
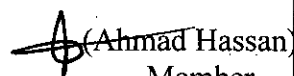
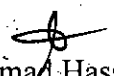


Form-A
FORM OF ORDERSHEET

Court of _____
Case No. 841 / 2017

| S.No. | Date of order proceedings | Order or other proceedings with signature of judge |
|-------|--|--|
| 1 | 2 | 3 |
| 1 | 09/08/2017 | <p>The appeal of Mr. Sahib Zada presented today by Mr. Saadullah Khan Marwat Advocate, may be entered in the Institution Register and put up to the Learned Member for proper order please.</p> <p style="text-align: right;"> REGISTRAR 9/8/17</p> |
| 2- | <p>17.08.2017</p> <p>17.08.2017</p> | <p>This case is entrusted to S. bench for preliminary hearing to be put up there on 17.8.2017 before S.B.</p> <p>Counsel for the appellant present and seeks adjournment. Adjourned. To come up for preliminary hearing on 06.09.2017 before S.B.</p> <p style="text-align: right;"> (Ahmad Hassan) Member</p> <p style="text-align: right;"> (Ahmad Hassan) Member</p> |


3. 6/9/2017

Counsel for the appellant present and argued that the appellant was appointed as Constable in the year 2006 and dismissed from service vide order dated 12/5/2010. Appellant submitted first departmental representation on 26/5/2010 and 2nd on 5/6/2017, which was rejected on 11/7/2017. Furthermore, the impugned order is void ab-initio and against the fundamental rights granted to the appellant by Constitution of Islamic Republic of Pakistan. He further argued that before awarding major penalty of dismissal from service to the appellant, no charge sheet alongwith statement of allegations/show cause notice issued to the appellant and was condemned unheard.

Points urged at bar need consideration. The appeal is admitted for regular hearing subject to all legal objections including limitation. The appellant is directed to deposit security and process fee within 10 days. Thereafter, notices be issued to the respondents for written reply/comments on 17/10/2017 before SB.

Appellant Deposited
Security & Process Fee




(GUL ZEB KHAN)
MEMBER

17/10/2017

Clerk of counsel for the appellant and Mr. Kabirullah Khattak, AAG alongwith Mr. Arif Saleem, Steno. for the respondents present. Written reply not submitted and representative of the respondent requested for further time. Adjourned. To come up for written reply/comments on 9/11/2017 before SB.


(GUL ZEB KHAN)
MEMBER

09.11.2017


Counsel for the appellant and Mr. Ziaullah, DDA alongwith Mr. Arif Saleem, ASI for respondents present. Written reply submitted. To come up for rejoinder and final hearing on 15.01.2018 before D.B.


(AHMAD HASSAN)
MEMBER

15.01.2018


Clerk of the counsel for appellant present. Mr. Zia Ullah, DDA alongwith Mr. Arif Saleem, ASI for the respondents present. Lawyer community on strike on the call of Khyber Pakhtunkhwa Bar Council. Adjourned. To come up for rejoinder and arguments on 14.03.2018 before D.B.



(Gul Zeb Khan)
Member


(M. Hamid Mughal)
Member

14.03.2018

Appellant absent. Learned counsel for the appellant is also absent. However, junior to learned senior counsel for the appellant present and seeks adjournment. Mr. Muhammad Jan, Deputy District Attorney alongwith Mr. Arif Saleem, ASI for the respondents present. Adjourned. To come up for rejoinder and arguments on 14.05.2018 before D.B.


(Muhammad Amin Khan Kundi)
Member


(Muhammad Hamid Mughal)
Member

14.05.2018


Due to retirement of the worthy Chairman, the Tribunal is incomplete, therefore the case is adjourned. To come up for the same on 31.07.2018.


Reader

31.07.2018

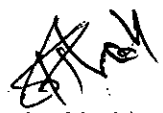
Junior to counsel for the appellant and learned Additional Advocate General present. Junior to counsel for the appellant seeks adjournment as senior counsel is not in attendance. Adjourned. To come up for arguments on 26.09.2018 before D.B.



(Ahmad Hassan)
Member


(Muhammad Hamid Mughal)
Member

26.09.2018

Learned counsel for appellant and Mr. Kabir Ullah Khattak learned Assistant Advocate General present. Learned counsel for appellant submitted rejoinder which is placed on file and seeks adjournment. Adjourned. To come up for arguments on 06.11.2018 before D.B.


(Hussain Shah)
Member


(Muhammad Hamid Mughal)
Member

06.11.2018

Due to retirement of Hon'able Chairman, the Tribunal is defunct. Therefore, the case is adjourned for the same on 28.12.2018 before D.B.



Reader

28.12.2018

Mr. Amjad Nawaz, Advocate junior to Mr. Saadullah Khan Marwat Advocate for appellant and Mr. Ziaullah, DDA for the respondents present.

It is stated that learned senior counsel for the appellant is out of station due to some personal engagement, therefore, request for adjournment is made. Adjourned to 25.02.2019 for arguments before the D.B.



Member



Chairman

25.02.2019

Miss Uzma Syed, Advocate for appellant and Addl. AG for the respondents present.

Requests for adjournment as learned senior counsel for the appellant is in appearance before the Honourable High Court. Adjourned to 13.05.2019 before the D.B.



Member



Chairman


13.05.2019

Nemo for the appellant. Mr. Kabirullah Khattak learned Additional Advocate General for the respondents present. Due to leave of the worthy Chairman the case is adjourned to 22.07.2019 for arguments before D.B.


(Hussain Shah)
Member

22.07.2019

Learned counsel for the appellant present. Mr. Zia Ullah learned Deputy District Attorney alongwith Mr. Arif Saleem Stenographer for the respondents present. Learned counsel for the appellant seeks adjournment. Adjourned. To come up for arguments on 07.10.2019 before D.B.


(Hussain Shah)
Member


(M. Amin Khan Kundi)
Member

7-10-19

Due to tow of Hanble
Member to comp court sand
The case is adjourned to
17-12-2019
Roads

17-12-2019

Lawyers are on strike on the call of Peshawar Bar Association. Adjourn. To come up for further proceedings/arguments on 19.02.2020 before D.B.



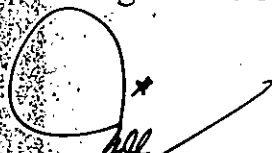
Member



Member

19-02-2020

Junior to counsel for the appellant present. Mr. Ziaullah, DDA for respondents present. Junior to counsel for the appellant requested for adjournment as senior counsel was busy before the Peshawar High Court, Peshawar. Adjourned. To come up for arguments on 16.04.2020 before D.B.



Member



Member

16-04-2020

Due to public holidays on account of Covid-19, the case is adjourned. To come up for the same on 16.07.2020 before D.B.



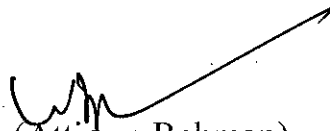
Reader


16.07.2020

Nemo for appellant.

Mr. Kabir Ullah Khattak learned Additional Advocate General alongwith Arif Salim Stenographer for respondents present.

The preceding date was adjourned on a Reader's note, therefore, notice be issued to appellant and his counsel for arguments, for 03.09.2020 before D.B.


(Attiq ur Rehman)
Member (E)


(Rozina Rehman)
Member (J)


03.09.2020

Appellant present through counsel.

Mr. Kabir Ullah Khattak learned Additional Advocate General for respondents present.

Learned counsel for appellant seeks adjournment as issue involved in the present case is pending before Larger Bench of this Tribunal.

Adjourned to 23.11.2020 for arguments, before D.B.

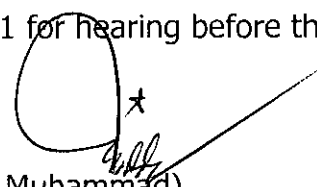

(Attiq ur Rehman)
Member (E)


(Rozina Rehman)
Member (J)

23.11.2020

Counsel for the appellant and Addl. AG for the respondents present.

As the proposition has not been settled by the Larger Bench of this Tribunal, instant matter is adjourned to 10.02.2021 for hearing before the D.B.

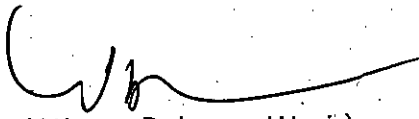

(Mian Muhammad)
Member


Chairman

10.02.2021

Counsel for the appellant and Addl. AG for the respondents present.

Former states that similar proposition before the Larger Bench has not yet been decided. Adjourned to 25.05.2021 for hearing before the D.B.


(Atiq-ur-Rehman Wazir)
Member(E)



Chairman

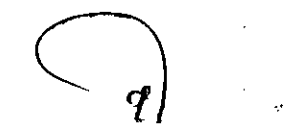
25.05.2021

Appellant present through counsel.

Javid Ullah learned Assistant Advocate General along with Arif Salim Stenographer for respondents present.

Former states that similar proposition before the Larger Bench has not yet decided. Adjourned to 14/9/2021 for hearing, before D.B.


(Atiq ur Rehman Wazir)
Member (E)



(Rozina Rehman)
Member (J)

14.09.2021

Appellant present through counsel.

Usman Ghani learned District Attorney for the respondents present.

Former made a request for adjournment. Request is accorded. To come up for arguments on 14.01.2022 before D.B.


(Rozina Rehman)
Member (J)


Chairman

ORDER

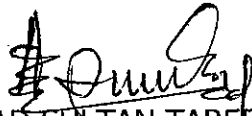
14.01.2022

Learned counsel for the appellant present. Mr. Muhammad Adeel Butt, Additional Advocate General for respondent present. Arguments heard and record perused.

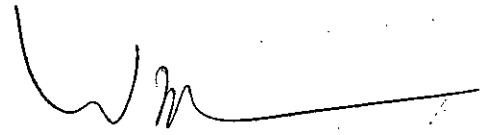
Vide our detailed judgment of today, separately placed on file, we are constrained to partially accept the instant appeal by re-instating the appellant in service with direction to respondents to conduct de-novo inquiry strictly in accordance with law by affording appropriate opportunity of defense to the appellant. De-novo proceeding shall be completed within 60 days after receipt of the judgment and pass an appropriate order. Parties are left to bear their own costs. File be consigned to record room.

ANNOUNCED

14.01.2022



(AHMAD SULTAN TAREEN)
CHAIRMAN




(ATIQ-UR-REHMAN WAZIR)
MEMBER (E)

06. We are of the considered opinion that the appellant has not been treated in accordance with law; hence, we are constrained to partially accept the instant appeal by re-instating the appellant in service with direction to respondents to conduct de-novo inquiry strictly in accordance with law by affording appropriate opportunity of defense to the appellant. De-novo proceeding shall be completed within 60 days after receipt of the judgment and pass an appropriate order. Parties are left to bear their own costs. File be consigned to record room.

ANNOUNCED
14.01.2022


(AHMAD SULTAN TAREEN)
CHAIRMAN


(ATIQ-UR-REHMAN WAZIR)
MEMBER (E)

the appellant was available to take care of her; that the appellant had submitted medical prescription of illness of her mother to the competent authority, which were not taken into consideration; that the appellant has not been treated in accordance with law, hence his rights secured under the constitution has badly been violated; that no regular inquiry was conducted nor the appellant was served with any sort of notice, hence he was condemned unheard; that the impugned order was passed with retrospective effect, which is void and no limitation would run for challenging such order; that absence on medical grounds does not constitute gross misconduct entailing major punishment of dismissal.

03. Learned Additional Advocate General for the respondents has contended that the appellant manipulated a concocted story of illness of his mother, whereas the appellant deliberately absented himself from lawful duty with effect from 27-02-2010; that charge sheet/statement of allegation was served upon him at his home address, but it was found that the appellant was not available at home and reportedly had gone abroad; that inspite of repeated reminders, the appellant did not turn up, hence he was proceeded ex-parte and departmental proceedings culminated into his removal from service vide order dated 12-05-2010; that the appellant filed departmental appeal after lapse of seven years, which was rejected being barred by time.

04. We have heard learned counsel for the parties and have perused the record.

05. Placed on record is a huge record of medical prescriptions in respect of mother of the appellant, who was treated for longer time and such stance was taken by the appellant in his departmental appeal, but was not taken into consideration by the respondents. The appellant was proceeded against in absentia and was not afforded opportunity of defense, hence he was condemned unheard.

BEFORE THE KHYBER PAKHTUNKHWA SERVICE TRIBUNAL PESHAWAR

Service Appeal No. 841/2017

Date of Institution ... 09.08.2017

Date of Decision ... 14.01.2022

Sahib Zada S/o Bahadar Khan, R/o Thor Chpri, Kohat, Ex-Constable No. 386
Police Station, Cant Kohat. ... (Appellant)

VERSUS

District Police Officer Kohat and others. ... (Respondents)

Arbab Saiful Kamal
Advocate

... For Appellant

Muhammad Adeel Butt,
Additional Advocate General

... For respondents

AHMAD SULTAN TAREEN
ATIQ-UR-REHMAN WAZIR

...

...

CHAIRMAN
MEMBER (EXECUTIVE)

JUDGMENT

ATIQ-UR-REHMAN WAZIR MEMBER (E):-

Brief facts of the

case are that the appellant while serving as Constable in Police Department was proceeded against on the charges of absence from duty and was ultimately dismissed from service vide order dated 12-05-2010. Feeling aggrieved, the appellant filed departmental appeal dated 26-05-2010, which was not responded. The appellant filed subsequent departmental appeal which was rejected vide order dated 11-07-2017, hence the instant service appeal instituted on 09-08-2017 with prayers that the impugned orders dated 12-05-2010 and 11-07-2017 may be set aside and the appellant may be re-instated in service with all back benefits.

02. Learned counsel for the appellant has contended that absence of the appellant was not willful, but was due to illness of his mother and nobody except

BEFORE THE KPK SERVICE TRIBUNAL, PESHAWAR

S.A No. 841 /2017

Sahib Zada

versus

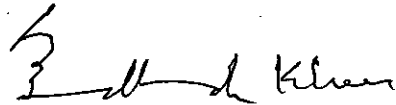
D.P.O & Others

I N D E X

| S.# | Description of Documents | Annex | Page |
|-----|--|-------|-------|
| 1. | Memo of Appeal | | 1-3 |
| 2. | Medical prescriptions | "A" | 4-21 |
| 3. | Dismissal order dated 12-05-2010 | "B" | 25 |
| 4. | 1 st Representation, 26-05-2010 | "C" | 26 |
| 5. | Medical prescriptions, 17-05-2016 | "D" | 27-32 |
| 6. | 2 nd Representation. | "E" | 33 |
| 7. | Rejection order, 11-07-2017 | "F" | 34 |

Appellant

Through



Dated: 07-08-2017

Saadullah Khan Marwat
Advocate
21-A Nasir Mansion,
Shoba Bazaar, Peshawar.
Ph: 0300-5872676
0311-9266609

BEFORE THE KPK, SERVICE TRIBUNAL, PESHAWARS.A No. 841 /2017

Sahib Zada S/O Bahadar Khan,
R/o Thor Chpri, Kohat, Ex-Constable
No. 386 Police Station, Cantt Kohat Appellant

VERSUS

Khyber Pakhtukhwa
Service TribunalDiary No. 880Dated 09-8-2017

1. District Police Officer, Kohat.
2. Regional Police Officer,
Kohat Region, Kohat.
3. Provincial Police Officer,
KP, Peshawar. Respondents

⊕<=>⊕<=>⊕<=>⊕<=>⊕

**APPEAL U/S 4 OF THE SERVICE TRIBUNAL ACT,
1974 AGAINST OB NO. 392 DATED 12-05-2010 OF
R. NO. 1 WHEREBY APPELLANT WAS REMOVED
FROM SERVICE WITH EFFECT FROM 27-02-2010
OR OFFICE ORDER NO. 6104 / EC DATED 11-07-
2017 OF R. NO. 2 WHEREBY REPRESENTATION OF
APPELLANT WAS REJECTED FOR NO LEGAL**

Filed to-day REASON:

⊕<=>⊕<=>⊕<=>⊕<=>⊕

Registrar

9/27/17

Respectfully Sheweth:

Short facts giving rise to the present appeal are as under:-

1. That appellant was appointed as Constable in the year 2006 and was performing his duties to the best of his ability and with devotion.
2. That mother of appellant became seriously ill and there was no one to look after her in the family except appellant. She was treated from CMH Kohat, Civil Hospital Peshawar and Rawalpindi. The treatment took expenses approximately seven (07) lacs, being loan

which disturb appellant mentally and physically and resulted into absence. (Copies as Annex "A")

3. That anyhow, appellant was removed from service under KPK, Removal from Service (Special Powers) Ordinance, 2000 on the said score. (Copy as annex "B")
4. That appellant preferred departmental appeal before R. No. 2 on 26-05-2010 but in vain. (Copy as annex "C")
5. That finally his mother was operated at CMH, Kohat, vide medical prescriptions dated 17-05-2016. (Copy as annex "D")
6. That thereafter, subsequent representation was submitted for reinstatement in service which was rejected on 11-07-2017. (Copies as annex "E" & "F")

Hence this appeal, inter alia, on the following grounds:-

GROUND S

- a. That appellant never absented from duty willfully but his mother was ill. No one was in house to look after her. As no one is near and dearer to mother, so he attended his ill mother in Hospitals, stated above.
- b. That appellant was neither served with any Notice, Charge Sheet, Final Show Cause Notice, so he was condemned unheard.
- c. That neither any enquiry was conducted nor any statement was recorded in presence of appellant nor he was afforded opportunity of cross-examination.
- d. That the impugned order was passed with retrospective effect while on the other hand, no such order could be passed in the aforesaid manner. The impugned orders are ab-initio-void.
- e. That absence, if any, and that too not willful, does not constitute misconduct. The impugned orders are not per the mandate of Law, so are based on malafide and requires interference.

It is, therefore, most humbly prayed that on acceptance of the appeal, orders dated 12-05-2010, and 11-07-2017 of the respondents be set aside and appellant be reinstated in service with all back benefits, with such other relief as may be deemed proper and just in circumstances of the case.

Arbab Saif-ul-Kamal

Appellant

Through

Saadullah Khan Marwat

Saadullah Khan Marwat

Arbab Saif-ul-Kamal

Arbab Saif-ul-Kamal

Amjad Nawaz
Advocates,

Dated 07-08-2017

A 4

DR. INTEKHAB ACAM

M.B.B.S. (Gold Medal) F.C.P.S.

Professor of Medicine

BQMI, Khyber Medical University

Consultant Physician

Lady Reading Hospital, Peshawar

Clinical, Yarnian Hospital & Maternity Center

Commercial Gate at Street, G.T. Road, Peshawar

Phone: 2213780, 2531880.



پروفیسر و اکثر امتحان عالم

ایم ای ایچ ایم (گولڈ میڈل) ایف سی پی ایس
پروفیسر آف میڈیسن
کنسلٹنٹ فزیشن
لیڈی ریڈنگ ہسپتال پشاور
کلینیکل یارنیاں ہسپتال اور ماٹرنٹی سینٹر
جی ٹی روڈ پشاور
فون: 2213780، 2531880

Name: Mr. Ghulam Nabi Age: Address: Date: 20/1/14

IDDm - Insuget 70/20 - 20 units OD. Etopride 4mg - 200

FBS - 174 mg/dl

Rheumatoid Arthritis

3 (تین ماہ)

0.5 Insuget 70/20

0.5 Etopride 4mg - 20 + 14

Hand in left knee +

RT effusion

0.5 Tab Analgen 500

0.5 Tab Predn Sol

0.5 Tab Voltacortil

0.5 Tab Cyclohexate

0.5 Tab Folic acid

> FBS - 110

> RBS - 160

• دیکھو اور ایڈجسٹنگ کی سہولت موجود ہے۔
• سونے کا ہونا کالے برکان سے زیادہ خطرناک ثابت ہو سکتا ہے۔
• سونے سے شوگر، بلڈ پریشر، سانس کی بیماری، جگر میں چربی اور
جوزوں کا مرض ہو سکتا ہے۔ • صفائی نصف ایمان ہے اپنے آپ کو اور
اپنے مریضوں کو صاف سٹرا رکھیں۔ (خاص طور پر قانچ کے مریضوں کو
نہلانے میں کوئی حرج نہیں)۔ کسی بھی قسم کے برکان اور پھیلاؤ
میں کھانے پینے کا کچھ پرہیز نہیں۔ • اپنی بیماری اور دواؤں کو سمجھا کر
رہیں اور ان کے بارے میں عام لوگوں کے شعور میں بڑھ کر رہیں۔ •
پرہیز تاکہ اپنی حالت خراب نہ کریں۔ • صاف پینیں پی لیں اور پی
کھانے اور اچھے پینے سے نہیں لگنا۔ • کالے برکان سے بچنے کے لیے
ضروری انجکشن، انفیکشن اور دواؤں کے علاوہ کسی دوسرے
• صوبہ، ایڈجسٹنگ کی سہولت موجود ہے۔

Dr. Intekhab Acam
Peshawar

5

DR. INTEKHAB ALAM

M.B.B.S. (Dipl. Med.) F.C.P.S.

Professor of Medicine:

JMI, Khyber Medical University

Consultant Physician:

Lady Reading Hospital Peshawar.

Clinic: Yashleen Hospital & Maternity Center,
Commerce College Street, Q.T. Road, Peshawar.
Phone: 2213788, 2591858.



پروفیسر ڈاکٹر انتحاب عالم

پروفیسر ڈاکٹر انتحاب عالم
جی ایم ایف، خیبر طبی یونیورسٹی
لیڈی ریڈنگ ہسپتال، پشاور۔
یونیورسٹی ہسپتال، پشاور۔

فون: 2213788 اور 2591858 پشاور۔
پشاور ہسپتال کے لیے 2213788 اور 2591858 پشاور۔

Name: Mrs Gul Shad Akbi

Age:

Address:

Date: 15/3/10

DM + RA

on insulin.

فوری نسخہ

1. Insupet 70/30

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2. Ty Artifem 80

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5. Ty Scleropyrin

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6. Ty Tensonil

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130/80 - 7

Cap Esolol 4mg,
آئی سی ایف، رات کو
6 سے پہلے

6

DR. INTEKHAB ALAM

M.B.B.S. (Gold Medalist) F.C.P.S.

Professor of Medicine:

PGMI, Khyber Medical University

Consultant Physician:

Lady Reading Hospital, Peshawar.

Clinic: Yashfeon Hospital & Maternity Center.

Commerce College Street, G.T. Road, Peshawar.

Phones: 2213788 & 0314-9090747

2581866 & 0312-9115514



پروفیسر ڈاکٹر انتخاب عالم

ایم بی بی ایس (گولڈ میڈلسٹ) ایف سی پی ایس۔

پروفیسر ایف سی پی ایس، کھبر میڈیکل یونیورسٹی، لیدی ریڈنگ ہسپتال پشاور۔

پروفیسر آف میڈیسن، یاشفون ہسپتال پشاور۔

75

0314-9090747

2213788

0312-9115514 اور 2581866

Date: 2/6/10

Name:

Mrs Gulshan Bibi

Age:

Address:

Not valid as court evidence.

Known I.M + RA. ^{فونکشنل}

on Insulet 7000 + 100

Diabetes.

Other symptoms (Tachycardia)

Weight 100 kg

History of hypertension

Medication

Insulin 70/30

Aspirin

2

120/70 - 110

10 mg 15

1. Insulet 70/30

| | | | |
|-----|----|----|----|
| 100 | 12 | 18 | 30 |
| | | | |

2. Deltaconbil 50

| | | | |
|-----|---|----|----|
| 100 | - | 10 | 30 |
| | | | |

3. Salicypyrin

| | | | |
|-----|---|---|---|
| 100 | 2 | + | 2 |
| | | | |

4. Tab. Perisond 20

| | | | |
|-----|---|----|----|
| 100 | - | 10 | 30 |
| | | | |

5. Tab Bezolol 20

| | | | |
|-----|----|---|----|
| 100 | 10 | - | 30 |
| | | | |

6. Tab Sennid 20

| | | | |
|-----|----|---|----|
| 100 | 10 | - | 30 |
| | | | |

7

DR. INTEKHAB ALAM

M.B.B.S. (Gold Medalist) F.C.P.S.
Professor of Medicine
PGMI, Khyber Medical University
Consultant Physician
Lady Reading Hospital, Peshawar
Clinic: Rehman Baba Colony, Opp. Lady Orphan School
Near Dabgarl Garden, Peshawar
Phones: 0314-0090747
0312-0115514

ڈاکٹر انتخب عالم
معالجہ

ایم بی بی ایس (گولڈ میڈلسٹ) ایف سی پی ایس
پروفیسر آف میڈیسن
پگمی، خیبر میڈیکل یونیورسٹی
کنسلٹنٹ فزیشن
لیڈی ریڈنگ ہسپتال، پشاور
کلینک: رحمان بابا کالونی، اوپو لڈی اوریفان سکول
نیر ڈبگارل گارڈن، پشاور
فون: 0314-0090747
0312-0115514

Name: Mr. Sabir Bilal Age: 45 Address: 7/11 Date: 7/11

Known DM - Insogel 70/30 - 16 + 10

FBS - 98mg (Today)
RBI - 124mg

| | | | | | |
|---|-------------|----|----|----|----|
| 1 | Insogel 30M | 10 | 10 | 10 | 10 |
| | | | | | |

RA. - DMARD.

| | | | | | |
|---|------------|----|----|----|----|
| 2 | Aspirin 50 | 10 | 10 | 10 | 10 |
| | | | | | |

Pain in lower limbs.

Oral ulcers.

| | | | | | |
|---|------------|----|----|----|----|
| 3 | Aspirin 50 | 10 | 10 | 10 | 10 |
| | | | | | |

6
Mg - 1

| | | | | | |
|---|-------------|----|----|----|----|
| 4 | Paracetamol | 10 | 10 | 10 | 10 |
| | | | | | |

Zanfel-H
E. Bilal

| | | | | | |
|---|-------------|----|----|----|----|
| 5 | Selenopyrin | 10 | 10 | 10 | 10 |
| | | | | | |

8
E. Bilal

| | | | | | |
|---|------------|----|----|----|----|
| 6 | Aspirin 50 | 10 | 10 | 10 | 10 |
| | | | | | |

K. INTEKHAB ALAM

M.B.B.S. (Gold Medalist) F.C.P.S.

Professor of Medicine:
 PGD, Khyber Medical University
 Consultant Physician:
 Lady Reading Hospital, Peshawar.
 Darul Shifa Clinic, Opp. Lady Griffith School,
 Near Dabgar Garden, Peshawar.
 URL: www.intekhabalam.com

نمبر التعمین

75

ڈاکٹر انتحاب عالم

پروفیسر آف میڈیسن، ایف سی پی ایس، کھیبر میڈیکل یونیورسٹی، پشاور۔
 ڈیپارٹمنٹ آف انٹرنل میڈیسن، لیڈی ریڈنگ ہسپتال، پشاور۔
 پروفیسر آف میڈیسن، ایف سی پی ایس، کھیبر میڈیکل یونیورسٹی، پشاور۔
 ڈار الشفا کلینک، مقابلہ لیڈی گریفٹ اسکول، دابگار باغ، پشاور۔
 فون: 0314-4090747
 موبائل: 0312-9115514

Name: Mrs Gulshad Bibi Age: _____ Address: _____ Date: 27/1/2010

DIM + RA:

Insupat 2/50 14000.
 Gelyl 47 200.

Insupent 20/50

Tab. Phlox-B

| | | | | | |
|-----|----|-----|-----------|-----------|-------------|
| رات | دن | وقت | دوسرا وقت | دوسرا وقت | دوسرا وقت |
| 6 | | | 1 | | 30 سے کم ہے |
| | | | | | کافی ہے |

Tab. Ped. 1/2

| | | | | | |
|-----|----|-----|-----------|-----------|-------------|
| رات | دن | وقت | دوسرا وقت | دوسرا وقت | دوسرا وقت |
| 6 | | 1 | | 1 | 30 سے کم ہے |
| | | | | | کافی ہے |

Tab. Deltacort. 5c

| | | | | | |
|---------|----|-----|-----------|-----------|-------------|
| رات | دن | وقت | دوسرا وقت | دوسرا وقت | دوسرا وقت |
| 2.5 x 3 | | + | | 3 | 30 سے کم ہے |
| 2.5 | 4 | + | | 3 | کافی ہے |
| 2.5 | 3 | + | | 2 | کافی ہے |
| 2.5 | 1 | + | | 2 | |
| 0.5 | 1 | | | 1 | |
| | | | | 1 | |

2 Salicyl. -

(Cib. 2+2)

20 Cytohex

(Cib. 2+2)

20 Cytohex

(Cib. 2+2)

20 Cedrix BD

(Cib. 2+2)

Tab. Deltacort. 5c

| | | | | | |
|-----|----|-----|-----------|-----------|-------------|
| رات | دن | وقت | دوسرا وقت | دوسرا وقت | دوسرا وقت |
| 2.5 | | | | | 30 سے کم ہے |
| | | | | | کافی ہے |

Professor
DR. INTEKHAB ALAM
 M.B.B.S. (Gold Medalist) F.C.P.S.
 Head of the Department of Medicine
 Postgraduate Medical Institute, K.M.U.
 Consultant Physician
 Lady Reading Hospital, Peshawar.
 Darul-Shifa Clinic, Opp. Lady Griffith School,
 Near Dabgar Garden, Peshawar.
 Web Site: www.intekhabalam.com

مؤالشیانی

پروفیسر ڈاکٹر انتخاب عالم

ایم بی بی ایس (گولڈ میڈلسٹ) ایف سی پی ایس
 ہیڈ آف ڈیپارٹمنٹ آف میڈیسن پوسٹ گریجویٹ میڈیکل انسٹیٹیوٹ کشمور
 کنسلٹنٹ فزیشن لڈی ریڈنگ ہسپتال پشاور
 دارالشفاء کلینک، بالقابل ایڈری گریڈ اسکول نزد گریڈ گارڈن پشاور
 0814-0080747
 0312-9115514
 پشاور

37

Name: Mr. Gulshad Bibi Age: Address: Date: 2/6/12

Known Dm + RA - on Rx.

RBS. 229mg

1. Insulet 200

| | | | | |
|-----|----|----|----|----|
| وقت | 1 | 2 | 3 | 4 |
| صبح | 44 | 18 | | 26 |
| رات | | | | |
| صبح | | | SC | |

GIBAs.
 Headache.

2. B Medifence SR 100

| | | | | |
|-----|---|---|---|---|
| وقت | 1 | 2 | 3 | 4 |
| صبح | 6 | 1 | | |
| رات | | | | |
| صبح | | | | |

Nausea Anorexia
 AN.

3. M Deltacorbil-Ec

| | | | | |
|-----|----|---|---|---|
| وقت | 1 | 2 | 3 | 4 |
| صبح | 10 | 2 | | 2 |
| رات | | | | |
| صبح | 10 | 1 | | 1 |

140/90 - H

4. M Measal

| | | | | |
|-----|---|---|---|---|
| وقت | 1 | 2 | 3 | 4 |
| صبح | 6 | 1 | | |
| رات | | | | |
| صبح | | | | |

A Cytobent

5. Cap Welthun

| | | | | |
|-----|---|---|---|---|
| وقت | 1 | 2 | 3 | 4 |
| صبح | | | | 1 |
| رات | | | | |
| صبح | | | | |

B All add

6. [Handwritten]

| | | | | |
|-----|---|---|---|---|
| وقت | 1 | 2 | 3 | 4 |
| صبح | | | | |
| رات | | | | |
| صبح | | | | |

DR. INKHAJAB AGAWI

M.B.B.S. (Gold Medalist) F.C.P.S.

Head of the Department of Medicine

Postgraduate Medical Institute - K.M.U.

Consultant Physician

Lady Reading Hospital - Peshawar

Darul Shifa Clinic, Opp. Lady Griffin School,

Near Dabgori Garden, Peshawar

Web Site: www.inkhabalam.com

M. Qureshi

مواظبتی

50

پروفیسر ڈاکٹر انتخاب عالم

ایم بی بی ایس (گولڈ میڈلسٹ) ایف سی پی ایس

ہیڈ آف ڈیپارٹمنٹ آف میڈیسن، ایف ایچ ایم سی

پوسٹ گریجویٹ میڈیکل انسٹیٹیوٹ - کیم یو

ڈار الشفا کلینک، اوپن لڈی گرین اسکول،

نیر ڈبگری گارڈن، پشاور

0014-0000747

0014-0115514

29/11/14

1-DM + RA

1. Innorm 30M

| | | | |
|-----|---|-----|----|
| رات | 1 | صبح | 30 |
| رات | 2 | صبح | 30 |
| رات | 3 | صبح | 30 |
| رات | 4 | صبح | 30 |

2. Medex

| | | | |
|-----|---|-----|----|
| رات | 1 | صبح | 20 |
| رات | 2 | صبح | 20 |
| رات | 3 | صبح | 20 |
| رات | 4 | صبح | 20 |

3. Paracet

| | | | |
|-----|---|-----|----|
| رات | 1 | صبح | 20 |
| رات | 2 | صبح | 20 |
| رات | 3 | صبح | 20 |
| رات | 4 | صبح | 20 |

4. Pefase 45

| | | | |
|-----|---|-----|----|
| رات | 1 | صبح | 45 |
| رات | 2 | صبح | 45 |
| رات | 3 | صبح | 45 |
| رات | 4 | صبح | 45 |

5. Cap. MetPhos

| | | | |
|-----|---|-----|----|
| رات | 1 | صبح | 45 |
| رات | 2 | صبح | 45 |
| رات | 3 | صبح | 45 |
| رات | 4 | صبح | 45 |

6. Salazopyrin

| | | | |
|-----|---|-----|----|
| رات | 1 | صبح | 45 |
| رات | 2 | صبح | 45 |
| رات | 3 | صبح | 45 |
| رات | 4 | صبح | 45 |

B. Cyfloxacin

B. Folic acid

11

Orthopedic Surgeon Assistant Professor

Dr. Youseef Raza

M.D., M.S., (Trauma)

PhD (Ortho)

VISITING CONSULTANT

KDA HOSPITAL

Clinic: Behram Medical Center
Hangu Road, Kohat



0313-9594155

0356-0171102
0356-518029

آرٹھوپیدک سرجن
اسٹنٹ

پروفیسر ڈاکٹر یوسف رضا

ایم۔ ڈی۔ ایم۔ ایس۔ (ٹراوما)
پی۔ ایچ۔ ڈی (آرٹھو)

Name Gulshad Bibi Age 51 Sex F. Date 14/3/23

Clinical Record

C/O

HR of RA
multijoint
joint pain.

Rx Tab. Ariva 20mg

S, B 1 + 1

Tab. Methotrexate 10mg

S, B 33 اینی سے اینی

Tab. GleeT-F

S, B 33 اینی سے اینی

Tab. Naprox 550mg

1 + 1

Tab. Nubrel Forte

1 + 1 + 1

Follow up after 2 wks

13

13

Orthopedic Surgeon Assistant Professor

Dr. Fouseef Raza

M.D. (Trauma)

P.H.D (ortho)

DHQ Teaching Hospital Kohat



آرٹھوپیڈک سرجن
اسٹنٹ
پروفیسر ڈاکٹر فوسف رزا

0336-0191402

Clinic:
Rehman Medical Centre
Kohat

ایم. ڈی. ایم ایس. (ٹراوما)
پن- ایچ. ڈی. (آرٹھو)
رحمن میڈیکل سنٹر کوہاٹ

Name Amir Khan Date 6/8/14

Clinical Record

C/O Mx. Raza
+

Rx
 Tab. Methotrexate 10mg ✓
 1 + 1
 Tab. Becefol ✓
 1 + 1
 Tab. Ariva 20mg ✓
 1 + 1
 Tab. Brill 20mg
 1 + 1
 Cap. Blevi 40mg
 1 + 1
 Tab. Durganic fruit
 1 + 1
 Tab. Alfa good 0.5mg
 1 + 1

Adm. X-ray
Rt. knee
AP view
i.e.p.

14

Orthopedic Surgeon Professor

Dr. Tauseef Raza

M.D. M.S. (Trauma)

F.H.D. (Ortho)

D.H.O. (K.D.A) Teaching Hospital

Kohat

Clinic: Behram Medical Center

Kohat



0336-091402

پروفیسر ڈاکٹر توفیق رفیقہ

ایم. بی. ایم ایس (ٹراوما)

ف. ایچ. ڈی (آرٹھو)

تھامس میڈیکل سنٹر کوہاٹ

Pt's Name Paul Raza Raza Age 35 Sex F Date 15/11/15

Clinical Record

%

Mix of RA
Immune MTN

Rx Tab. Cyclohexate 10 mg ✓
فیتہ سے ایک گولی

S, b Tab. Leflunomide 20 mg ✓
1 + 1

Tab. Dol - P
1 + 1

Tab. Brexin 20 mg ✓

1 + 1
Tab. Myolax

1 + 1

J. R.

15

15

Orthopedic Surgeon

Dr. Tauseef Roza

M.D. M.S. (Trauma)
F.I.C.S. (Ortho)

D.H.Q. (K.D.) Teaching Hospital

Kohat

Clinic: ~~Islam~~ Medical Centre
Kohat



0341-1917085

پروفیسر ڈاکٹر تھیسف رضا

ایم. ڈی. ایم. ایس. (ٹراوما)

ایف. اے. سی. ایس. (آرٹھو)

ایچ. ڈی. اے. ٹیچنگ ہسپتال

کوہاٹ

Pt's Name Carl Mad Fords Age 40 Sex F Date 28/7/15

Clinical Record

4x A RA,
Pain in
both knees
esp. left
side

Rx

Tot. Bilirubin 2.0 mg

1 + 1

Tot. Dal - P

1 + 1

Sp. Metabolism

11

2 + 2 + 2

Tot. Bilirubin 3.0 mg

Sp. Metabolism

Adv. x-ray of knee
AP view

NOT VALID FOR MEDICO LEGAL PURPOSES

Orthopedic Surgeon Assistant Professor

Dr. Touseef Raza

M.D. (Ortho)

D.H.Q Teaching Hospital

Clinic KDA Kohat

Pt. NAME Gul Gul Erti AGE 52 SEX F DATE 5/1/17

1 case in

RA patient -

* Tab. Bionic 150 mg
1/3 1/1 1/1

Tab. ~~Vitral~~ 50

Drop. diuron 50 mg
1 + 1 + 1

2/2 1/2 1/2 Sy. Motilium.
2 + 2 + 2

1/2 Sy. Riseda 40 mg
1/2 1/2 1/2

Bongela

1 + 1
Pyodine mouth wash
1 1

17



PAIN CLINIC

Mubarik Nursing Home, 19-Harley Street, Rawalpindi Pakistan
051-5582775, 0311-1512026
Consultation: 5-7 p.m daily - except holidays

Brigadier M. Salim SI(M)

MBBS, MCPS, DA(London)
FFARCSI (London), FRCA (England)
FCPS (Pak), FICS, FACC (USA), Ph.D.
Fellow Medical Alternative, Diploma in Acupuncture (China)
Professor of Anaesthesiology & Pain Medicine
FORMERLY:
Dean Faculty of Anaesthesiology, CPSP
Advisor in Anaesthesiology, Pakistan Armed Forces



Dr. Babur Salim

MBBS, FCPS (Medicine),
FCPS (Rheumatology),
Msc (Pain Medicine).
Consultant Rheumatologist,
Fauji Foundation Hospital,
Rawalpindi
Mob: 0333-5107227

Date: 15.4.2014

Clinical Notes

BP 2 130/90
WT, 54 Kg

was a MTH &
Steroid

Known Diabetic
"Presently" disease
active.

CP/ESR
LFT

Insulin 31
30

hypertension

Next appointment

(15/04/14) (1)
15/04/14

GULSHAD. BISS

R.A - 10 years.

effusion Rt. knee
20 ml

Electro. acup / TENS.

1. Airtal 100 mg LH
2. Diagesic - P 1+1
3. Cal-D³ 1 tablet
4. Meprex 20mg 2 tablets
5. Methotrexate 10 mg 2 tablets
6. Folic acid 5mg 1 tablet
7. TAB Deltacortil 5mg 1 tablet
8. TAB CARA 20mg 1 tablet

BRIG. M. SALIM SI(M)
Prof. of Anaesthesiology
Islamic International
Medical College, Rawalpindi.

19

19



PAIN CLINIC

40 New Harley Street Rawalpindi Pakistan
0335-5844931, 0323-5311150
Consultation: 5-7 p.m daily - except holidays

Brigadier M. Salim MCM

MBBS, MChD, DAI (London)
FRACSI (Ireland), FRCA (England)
FCPS (Pak), FICS, FACS (USA), Ph.D.
Fellow Medicine Alternative, Diploma in Acupuncture (China)
Professor of Anaesthesiology & Pain Medicine
FORBESLY:
Dean Faculty of Anaesthesiology, CPSP
Advisor in Anaesthesiology, Pakistan Armed Forces



Dr. Babur Salim

MBBS, FCPS (Medicine),
FCPS (Rheumatology),
MCh (Pain Medicine)
Consultant Rheumatologist,
Fauq Foundation Hospital,
Rawalpindi

Date: 24.9.2014

Clinical Notes

BP = 150/90
WT = 58 Kg

RA.

↓ oral steroids

Reaction on

MTX 25mg/wk.
F/A 1/wk
Cortic 20mg OD
HCO
NSAIDs/PTC/Cal-D.

Next appointment

24.9.2014

GULSHAD BIBI

Δ - RA.

- HTN.

Follow up

better.

1. ① TAB Deltacortel 5mg

② ③ ④ ⑤ ⑥ ⑦ ⑧ ⑨ ⑩ ⑪ ⑫ ⑬ ⑭ ⑮ ⑯ ⑰ ⑱ ⑲ ⑳ ㉑ ㉒ ㉓ ㉔ ㉕ ㉖ ㉗ ㉘ ㉙ ㉚ ㉛ ㉜ ㉝ ㉞ ㉟ ㊱ ㊲ ㊳ ㊴ ㊵ ㊶ ㊷ ㊸ ㊹ ㊺ ㊻ ㊼ ㊽ ㊾ ㊿

② (Handwritten note in a circle)

- CR/ESR.
- LFT.

Babur Salim

For Appointment Call: 0335-5844931, From 9:00 Am to 9:00 Pm

Handwritten scribble

THE BONE
27
20

THE DETAIL

OSTEOFIT
27

THE BONE - ALFA

27

THE HCA 200

27

THE VALUE 207

27

THE LOCAL 207

27

THE TERM 207

27

THE POLICE ACID 27

27

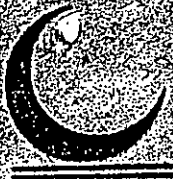
THE METRIC 207

Handwritten notes

CP/EST
- LF2

21

21



PAIN CLINIC

40, New Harley Street, Rawalpindi, Pakistan
Consultation: 5-7 p.m. daily, except holidays Saturday/Sunday

Brigadier M. Salim SI(M)

MBBS, MCPS, OAI (London)
FFARCSI (Ireland), FRCA (England)
FCPS (Pain), FICS, FACS (USA), Ph.D.
Fellow Medicine Alternative, Diploma in Acupuncture (China)
Professor of Anaesthesiology & Pain Medicine
FORMERLY
Dean Faculty of Anaesthesiology, CPSP
Advisor in Anaesthesiology, Pakistan Armed Forces



Dr. Babur Salim

MBBS / FCPS (Medicine)
FCPS (Rheumatology)
MSc (Pain Medicine)
Consultant Rheumatologist
Fauji Foundation Hospital
Rawalpindi

Date: 14/09/2015

Clinical Notes

Ref: 14/0/30
wt: 60 kg

GOLSHAD PAIN

RA

see on tree

HA

RA not controlled

On Maximal dose of MEX

LAN

ACT 20

Est. 62 Hb 13g/dl

P-LAN

oral steroid

keep with a LAN

prescribe medicine for

Next appointment

14 2 3

For Appointment Call: 0335-3549311 From 9:00 Am to 9:00 Pm

Dr. Babur Salim

01/02/15

B.P. = 150/85

w.t. = 60 kg

Δ - RA

- HTN

- OA

one

2

one

one

oculus

① TAB Methotrexat 10mg
3 mg → U.L 3

② TAB FOLIC ACID 5mg
3 mg → U.L 3

③ TAB CARA 257x
1 mg → U.L 1

④ TAB ARCOX 50mg
1 mg → U.L 1

⑤ Cap PIRPAC 257
1 mg → U.L 1

⑥ TAB HCQ 200x
1 mg → U.L 1

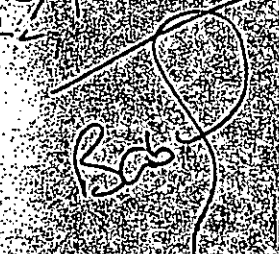
⑦ TAB Deltamethil 5mg
1 mg → U.L 1

⑧ TAB CAL-D
1 mg → U.L 1

⑨ TAB ELIDAY 50mg
1 mg → U.L 1

⑩ TAB SOFVAC 50mg
1 mg → U.L 1

⑪ TAB AURUMENAN 625mg
1 mg → U.L 1



⑫

CR/ESR
URU

01/02/15



PAIN CLINIC

40 New Hurley Street Rawalpindi Pakistan
Consultation: 5-7 p.m daily - except holidays Saturday/Sunday

Brigadier M. Salim SI(M)

MBBS, MCPS, DAI (London)
FFARCSI (Ireland), FRCA (England)
FCPS (Pak), FICS, FACS (USA), Ph.D.
Postgraduate Medicine Alternative, Diploma in Acupuncture (China)
Professor of Anesthesiology & Pain Medicine



Dr. Bahur Salim

MBBS, FCPS (Medicine),
FCPS (Rheumatology),
MCh (Pain Medicine)
Consultant Rheumatologist,
Fauji Foundation Hospital,
Rawalpindi.

EDUCATION:
Dean Faculty of Anesthesiology, CPSP
Advisor in Anesthesiology, Pakistan Armed Forces

Date: 2-6-15

Clinical Notes:

BP- 140/100
WB- 62/Kg.

ESP: 80
HB: 12.0
ALT: 46 f

GULSHAD BIBI

Δ - RA
- Sec. OA free.

better.

- ① TAB METX 100
3 قرص 2 بار 100 (3)
- ② TAB Folic ACID 50
2 قرص 1 بار 50 (2)
- ③ TAB AIKARIS 1000
3 قرص 2 بار 1000 (3)
- ④ TAB LEFLUNO 200 ✓
2 قرص 1 بار 200 (2)
- ⑤ Cap VOLWE 200
1 قرص 1 بار 200 (1)

Next appointment

| |
|--------------------|
| <p>③ 2 بار 100</p> |
| |
| |

For Appointment Call: 0335-5844931, From 9:00 Am to 9:00 Pm

ناقصہ بروز ہفتہ، اتوار

TAB Deltacortil 57
دیس کی دوی رات 3 - 0
دیس کی دوی آپرے 0.5

TAB HCR 200
دیس کی دوی 1

TAB EZIDAY 307

TAB SOFVASC 57
دیس کی دوی 1

TAB BONE-ALFA
دیس کی دوی 1

FASTUM Gel
دیس کی دوی 1

CIPRES

21/1
A-2
- LFT. 1/2 0.7

PHAS 84

Baby

Sp Hydrallie
دیس کی دوی 2

Steady
Stat Arch

B 25

ORDER

This order is passed on the departmental enquiry against the Constable Sahib Zada No. 386 while posted at Police Station Cantt Kohat has absented himself from duty w.e.f. 27.02.2010 till to date without any leave or permission.

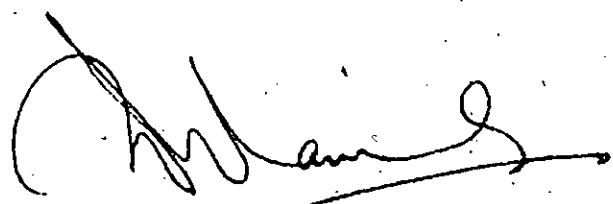
He was served with charge sheet and summary of allegations at his home address where from, it was reported that he has gone a broad for earning his livelihood.

In view of the above no other option is left except to proceed against Constable Sahib Zada No. 386 Ex-parte under the NWFP Removal From Service (Special Powers) Ordinance 2000 and DSP City Circle was appointed enquiry officer who submitted his findings and recommended one of a major punishment to the defaulter constable.

Since by remaining absent from duty without leave or permission he has proved himself as inefficient, in disciplined, guilty of misconduct and a mere burden on the Police department, therefore, in exercise of the powers conferred by Section 3 of the NWFP Removal From Service (Special Powers) Ordinance 2000, constable Sahib Zada No. 386 is removed from service w.e.f. 27.02.2010.

OB No. 392

Dated 12.5.2010


DISTRICT POLICE OFFICER,
KOHAT


@af Ad

بیمارستان صوبہ دیوبند کے لیے صوبہ کوئٹہ کے لیے کوئٹہ

درخواست اپنے بحال ہر ملازمت

Reg No. 125
26-5-10

صاحب عالی

مزار کے بارے میں کہ سائیل آپ صوبہ کے زیر بارہ خدمات سے انجام
کے لئے تھا، سائیل کی والدہ ماجدہ بیمار ہو گئی تھی جس کا علاج
کوئٹہ سے علاج کروایا گیا لیکن کوئٹہ کے قریب ہی بیمار ہو گئی اور
پتہ پور اور کوئٹہ کے ہسپتال میں علاج جاری رکھا گیا ہے۔

۴۔ کہ سائیل اتنا ضرور ضابطہ میں آئے کہ قرضوں کی ادائیگی کو منہ و کمان
سے قابل نہ رہے۔ اور ایسی دیر دہ چلا گیا، سو رقم ۱۲ کو روکنا سے ہر طرف کیا

۳۔ کہ ہر طرف سے ہر قانونی تقاضوں کو پورا نہیں کیا، جس
وجہ سے ہر طرف سے قانونی اور جہتیں بریل ہو گئی۔

۲۔ کہ عداوت کے حکم مورخہ ۱۲ اپریل کو کوئٹہ کو لایا اور ہسپتال
کو کالعدم قرار دیکر سرکار ہر تمام ساری عداوت سے ہر کمال کرنے کا حکم
صادر فرمایا ہے۔ تاہم یہ ساری عداوتیں جاری ہیں۔

۱۔ کہ سائیل صاحبزادہ دلدار خان کے لئے ہر کوئٹہ
Gadbandi
26.5.10

سائیل کا سائیل تھانہ کتبہ کوئٹہ میں 386

D 27

DEPARTMENT OF ANAESTHESIOLOGY

COMBINED MILITARY HOSPITAL KONAT, PH: 521-36162

PRE-ANAESTHETIC ASSESSMENT RECORD

PATIENT'S DATA

NAME: 870130 CPL/rah Khushiel AGE: 36yr WEIGHT: SEX: F
DIAGNOSIS: growth after 1 year PROPOSED SURGERY: D/C of Bladder
UNIT: 1st plt DATE/TIME: 1/7 3:15

HISTORY AND CONCURRENT DISEASE

Table with columns for Orthopnea, Edema, Hypertension, MI, Cong. Defects, Angina, Anemia, Dyspnea, Tuberculosis, Urinary, Cough, Sputum, Asthma, Stridor, Cyanosis, Smoking, COPD, Hemoptysis, Renal, Heratic, CNS, Coag. Problems, Convulsions, Psych. Problems, Thyroid, Diabetes, Allergies, Airway Assessment, MALLAMPATTI, Teeth, Dentures, NM, JM.

ANAESTHETIC HISTORY

cholecystectomy (op)

FAMILY HISTORY

PREGNANCY

DRUG HISTORY

Insuline 70/30

ALLERGIES/ADDICTIONS

CURRENT MEDICATIONS

Insuline 70/30

NPO

PHYSICAL EXAMINATION:

GENERAL EXAMINATION

- PULSE: 76/hr
BP:
TEMP: 37.2
R.R:
ANAEMIA:
JAUNDICE:
CYANOSIS:
OEDEMA:
OBESITY:
THYROID:
JVP:

SYSTEMIC EXAMINATION

RESPIRATORY ASSESSMENT

Chest: clear

CARDIO-VASCULAR ASSESSMENT

Heart: S1 S2

NEUROLOGICAL ASSESSMENT

ABDOMEN: (NAD)

INVESTIGATION:

- Hb: 12.0 PLATELETS: 352
Hct:
BSR/IF: 8.0 mmol/dl
UREA/CREATININE: 5.7 / 116
ELECTROLYTES:

URINE ANALYSIS

X-RAY CHEST

ECG

ANY OTHER

HEPATITIS PROFILE

ASA CLASSIFICATIONS

PRE-OPERATIVE ADVICE:

Pre-medication:

Pl. flow to med spec for
Special Instruction

FITNESS FOR ANAESTHESIA

FIT FOR G.A

SPINAL

EDIPURAL

IF NOT FIT, REASONS:

Compiled by: Col S.M. Zaheer, Haidar
MAJ M. Yasrab
MAJ Na'im-ud-Saqib

DOCTOR'S SIGN
Munir Ahmad Siddiqi
Consultant Anaesthetist
CMMH Konat

Attchls
Qadary

7-5-16

28

Known H/O

- No chest pain (rest or with exertion)
- No dyspnoea on exertion

- Had M.I x 2 months ago
- Managed at KDA Hosp
- Already on Antiplatelets

Acy

- Tul Lipin 75 p

~~- Tul Depur 75 p~~

- Tul Laxel 25 p

2DECHO

- Tul Eziday 25 p

- Tul Zopent 40mg

- Tul Lipiset 40mg

- 10 Humer 20/30

Ref to cardiologist at AHC / CMH PCC

Atent
RadAnt

29

CMH Kohat

29

Treatment Chart

Patient Information

MR No: 25-14-001958 Patient Name: GUL SHAD DINI N/A Corporal
 Gender: Female DOB: 103-Apr-1960
 Svc No: PAF 070130 Svc. Status: Serving

Admission Date: 11-Aug-16
 Unit: ANZ
 Unit: 1003 WING

Diagnosis: Insulin dependant diabetes mellitus

| Medicine | Frequency | Dosage | Duration | Requested Qty | Start Date | End Date | Instructions |
|--|-----------|-----------|----------|---------------|-------------|-------------|--------------|
| Amasole Maddra Pharmaceuticals (Pvt) Ltd. 20 mg Capsules P/vms | 12 Hourly | 1 Capsule | 30, Days | 60 | 16-Aug-2016 | 14-Sep-2016 | |
| Carcel 20Hmark Pharmaceuticals 25 mg Tablets Nif | 12 Hourly | 1 Tablet | 30, Days | 60 | 16-Aug-2016 | 14-Sep-2016 | |
| Esiday Werrick Pharmaceuticals 25 mg Tablets Nif | 24 Hourly | 1 Tablet | 30, Days | 30 | 16-Aug-2016 | 14-Sep-2016 | |
| Glucophage Merck Markert (Pvt) Limited 500 mg Tablets P/vms | 8 Hourly | 1 Tablet | 30, Days | 90 | 16-Aug-2016 | 14-Sep-2016 | |
| Humulin 70/30 Eli Lilly 100 IU/10 ml Injections I/f | 12 Hourly | 1 Ampule | 30, Days | 60 | 16-Aug-2016 | 14-Sep-2016 | 30+20 |
| Insulin Syringe Unipharm (Pvt) Ltd. Gluco Pkett | SOS | 1 | 30, Days | 1 | 16-Aug-2016 | 14-Sep-2016 | |
| Alprorex Highnoon Laboratories Ltd. 10 mg Tablets I/f | 24 Hourly | 1 Tablet | 30, Days | 30 | 16-Aug-2016 | 14-Sep-2016 | |
| Toprin Highnoon Laboratories Ltd. 75 mg Tablets I/f | 24 Hourly | 1 Tablet | 30, Days | 30 | 16-Aug-2016 | 14-Sep-2016 | |
| Lowplac Pharmevo (Pvt) Limited 75 mg Tablets I/f | 24 Hourly | 1 Tablet | 30, Days | 30 | 16-Aug-2016 | 14-Sep-2016 | |
| Rantoperazole A J Company 40 mg Capsules P/vms | 24 Hourly | 1 Tablet | 30, Days | 30 | 16-Aug-2016 | 14-Sep-2016 | |
| Quvasc (Sandoz) Novartis Pharma (Pvt) Ltd. 5 mg Tablets P/vms | 12 Hourly | 1 Tablet | 30, Days | 60 | 16-Aug-2016 | 14-Sep-2016 | |

155U PAF for 3/1000 Ph

Test Instructions Priority

Med Sgn PAF Kohat

Date: 02.08.16

Issued for: 2.8

Advised by: [Signature]

Dr. Shamsa Kanwal
PG Trainee Medicine
CMH Kohat

Disposal Days

30

30

Med San PAF Kohat
Date: 14/03/17
Prescribed for: 28 days
Assessed by: Med San PAF Kohat

Med San PAF Kohat
Date: 14/03/17
Prescribed for: 28 days
Assessed by: Med San PAF Kohat

Med San PAF Kohat
Date: 14/03/17
Prescribed for: 28 days
Assessed by: Med San PAF Kohat

Med San PAF Kohat
Date: 14/03/17
Prescribed for: 28 days
Assessed by: Med San PAF Kohat

7 days

Dr. Anshu Parve, DMK
House Officer
CMH Kohat

Med San PAF Kohat
Date: 14/03/17
Prescribed for: 28 days
Assessed by: Med San PAF Kohat

Dr. Anshu Parve, DMK
House Officer
CMH Kohat

Med San PAF Kohat
Date: 14/03/17
Prescribed for: 28 days
Assessed by: Med San PAF Kohat

Med San PAF Kohat
Date: 14/03/17
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Date: 14/03/17
Prescribed for: 28 days
Assessed by: Med San PAF Kohat

Med San PAF Kohat
Date: 14/03/17
Prescribed for: 28 days
Assessed by: Med San PAF Kohat

Dr. Shamsa Kabir
PG Trainee Medicine
CMH Kohat

31

| Case | Age | Rank | Name | Age | Treatment | Date | Treatment |
|------|-----|------|------|-----|-----------|------|-----------|
| 101 | 15 | | AM | | | | |
| 102 | 15 | | AM | | | | |
| 103 | 15 | | AM | | | | |
| 104 | 15 | | AM | | | | |
| 105 | 15 | | AM | | | | |
| 106 | 15 | | AM | | | | |
| 107 | 15 | | AM | | | | |
| 108 | 15 | | AM | | | | |
| 109 | 15 | | AM | | | | |
| 110 | 15 | | AM | | | | |
| 111 | 15 | | AM | | | | |
| 112 | 15 | | AM | | | | |
| 113 | 15 | | AM | | | | |
| 114 | 15 | | AM | | | | |
| 115 | 15 | | AM | | | | |
| 116 | 15 | | AM | | | | |
| 117 | 15 | | AM | | | | |
| 118 | 15 | | AM | | | | |
| 119 | 15 | | AM | | | | |
| 120 | 15 | | AM | | | | |
| 121 | 15 | | AM | | | | |
| 122 | 15 | | AM | | | | |
| 123 | 15 | | AM | | | | |
| 124 | 15 | | AM | | | | |
| 125 | 15 | | AM | | | | |
| 126 | 15 | | AM | | | | |
| 127 | 15 | | AM | | | | |
| 128 | 15 | | AM | | | | |
| 129 | 15 | | AM | | | | |
| 130 | 15 | | AM | | | | |
| 131 | 15 | | AM | | | | |
| 132 | 15 | | AM | | | | |
| 133 | 15 | | AM | | | | |
| 134 | 15 | | AM | | | | |
| 135 | 15 | | AM | | | | |
| 136 | 15 | | AM | | | | |
| 137 | 15 | | AM | | | | |
| 138 | 15 | | AM | | | | |
| 139 | 15 | | AM | | | | |
| 140 | 15 | | AM | | | | |
| 141 | 15 | | AM | | | | |
| 142 | 15 | | AM | | | | |
| 143 | 15 | | AM | | | | |
| 144 | 15 | | AM | | | | |
| 145 | 15 | | AM | | | | |
| 146 | 15 | | AM | | | | |
| 147 | 15 | | AM | | | | |
| 148 | 15 | | AM | | | | |
| 149 | 15 | | AM | | | | |
| 150 | 15 | | AM | | | | |

Residuals

1-5-1

APR 2012
 32/1

Rank _____ Name _____

Age _____

Date

Treatment

Date

Treatment

~~21/12~~

2007

2

32/1

Hammam 2730

16710

T. D. 1135

17/11

- P. 20/12

103

- 1352

- P. 20/12

17/11

20/12

17/11

17/11

17/11

103

17/11

103

Dr. Muhammad Fahd
 0300 0000000

17/11

20/12

103

17/11

17/11

17/11

17/11

Major Dr. Syed Ghazal Anwar
 0300 0000000
 CMH Kohat

E 33

E

33

To

The Deputy Inspector General
Police Department Kohat Division

Sir,

**Subject: RE- ENROLMENT OF SAHIB ZADA NO 386 AS A CONSTABLE
IN POLICE STATION CANTT KOHAT**

1. I write to state the following few lines for your kind consideration and favourable action.
2. Sir, I was serving in Cantt Police Station, Kohat since 2006. I was performing my duties at police station with zeal and zest. I did not give any chance to my senior to be checked during any task assigned to me.
3. Due to the illness of my mother who was suffering from Blood Pressure, Diabetes, and Orthopaedic disease she was getting continuous treatment from CMH Kohat, Civil Hospital Peshawar and Rawalpindi, I was unable to sustain my duties as well as to look after of my mother.
4. Moreover, It also got loan from my neighbours for my mother treatment and I was borrowed approximately 7, 00000. This huge amount made me disturb and mentally upset to return the same amount to my neighbour from my meagre salary.
5. Keeping in view the above mentioned facts, it is humbly requested that I may please be re-enrolled on my previous appointment in police department. I shall be very thankful.

Yours sincerely,

Sahib Zada

(SAHIB ZADA)
Constable
No /386
Dated: 05 June, 2017

Accepted
Sahib Zada

F 34

F

34

11-7-17

ORDER.

This order will dispose of departmental appeal, moved by Ex-Constable Sahib Zada No. 386 of Kohat district Police against the punishment order passed by DPO Kohat vide OB No. 392, dated 12.05.2010, whereby he was awarded major punishment of removal from service for the allegations of prolong absence of 75 days from lawful duty.

He preferred appeal to the undersigned, upon which the relevant record was perused.

I have gone through the available record and came to the conclusion that the allegations leveled against the appellant are proved and the punishment order passed by DPO Kohat is correct. Hence, his appeal being devoid of merits and badly time-barred about more than 07-years is hereby rejected.

Order Announced
07.07.2017

Awal Khan

(AWAL KHAN)
Regional Police Officer,
Kohat Region.

No. 6104- / EC, dated Kohat the 11/07 /2017.

Copy to the District Police Officer, Kohat for information and also inform the appellant concerned.

Awal Khan

(AWAL KHAN)
Regional Police Officer,
Kohat Region.

Atiq

Atiq

15

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

Appeal No. 841/2017

Sahib Zada Ex-Constable No. 386

..... *Appellant.*

VERSUS

District Police Officer, Kohat & others

..... *Respondents.*

Respectively Sheweth:-

Parawise comments on behalf of Respondents are submitted as under:-

Preliminary Objections:-

1. That the appellant has got no cause of action.
2. That the appellant has got no locus-standi.
3. That appellant is estopped by his own acts to file the instant appeal.
4. That the appeal is not maintainable in its present form.
5. That the appellant has not come to this Hon: Tribunal with clean hands.
6. That the appeal is **badly time barred**.

FACTS:-

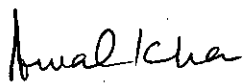
1. Pertains to record, hence no comments.
2. Incorrect, the appellant manipulated a concocted story of illness of his mother. The appellant deliberately absented himself from lawful duty vide w.e. from 27.02.2010. Charge sheet was served upon him at his home address through DFC concerned, who reported that the appellant had gone abroad.
3. The appellant did not join his duty despite service of charge sheet at his home address. He was proceeded with departmentally in accordance with law & rules. The charge levelled against him was established beyond any shadow of doubt and the proceedings culminated in his removal from service vide order dated 12.05.2010.
4. The appellant filed departmental appeal before respondent No. 2 after a laps of about 07 years, which was rejected on merit and limitation as well.
5. Irrelevant, hence no comments.
6. The departmental appeal was rejected by respondent No. 2, on view of merit and limitation as well.

Grounds:-

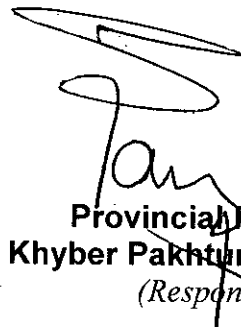
- a. Incorrect, the appellant willfully absented himself from lawful duty and proceeded abroad.

- b. Incorrect, the appellant was served with charge sheet alongwith summary of allegations at his home address through Police station concerned. It was reported by one councilor namely Hassan Gul of his village and DFC that the appellant had gone abroad for livelihood. Now, after a laps of 07 years on his return he sought re-instatement in service, which is against law & rules.
- c. Incorrect, a proper inquiry was conducted through Sub Divisional Police Officer, City Circle Kohat.
- d. Incorrect, a legal orders were passed in accordance with law & rules.
- e. Incorrect, the appellant remained absent for a long period and willfully absented himself from duty.

In view of the above, it is submitted that the appeal is devoid of merit, law/ rules, without any substance and badly time barred. Therefore, it is prayed that the appeal may kindly be dismissed.



**Regional Police Officer,
Kohat**
(Respondent No. 2)



**Provincial Police Officer,
Khyber Pakhtunkhwa, Peshawar**
(Respondent No. 3)



**District Police Officer,
Kohat**
(Respondent No. 1)

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

Appeal No. 841/2017

Sahib Zada Ex-Constable No. 386

..... *Appellant.*

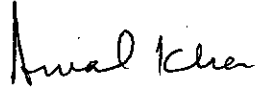
VERSUS

District Police Officer, Kohat & others

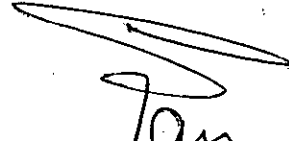
..... *Respondents.*

COUNTER AFFIDAVIT

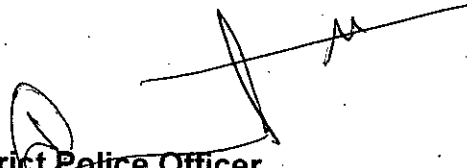
We, the below mentioned respondents, do hereby solemnly affirm and declare on oath that contents of parawise comments are correct and true to the best of our knowledge and belief. Nothing has been concealed from this Hon: Tribunal.



**Regional Police Officer,
Kohat**
(Respondent No. 2)



**Provincial Police Officer,
Khyber Pakhtunkhwa, Peshawar**
(Respondent No. 3)



**District Police Officer,
Kohat**
(Respondent No. 1)

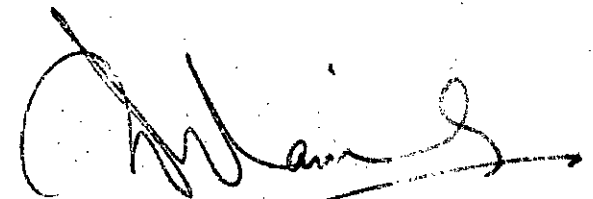
O R D E R

This order is passed on the departmental enquiry against the Constable Sahib Zada No. 386 while posted at Police Station Cantt Kohat has absented himself from duty w.e.f 27.02.2010 till to date without any leave or permission.

He was served with charge sheet and summary of allegations at his home address where from, it was reported that he has gone a broad for earning his livelihood.

In view of the above, no other option is left except to proceed against Constable Sahib Zada No. 386 Ex-parte under the NWFP Removal From Service (Special Powers) Ordinance 2000 and DSP City Circle was appointed enquiry officer who submitted his findings and recommended one of a major punishment to the defaulter constable.

Since by remaining absent from duty without leave or permission he has proved himself as inefficient, in disciplined, guilty of misconduct and a mere burden on the Police department, therefore, in exercise of the powers conferred by Section 3 of the NWFP Removal From Service (Special Powers) Ordinance 2000, constable Sahib Zada No. 386 is removed from service w.e.f 27.02.2010.



DISTRICT POLICE OFFICER,
KOHAT

OB No 392

Dated 12.5.2012

سید
27.5.10

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3
لو
کلی
3
صی

DEPARTMENTAL ENQUIRY AGAINST CONSTABLE
SAHIB MADA NO.386 POLICE STATION CANTT:.

FINDING:-

This is departmental enquiry against Constable Sahib Mada No.386 while posted at Police Station Cantt Kohat. He has absented himself from official duty intentionally with out any leave/prior permission from his superior vide Daily Diary report No.20 dated 27.2.2010 and is still absent. In this regard he was issued Charge Sheet & statement of allegation and the undersigned was appointed as enquiry officer to conduct departmental enquiry.

Charge Sheet & Statement of allegation was sent to the above named defaulter Constable on his home address through special messenger DFC LHC Jahan Zaib No.1224 of Police Station Saddar. He stated that the said Constable was not found in his house, he has gone to foreign Country since long time.

Keeping in view the above circumstances it is recommended that Constable Sahib Mada No.386 may be awarded for Major punishment under the NWFP(Removal from Service) Special Power Ordinance 2000.

Submitted please.

Encl:06 Papers.

(ABDUL QAYUM)

E.O.

Sub: Divisional Police Officer,
City Circle Kohat.

No. 105/2010

ds 20-4-10

Approved
WB
97-4-10

ORDER SHEET.

1.4.2010. Enquiry papers received against
Constable Sahib Zada No. 386.


E.O.


8.4.2010. Charge Sheet & statement of allegation
sent to the above named Constable on his
home address through DFC Jahan Zait No. 1224.


E.O.

15.4.2010. DFC Jahan Zait written stated that the
defaulter Constable was not found in his
house and he has gone Foreign Country.


E.O.

Enquiry finding report is submitted
for perusal please.


E.O.
SDPO/City Circle
Kohat. 2/4

DISCIPLINARY ACTION

I, DILAWAR KHAN BANGASH, DISTRICT

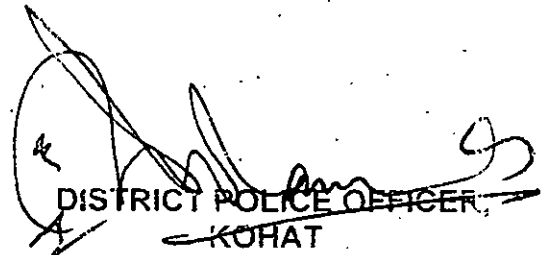
OFFICER, KOHAT, as competent authority, am of the opinion that Constable
Sahib Zada No.386 himself liable to be proceeded against as he committed
following acts/ omissions within the meaning of section - 3 of the
(Removal from Service) Special Power Ordinance 2000.

STATEMENT OF ALLEGATIONS

You had absented yourself from duty without any leave
permission vide DD No.20 dated 27/02/2010 of PS Cd
Kohat up-till now.

Your above act speaks of your inefficiency and
misconduct on your part, punishable under the Removal from Service (Spe
Powers) Ordinance 2000.

For the purpose of scrutinizing the conduct of the
accused with reference to the above allegations Mr. Abdul Qayyum, DSP
City, Kohat is appointed as Enquiry Officer shall in accordance with the
provision of Ordinance provide reasonable opportunity of hearing to the
Official and complete the enquiry findings within the stipulated period
the receipt of this order.


DISTRICT POLICE OFFICER,
KOHAT

A copy of the above is forwarded to: -

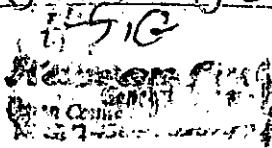
1. Mr. Abdul Qayyum, DSP City, Kohat. The committee for
initiating proceedings against the accused under the provisions
of the NWFP, Removal from Service (Special Power) Ordinance
2000.
2. Constable Sahib Zada No.386 The concerned official's with the
directions to appear before the Enquiry Committee, on the date,
time and place fixed by the Committee, for the purpose of the
enquiry proceedings.

سید کوئٹہ حسن گل ولد گورنگل سکنہ کور لہری گندہ لیں گرانول

صاحب نداد
گرم سمن صاحب نداد ولد
بیمہ لہری حضرت سردری

بیمہ لہری سمن صاحب نداد گورنگل موجود دہلی ہے

الہ گورنگل سمن گل ولد گورنگل سکنہ کور لہری



صاحب نداد

گرم صاحب نداد کی بگاریت کور لہری سردری

لہری سمن گل سکنہ کور لہری گورنگل

بایا اس کا والد سمن گورنگل موجود دہلی تھا حکم دہلی

کوئٹہ حسن گل ولد گورنگل سکنہ کور لہری سے میر میراں

صاحب نداد کا پسر صاحب نداد کورنگل سردری

پاکستان سے بلیران ملک حضرت سردری کے گورنگل

دہلی سردری صاحب

DF/M.P.
15-4-10

Attested

SPO. City Kohat
15/4

CHANGE SHEET

I, DILAWAR KHAN BANGASH, DISTRICT OFFICER, KOHAT as competent authority, hereby charge Constable Sahib Zada No.386 while posted at PS [unclear] committed the following irregularities: -

You had absented yourself from duty without leave or permission vide DD No.20 dated 27/03/00 of PS Cantt Kohat up-till now.

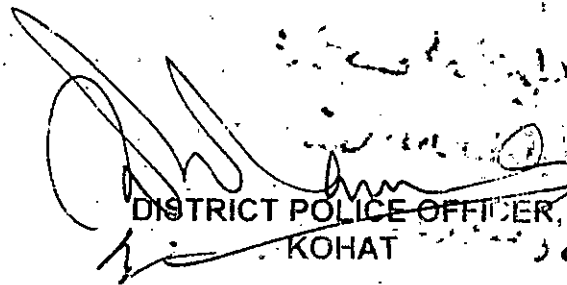
Your above act speaks of your inefficiency and misconduct on your part, punishable under the Removal From Service (Special Powers) Ordinance 2000.

And I, hereby direct you further as laid down in section 60 of the said Ordinance to put in a written defence within 7 days of the receipt of this charge sheet as to why you should not be awarded with one or more Major Punishment including Removal from Service defined under section 3 (i) (C) of the said Ordinance and also state the same time as to whether you desire to be heard in person.

Your written defence, if any, should reach to the District Officer/ Committees within the specified period, failing which it shall be presumed that you have no defence to put in and in that case execution shall be taken against you.

A statement of allegation is enclosed.

No 4575-76/PA
Dated 31-3-00


DISTRICT POLICE OFFICER,
KOHAT

تواضعاً

درخواست عدالت کے لئے

ضلع کوہاٹ

ضلع عالی گزارش صدر سیشن عدالت لاہور 386 نمبر والا 20 روز 27 2010
 سے لاہور عدالت میں سیشن عدالت لاہور میں لاہور میں
 اور یہ بھی معلوم ہوا ہے کہ سیشن عدالت لاہور میں لاہور میں
 ایڈووکیٹ صدر سیشن عدالت لاہور کے متعلق عدالت میں عدالت میں
 حوث۔ لاہور عدالت میں درخواست عدالت میں

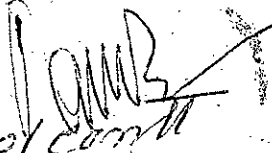
26/3/2010

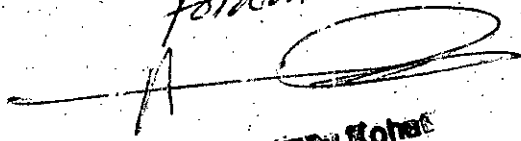
عین گزارش ہوئی

الکھانہ

Self Forwarded

کریمنل جج ایس سی جی


 SHO/COAH
 26-3-2010

sin
 Forwarded


SDPO-City Kohat
 27-3-10

May be stopped issue
 charge sheet and summary
 of allegation



D.P.O. KOHAT

تعمیر چھاری

سنگلہ 20 روز باجم 27 ²/₁₀

صلم کر

وردہ گنتی ملز مال اربوچ عبد حاضری Asi جوہ 27 ²/₁₀ وقت 18 بج اس وقت
گنتی ملز مال گنتی مانع از روٹی ملز مال گنتی میں موجود ہائے گنتی ان طوبی
ملز مال کر بوقت کھانا سے پہلے ملز مال گنتی تقسیم کرے مڈلین اول بر ماؤ علی 16
صلم کر کرے درایت ضابط ہوئی بعد سناے عبد ربی صلم احکام گنتی
بر حاضری گنتی نیر کمال صلا اوہ 38 گنتی میں عدم وجود ملز مال
خلاف رجوچ عبد حاضری و جم روز باجم 27 سنگلہ ان مالہ صلا مال گنتی

میں ارسال ہوئی صلا علی

سنگلہ مطابق اصل

M.M. Cantle

25.3.10

صاحب عالی

گھر والوں کا خیال ہے کہ پورے پتہ پر پتہ ڈال کر صحت کو
3 سے 5 گرام ہونے شروع کرنا ہے۔ فرما جائے۔ اور پتہ پر
پتہ ڈال کر پتہ پر پتہ ڈال کر پتہ ڈال کر پتہ ڈال کر پتہ ڈال کر
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صفحہ 27

3000 Part

کاشیہ 3866 گمان کتیا

20-5-09

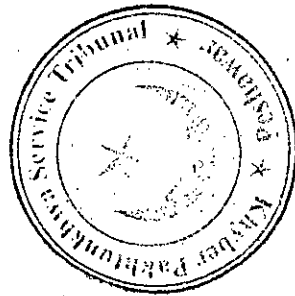
315
Forwarded

4 540
27-5-09

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31-5-09

281 5108



BEFORE THE KPK, SERVICE TRIBUNAL, PESHAWAR

S.A No. 1420 /2017

Asmat Ullah S/o Zarwali Khan,
R/o Zahid Abad Township, Bannu,
Ex-Constable No. 1381,
Police Station, Township, Bannu

Khyber Pakhtunkhwa
Service Tribunal

Diary No. 1417

Dated 13-12-2017

Appellant

VERSUS

1. District Police Officer, Bannu.
2. Regional Police Officer, Bannu,
Region Bannu.
3. Provincial Police Officer,
KP, Peshawar. Respondents

⊠<=>⊠<=>⊠<=>⊠<=>⊠

APPEAL U/S 4 OF THE SERVICE TRIBUNAL ACT, 1974 AGAINST OB NO. 2017 DATED 30-12-2009 OF R. NO. 1 WHEREBY APPELLANT WAS DISMISSED FROM SERVICE ON THE SCORE OF ABSENCE FROM DUTY OR OFFICE ORDER NO. 3113 / EC DATED 18-10-2017 OF R. NO. 2 WHEREBY DEPARTMENTAL APPEAL OF APPELLANT WAS REJECTED OR OFFICE ORDER NO. 7204/ 17 DATED 03-11-2017 OF R. NO. 03 WHEREBY REVISION PETITION WAS REJECTED:

⊠<=>⊠<=>⊠<=>⊠<=>⊠

13/12/17

Respectfully Sheweth:

Short facts giving rise to the present appeal are as under:-

1. That appellant was appointed as Constable on 23-06-2006 and served the department to the best of his ability and with devotion.

ATTESTED

EXAMINER
Khyber Pakhtunkhwa
Service Tribunal

**BEFORE THE KHYBER PAKHTUNKHWA SERVICES TRIBUNAL,
PESHAWAR.**

Service Appeal No. 1420/2017

Date of Institution ... 13.12.2017

Date of Decision ... 07.12.2021



Asmat Ullah S/O Zarwali Khan, R/O Zahid Abad Township, Bannu,
Ex-Constable No. 1381, Police Station, Township, Bannu.

... (Appellant)

VERSUS

District Police Officer, Bannu and two others.

(Respondents)

MR. ARBAB SAIF-UL-KAMAL,
Advocate

For appellant.

MR. NOOR ZAMAN KHATTAK,
District Attorney

For respondents.

MR. AHMAD SULTAN TAREEN
MR. SALAH-UD-DIN

CHAIRMAN
MEMBER (JUDICIAL)

JUDGMENT:

SALAH-UD-DIN, MEMBER:-

Precise facts forming the background of the instant service appeal are that the appellant while serving as Constable in Police Station Township, District Bannu, was proceeded against departmentally on the allegations of his absence from duty and was dismissed from service vide order dated 30.12.2009. The departmental appeal of the appellant was disposed by the Regional Police Officer vide order dated 18.10.2017 with the remarks as seen and filed. The appellant then submitted revision petition to the Inspector General of Police Khyber Pakhtunkhwa Peshawar, which was rejected on

ATTESTED

EXAMINER
Khyber Pakhtunkhwa
Service Tribunal
Peshawar


03.11.2017 and intimation was conveyed to the appellant through cell phone on 14.11.2017, hence the instant service appeal.

2. Notices were issued to the respondents, who submitted their comments, wherein they refuted the assertions made by the appellant in his appeal.

3. Learned counsel for the appellant has contended that the absence of the appellant from duty was not willful rather he was unable to attend his duty due to severe illness; that the prescriptions regarding illness of the appellant were handed over to the departmental Authority, however the appellate Authority did not consider the plea of the appellant and decided the departmental appeal in a cursory manner; that no charge sheet or statement of allegations as well as final show-cause notice was issued to the appellant and whole of the proceedings were conducted at the back of the appellant without affording him any opportunity of self defense or personal hearing; that the appellant was dismissed from service vide order dated 30.12.2009 with retrospective effect from 24.10.2008, therefore, the impugned order is void ab-initio, hence no limitation would run against the same; that the charge sheet as well as statement of allegations and final show-cause notice was not at all served upon the appellant and even no publication regarding the alleged absence of the appellant was made in the newspaper; that the impugned order being wrong and illegal may be set-aside and the appellant may be reinstated into service with all back benefits. Reliance was placed on 2019 SCMR 648 and 2000 SCMR 75 as well as judgment dated 07.12.2017 passed by this Tribunal in Service Appeal No. 967/2016.

4. On the other hand, learned District Attorney for the respondents has contended that the appellant remained absent from duty without leave or seeking permission of the competent Authority, therefore, disciplinary action was taken against him; that charge sheet as well as statement of allegations were issued to the appellant, however he did not

ATTESTED


 AMINER
 Shikhsa
 Tribunal


bother to attend the inquiry proceedings; that on completion of the inquiry, final show-cause notice was issued to the appellant, however he failed to submit the reply of the same, therefore, he has rightly been awarded the punishment of dismissal from service; that the departmental appeal of the appellant was time barred, therefore, his service appeal is not maintainable; that the inquiry proceedings were conducted by complying all legal and codal formalities, therefore, the impugned orders may be kept intact and the appeal in hand may be dismissed with costs.

5. We have heard the arguments of learned counsel for the appellant as well as learned District Attorney for the respondents and have perused the record.

6. A perusal of the record would show that disciplinary action was taken against the appellant on the allegations that he absented himself from duty with effect from 24.10.2008 without any leave or permission from the competent Authority. Charge sheet as well as statement of allegations were issued to the appellant and DSP Headquarter Bannu was appointed as inquiry officer for conducting inquiry against the appellant under Khyber Pakhtunkhwa Removal from Service (Special Powers) Ordinance, 2000. Nothing is available on the record which could show that the charge sheet, statement of allegations as well as final show-cause notice were served upon the appellant. The respondents did not comply the relevant codal formalities for serving of charge sheet, statement of allegations as well as final show-cause notice upon the appellant, therefore, the ex-parte action taken against the appellant by depriving him of self defense and personal hearing is void ab-initio and nullity in the eye of law.

7. Moreover, the appellant agitated in his departmental appeal that he has not been treated in accordance with law and that his absence was not willful, rather he was unable to attend his duty being suffering from severe illness of jaundice. The appellate Authority, however dismissed the appeal in a cursory manner without considering the point agitated by the

ATTESTED


CHIEF JUSTICE
KHYBER PAKHTUNKHWA
SERVICE TRIBUNAL

appellant in his appeal. In these circumstances, in order to meet the ends of justice, conducting of de-novo inquiry into the matter is necessary.

8. In light of the above discussion, the appeal in hand is allowed by setting-aside the impugned orders and the appellant is reinstated in service with the directions to the respondents to conduct de-novo inquiry in accordance with relevant law/rules within a period of 60 days of receipt of copy of this judgment. The issue of back benefits shall be subject to final outcome of de-novo inquiry. Parties are left to bear their own costs. File be consigned to the record room.

ANNOUNCED
07.12.2021

(AHMAD SULTAN TAREEN)
CHAIRMAN

(SALAH-UD-DIN)
MEMBER (JUDICIAL)

Certified to be true copy

CHAIRMAN
Khyber Pakhtunkhwa
Service Tribunal
Peshawar

Date of Presentation of Application 05/01/22
Number of Words 2000
Copying Fee 22/-
Digest 4/-
Total 26/-
Date of Issuance of Copy 05/01/22
Date of Delivery of Copy 05/01/22

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

Appeal No. 841/2017

Sahib Zada Ex-Constable No. 386

..... *Appellant.*

VERSUS

District Police Officer, Kohat & others

..... *Respondents.*

Respectively Sheweth:-

Parawise comments on behalf of Respondents are submitted as under:-

Preliminary Objections:-

1. That the appellant has got no cause of action.
2. That the appellant has got no locus-standi.
3. That appellant is estopped by his own acts to file the instant appeal.
4. That the appeal is not maintainable in its present form.
5. That the appellant has not come to this Hon: Tribunal with clean hands.
6. That the appeal is **badly time barred**.

FACTS:-

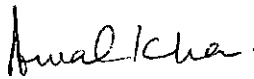
1. Pertains to record, hence no comments.
2. Incorrect, the appellant manipulated a concocted story of illness of his mother. The appellant deliberately absented himself from lawful duty vide w.e. from 27.02.2010. Charge sheet was served upon him at his home address through DFC concerned, who reported that the appellant had gone abroad.
3. The appellant did not join his duty despite service of charge sheet at his home address. He proceeded with departmentally in accordance with law & rules. The charge levelled against him was established beyond any shadow of doubt and the proceedings culminated in his removal from service vide order dated 12.05.2010.
4. The appellant filed departmental appeal before respondent No. 2 after a laps of about 07 years, which was rejected on merit and limitation as well.
5. Irrelevant, hence no comments.
6. The departmental appeal was rejected by respondent No. 2, on view of merit and limitation as well.

Grounds:-

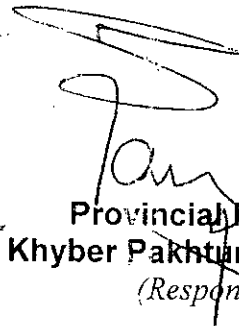
- a. Incorrect, the appellant willfully absented himself from lawful duty and proceeded abroad.

- b. Incorrect, the appellant was served with charge sheet alongwith summary of allegations at his home address through Police station concerned. It was reported by one councilor namely Hassan Gul of his village and DFC that the appellant had gone abroad for livelihood. Now, after a laps of 07 years on his return he sought re-instatement in service, which is against law & rules.
- c. Incorrect, a proper inquiry was conducted through Sub Divisional Police Officer, City Circle Kohat.
- d. Incorrect, a legal orders were passed in accordance with law & rules.
- e. Incorrect, the appellant remained absent for a long period and willfully absented himself from duty.

In view of the above, it is submitted that the appeal is devoid of merit, law/ rules, without any substance and badly time barred. Therefore, it is prayed that the appeal may kindly be dismissed.



**Regional Police Officer,
Kohat**
(Respondent No. 2)



**Provincial Police Officer,
Khyber Pakhtunkhwa, Peshawar**
(Respondent No. 3)



**District Police Officer,
Kohat**
(Respondent No. 1)

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

Appeal No. 841/2017

Sahib Zada Ex-Constable No. 386

..... *Appellant.*

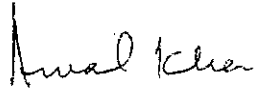
VERSUS

District Police Officer, Kohat & others

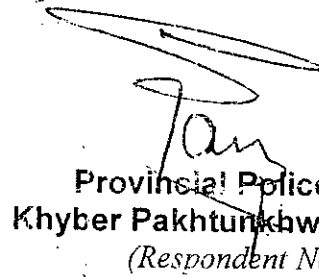
..... *Respondents.*

COUNTER AFFIDAVIT

We, the below mentioned respondents, do hereby solemnly affirm and declare on oath that contents of parawise comments are correct and true to the best of our knowledge and belief. Nothing has been concealed from this Hon: Tribunal.



**Regional Police Officer,
Kohat**
(Respondent No. 2)



**Provincial Police Officer,
Khyber Pakhtunkhwa, Peshawar**
(Respondent No. 3)



**District Police Officer,
Kohat**
(Respondent No. 1)

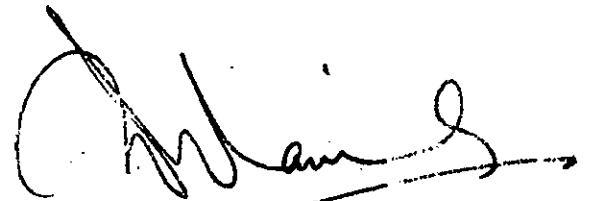
O R D E R

This order is passed on the departmental enquiry against the Constable Sahib Zada No. 386 while posted at Police Station Cantt Kohat has absented himself from duty w.e.f 27.02.2010 till to date without any leave or permission.

He was served with charge sheet and summary of allegations at his home address where from, it was reported that he has gone a broad for earning his livelihood.

In view of the above, no other option is left except to proceed against Constable Sahib Zada No. 386 Ex-parte under the NWFP Removal From Service (Special Powers) Ordinance 2000 and DSP City Circle was appointed enquiry officer who submitted his findings and recommended one of a major punishment to the defaulter constable.

Since by remaining absent from duty without leave or permission he has proved himself as inefficient, in disciplined, guilty of misconduct and a mere burden on the Police department, therefore, in exercise of the powers conferred by Section 3 of the NWFP Removal From Service (Special Powers) Ordinance 2000, constable Sahib Zada No. 386 is removed from service w.e.f 27.02.2010.



DISTRICT POLICE OFFICER,
KOHAT

OBN No 392

Dated 12-5-2010

۱۲/۵/۱۰
۲۷-۵-۱۰
صیب
لوہار
وگلی
وگلی

DEPARTMENTAL ENQUIRY AGAINST CONSTABLE
SAHIB ZADA NO. 386 POLICE STATION CANTT:.

FINDING:-

This is departmental enquiry against Constable Sahib Zada No. 386 while posted at Police Station Cantt Kohat. He has absented himself from official duty intentionally with out any leave/prior permission from his superior vide Daily Diary report No. 20 dated 27.2.2010 and is still absent. In this regard he was issued Charge Sheet & statement of allegation and the undersigned was appointed as enquiry officer to conduct departmental enquiry.

Charge Sheet & Statement of allegation was sent to the above named defaulter Constable on his home address through special messenger DFC LHC Jahan Zaib No. 1224 of Police Station Saddar. He stated that the said Constable was not found in his house, he has gone to foreign Country since long time.

Keeping in view the above circumstances it is recommended that Constable Sahib Zada No. 386 may be awarded for Major punishment under the NWFP (Removal from Service) Special Power Ordinance 2000.

Submitted please.

Encl: 06 Papers.

(ABDUL QAYUM)

E.O.

Sub: Divisional Police Officer,
City Circle Kohat.

No. 105/2010

dt. 20-4-2010

Approved
27-4-10

ORDER SHEET.

1.4.2010. Enquiry papers received against
Constable Satib Zada No.386.


E.O.


8.4.2010. Charge Sheet & statement of allegation
sent to the above named Constable on his
home address through DFC Jahan Zaib No.1224.


E.O.

15.4.2010. DFC Jahan Zaib written stated that the
defaulter Constable was not found in his
house and he has gone Foreign Country.


E.O.

Enquiry finding report is submitted
for perusal please.


E.O.
SDPO/City Circle
Korat.

20/4

DISCIPLINARY ACTION

I. DILAWAR KHAN BANGASH, DISTRICT

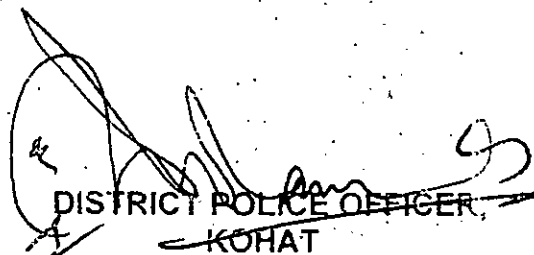
OFFICER, KOHAT, as competent authority, am of the opinion that Constable Sahib Zada No.386 himself liable to be proceeded against as he committed the following acts/ omissions within the meaning of section - 3 of the (Removal from Service) Special Power Ordinance 2000.

STATEMENT OF ALLEGATIONS

You had absented yourself from duty without any leave or permission vide DD No.20 dated 27/02/2010 of PS City, Kohat up-till now.

Your above act speaks of your inefficiency and misconduct on your part, punishable under the Removal from Service (Special Powers) Ordinance 2000.

For the purpose of scrutinizing the conduct of the said accused with reference to the above allegations Mr. Abdul Qayyum, DSP City, Kohat is appointed as Enquiry Officer shall in accordance with the provision of Ordinance provide reasonable opportunity of hearing to the Official and complete the enquiry findings within the stipulated period from the receipt of this order.


DISTRICT POLICE OFFICER,
KOHAT

A copy of the above is forwarded to: -

1. Mr. Abdul Qayyum, DSP City, Kohat. The committee for initiating proceedings against the accused under the provisions of the NWFP, Removal from Service (Special Power) Ordinance 2000.
2. Constable Sahib Zada No.386 The concerned official's with the directions to appear before the Enquiry Committee, on the date, time and place fixed by the Committee, for the purpose of the enquiry proceedings.

تقدیر کو سندھ سنٹرل وکریٹنگ ایجنسی کے ذریعے

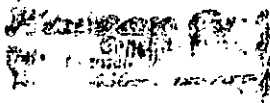
میں لکھنؤ میں منتقل فرمائی

صاحب زادہ
محمد علی صاحب

بیت بھارتی ملک سے تعلق ہے۔ گورنمنٹ لکھنؤ میں

الہ آباد سنٹرل وکریٹنگ ایجنسی کے ذریعے

15/4



صاحب عالی

محمد صاحب ڈاڈا کی گارڈ لکھنؤ میں

لکھنؤ میں منتقل ہوئے اور ان کے گورنمنٹ

بیت بھارتی ملک سے تعلق ہے۔ گورنمنٹ لکھنؤ میں

کو سندھ سنٹرل وکریٹنگ ایجنسی کے ذریعے

صاحب زادہ محمد علی صاحب

بیت بھارتی ملک سے تعلق ہے۔ گورنمنٹ لکھنؤ میں

دلی وکریٹنگ ایجنسی

DF/m.R
15-4-10

Attested,

SDPO, City Kohat

15/4

CHARGE SHEET

I, DILAWAR KHAN BANGASH, DISTRICT OFFICER, KOHAT as competent authority, hereby charge Constable Sahib Zada No.386 while posted at PS committed the following irregularities: -

You had absented yourself from duty without leave or permission vide DD No.20 dated 27/0 of PS Cantt Kohat up-till now.

Your above act speaks of your inefficiency and misconduct on your part, punishable under the Removal From (Special Powers) Ordinance 2000.

And I, hereby direct you further as laid down in section 60 of the said Ordinance to put in a written defence within 7 days of the receipt of this charge sheet as to why you should not be punished with one or more Major Punishment including Removal from Service defined under section 3 (1) (C) of the said Ordinance and also state the same time as to whether you desire to be heard in person.

Your written defence, if any, should reach to the District Officer/ Committees within the specified period, failing which it shall be presumed that you have no defence to put in and in that case no action shall be taken against you.

A statement of allegation is enclosed.

No 4575-76/1120
Date 31-3-10


DISTRICT POLICE OFFICER,
KOHAT

تواضعاً

درواست محمد عباس عم

ضلع کوہاٹ

ذات گزشتہ صبح نیشنل ماہنامہ 386 ڈالر 20 روزہ 27/3/2010

سے بلا ٹور غیر فاضل نیشنل مذکورہ حاضری ماکوٹی افسر نے

اور یہ بھی معلوم ہوا ہے کہ نیشنل مذکورہ نے باہر محاکمہ ضلع کوہاٹ

ایمڈیا صبح نیشنل مذکورہ ادارے متعلق فاضل عم ہمارے

حالت - فقیر غیر فاضل درواست کوہاٹ

26/3/2010

میں دراست ہوئی

الطاف

Self-forwarded

نیشنل ماہنامہ 386 ڈالر 20 روزہ 27/3/2010

SHO/COHAT
26-3-2010

Self-forwarded

[Signature]

SDPO - City Kohat
27-3-10

May be stopped issue
charge sheet and Summary
of allegation.

[Signature]

D.P.O. KOHAT

تھما پھاولی

سقطہ 20 روزانہ 27/10

صلم روم

وہ ہے کہ لکھی ملز مال اربوچ میر جعفری Asi جوہ 27/10 وقت 18 بجے اس وقت
 لکھی ملز مال لکھی فارغ از خودی ملز مال لکھی میں موجود ہائے لکھی ان خودی
 ملز مال رتوت کھانا سے افران ملز مال لکھی تقسیم کرے ملز مال اول بر رتوت علی 18
 صلم کو آ کرے برات صفاست برقی بعد سنائے جعفری صلم احکام لکھی
 بر صفاست لکھی نیر لکھی صلا اوہ 38 لکھی میں عدم موجود ہائے لکھی
 طرف رتوت لکھی میر جعفری و جم روزانہ 27/10 لکھی اوہ ملز مال لکھی

میں ارسال ہوئی صفاست علی

لکھی بر صفاست علی



M. M. Cantle

25-3-10

صاحب عالی

میراثی ملک کی حالت میں کہ جو زمینیں شمال و جنوب کے دو

3 سے 5 گزوں کے درمیان میں موجود ہیں ان کے بارے میں
میراثی ملک کی حالت میں جو عالم حاکم کے پاس ہے ان کے بارے میں
میراثی ملک کی حالت میں جو عالم حاکم کے پاس ہے ان کے بارے میں
میراثی ملک کی حالت میں جو عالم حاکم کے پاس ہے ان کے بارے میں

صفحہ 27

30 days Rent

کامپلٹ ممبرانہ 3866 گمان کیٹ

RB

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Faxwacheel

4540
27-5-8

In Forwarded PL

37-5-8

2815188

BEFORE THE KPK, SERVICE TRIBUNAL, PESHAWAR

S.A. No. 841 /2017

Sahib Zada

versus

D.P.O & Others

REPLICATION

Respectfully Sheweth,

PRELIMINARY OBJECTIONS:

All the 06 preliminary objections of respondents are illegal and incorrect. No reason in support of the same is ever given as to why appellant has no cause of action, locus standi, estoppel, not maintainable, unclean hands and time barred.

ON FACTS:

1. Needs no comments
2. Not correct. The para of the appeal is correct. No manipulation has been made but the medical prescriptions consisting upon for dozens supports the version of the appellant. No Charge Sheet was served upon him nor any enquiry was conducted being mandatory, so the impugned orders are of no legal effect.
3. Not correct. When due process of law was not adhered to, then the punishment becomes null and void in the eyes of law. More so, the impugned order was given retrospective effect, so is ab-initio void.
4. Not correct. Appellant filed appeal before the authority well within time.
5. Not correct. The para of appeal regarding operation of his mother is correct.



6. Not correct. Appeal could be filed before Service Tribunal either original order or appellate order, so the appeal is well within time and never hit by limitation.

GRUNDS:

All the grounds of the appeal are legal and correct while that of the reply are illegal and incorrect. The same are again adopted.

It is, therefore, most humbly prayed that the appeal be accepted as prayed for.

Sahib Zada

Appellant

Through

Saadullah Khan Marwat

Saadullah Khan Marwat
Advocate,

Dated: 30-07-2018

AFFIDAVIT

I, Sahib Zada, appellant do hereby solemnly affirm and declare that contents of the **Appeal & rejoinder** are true and correct to the best of my knowledge and belief while that of reply of respondents are illegal and incorrect.

I reaffirm the same on oath once again to be true and correct as per the available record.

Sahib Zada

DEPONENT



2003 S C M R 826

[Supreme Court of Pakistan]

Present: Nasir Aslam Zahid and Kamal Mansur Alam, JJ

Major (Retd.) ABDUL WAHEED KHAN---Petitioner

versus

FEDERAL SERVICE TRIBUNAL and others---Respondents

Civil Petition No.362 -K of 1999, decided on 17th August, 1999.

(On Appeal from the judgment of the Federal Service Tribunal, Karachi, dated 21-4-1999, passed in Appeal No.55(K) of 1999).

Service Tribunals Act (LXX of 1973)---

---S.4---Constitution of Pakistan (1973), Art.212(3)---Appeal to Service Tribunal---Limitation---Second representation, rejection of---Civil servant was reverted in the year 1992, he filed representations repeatedly but the Authorities did not reply---Finally on 31-12-1998, the departmental appeal filed by the civil servant was rejected---Appeal before Service Tribunal was filed on 20-1-1999, but the same was dismissed as time-barred---Plea raised by the civil servant was that the appeal before Service Tribunal was filed within 30 days of the order of Departmental Appellate Authority thus the same was within limitation---Validity---Even if the order of reversion was dated 21-7-1992 but for the first time the Competent Authority had rejected the representation in the year 1998---Civil servant's appeal before Service Tribunal filed within 30 days of such order of reversion by the Departmental Appellate Authority was in time---If any representation of the civil servant was earlier rejected by the Departmental Authority, another order by the Departmental Authority passing a similar rejection order on second representation would not extend the period of limitation---Supreme Court converted the petition into appeal, judgment of Service Tribunal was set aside and the case was remanded to the Tribunal for decision afresh. [p. 828] A

Ali Akbar, Advocate Supreme Court for Petitioner.

S. Tariq Ali, Standing Counsel for Respondents Nos.1 and 2/Federal Government.

Manan Bhatti, Assistant Manager, Law Department, Pakistan Steel Mills for Respondents Nos.3, 4 and 5/Pakistan Steel Mills Corporation.

Date of hearing: 17th August, 1999.

ORDER

NASIR ASLAM ZAHID, J.—This petition has been filed by petitioner Major (Retd.) Abdul Waheed Khan seeking leave against the judgment dated 21-4-1999 of the Federal Service Tribunal dismissing his appeal. We have heard Mr. Ali Akbar, learned Advocate Supreme Court for the petitioner, Mr. S. Tariq Ali, learned Standing Counsel for the Federal Government, and Mr. Manan Bhatti, Assistant Manager, Law Department, Pakistan Steel Mills Corporation for Steel Mills, and with their assistance, referred to the relevant record.

2. Appeal of the petitioner has been dismissed as time-barred. Petitioner was aggrieved by the order of his reversion dated 21-7-1992. He filed a representation dated 28-7-1992 on which no order was passed. Thereafter, according to the petitioner, he filed repeated representations and finally by order dated 31-12-1998 his departmental appeal was dismissed and he approached the Federal Service Tribunal on 20-1-1999 by filing an appeal within 30 days of the order of the Departmental Appellate Authority.

The Tribunal has held that where there is right of appeal it implies one such right and not its repeated exercises and as the order relied upon by the petitioner for extension of limitation was not referable to the first representation/appeal but to a subsequent one, right of appeal under section 4 of the Service Tribunals Act came to an end with the filing of the first representation/appeal and expiry of period prescribed under section 4 of the Act.

3. There is nothing on the record of this petition that any order was passed/communicated to the petitioner on the representation made by the petitioner in 1992 against his reversion. However, there are later representations including one dated 26-11-1998 which are termed as second appeals by the Tribunal but as reminders-representations by the petitioner on which order was passed by the competent authority and communicated to the petitioner through memorandum dated 31-12-1998 which read as follows:—

“Subject: RESTORATION OF PROMOTION AS D.G.M.

This has reference to the representation dated 26-11-1998, regarding your fitness for promotion in the grade of D.G.M. against the reversion order dated 21-7-1992.

2. It is to inform you that the Competent Authority after careful examination of your representation for promotion to the post of Deputy General Manager reversed vide letter dated 21-7-1992 has rejected your request as it does not conform to

merit. However, you may invoke such legal remedies that may be available to you, in this regard."

4. Mr. S. Tariq Ali, learned Standing Counsel for the Federal Government, very frankly submitted that apparently the appeal of the petitioner before the Tribunal was not time-barred inasmuch as on the initial representation made in 1992 there was no decision by the competent authority and the order communicated on 31-12-1998 is the first communication of the decision of the competent authority and the appeal having been filed on 20-1-1999 the same is apparently within time. However, Mr. Manan Bhatti, Assistant Manager, Law Department, Pakistan Steel Mills Corporation, submitted that neither the Tribunal gave any opportunity to Pakistan Steel Mills Corporation to place on record the documents to show that perhaps decision was taken on the initial representation of the petitioner and if that is so the later representations was of no effect and here also notice was received by Pakistan Steel Mills Corporation only yesterday and record could not be produced. According to Mr. Manan Bhatti, record might show that initial representation of the petitioner was responded by the management.

5. Reference may be made to the judgment of this Court in the case of Firdos Ali v. Secretary, Establishment Division (1997 SCMR 1160). Paras. 2 and 3 of the reported decision are read as follows:-

"2. The order which aggrieved the appellant with regard to his seniority was passed on 4-11-1984. He filed a departmental appeal against it the same month on 29-11-1984. The Tribunal has taken the view that immediately after filing the departmental appeal he should have come to the Service Tribunal within 120 days available to him. The departmental appeal itself was disposed of on 2-5-1990 and the appellant filed the Service Appeal before the Tribunal on 30-5-1990.

3. Section 4 of the Service Tribunals Act by express words confers a right on the civil servant to appeal against the original or the appellate order of a Departmental Authority. This right cannot be abridged to only original order and not the appellate order. From the date of the appellate order i.e. 2-5-1990 the appeal filed within thirty days before the Service Tribunal was within time. The appeal could not be dismissed as time-barred."

In the present case also even if the impugned order of reversion is dated 21-7-1992 but for the first time the Competent Authority rejects the representation in 1998, the petitioner's appeal before the Tribunal filed within 30 days of such order of reversion by the Departmental Appellate Authority will be in time. In case, however, any representation of the petitioner was earlier rejected by the Departmental Authority,

another order by the Departmental Authority passing a similar rejection order on a second representation will not extend the period of limitation.

6. In the circumstances, we convert this petition into appeal, allow the same, set aside the impugned judgment and remand the case to the Federal Service Tribunal for fresh decision. The parties will be given opportunity to place all documentary evidence on record as they may desire. Fresh decision will only be taken on the question of limitation in case Pakistan Steel Mills Corporation places on record documents showing earlier rejection of any representation of the petitioner preferred in 1992 and communication of such order to the petitioner. In such eventuality if the Tribunal comes to the conclusion that the appeal is barred by time, the Tribunal may not take any decision on merits. Otherwise the Tribunal will dispose of this case on merit.

There shall be no order as to costs.

Q.M.H./A-235/S

Case remanded.



**KHYBER PAKHTUNKHWA
SERVICE TRIBUNAL, PESHAWAR**

No. 1032 /ST

Dated: 13-5- /2022

All communications should be addressed to the Registrar KPK Service Tribunal and not any official by name.

Ph:- 091-9212281
Fax:- 091-9213262

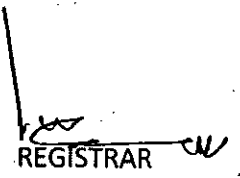
To

The District Police Officer,
Government of Khyber Pakhtunkhwa,
Kohat

Subject: JUDGMENT IN APPEAL NO. 841/2017 MR. SAHIB ZADA.

I am directed to forward herewith a certified copy of Judgement dated 14.01.2022 passed by this Tribunal on the above subject for compliance please.

Encl: As above


REGISTRAR
KHYBER PAKHTUNKHWA
SERVICE TRIBUNAL
PESHAWAR