

**BEFORE THE KPK SERVICE TRIBUNAL PESHAWAR**

*Misc Appli No- 798/2024* Service appeal, 202/2024

1. Inspector General of Police Khyber Pakhtunkhwa Peshawar.
2. Commandant Frontier of Police Khyber Pakhtunkhwa Peshawar
3. Superintendent of Police FRP Bannu Range Bannu.

(Petitioners)

**VERSUS**

**Khalil Ur Rehman Ex constable No 6993 s/o Mehrullah Khan R/o Khwaidad Khel Lakki Marwat**

(Respondent)

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Total			

*[Signature]*  
Respondent

**BEFORE THE KPK SERVICE TRIBUNAL PESHAWAR** Khyber Pakhtunkhwa  
Service Tribunal

Service appeal 202/2024  
MISL Appli No 798/2024

Diary No. 14568  
Dated 27.07.2024

1. Inspector General of Police Khyber Pakhtunkhwa Peshawar.
2. Commandant Frontier of Police Khyber Pakhtunkhwa Peshawar
3. Superintendent of Police FRP Bannu Range Bannu.

(Petitioners)

**VERSUS**

Khalil Ur Rehman Ex constable No 6993 s/o Mehrullah Khan R/o  
Khwaidad Khel Lakki Marwat

**APPLICATION FOR SETTING ASIDE THE ORDER  
DATED 04.06.2024**

Respectfully Sheweth

1. That the above titled appeal is pending before the Khyber Pakhtunkhwa Hon' able Tribunal Peshawar and next dater fixed for hearing on 05.09.2024. (Copy of order dated 12.06.2024 is attached as Annexure-A).
2. That the Hon' able Tribunal issued Ex-parte order dated 12.06.2024 without taking under consideration the stance of Police Department, which is not in accordance with natural justice.
3. That from Ex-parte order the answering respondents are deprived their right of defense.
4. That the petitioners/Respondents attended the Hon' able Tribunal each and every date of hearing in the above titled case.
5. That the petitioners/respondents have not deliberately or willfully uses any delay tactics in the submission of Para-Wise comments, before the Hon' able Tribunal.
6. That the Petitioners/respondents seeks permission to file Parawise comments on the following grounds.

**Grounds:**

- A) That the valuable rights of the department/respondents are involved with the instant appeal.

- B). That the instant application within time barred and there is no disobedience on the part of replying respondents.
- C). That there is no legal bar in accordance of the application in hand.
- D). That delay was not intentional, but due to the above justified reason. However, the replying respondents will shows punctually in future.
- E) That according to the rules of natural justice, no one condemned unheard.

Prayer

It is, therefore, most humbly prayed that the Ex-Parte order/proceedings dated 04.06.2024 may be set aside and the petitioners/Respondents may kindly be provided an opportunity for defense in the subject cases in the larger interest of justice.



Superintendent of Police  
FRP Bannu Range Bannu  
Khyber Pakhtunkhwa  
(Sartaj Khan)  
(Respondent No. 1, 2, 3)

BEFORE THE KPK SERVICE TRIBUNAL PESHAWAR

Service appeal 202/2024

1. Inspector General of Police Khyber Pakhtunkhwa Peshawar.
2. Commandant Frontier of Police Khyber Pakhtunkhwa Peshawar
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(Petitioners)

VERSUS



Khalil Ur Rehman Ex constable No 6993 s/o Mehrullah Khan R/o  
Khwaidad Khel Lakki Marwat

**AFFIDAVIT**

I, Respondent No. 1 (Sartaj Khan) do hereby solemnly affirm on oath that the contents of accompanying application for restoration of right submission of Para-wise comments on behalf of respondent department are true and correct to the best of my knowledge and belief that nothing has been concealed from this Hon' able Tribunal.

  
Superintendent of Police  
FRP Bannu Range Bannu  
Khyber Pakhtunkhwa  
(Sartaj Khan)  
(Respondent No. 1, 2, 3)

**ATTESTED**

  
Azmat Ali Advocate  
Notary Public  
Judicial Complex Peshawar  




**BEFORE KPK SERVICE TRIBUNAL PESHAWAR**

S.A No. 202/2024

Khyber Pakhtunkhwa  
Service Tribunal

Diary No. 10629

Dated 18-1-2024

Khalil-ur-Rehman S/O Mehrullah Khan,

R/O Khwaidad Khel, Lakki Marwat.

Ex-Constable No. 6993,

Police Station, Bragi Lakki Marwat . . . . . Appellant

**Versus**

1. SuperIntendent of Police,  
FRP Bannu.
2. Commandant FRP, KP  
Peshawar.
3. Inspector General of Police,  
KP, Peshawar . . . . . Respondents

**APPEAL U/S 4 OF SERVICE TRIBUNAL ACT, 1974  
AGAINST OB NO. DATED 02-11-2022 OF R. NO.  
01 WHEREBY APPELLANT WAS DISMISSED  
FROM SERVICE OR OFFICE ORDER NO. 588-89 /  
SI DATED 17-01-2023 OF R. NO. 02 WHEREBY  
REPRESENTATION OF APPELLANT WAS  
REJECTED OR OFFICE ORDER NO. 2999-3004 /  
23 DATED 22-12-2023 OF R. NO. 03 WHEREBY  
THE BOARD REJECTED THE REVISION PETITION  
FOR NO LEGAL REASON:**

**Respectfully Sheweth:**

1. That appellant was initially appointed as Constable on 26-06-2007 and served the department with devotion wherever posted.
2. That at the time appellant was admitted to City Hospital Lakki Marwat for operation and thereafter, he was discharged on 27-08-2022. (Copy as annex "A")

**ATTESTED**

**EXAMINER  
Khyber Pakhtunkhwa  
Service Tribunal  
Peshawar**

19-7-24

S.A No. 202/2024

*Khalil-ur-Rahman vs Govt*



12<sup>th</sup> June, 2024

1. Nobody is present on behalf of the appellant. Mr. Arshad Azam, Assistant Advocate General present.
2. On 13.05.2024, Mr. Ihsanullah, S.I (Legal) was present and had sought time for filing of reply but today neither any representative of the respondents is present nor reply has been filed. Therefore, they are placed ex-parte. The appeal is admitted to full hearing. Appellant is directed to deposit security fee within 10 days. Be placed before the D.B for ex-parte arguments on 05.09.2024. Parcha Pehsi given to Assistant Advocate General.

**ATTESTED**

EXAMINER  
Kyber Pakhtunkhwa  
Service Tribunal  
Peshawar  
\*Nasim Amin\*

*[Signature]*  
19-7-24

*[Signature]*  
(Kalim Arshad Khan)  
Chairman

Date of Presentation of Application 19-7-24  
Number of Words Page = 2  
Copying Fee 10/-  
Urgent 5/-  
Total 15/-  
Name of Copyiest [Signature]  
Date of Completion of Copy 19-7-24  
Date of Delivery of Copy 19-7-24