

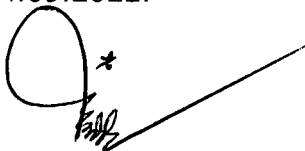


Form- A

FORM OF ORDER SHEET

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

Case No.- 952 /2022

S.No.	Date of order proceedings	Order or other proceedings with signature of judge
1	2	3
1-	24/06/2022	<p>The appeal of Mr. Imran presented 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-	4/7/22	<p>This case is entrusted to Single Bench at Peshawar for preliminary hearing to be put there on <u>13-7-22</u>. Notices be issued to appellant and his counsel for the date fixed.</p> <p> CHAIRMAN</p>
	13.07.2022	<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 before the S.B on 14.09.2022.</p> <p> (Mian Muhammad) Member (E)</p>

# Before The Service Tribunal, Peshawar

Service Appeal No. 952/2022

Imran

**Versus**

Govt of kpk & others

Appeal

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Dated 24/06/2022

Appellant

Through counsel

Muhammad irshad

Advocate

High court Peshawar

Cell# 03438567931

mirshadhumeraz@gmail.com

*Muhammad Irshad*  
Advocate High Court  
BC-09-2340  
At District Courts Mardan  
Cell: 0343-8567931

# Before The Service Tribunal, Peshawar.

Service Appeal No. 952/2022

Imran S/O Malook (IHC No. 138 (HC 203) District Police Mardan),  
Village Lund Khwar District Mardan.

.....Appellant

**Versus**

**The Government of KPK through**

1. The Inspector General of Police K.P.K Peshawar
2. The Secretary, Home Department, K.P.K Peshawar.
3. Regional Police Officer Mardan.
4. District Police Officer Mardan.

.....Respondents

Appeal under section 4 of The service Tribunal Act,1973 against the order of the IGP/Respondent No.1, vide order dated 04/02/2022 No 215/E-III Peshawar, whereby the Appellant was transferred from Mardan Region to Kohat Region without waiting for the result of the case, as the appellant has been acquitted by the court in FIR 452 dated 02/05/2017 U/S 411PPC PS Sher Garh as a result of disciplinary proceedings.

**Prayer in Appeal:-**

That the appellant may please be restored to the position prior to 21/07/2017 and transferred back to Mardan region and seniority may please be ordered in accordance with merit as appellant has did lower training prior to the date mentioned.

**Respectfully Sir,**

Appellant submits as under

1. That the Appellant was posted as HC in District Police Mardan.
2. That the appellant was malafidely charged in FIR under section 411 PPC and was suspended.
3. That the respondent no 1 in order no 215 /E-III Dated Peshawar the 04/02/2022 received to RPO Mardan no 1183-84/ES dated 10/02/2022 has transferred appellant from Mardan region to Kohat region. (Copy of order attached)
4. That Appellant was aggrieved from the order of respondent no 1 moved application before IGP which is yet to be decided by the concern authority. (copy attached)
5. That adjudicating upon the said application, the I.G.P/ Respondent No.1 was approached after decision of the learned Judicial Magistrate Takht Bhai which is to be decided. Copy of Judicial Magistrate judgment attached.
6. That the impugned order is illegal, unjustified and against the principles of naturel justice. Hence, the same is liable to be set-aside on the following amongst many other grounds:-

### **GROUND S**

- A. That the impugned order is passed as a punishment, which is not provided under the relevant rules.
- B. That the Appellant is resident of village miyan Umer seri Lund Khwar Tehsil Takht Bhai Mardan. Hence, on account of his transfer, appellant will suffer physical, mental and financial hardships.
- C. That the whole of the proceedings were carried-out in utter disregard to the relevant rules.

- D. That the Appellant is not provided the right of defense, under the law and he is condemned unheard.
- E. That Appellant seeks leave of this Honorable Tribunal to claim further grounds also.

It is prayed that on acceptances of this Appeal, the impugned order may please be set aside and the Appellant may be ordered back to his native District as before 21/07/2017. Any other remedy which this honorable court deems proper and fit may also be awarded to the appellant.

Date: - 24.06.2022

Appellant

(Imran HC)

Through:-



Muhammad Irshad

Advocate High Court

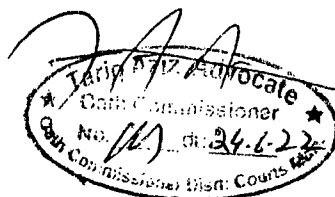
at Mardan

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)



# ANNEX 'A'

10/22, 12:11 PM



①

182.180.63.17:8000/its/print\_barcode.php?id=3223/ES

②



**OFFICE OF THE  
INSPECTOR GENERAL OF POLICE  
KHYBER PAKHTUNKHWA**  
Central Police Office, Peshawar  
Email: c3branch@gamil.com Tel: 091-9211075  
Dated Peshawar, the 24 / 02 / 2022

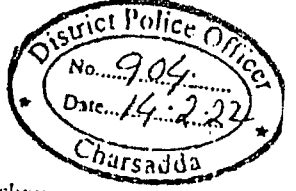
No. 215 /E-III  
**ORDER**

The following Upper/Lower Subordinates, of Mardan, Region are hereby transferred and posted to Kohat Region, with immediate effect.

1. SI Israr Muhammad No.MR/69
2. SI Inikhtar Ali No.426/MR
3. IHC Imran No.138

528  
60/2/21

- Sd-  
(Saqib Ismail Memon)rsr  
Deputy Inspector General of Police, HQrs,  
Khyber Pakhtunkhwa,  
Peshawar



EG  
3/2-2022

Handwritten notes and signatures on the left side.

Endst: No. & dated even

Copy forwarded for information and necessary action to the:-

1. Deputy Inspector General of Police, HQrs: Khyber Pakhtunkhwa, Peshawar.
2. Regional Police Officer, Mardan, Region w/r to his office letter No.5737/ES, dated 13.10.2021.
3. Regional Police Officer, Kohat, Region.

EG/DPOs Mardan/Charsadda

For information/action

(IRFAN TARIQ), PSP  
AIG/Establishment  
For Inspector General of Police  
Khyber Pakhtunkhwa,  
Peshawar

EG/OASI

For information & action

R.P.O Mardan

No. 1183-84/ES  
dt: 10-02-22



District Police Officer  
Charsadda

To

ANNEX "B"

The INSPECTOR General of

Police khyber pakhtunkhwa  
Peshawar.

Sub: Appeal against the order dated 04, 02, 2022  
No: 215/E-III,  
in which the Applicant is transferred from  
Mardan Region to Kohat Region.

Six,

- 1- That the Applicant is devoted and dutiful service man.
- 2- That the Applicant was transferred on order No: 215/E-III dated. 04, 02, 2022 from Mardan to Kohat Region.
- 3- That the Applicant is the sole caretaker of mother and his father and his family.
- 4- That applicant join the service in Kohat.
- 5- That the present situation it is very difficult to continue his service.
- 6- That the applicant may be transferred to mardan region.

it is prayed that the  
Applicant may be transferred  
to Mardan district.

ATTESTED  
M. J. S.  
To Be True Copy

IHC: Amran No: 138

village land kharwar tehsil telet  
Bhaki District Mardan.

Date: 4-3-22

6

14/5/20  
شهر سردار

ANNEX "c"



IN THE COURT OF MUHAMMAD HAROON,  
Judicial Magistrate, Takht Bhai, Mardan.

Case No.81/2 of year 2018.

Date of institution.....08.3.2018.  
Date of Decision.....09.3.2020

The State through Abdullah Khan  
SI.....(complainant)

VERSUS.

1. Imran son of Malook resident of Mian Umar  
Seray, Lund Khwarh.

FIR NO.452 DATED 02.5.2017 UNDER  
SECTIONS 411 PPC OF P.S SHERGARH.

JUDGMENT.

Brief facts of the case are that the complainant  
was charged for possession stolen motor cycle being case  
property in case FIR No.534 dated 25.11.2016 under  
section 381-A PPC, hence instant FIR against accused.

Complete Challan was put in court on 08.3.2018.  
Accused was on bail, was summoned, who appeared and  
provision under section 241-A Cr.P.C was complied with and  
formal charge was framed, wherein the accused claimed trial,  
hence PWs were summoned.

Prosecution recorded the statement as PW-1 to PW-4  
consisting upon statement of Javid Khan ASI as PW-1,

ATTESTED  
M. G.  
To Be True Copy

16.5.17  
3  
09/3/2020  
JUDICIAL MAGISTRATE  
TAKHT BHAI, MARDAN

Certified To Be True Copy

17  
2022

Branch  
Session Court Mardan



علم 8367388-0301 }  
16102-4337647-3

(9)

فارم نمبر ۲۳-۵ (۱)

پولیس KPK فارم نمبر ۲۳

فائل

ابتدائی اطلاع رپورٹ

ابتدائی اطلاع نسبت قابل دست اندازی پولیس رپورٹ شدہ زبردفعہ ۱۵۴ مجموعہ ضابطہ جلداری

PA 3  
19/11/2022

مردان

ضلع

شیرگڑھ

تاریخ وقت وقوعہ ۱۷/۱۱/۲۰۲۲ ۱۱:۱۵ بجے

فقدہ عدلہ ۱۷۵۲

تاریخ وقت رپورٹ	۱۷/۱۱/۲۰۲۲ ۱۱:۲۵ بجے
نام و سکونت اطلاع دہندہ مستفیث	عبد اللہ خالد سی
مختصر کیفیت جرم (مودفعہ) حال اگر کچھ لیا گیا ہو۔	۱۱/۱۱/۲۰۲۲
جائے وقوعہ فاصلہ تھانہ سے اور سمت	جلالہ بازار
نام و سکونت ملزم	محمد انور ولد ملوک سائیں میان شیرگڑھ
کارروائی جو تفتیش کے متعلق کی گئی اگر اطلاع درج کرنے میں توقف ہوا ہو تو وجہ بیان کرو	مردان کو امرانہ مقدمہ درج و جیسر ڈکھایا گیا ہے
تھانہ سے روانگی کی تاریخ و وقت	۱۷/۱۱/۲۰۲۲

ابتدائی اطلاع نیچے درج کرو۔ اہمیت محمد ایک تحریری امرانہ محمد  
عبد اللہ خالد سی سے درست کانسٹیبل قیوم 2358 جو پولیس بھوکہ درج دل سے خدمت اسرار احوال  
تھانہ شیرگڑھ دوران گفت و شنود میں موجود تھا۔ اطلاع ملی کہ بھانہ شیرگڑھ سے ایک نوٹر سائیکل  
انٹیم ہندرا ۱۲۵۰ بی جی سرج اربا ہے جو کہ ہوالہ مقدمہ عدلہ ۱۷۵۲ مودفعہ ۱۷۵۲ کے 25 حصہ  
381 میں مطالب ہے۔ اطلاع کہ صورت حال کو ختم کرنے کے وقت پر نوٹر سائیکل قند کرہ والا  
کو تالو کر کے جسکی ڈرائیور نے بدرفتاری اپنا نام محمد انور ولد ملوک سائیں میان شیرگڑھ لوند جوڑ  
تلا کر نوٹر سائیکل کی نسبت اخذ جیسر نمبر چیک کر کے معلوم ہوا کہ واقعی نوٹر سائیکل  
مقدمہ والا میں مطلوب ہے جسکو مقدمہ ہندرا میں بطور مال سرورقہ مارا گیا ہے۔ نوٹر کے قند  
قندہ پولیس میں کر کے ملزم والا نوٹر نمبر چیک کر کے معلوم ہوا کہ واقعی نوٹر سائیکل  
لعدن قند نامی مقدمہ درست کانسٹیبل قیوم 2358 اس سال تھانہ سے تفتیش کر کے جاری ہے  
سختی انگریزی محمد اللہ خالد سی تھانہ شیرگڑھ مورخہ ۱۷/۱۱/۲۰۲۲ کا رد الی تھانہ لیس آفیس  
سرف بحرف درج والا نوٹر برصہ قیوم فرق نوٹ ہوا بقول FIK مع امرانہ امرانہ تفتیش  
حوالہ شعبہ تفتیش سے جانے میں پرچہ گزار شدہ

محمد سعید

ASI P.S. 55  
2-5-17

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2 FEB 2022

Examiner Copying Branch  
Session Court Mardan

سے بالقابل نام ۲۰

حورسار لقرض قاتا مقدم

خارج وقت و قوم 5/17 2 وقت 1115  
مایل وقت لومٹ 5/17 2 وقت 1125

جائ وقت جلد مایزر

صم 411-PRC

خدمت افسر انچارج قاتا مشیرو

دورفت گنت ملدقم من وجود قتا اطلاع علی کم جانب مشیرو لہوت سے تیب حورسار  
بہ اسٹل از قسیم نیدل 125/1 بدت سرخ اریا تے قوم جوالر قمت ملدقم 534 حورسار 287  
صدم 381A من دطلوب ہے اطلاع تہ مصدقم طاق کر عیقا جائت و قوم ہر حورسار  
مذکورہ 74 کوچ نوکرت جکی ڈ رپورٹ ہم در ایقت اپنا نا کمدان وار ملدقم  
میان ملدقم لوندو ڈ سٹیل ہر موٹر سائیل گ لنت دچن، صسر ملدقم جیبا کرک ملدقم  
مخبر ہم در اقتم موٹر سائیل ہر 74 من دطلوب ہے جکو ہندم وندا جی و بطور  
مال سرورم یاز بافتہ کو ہرون خرد صیفم لولیا جی کرک ملدقم ہالا کو ہر ملدقم  
74 ملدقم صرب ہاربط گھر متار کرک حورسار لقرض قاتا ہندم بہمت لہوت سے  
2858 در مال قاتا تے لفتیس کا ملدقم

10  
28/05/2017  
2-5-2017

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21 FEB 2022  
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Session Court Mardan

WAKALAT NAMA

**Before The Service Tribunal, Peshawar**

Service Appeal No. \_\_\_\_\_/2022

Imran S/O Malook

**Versus**

Govt of kpk & others

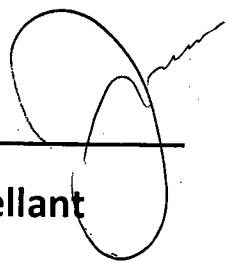
**APPEAL**

I/we petitioners/plaintiffs/defendants/respondents the above noted case do hereby appoint and engage **MUHAMMAD IRSHAD** ADVOCATE HIGH COURT as our / mine counsel in subject proceeding , and authorize him to appear plead ,etc, compromise, withdraw or refer the matter for arbitration for me/us, without any liability for his default and with the authority to engage/ appoint any other advocate/ counsel at our/my expense and receive all sums and amounts payable to us/me and do all such acts , which he may deem necessary for protecting our/my interest in the matter. He is also authorized to file the appeal, revision, review, and application for restoration or application for setting aside ex-parte decree/order /proceeding on my/our behalf .

**Date 24/06/2022**

Sign \_\_\_\_\_

**Appellant**



*Muhammad Irshad Advocate*

*High Court at district Bar*

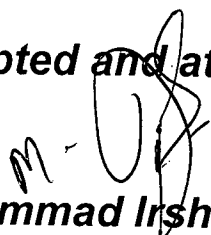
*Association Mardan (K.P.K)*

*ID BC-09-2340*

*CELL # 03438567931*

*Muhammad Irshad*  
Advocate High Court  
BC-09-2340  
At District Courts Mardan  
Cell: 0343-8567931

**Accepted and attested**



**Muhammad Irshad**

*Advocate High Court at Mardan*

*mirshadhumeraz@gmail.com*