

**KHYBER PAKHTUNKHWA SERVICE TRIBUNAL,  
PESHAWAR.**

**Service Appeal No. 3424/2021**

BEFORE: MR. KALIM ARSHAD KHAN, ... CHAIRMAN  
MR. MIAN MUHAMMAD, ... MEMBER(E)

**Ex-Constable Zafarullah** son of Zia Ullah Jan resident of Village Mamo Khatky, Peshawar. .... (*Appellant*)

Versus

1. **Inspector General** of Police, Khyber Pakhtunkhwa, Peshawar.
2. **Capital City Police Officer**, Peshawar and
3. **Superintendent of Police Headquarters**, Peshawar.....(*Respondents*)

Mr. Zartaj Anwar, Advocate ... For appellant

Mr. Muhammad Adeel Butt, Addl. Advocate General ... For respondents.

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Date of Institution.....24.02.2021  
Date of Hearing.....05.04.2022  
Date of Decision.....05.04.2022

**JUDGEMENT**

**KALIM ARSHAD KHAN CHAIRMAN.** Vide order dated 29.12.2020, the appellant Zafarullah Ex-Constable, was dismissed from service by Respondent No.3/Superintendent of Police, Headquarters, Peshawar and his departmental appeal made to Respondent No.2/Capital City Police Officer, Peshawar, was dismissed on 09.02.2021, hence, this appeal.

2. The facts surrounding the appeal are that the appellant was constable under the respondents since 2011 and was charged in a case registered vide FIR No.782, dated 15.12.2019 under Articles 3/4 of the Prohibition (Enforcement of Hadd) Order, 1979, Police Station Charsadda; that he was arrested and ultimately released on bail; that after his release on bail, he approached the respondents for his reinstatement in service as he was placed under suspension; that trial in the case was commenced and he was acquitted by the court under Section 249-A of the

CrPC on 13.07.2020; that to his surprise, the appellant was awarded major penalty of dismissal from service vide office order dated 29.12.2020; that he filed departmental appeal on 14.01.2021 before the competent authority, which was rejected vide order dated 09.02.2021, hence, this appeal.

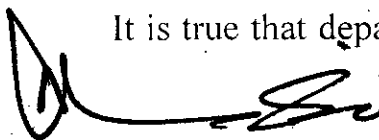
3. On receipt of appeal and its admission, the respondents were asked to submit written reply/comments within 10 days after receipt of notices but they did not file the same and sought time. They were afforded last opportunity to file the comments/reply on or before 05.04.2022, failing which their right for reply/comments was deemed as struck off by virtue of order dated 22.12.2021. Today they again failed to file the reply/comments and thus arguments of the learned counsel for the appellant and learned Additional Advocate General were heard and the available record gone through.

4. The learned counsel for the appellant submitted that after acquittal of the appellant in the criminal case registered against him, he was wrongly proceeded departmentally and was also wrongly dismissed.

5. The learned Additional Advocate General refuted the arguments and prayed for dismissal of the appeal.

6. It appears that the appellant was dismissed from service only on the ground that he was involved in a criminal case. It is to be noted here that such dismissal was made after the appellant was acquitted by the court of competent jurisdiction. The acquittal of the appellant was not considered by the department and despite prior acquittal, he was awarded the major penalty of dismissal from service. The respondents did not give any weight to the acquittal order passed by the court of competent jurisdiction, inasmuch as there is no other charge against the appellant.

It is true that departmental and criminal proceedings can run simultaneously but it

 06/09/2022

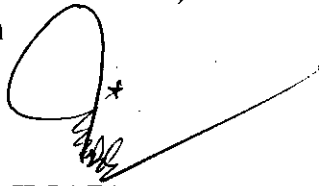
is equally true that except involvement of the appellant in a criminal case, there is no other allegation or charge against him so that we could infer that the appellant was rightly awarded punishment. Mere involvement in a criminal case was no ground to pass any order of punishment against the appellant especially when none of the charges were proved either in the criminal proceedings. Therefore, in absence of convincing proof of allegations made against the appellant, order of dismissal from service, was not sustainable.

7. In the circumstances, the penalty imposed upon the appellant is unwarranted and on acceptance of this appeal, the impugned order dated 29.12.2020 and appellate order dated 09.02.2021 are set aside. The appellant is reinstated in the service with consequential benefits. The period of his absence shall be treated as leave of the kind due. Costs to follow the event. Consign.

8. *Pronounced in open court at Peshawar and given under our hands and seal of the Tribunal this 05<sup>th</sup> day of April, 2022.*



  
(KALIM ARSHAD KHAN)  
Chairman

  
(MIAN MUHAMMAD)  
Member (E)

05<sup>th</sup> April, 2022

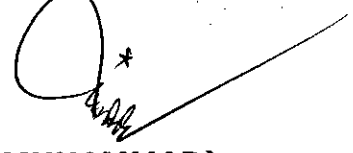
Learned counsel for the appellant present. Mr. Muhammad Adeel Butt, Addl. AG for the respondents present. Arguments heard and record perused.

Vide our detailed judgment of today, containing 03 pages, on acceptance of the appeal, the impugned order dated 29.12.2020 and appellate order dated 09.02.2021 are set aside. The appellant is reinstated in the service with consequential benefits. The period of his absence shall be treated as leave of the kind due. Costs to follow the event. Consign.

3. *Pronounced in open court in Peshawar and given under our hands and seal of the Tribunal this 05<sup>th</sup> day of April, 2022.*



**(KALIM ARSHAD KHAN)**  
Chairman



**(MIAN MUHAMMAD)**  
Member (E)

22.12.2021

Counsel for the appellant and Mr. Muhammad Adeel Butt, Addl. AG alongwith Muhammad Raziq, H.C for the respondents present.

The respondents have not furnished reply/ comments and seek further time. Let the respondents be afforded with last opportunity with the warning that in case they fail to submit the written reply/comments on or before next date, their right for reply/comments shall be deemed as struck off by virtue of this order. Case to come up for arguments on 05.04.022 before the D.B.

  
Chairman

**Zafar Ullah, 3424/2021**

02.09.2021

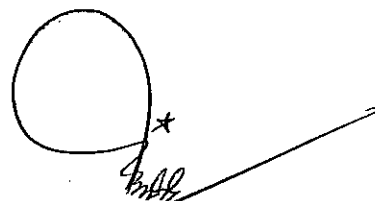
Counsel for the appellant present. Preliminary arguments heard.

Learned counsel for the appellant argued that the appellant was awarded the major penalty of "dismissal from service" vide impugned order dated 29.12.2020 against which he preferred departmental appeal. His departmental appeal also met the same fate and rejected by the appellate Authority vide his order dated 09.02.2021, hence, the instant service appeal before the Service Tribunal submitted on 24.02.2021. Learned counsel for the appellant contended that the appellant was nominated in FIR No. 782 dated 15.12.2019 for criminal charges. The appellant has been condemned unheard as no proper charge sheet or statement of allegations issued to him or proper enquiry proceedings adopted against him. He therefore, requested that the ends of justice have not been met the service appeal may therefore, be allowed with reinstatement of the appellant in service with all back benefits.

Points raised need consideration. The appeal is admitted to regular hearing, subject to all just and 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 submission of written reply/comments in office within 10 days after receipt of notices, positively. If the written reply/comments are not submitted within the stipulated time or extension of time is not sought, the office shall submit the file with a report of non-compliance. File to come up for arguments on 22.12.2021 before the D.B.

Appellant Deposited  
Security & Process Fee

13/9/21

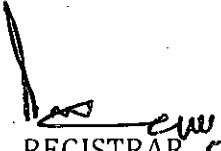


  
(Mian Muhammad)  
Member(E)

Form- A

### FORM OF ORDER SHEET

Court of \_\_\_\_\_

Case No. - 3424 /2021

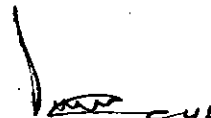
S.No.	Date of order proceedings	Order or other proceedings with signature of judge
1	2	3
1-	05/03/2021	<p>The appeal of Mr. Zafarullah resubmitted today by Mr. Zartaj Anwar Advocate may be entered in the Institution Register and put up to the Worthy Chairman for proper order please.</p> <p style="text-align: right;"> REGISTRAR 5/3/2021</p> <p>This case is entrusted to S. Bench for preliminary hearing to be put up there on <u>21/05/21</u></p> <p style="text-align: right;"> CHAIRMAN</p>
21.05.2021		<p>Due to demise of the Worthy Chairman the Tribunal is defunct, therefore, case is adjourned to 02.09.2021 for the same as before.</p> <p style="text-align: right;"> Reader</p>

The appeal of Mr. Zafar Ullah son of Zia Ullah Jan village Mamo Khatky Peshawar received today i.e. on 24/02/2021 is incomplete on the following score which is returned to the counsel for the appellant for completion and resubmission within 15 days.

The authority whose order is challenged has not been arrayed/made a party.

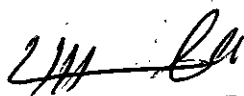
No. 395 /S.T,

Dt. 24/02 /2021

  
REGISTRAR -  
SERVICE TRIBUNAL  
KHYBER PAKHTUNKHWA  
PESHAWAR.

Mr. Zartaj Anwar Adv. Peshawar.

Sir  
Re Submission of files completion  
Please Note in the case

  
Adeel  
11/3/2021



**BEFORE THE KHYBER PAKHTUNKHWA  
SERVICE TRIBUNAL PESHAWAR**

Appeal No. \_\_\_\_\_/2021

Ex Constable Zafar Ullah S/o Zia Ullah Jan R/o Village  
Mamo Khatky Peshawar

(Appellant)

**VERSUS**

Inspector General of Police Khyber Pakhtunkhwa Peshawar &  
Others.


(Respondent)

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3	Copy of the order dated 03.01.2020	B	6
4	Copy of the order & Judgment dated 13.07.2020	C	7- 9
5	Copy of the dismissal order dated 29.12.2020	D	10
6	Copy of the departmental appeal & Rejection order dated 09.02.2021	E & F	11- 14
7	Other Documents		15
8	Vakalatnama		16

Appellant

Through

  
**ZARTAJ ANWAR**  
Advocate High Court  
Office FR , 3, Forth  
Floor Bilour Plaza  
Peshawar Cantt.

Cell: 0331-9399185

Email: [Zartaj9@yahoo.com](mailto:Zartaj9@yahoo.com)

**BEFORE THE KHYBER PAKHTUNKHWA  
SERVICE TRIBUNAL PESHAWAR**

Khyber Pakhtunkhwa  
Service Tribunal

3424  
Appeal No. \_\_\_\_\_/2021

Diary No. 3146

Dated 24/2/2021

Ex Constable Zafar Ullah S/o Zia Ullah Jan R/o Village  
Mamo Khatky Peshawar.

(Appellant)

**VERSUS**

1. Inspector General of Police Khyber Pakhtunkhwa Peshawar.
2. Capital City Police Officer Peshawar.
3. Superintendent of Police Headquarters, Peshawar.

(Respondents)

Appeal under Section 4 of the Khyber Pakhtunkhwa Service Tribunal Act, 1974, against the impugned Order dated 29.12.2020, whereby the appellant was awarded major penalty of "Dismissal from Service", and against which the departmental appeal was filed before the competent authority which was also rejected/turn down vide order dated 09.02.2021.

Prayer in Appeal: -

**Filed to-day**

*[Signature]*  
Registrar  
24/2/2021

Re-submitted to -day  
and filed.

*[Signature]*  
Registrar

5/3/2021 Respectfully Submitted:

On acceptance of this appeal the impugned orders dated 29.12.2020 and 09.02.2021 may please be set aside, and the appellant may graciously be re-instated into service with all back benefits.

1. That the appellant is the law abiding citizen and permanent resident of Village Mamo Khatkay P.O Shabqadr Tehsil and district Peshawar. *(Copy of the CNIC is attached as annexure A)*

2. That the appellant was initially enlisted as constable in the police department in the year of 2011 and since then the appellant performed his duties with great zeal and devotion without any complaint whatsoever regarding his performance.
3. That the appellant was malafidely charged in the FIR no 782 under section 3/ 4 P.O dated 15.12.2019, Police Station Charsaada. The appellant was also arrested on the same day i.e. 15.12.2019.
4. That on the same day when the FIR was lodge the appellant was arrested by the police, the appellant approached to the concerned court for his release on bail till the final disposal of the case, which was accepted on 20.12.2019, the appellant was release on bail till the final disposal of the case.
5. That soon after his release on bail the appellant approached to the respondent department to reinstate him but vide order dated 03.01.2020 the appellant was placed under suspension by the respondent department. *(Copy of the order dated 03.01.2020 is attached as annexure B).*
6. That the trial was commenced and the appellant was Honourably acquitted U/S 249-A by the Learned Judicial Magistrate-I Charsadda from the charges leveled against the appellant vide order & Judgment dated 13.07.2020. *(Copy of the order & Judgment dated 13.07.2020 is attached as annexure C).*
7. That without adopting the proper procedure provided under the law, astonishingly the appellant was awarded the major penalty of "Dismissal from Service" vide impugned office order dated 29.12.2020. *(Copy of the dismissal order dated 29.12.2020 is attached as annexure D).*
8. That feeling aggrieved from the illegal order of the respondents, the appellant filed a departmental appeal against the impugned order, on 14.01.2021, before the competent authority which was also rejected/struck down vide office order dated 09.02.2021. *(Copy of the departmental appeal & Rejection order dated 09.02.2021 are attached as annexure E & F).*

9. That the appellant prays for the acceptance of the instant appeal inter alia on the following grounds:-

**GROUND OF APPEAL:**

- A. That the Appellant has not been treated in accordance with law and rules hence his rights secured and guaranteed under the law are badly violated.
- B. That the appellant have not been provided proper opportunity of personal hearing thus he has been condemned unheard.
- C. That the petitioner was awarded major penalty of "Dismissal from Service" on the basis of FIR which was lodge against the appellant malafidely and after that the petitioner has been honourably acquitted by the competent court of law and hence entitled for reinstatement in service with all back benefits.
- D. That the without adopting the proper procedure provided by law, the appellant was awarded the major penalty "Dismissal from service" is illegal, unlawful and against the law.
- E. That the charge leveled against the appellant was not proved and on the basis of that the appellant was acquitted under section 249A Crpc. Which clearly shows that the appellant was malafidely charged in the FIR.
- F. That soon after his release on bail the appellant approached to the respondent department to reinstate him but vide order dated 03.01.2020 the appellant was placed under suspension by the respondent department
- G. That the respondents are not reinstating the appellant and become a pendulum between the respondents who are sending the petitioner from one office to another office.
- H. That the petitioner is young and energetic and wants to serve his department.
- I. That the petitioner is jobless since his termination order.

- J. That the Appellant seeks permission of this Honourable Tribunal to rely on additional grounds at the time of hearing of the appeal.

It is, therefore, humbly prayed that on acceptance of this appeal the impugned orders dated 29.12.2020 and 09.02.2021 may please be set aside, and the appellant may graciously be re-instated into service with all back benefits.

*Zafar Ullah*  
Appellant

Through

*Zartaj Anwar*

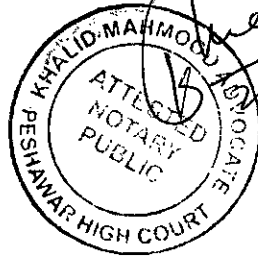
**ZARTAJ ANWAR**  
Advocate Peshawar

*Imran Khan*

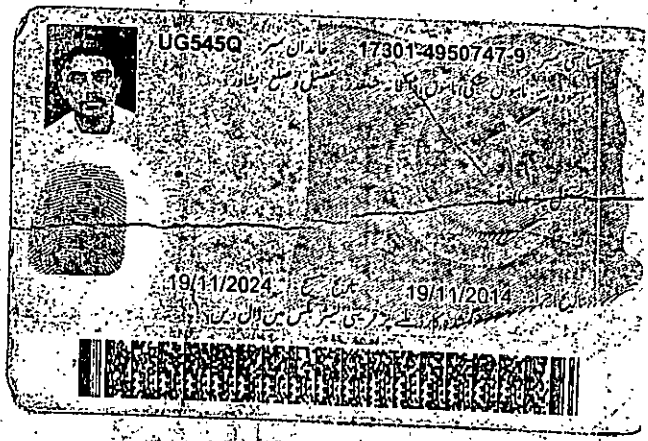
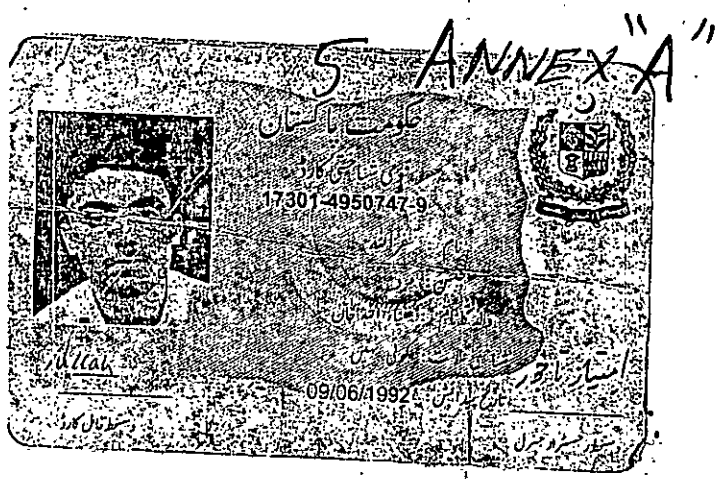
**IMRAN KHAN**  
Advocate Peshawar

**AFFIDAVIT**

I, Zafar Ullah S/o Zia Ullah Jan R/o Village Mamo Khatky Peshawar, do hereby solemnly affirm and declare on oath that the contents of the above noted appeal are true and correct to the best of my knowledge and belief and that nothing has been kept back or concealed from this Honourable Tribunal.



*Zafar Ullah*  
Deponent



*[Handwritten signature]*

**ATTESTED**

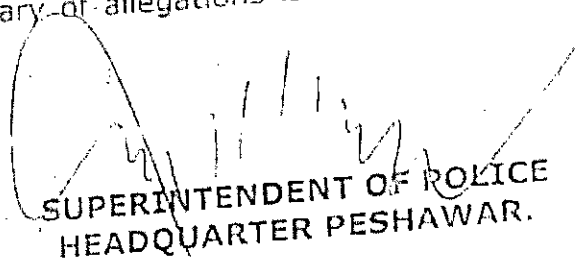
6

ANNEX "B"

ORDER

Constable Zafar Ullah No.5542 of Capital City Police Peshawar while posted at Police Lines, Peshawar is hereby placed under suspension & closed to Police Lines with immediate effect due to involvement in a criminal case vide FIR No.782 dated 15.12.2019 u/s 3/4-PO PS Shabqadar (Charsadda).

Charge sheet & summary of allegations is being issued to him separately.

  
SUPERINTENDENT OF POLICE  
HEADQUARTER PESHAWAR.

O.B No 45  
Dated 31/01/2020

No. 23 - 29 /PA/SP/H.Qrs: dated Peshawar, the 3/1/2020

Copy to:

1. The Capital City Police Officer, Peshawar
2. The SSP Operations, Peshawar
3. DSP H.Qrs: Peshawar.
4. Pay Officer.
5. CRC 6.OASI.
- 7.FMC 8. Official concerned.

  
**ATTESTED**

بعدالت جناب جمیل فقیر صاحب سول-1 Aaina "C"

مقدمہ نمبر 32 اصل رجوع 13/7/20 فیصلہ 13/7/20 (32)

بتکم سرکار دہ خیر ظفر اللہ  
7 تفصیل

(2)

Order-01  
13.07.2020

رہنڈس سرکار سٹیٹ ہاؤس رینڈس ہاؤس

32

13

رہنڈس ہاؤس رینڈس ہاؤس

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23 07

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ہوئے کہ مثل ہذا اکل (32) قطعات پر مشتمل داخل دفتر ہوئے

record that alleged occurrence took place at Hajizai check post. which is a busy road, but no independent witness has been associated with the process of recovery. which is clear violation of section, 103 Cr.PC. There is nothing on record to show that the house where from the recovery was affected was the ownership of the accused. The site plan has not shown on the case file it seems that the complainant just want to show and efficiency to his

**ATTESTED**

Magister  
Court, District Branch  
Magistrate's Judge





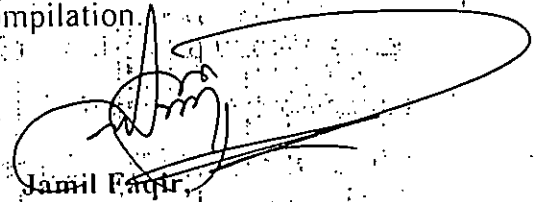
progress. The complainant has himself carried out the investigation which in violation to basic principal of police rules. These facts leads to the presumption that the accused might have been associated falsely with the commission of the offence by the complainant just to show his efficiency and progress to the high ups.

3

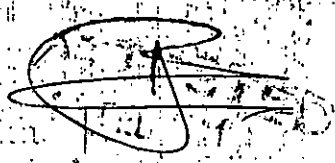
It is settled that in criminal cases accused can only be convicted when the prosecution proves its case either by direct evidence or by unbroken chain of circumstantial evidence beyond any shadow of reasonable doubt. It is established that the prosecution case is prey to many doubts and dents. As regard the aforementioned discussion, there is no probability of the conviction of the accused facing trial even if the entire prosecution evidence is produced and recorded. Therefore, with the above findings and observations the accused facing trial is acquitted of the charges leveled against them u/s 249-A Cr.PC. They are on bail, therefore, their sureties are discharged from the liabilities of bonds. Case property be disposed off in accordance with law.

File be consigned to Record Room after its necessary completion and compilation.

Announced  
13.07.2020



Jamil Faqir,  
Judicial Magistrate-I,  
Charsadda




**ATTESTED**

01210

1227 - 13/7/20  
8

IN THE COURT OF JAMIL FAQIR  
CIVIL JUDGE/IM-1, SHABQADAR

State vs Zafarullah etc.

In case FIR No.782 dated 15.12.2019 u/s 3/4 PO Police  
Station Shabqadar.

Order-01  
13.07.2020

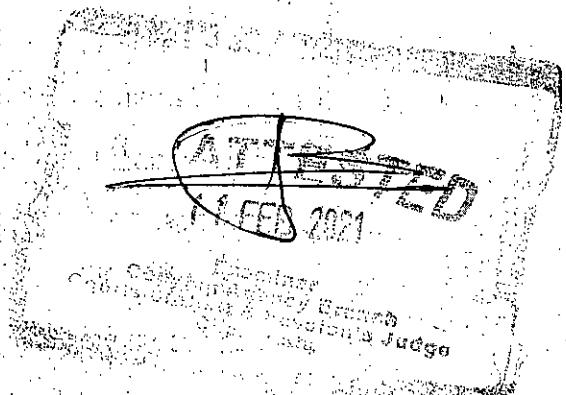
Complete challan u/s 173 Cr.PC submitted by the  
prosecution against the accused. APP for the State  
present.

Brief facts of the case are that on 15.12.2019 at  
17:00 hours complainant of the case Bahadar Khan ASI  
along with other police officials were present on  
naqabandi wherein a motorcar ALTO bearing No.  
LRP6572 was coming from Peshawar and was stopped  
for the purpose of checking and the driver has disclosed  
his name as Zafarullah s/o Ziaullah r/o Mamo Hatakay  
and three other co-accused on his checking beneath the  
seat of motorcar was recovered 03 bottles liquer and the  
accused was charged for the commission of offence.

Record reveals that the recovery was not affected  
from the direct possession of the accused. Both the  
witnesses to the recovery memo are police official and  
subordinate to the complainant. It also apparent from the  
record that alleged occurrence took place at Hajizai check  
post, which is a busy road, but no independent witness  
has been associated with the process of recovery, which  
is clear violation of section, 103 Cr.PC. There is nothing  
on record to show that the house where from the recovery  
was affected was the ownership of the accused. The site  
plan has not shown on the case file it seems that the  
complainant just want to show and efficiency to his

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22  
3/12/19  
13/7/20  
13/7/20

**ATTESTED**



ALBERT

**ORDER**

10 *APPROVED* D

This office order relates to the disposal of formal departmental enquiry against Constable Zafar No.5542 of Capital City Police Peshawar on the allegations that he while posted at Police Lines, Peshawar involved in criminal case vide FIR No.782 dated 15.12.2019 u/s 3/4-PO PS Shabqadar (Charsadda).

In this regard, he was placed under suspension & issued charge sheet & summary of allegation. SDPO Gulbahar was appointed as E.O. He conducted the enquiry & submitted his report/findings that the alleged official has exhibited unprofessional attitude and misconduct on courts cited above. The E.O further recommended major punishment for defaulter official vide Enquiry Report No.14/PA dated 29.12.2020.

In the light of recommendations of E.O & other material available on record, the undersigned came to conclusion that the alleged official found guilty being involved in criminal case. He is therefore dismissed from service under Police & Disciplinary Rules-1975 with immediate effect.

  
**SUPERINTENDENT OF POLICE  
HEADQUARTERS, PESHAWAR**

OB. NO. 3544 / Dated 29/12 /2020

No. 6413-18 /PA/SP/dated Peshawar the 29/12 /2020

Copy of above is forwarded for information & n/action to:

- ✓ Capital City Police Officer, Peshawar.
- ✓ DSP/HQrs, Peshawar.
- ✓ Pay Office, OASI,
- ✓ CRC & FMC along-with complete departmental file.

  
**ATTESTED**

کتابت فی س.س.ف حکم نویسی

Approved E

11

کتابت

Re-estate / رزقوات عباد

قرائن سے من ماطل ہو۔ حوالہ فقہ مدائست صدر

صدر 132 جس کا رزق سے من ماطل نہ  
2020

مقدم / رزق 782 صدر 15<sup>1/2</sup> 2020  
2020

3/4 P نہ بقدر جاریہ ہر کدہا

نہ بچاؤ فی 59 H ل نہ من ماطل

نہ مدد سے ہر فائیت

جدا مال

سائل جب دہر عر حرامانے

رہبر من ماطل نہ 11 اصل

کتابت نویسی میں قوت سمرانی دہر عر

اس سے قوت لایا ہوا

ATTESTED

میرزا محمد صاحب کو مادی طور پر ۴ لاکھ روپے میں

تازہ دھن لکھا گیا تھا

میرزا محمد صاحب کو تازہ دھن سے مزید مال کی افواہیں

کالعدم ترقی میں سے عدالت حضور سے

فیصلہ سے ان کو اجازت نہیں لکھا گیا

میرزا محمد صاحب سے مزید مال کو مسترد کر دیا

سپر انرجی سے (مسترد کر دیا)

میرزا محمد صاحب کو ۳۱ لاکھ روپے

OB No 3544/05

۲۹/۱۲/۲۰۰۵ میں مال کو عدالت سے مسترد کر دیا گیا

میرزا محمد صاحب کے ساتھ میں کوئی بھی عرق فائل

ترقیوں میں عدالت نہیں دیا

ATTESTED



بدر

13

میرزا محمد علی صاحب صاحبی کا فوارہ

لاہور کا کتب خانہ

رہنما لائبریری

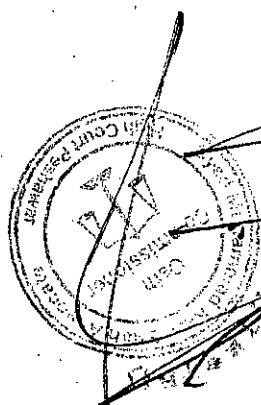
17301495747

5542 طفیل الرحمن صاحبی  
دہلی ضلع

مستند سند

03340120006

بازار



ATTESTED

19/7/2



14  
Amir F

**OFFICE OF THE  
CAPITAL CITY POLICE OFFICER  
PESHAWAR**

Phone No. 091-9210989  
Fax No. 091-9212597

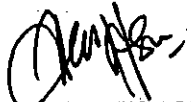
**ORDER**

This order will dispose of departmental appeal preferred by Ex Constable Zafar Ullah No.5542 who was awarded the major punishment of "Dismissal from service" under PR-1975 by SP HQ: Peshawar vide OB No.3544, dated 29-12-2020.

2- The allegations leveled against him were that he while posted at Police Lines Peshawar involved in a criminal case vide FIR No. 782, dated 15.12.2019 u/s 3/4-PO PS Shabqader District Charssada.

3- He was issued proper Charge Sheet and Summary of Allegations by SP HQ: Peshawar and DSP/Gulbahar Peshawar was appointed as enquiry officer to scrutinize the conduct of the official. The enquiry officer in his findings recommended him for major punishment. The competent authority after perusal of the findings of the enquiry officer awarded him the above major punishment.

4- He was heard in person in O.R. and the relevant record along with his explanation perused. He was given ample opportunity to defend himself but he could not produce any plausible explanation. Therefore his appeal for setting aside the punishment awarded to him by SP HQ: Peshawar vide OB.No.3544, dated 29-12-2020 is hereby rejected/ filed.

  
(ABBAS AHSAN) PSP  
CAPITAL CITY POLICE OFFICER,  
PESHAWAR

No. 344-39 /PA dated Peshawar the 09-02 - 2021

Copies for information and n/a to the:-

1. SP/HQ Peshawar
2. OASI/ PO/CRC
3. FMC along with Fouji Missal.
4. Official concerned.

  
**ATTESTED**



Sunday

1

29 Zil Haj  
18 Bhadon

M	T	W	T	F	S	S	M	T	W	T	F	S	S
					1	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						

SEPTEMBER  
2019

Week 35:244-121

08.00

09.00

10.00

11.00

12.00

01.00

02.00

03.00

04.00

05.00

06.00

میں نے اپنے دوستوں کو ان سے لود میں جو  
 کارروائی ان کے ذریعے کرتے ہوئے ہو کر جو لوگ وہاں  
 گئے اور وہ یہ کہ تم بھی ان کے ساتھ متامل ہو میں یہ نہیں  
 ان کو یہ کہ میں جو لوگ نہیں ہیں اور جو یہ الزام لگا  
 کر اٹھا نہیں ہے میں اسرار مالات سے شہادت دے گا میں ہر وہ  
 کا جو عذر ہو کہ میں نے سزا کی اور ناصحہ FIR فر دالا  
 وہیں سے کارروائی میں صرف کی ہے ~~میں نے صرف اور صرف~~  
 کے سبب یہ کہ میں اسرار سے التجا کروا  
 ہوں کہ ان کے والدین اور اصل دستوں کا رد میں لکھتا ہوں  
 تار میں لکھتا ہوں اور جو وہ اور اس کے ساتھ  
 دے لیا گیا۔ تمام کے ساتھ ساتھ۔

Important

ATTESTED

ATTESTED

**POWER OF ATTORNEY**

In the Court of

*Khyber Pakhtunkhwa Service Tribunal Peshawar*

*Zartaj Anwar*

} For  
} Plaintiff  
} Appellant  
} Petitioner  
} Complainant

**VERSUS**

*I.G. P. O. / etc.*

} Defendant  
} Respondent  
} Accused  
}

Appeal/Revision/Suit/Application/Petition/Case No. \_\_\_\_\_ of \_\_\_\_\_  
Fixed for \_\_\_\_\_

I/W, the undersigned, do hereby nominate and appoint

**ZARAJ ANWAR & IMRAN KHAN ADVOCATES**, my true and lawful attorney, for me in my same and on my behalf to appear at \_\_\_\_\_ to appear, plead, act and answer in the above Court or any Court to which the business is transferred in the above matter and is agreed to sign and file petitions. An appeal, statements, accounts, exhibits. Compromises or other documents whatsoever, in connection with the said matter or any matter arising there from and also to apply for and receive all documents or copies of documents, depositions etc, and to apply for and issue summons and other writs or sub-pocna and to apply for and get issued and arrest, attachment or other executions, warrants or order and to conduct any proceeding that may arise there out; and to apply for and receive payment of any or all sums or submit for the above matter to arbitration, and to employ any other Legal Practitioner authorizing him to exercise the power and authorizes hereby conferred on the Advocate wherever he may think fit to do so, any other lawyer may be appointed by my said counsel to conduct the case who shall have the same powers.

**AND** to all acts legally necessary to manage and conduct the said case in all respects, whether herein specified or not, as may be proper and expedient.

**AND** I/we hereby agree to ratify and confirm all lawful acts done on my/our behalf under or by virtue of this power or of the usual practice in such matter.

**PROVIDED** always, that I/we undertake at time of calling of the case by the Court/my authorized agent shall inform the Advocate and make him appear in Court, if the case may be dismissed in default, if it be proceeded ex-parte the said counsel shall not be held responsible for the same. All costs awarded in favour shall be the right of the counsel or his nominee, and if awarded against shall be payable by me/us

**IN WITNESS** whereof I/we have hereto signed at \_\_\_\_\_  
the \_\_\_\_\_ day to \_\_\_\_\_ the year *Amran*  
Executant/Executants \_\_\_\_\_  
Accepted subject to the terms regarding fee \_\_\_\_\_

*Im. Khan*  
**IMRAN KHAN**  
Advocate High Court  
Mob. 0345-9090648

*Zartaj Anwar*  
**ZARAJ ANWAR**  
Advocate High Courts  
ADVOCATES, LEGAL ADVISORS, SERVICE & LABOUR LAW CONSULTANT  
FR-3, Fourth Floor, Bilour Plaza, Saddar Road, Peshawar Cantt  
Mobile-0331-9399185  
BC-10-9851  
CNIC: 17301-1610454-5



**"B"**

**KHYBER PAKHTUNKHWA SERVICE TRIBUNAL, PESHAWAR.**  
JUDICIAL COMPLEX (OLD), KHYBER ROAD, PESHAWAR.

No.

Appeal No. 524 of 20 21  
Zafar ulloh Appellant/Petitioner

I. G. P. KPK Peshawar Respondent

Respondent No. 3

Notice to: Superintendent of Police Head Quarters Peshawar

WHEREAS an appeal/petition under the provision of the Khyber Pakhtunkhwa Province Service Tribunal Act, 1974, has been presented/registered for consideration, in the above case by the petitioner in this Court and notice has been ordered to issue. You are hereby informed that the said appeal/petition is fixed for hearing before the Tribunal \*on 30/11/21 at 8.00 A.M. If you wish to urge anything against the appellant/petitioner you are at liberty to do so on the date fixed, or any other day to which the case may be postponed either in person or by authorised representative or by any Advocate, duly supported by your power of Attorney. You are, therefore, required to file in this Court at least seven days before the date of hearing 4 copies of written statement alongwith any other documents upon which you rely. Please also take notice that in default of your appearance on the date fixed and in the manner aforementioned, the appeal/petition will be heard and decided in your absence.

Notice of any alteration in the date fixed for hearing of this appeal/petition will be given to you by registered post. You should inform the Registrar of any change in your address. If you fail to furnish such address your address contained in this notice which the address given in the appeal/petition will be deemed to be your correct address, and further notice posted to this address by registered post will be deemed sufficient for the purpose of this appeal/petition.

Copy of appeal is attached. ~~Copy of appeal has already been sent to you vide this office Notice No. .... dated .....~~

Given under my hand and the seal of this Court, at Peshawar this 20th Day of Oct 20 21

*for Reply Received 10/11/21*

*[Signature]*  
Registrar,  
Khyber Pakhtunkhwa Service Tribunal,  
Peshawar.

Note: 1. The hours of attendance in the court are the same that of the High Court except Sunday and Gazetted Holidays.  
2. Always quote Case No. While making any correspondence.

“B”

KHYBER PAKHTUNKHWA SERVICE TRIBUNAL, PESHAWAR.  
JUDICIAL COMPLEX (OLD), KHYBER ROAD,  
PESHAWAR.

No.

Appeal No..... 3424 ..... of 20 21

..... Zafarullah ..... Appellant/Petitioner

Versus

Inspector General of Police KPK ..... Respondent

Respondent No..... 1 .....

Notice to: —

Inspector General of Police KPK Peshawar

WHEREAS an appeal/petition under the provision of the Khyber Pakhtunkhwa Province Service Tribunal Act, 1974, has been presented/registered for consideration, in the above case by the petitioner in this Court and notice has been ordered to issue. You are hereby informed that the said appeal/petition is fixed for hearing before the Tribunal \*on..... 27/12/21 ..... at 8.00 A.M. If you wish to urge anything against the appellant/petitioner you are at liberty to do so on the date fixed, or any other day to which the case may be postponed either in person or by authorised representative or by any Advocate, duly supported by your power of Attorney. You are, therefore, required to file in this Court at least seven days before the date of hearing 4 copies of written statement alongwith any other documents upon which you rely. Please also take notice that in default of your appearance on the date fixed and in the manner aforementioned, the appeal/petition will be heard and decided in your absence.

Notice of any alteration in the date fixed for hearing of this appeal/petition will be given to you by registered post. You should inform the Registrar of any change in your address. If you fail to furnish such address your address contained in this notice which the address given in the appeal/petition will be deemed to be your correct address, and further notice posted to this address by registered post will be deemed sufficient for the purpose of this appeal/petition.

Copy of appeal is attached. Copy of appeal has already been sent to you vide this office Notice No..... dated.....

Given under my hand and the seal of this Court, at Peshawar this..... 20/10/21 .....

Day of..... OCT ..... 20 21

(For Reply)

Registrar

Khyber Pakhtunkhwa Service Tribunal,  
Peshawar.

Note: 1. The hours of attendance in the court are the same that of the High Court except Sunday and Gazetted Holidays.  
2. Always quote Case No. While making any correspondence.





**KHYBER PAKHTUNKHWA  
SERVICE TRIBUNAL, PESHAWAR**

No. 906 /ST

Dated: 13-4- /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 Superintendent of Police Headquarters,  
Government of Khyber Pakhtunkhwa  
Peshawar.

Subject: JUDGMENT IN APPEAL NO. 3424/2021 MR. ZAFAR ULLAH.

I am directed to forward herewith a certified copy of Judgement dated 05.04.2022 passed by this Tribunal on the above subject for strict compliance.

Encl: As above



REGISTRAR,  
KHYBER PAKHTUNKHWA  
SERVICE TRIBUNAL  
PESHAWAR