.
- D. Pertains to record, hence no comments.


- E. Incorrect, detail reply to this effect has already been given in above Para C.
- F. Incorrect, the appellant enlisted in Police department as Junior Clerk on 31.08.2009 and the Police department acted the whole procedure of promotion according to law/Rules promulgated by the Government.
- G. The respondents seek permission to advance others grounds and proofs at the time of hearing.

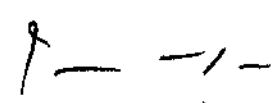
PRAYER:


In view of the above Para wise reply, it is most humbly prayed that the Appeal of the appellant may kindly be dismissed with cost.



Superintendent of Police
Investigation Bannu
Respondent No. 1
(WAQAR AHMAD)
Incumbent


District Police Officer
Bannu
Respondent No. 5
ZIA UD DIN AHMAD (PSP)
Incumbent


Assistant: Inspector General Establishment
KP, Peshawar.
SONIA SHAMROZ (PSP)
Respondent No. 2
Incumbent


Regional Police Officer
Bannu, Region, Bannu
(IMRAN SHAHID) PSP
(Respondent No.4)
Incumbent


DIG Admin Investigation,
CPO KP, Peshawar
(AFTAB AHMAD MAHSUD) (PSP)
Respondent No.3
Incumbent


DIG/Legal, CPO
For Provincial Police Officer
Khyber Pakhtunkhwa, Peshawar
(DR. MUHAMMAD AKHTAR ABBAS) PSP
(Respondent No.1)
Incumbent

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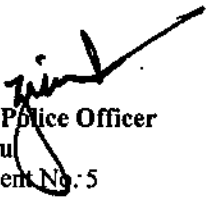
(Respondents)


AUTHORITY LETTER.

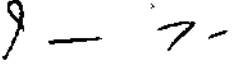
Mr. Muhammad Farooq Khan DSP Legal Bannu, is hereby authorized to appear before Honorable Tribunal on behalf of the undersigned in the above cited Appeal.


He is authorized to submit and sign all documents pertaining to the present Appeal.

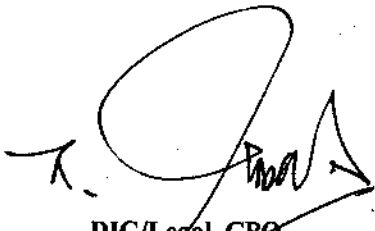

Superintendent of Police
Investigation Bannu
Respondent No. 6
(WAQAR AHMAD)
Incumbent


District Police Officer
Bannu
Respondent No. 5
ZIA UD DIN AHMAD (PSP)
Incumbent


Assistant: Inspector General Establishment
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Regional Police Officer
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DIG/Legal, CPO
For Provincial Police Officer
Khyber Pakhtunkhwa, Peshawar
(DR. MUHAMMAD AKHTAR ABBAS) PSP
(Respondent No.1)
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AFFIDAVIT.

I Mr. Zia Ud Din Ahmad (PSP) DPO Bannu, representative for Respondent Nos.1 to 6,
do hereby solemnly affirm and declare that the contents of the accompanying comments
submitted by us are true and correct to the best of our knowledge and belief and that nothing has
been 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.



Zia Ud Din Ahmad
DEPONENT
DPO Bannu
Zia Ud Din Ahmad (PSP)