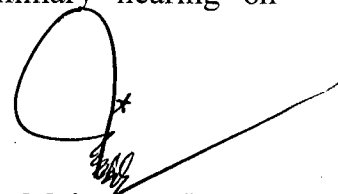


19.07.2022

Learned counsel for the appellant present and requested for adjournment on the ground that he has not gone through the record. Adjourned. To come up for preliminary hearing on 08.09.2022 before S.B.



(Mian Muhammad)
Member (E)

19/7/22

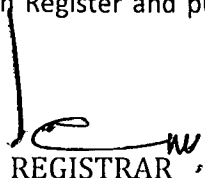

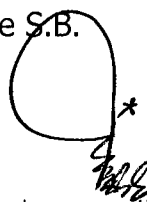
19

Form- A

FORM OF ORDER SHEET

Court of _____

Case No.- 799/2022

S.No.	Date of order proceedings	Order or other proceedings with signature of judge
1	2	3
1-	16/05/2022	<p>The appeal of Mr. Imran resubmitted today by Mr. Muhammad Irshad Advocate may be entered in the Institution Register and put up to the Worthy Chairman for proper order please.</p> <p> REGISTRAR</p>
2-	<p>23/5/22</p>	<p>This case is entrusted to Single Bench at Peshawar for preliminary hearing to be put there on <u>26.5.22</u>. Notices be issued to appellant and his counsel for the date fixed.</p> <p> CHAIRMAN</p>
	26.05.2022	<p>Learned counsel for the appellant present and requested for adjournment on the ground that he has not gone through the record. Adjourned. To come up for preliminary hearing on <u>10.07.2022</u> before S.B.</p> <p> (Mian Muhammad) Member (E)</p>

Date of institution: 31-3-2022

Appellant has impugned two separate orders against different cause of action i.e. forfeiture of five years service and transfer order. Therefore, the appeal is returned to the counsel for the appellant with the observations that the appellant is required to file two separate service appeals against each order under section-4 and 6 of Service Tribunal Act/rules 1974 and also removing the following deficiencies in the present appeal.

- 1- Copy of charge sheet, statement of allegation, enquiry report and replies thereto are not attached with the appeal which may be placed on it.
- 2- Copy of departmental appeal which was decided on 24-04-2018 is not attached with the appeal which may be placed on it.
- 3- Copy of impugned transfer order is not attached with the appeal which may be placed on it.
- 4- Copy of departmental appeal against the impugned transfer order and its rejection order are not attached with the appeal which may be placed on it.
- 5- Copy of page no. 15 of the appeal is illegible which may be replaced by legible/better one.

No. 847 /S.T,

Dt. 5-4- /2022.


REGISTRAR
SERVICE TRIBUNAL
KHYBER PAKHTUNKHWA
PESHAWAR.

Mr. Muhammad Irshad Adv. Pesh.


Respected Sir,

The objections levelled has been resolved and separate appeal is again drafted and transfer appeal is ^{deleted} drafted and for service file petitioner approached the D.P.O. concern and was not responded then application was filed before U.P. Information which is yet to be responded, so the present appeal before your honor.

Respected Sir, further that departmental appeal is also on

service file and not provided for which application has already been filed before the concern officials

M. 
Adv Mardan

M. 

KHYBER PAKHTUNKHWA SERVICES TRIBUNAL, PESHAWAR

CHECK LIST

Imran

Versus

The IGP & Others

..... Appellant

..... Respondents

S NO	CONTENTS	YES	NO
1.	This petition has been presented by: <u>M- Irshad Advocate High Court</u>	√	
2.	Whether Counsel/Appellant/Respondent/Deponent have signed the requisite documents?	√	
3.	Whether appeal is within time?	√	
4.	Whether the enactment under which the appeal is filed mentioned?	√	
5.	Whether the enactment under which the appeal is filed is correct?	√	
6.	Whether affidavit is appended?	√	
7.	Whether affidavit is duly attested by competent Oath Commissioner?	√	
8.	Whether appeal/annexures are properly paged?	√	
9.	Whether certificate regarding filing any earlier appeal on the subject, furnished?	√	
10.	Whether annexures are legible?	√	
11.	Whether annexures are attested?		
12.	Whether copies of annexures are readable/clear?	√	
13.	Whether copy of appeal is delivered to AG/DAG?	√	
14.	Whether Power of Attorney of the Counsel engaged is attested and signed by petitioner/appellant/respondents?	√	
15.	Whether numbers of referred cases given are correct?	√	
16.	Whether appeal contains cutting/overwriting?	x	
17.	Whether list of books has been provided at the end of the appeal?	√	
18.	Whether case relate to this court?	√	
19.	Whether requisite number of spare copies attached?	√	
20.	Whether complete spare copy is filed in separate file cover?	√	
21.	Whether addresses of parties given are complete?	√	
22.	Whether index filed?	√	
23.	Whether index is correct?	√	
24.	Whether Security and Process Fee deposited? On _____		
25.	Whether in view of Khyber Pakhtunkhwa Service Tribunal Rules 1974 Rule 11, notice along with copy of appeal and annexures has been sent to respondents? On _____	√	
26.	Whether copies of comments/reply/rejoinder submitted? On _____		
27.	Whether copies of comments/reply/rejoinder provided to opposite party? On _____		

It is certified that formalities/documentation as required in the above table have been fulfilled.

Name:- M. IRSHAD

Signature:- M. Irshad

Dated:- 31-03-2022

BEFORE THE HONORABLE SERVICE TRIBUNAL PESHAWAR

C.M.A No _____ 2022

IN

Service appeal No 799/2022

Imran VS The Inspector General KPK & OTHERS

INDEX

SERIAL NO	DESCRIPTION	ANNEXURES	PAGES
1	C M Application		1
2	Application for condonation of delay		2
3	Affidavit		3

*Put up to the court with
relevant appeal,*

21/6/22.

Ready

Through counsel

Petitioner



MUHAMMAD IRSHAD

ADVOCATE HIGH COURT at
DISTRICT COURTS MARDAN

CELL # 03438567931

mirshadhumeraz@gmail.com

①

BEFORE THE HONORABLE SERVICE TRIBUNAL PESHAWAR

C.M.A No _____ 2022

IN

Service appeal No 799/2022

**Khyber Pakhtunkhwa
Service Tribunal**

Diary No. 373

Dated 21-6-2022

Imran VS the Inspector General KPK & OTHERS

Service appeal

Respectfully sir,

1. That the above cited appeal is pending before this honorable court in which next date of hearing is fixed as 19/07/2022.
2. That the petitioner request to place on file the application for condonation of delay on main file / appeal pending before this honorable court.

It is therefore requested and prayed that on acceptance of instant application, this honorable court may be pleased to allow the appellant to place on file the condonation of delay application in main suit/appeal.

Dated 07/06 /2022

Through counsel

Petitioner/appellant



MUHAMMAD IRSHAD

**ADVOCATE HIGH COURT at
DISTRICT COURTS MARDAN**

CELL # 03438567931

2

**BEFORE THE HONORABLE SERVICE TRIBUNAL
PESHAWAR**

C.M.A No _____ 2022

IN

Service appeal No 799/2022

Imran VS the Inspector General KPK & OTHERS

Service appeal

Application under section 5 of the limitation act 1908

Respected sir,

1. That the petitioner was without giving opportunity to represent himself and was punished by forfeiting five years approved service by the District Police Officer concerned.
2. That the petitioner / appellant moved an application for mercy which was converted into appeal by office before the RPO (Regional Police Officer) when petitioner/appellant was called to the office concerned from there he was expelled.
3. That the appellant is a constable and was afraid of high-ups' that adverse action might not be taken by them against appellant is the reason why kept himself silent till the final adjudication of trial before Judicial Magistrate Takht Bhai where appellant is acquitted.
4. That after acquittal appellant filed representation to the CPO addressing inspector General of police where the application of appellant was turned down only on the ground of limitation.
5. That the appellant delay was due to the process of court as soon as appellant was acquitted he filed the appeal and also the application for condonation of delay.

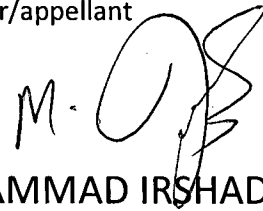
2A

6. That delay of appellant was due to these mentioned circumstances.
7. That as the appellant is a constable was kept on duty and transferred to other districts so to make him unable to file applications before the concern forums.

It is therefore humbly requested and prayed that on acceptance of instant application for condonation of delay and be the delay may kindly be condoned to appellant for appeal revision.

Petitioner/appellant

Through counsel



MUHAMMAD IRSHAD

ADVOCATE HIGH COURT at
DISTRICT COURTS MARDAN

CELL # 03438567931

BEFORE THE HONORABLE SERVICE TRIBUNAL PESHAWAR

C.M.A No _____ 2022

IN

Service appeal No 799/2022

Imran VS The Inspector General KPK & OTHERS

Service appeal

Application under section 5 of the limitation act 1908

Affidavit:-

I, Imran / the Appellant do hereby state on

Solemn affirmation that the contents of this Appeal

Are true and correct to the best of my knowledge

and belief.

Deponent:

(Imran H C)

Tariq Aziz Advocate
Oath Commissioner
No. 111 dt. 11/6/22
Oath Commissioner Dist. Courts Pesh.