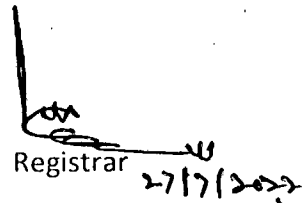


Respected Sir,

It is submitted that the present appeal was received on 01-07-2022 after thoroughly scrutinizing the same many deficiencies were found in it, which was returned to the counsel for the appellant for completion and resubmission within 15 days on 04-07-2022, which was to be resubmitted 19-07-2022 but the appellant resubmitted the same on 26-07-2022, late by 07 days.

The appeal is submitted to your Honour under rule-7(c) of Khyber Pakhtunkhwa Service Tribunal rules 1974 for appropriate order, please.


Registrar 27/7/2022

WORTHY CHAIRMAN


Fix this matter for
explaining the delay before S.B.

29/7/22

01.08.2022

Counsel for the appellant present.

Former requests for adjournment on the ground that he has not prepared the brief. Request accepted. To come up for preliminary hearing on 14.09.2022 before S.B.


(Fareeha Paul)
Member (E)

The appeal of Mr. Moazzam Ahmad Constable no. 835 Elite Force Head Quarter Peshawar received today i.e. on 01.07.2022 is incomplete on the following score which is returned to the counsel for the appellant for completion and resubmission within 15 days.

- 1- Check list is not attached with the appeal.
- 2- Appeal has not been flagged/marked with annexures marks.
- 3- Annexures of the appeal may be attested.
- 4- Copy revision petition mentioned in the memo of appeal is not attached with the appeal which may be placed on it.
- 5- Copies of charge sheet, statement of allegations, show cause notice, enquiry report and replies thereto are not attached with the appeal which may be placed on it.
- 6- Annexures of the appeal are not in sequence which may be annexed serial wise as mentioned in the memo of appeal.
- 7- Five more copies/sets of the appeal along with annexures i.e. complete in all respect may also be submitted with the appeal.

No. 2137 /S.T,

Dt. 04/7 /2022


REGISTRAR
SERVICE TRIBUNAL
KHYBER PAKHTUNKHWA
PESHAWAR.

Taimur Ali Khan Adv.
High Court Pesh.

Respected Sir -

1- Removed

2- Removed

3- Removed


4- Removed

5- Copies of charge sheet, show cause notice, enquiry report and replies are attached.

6- Removed.

7- Removed

Resubmitted after compliance


26/7/22.

BEFORE THE KHYBER PAKHTUNKHWA SERVICE, TRIBUNAL
PESHAWAR.

1160
SERVICE APPEAL NO. _____/2022

Moazzam Ahmad

V/S


Police Department

INDEX

S.no.	Documents	Annexure	Page
01.	Memo of Appeal	-----	01-05
02.	Affidavit	-----	06
03.	Copy of medical report	A	07-17
04.	Copies of charge sheet and reply to charge sheet	B&C	18-19
05.	Copy of inquiry report	D	20-21
06.	Copies of show cause and reply to show cause notice	E&F	22-23
07.	Copies of FIR and bail order dated 10.06.2021	G&H	24-25
08.	Copy of order dated 07.06.2021	I	26
09.	Copies of departmental appeal, judgment/order dated 01.10.2021 and rejection order dated 12.10.2021	J,K&L	27-31
10.	Copies of revision and order dated 02.06.2022	M&N	32-33
11.	Vakalat Nama	-----	34

THROUGH:

APPELLANT


TAIMUR ALI KHAN
ADVOCATE HIGH COURT
PESHAWAR

Contact No. 03339390916

BEFORE THE KHYBER PAKHTUNKHWA SERVICE TRIBUNAL
PESHAWAR

SERVICE APPEAL NO. _____ /2022

Khyber Pakhtunkhwa
Service Tribunal

Diary No. 592

Dated 01-7-2022

Moazzam Ahmad Constable No.835,
Elite Force Head quarter, Peshawar.

(APPELLANT)

VERSUS

1. The Provincial Police Officer, Khyber Pakhtunkhwa, Peshawar.
2. The Commandant Elite Force Khyber Pakhtunkhwa, Peshawar.
3. The Deputy Commandant Elite Force Khyber Pakhtunkhwa, Peshawar.

(RESPONDENTS)

APPEAL UNDER SECTION 4 OF THE KHYBER PAKHTUNKHWA SERVICE TRIBUNALS ACT, 1974 AGAINST THE ORDER DATED 07.06.2021, WHEREBY THE APPELLANT WAS DISMISSED FROM SERVICE, AGAINST THE ORDER DATED 12.10.2021, WHEREBY THE DEPARTMENTAL APPEAL OF THE APPELLANT WAS REJECTED AND AGAINST THE ORDER DATED 02.06.2022, WHEREBY THE PENALTY OF DISMISSAL FROM SERVICE WAS CONVERTED INTO IN TO TIME SCALE FOR A PERIOD OF TWO YEARS ON THE REVISION OF THE APPELLANT.

PRAYER:

THAT THE ACCEPTANCE OF THIS APPEAL, THE ORDER DATED 07.06.2021, AND 12.10.2021 MAY KINDLY BE SET ASIDE AND THE ORDER DATED 02.06.2022 MAY ALSO BE

SET ASIDE TO THE EXTENT OF PENALTY OF TIME SCALE FOR A PERIOD OF 02 YEARS AND THE APPELLANT MAY BE RESTORE TO HIS ORIGINAL POSITION AS BEFORE DISMISSAL ORDER DATED 07.06.2021 WITH ALL BACK AND CONSEQUENTIAL BENEFITS. ANY OTHER REMEDY WHICH THIS AUGUST TRIBUNAL DEEMS FIT AND APPROPRIATE THAT MAY ALSO BE AWARDED IN FAVOUR OF APPELLANT.

**RESPECTFULLY SHEWETH:
FACTS:**

1. That the appellant was appointed in the respondent department as Constable in the year 2016 and since his appointment, the appellant has performed his duty with great devotion and honesty, whatsoever, assigned to him and no complaint has been filed by his superiors regarding his performance.
2. That the mother of the appellant was seriously ill and the appellant took his mother to different Doctors and Hospitals for treatment and due to that reason he was unable to performed his and was compel to remain absent from his duty. **(Copy of medical report is attached as Annexure-A)**
3. That the charge sheet was issued to the appellant which was replied by the appellant in which he mentioned that his mother was ill and he was engaged in the treatment of her mother, therefore, he was compel to remain absent from his duty. **(Copies of charge sheet and reply to charge sheet are attached as Annexure-B&C)**
4. That inquiry was conducted against the appellant in which the inquiry officer recommended that that the appellant was absent by the virtue of illness of his mother, therefore his absence period from 07.11. 2020 to 27.01.2021 (total 80 days) may be treated as leave with pay and stoppage of annual increment without accumulative. **(Copy of inquiry report is attached as Annexure-D)**
5. That show cause notice was issued to the appellant in which it was mentioned that the appellant was remained absent w.e from 07.11.2020 to 27.01.2021 and again absent himself from w.e.from 25.02.2021 to till date, however absence period was mentioned in the impugned dismissal order dated 07.06.2021 in which the appellant was shown absent from duty w.e.from 07.11.2020 to 27.01.2021 and again absent himself from w.e.from 25.02.2021 to 26.03.2021,

12.04.2021 to 23.04.2021 (total 119 days). The appellant submitted reply to show cause in which mentioned that his mother was ill and was engaged in the treatment of her mother, therefore, he was compelled to remain absent from his duty. **(Copies of show cause and reply to show cause notice are attached as Annexure-E&F)**

6. That appellant was falsely implicated in criminal case vide FIR No.307. dated 02.06.2021 u/s 382 PPC Yaqoob Shaheed District Karak and was arrested on 05.06.2021, however he was released on bail on 10.06.2021. **(Copies of FIR and bail order dated 10.06.2021 are attached as Annexure-G&H)**
7. That respondent No. 3 passed an order dated 07.06.2021, wherein the respondent No.3 mentioned that the appellant was remain absent from lawful duty w.e.from 07.11.2020 to 27.01.2021 and again absent himself from w.e.from 25.02.2021 to 26.03.2021, 12.04.2021 to 23.04.2021 (total 119 days) and later on the appellant also charged in criminal case vide FIR No.307. dated 02.06.2021 u/s 382 PPC Yaqoob Shaheed District Karak and was arrested by local police on 05.06.2021 vide DD No.08 dated 05.06.2021 of the Elite HQrs Peshawar and also the report of MHC Elite HQrs has been obtained, he reported that the appellant is again absented w.e.f 17.05.2021 till date. Keeping in view the circumstances and his involvement in criminal case and other material available on record, the undersigned being the competent authority came to conclusion to take an ex-parte action against him and imposed major penalty of dismissal from service upon him from the date of absence i.e 17.05.2021 under Khyber Pakhtunkhwa Police Rules 1975 (amendment 2014) and his absence period 119 days was treated as leave without pay. **(Copy of order dated 07.06.2021 is attached as Annexure-I)**
8. That the appellant filed departmental appeal and the appellant was acquitted from criminal case on 01.10.2021 by the competent court of law and his departmental was rejected 12.10.2021. **(Copies of departmental appeal, judgment/order dated 01.10.2021 and rejection order dated 12.10.2021 are attached as Annexure-J,K&L)**
9. That the appellant then filed revision on 26.11.2021 on which he was reinstated in service and his penalty of dismissal from service was converted into time for a period of two years vide order dated 02.06.2022. **(Copies of revision and order dated 02.06.2022 are attached as Annexure-M&N)**
10. That the appellant has no other remedy except to file the instant appeal in the Honorable Tribunal for redressal of his grievance on the following grounds amongst others.

GROUNDS:

- A) That the impugned orders dated 07.06.2021, 12.10.2021 and 02.06.2022 are against the law, facts, norms of justice and material on record, therefore, not tenable and the order dated 07.06.2021 and 12.10.2021 are liable to be set aside and order dated 02.06.2022 is liable to be set aside to the extent of penalty of time scale for a period of 02 years.
- B) That in the impugned dismissal order 07.06.2021 it was mentioned that the appellant was remain absent from lawful duty w.e.from 07.11.2020 to 27.01.2021 and again absent himself from w.e.from 25.02.2021 to 26.03.2021, 12.04.2021 to 23.04.2021 (total 119 days) and later on the appellant also charged in criminal case vide FIR No.307 dated 02.06.2021 u/s 382 PPC Yaqoob Shaheed District Karak and was arrested by local police on 05.06.2021 vide DD No.08 dated 05.06.2021 of the Elite HQrs Peshawar and also the report of MHC Elite HQrs has been obtained, he reported that the appellant is again absented w.e.f 17.05.2021 till date. Keeping in view the circumstances and his involvement in criminal case and other material available on record, the undersigned being the competent authority came to conclusion to take an ex-parte action against him and imposed major penalty of dismissal from service upon him from the date of absence i.e 17.05.2021 under Khyber Pakhtunkhwa Police Rules 1975 (amendment 2014) and his absence period 119 days was treated as leave without pay, which means that the appellant was dismissed from service on the basis of absence w.e.from 17.05.2021 till 07.06.2021, but during that the appellant was falsely charged in criminal case and was behind the bar at the time of the impugna order of dismissal from service, which means that the appellant was punished on the basis of absence of only 20 days which is too harsh and as such impugned 07.06.2021 and 12.10.2021 are liable to be set aside and order dated 02.06.2022 is liable to be set aside to the extent of penalty of time scale for a period of 02 years.
- C) That the appellant was falsely implicated in criminal case vide FIR No.307. dated 02.06.2021 u/s 382 PPC Yaqoob Shaheed District Karak and was arrested by local police on 05.06.2021 and should be suspended as per Police Rules 1934, but the competent authority took ex-parte proceeding against the appellant and dismissed him service without waiting to the conclusion of criminal case pending against the appellant. Which is violation of Police Rules 1934 and as such impugned 07.06.2021 and 12.10.2021 are liable to be set aside and order dated 02.06.2022 is liable to be set aside to the extent of penalty of time scale for a period of 02 years.
- D) That inquiry was conducted against the appellant in which the inquiry officer recommended that that the appellant was absent by the virtue of illness of his mother, therefore his absence period from 07.11. 2020

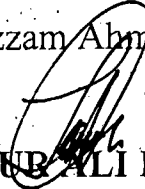
to 27.01.2021 (total 80 days) may be treated as leave with pay and stoppage of annual increment without accumulative, but despite that major punishment of dismissal was imposed upon the appellant without giving reason of not agreeing with recommendation of inquiry which is against the law and rules.

- E) That from the dismissal order dated 07.06.2021, it shows that no action has taken against the appellant on the absence period w.e.f 07.11.2020 to 27.01.2021, w.e.f 25.02.2021 to 26.03.2021 and 12.04.2021 to 23.04.2021 (total 119 days) as that period was treated as leave without pay only and he was punished for the absence period w.e.f 17.05.2021 till 07.06.2021, but during that the appellant was falsely charged in criminal case and was behind the bar at the time of the impugned dismissal order from service, which means that the appellant has only punished for only 20 days despite the fact that the appellant is was involved in criminal case and was behind the bar, which means that the appellant has not been treated in accordance with law and rules.
- F) That the appellant was not intentionally remain absent from his duty, but he was engaged in the treatment of his mother and later on he was falsely implicated in criminal case and due to these reason he was compel to remain absent from his duty and did not perform his duty.
- G) That the appellant was punished for period w.e.f 17.05.2021 till 07.06.2021, but he was behind the bar at the time of the impugned dismissal order from service, but later on the appellant was acquitted from that criminal case and therefore there remain no ground to penalize the appellant as the absence for period w.e.f 17.05.2021 till 07.06.2021 was due to the reason of criminal case pending against him.
- H) That the appellant seeks permission of this Honourable Tribunal to advance others grounds and proofs at the time of hearing.

It is, therefore most humbly prayed that the appeal of the appellant may kindly be accepted as prayed for.


APPELLANT
Moazzam Ahmad

THROUGH:


TAIMUR ALI KHAN
ADVOCATE HIGH COURT
PESHAWAR

BEFORE THE KHYBER PAKHTUNKHWA SERVICE TRIBUNAL
PESHAWAR

SERVICE APPEAL NO. _____/2022

Moazzam Ahmad

V/S

Police Deptt.

.....

AFFIDAVIT

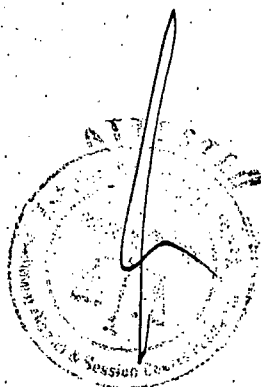
I, Moazzam Ahmad Constable No.835, Elite Force Head quarter, Peshawar. (Appellant) do hereby affirm and declare that the contents of this service appeal are true and correct and nothing has been concealed from this august Court.

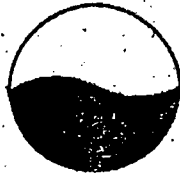

DEPONENT

Moazzam Ahmad
(APPELLANT)

CNIC:14203-4964718-9

Cell# 0344-1832749





POPULAR

A 7

Date & Time: 10-February-2021 1:26 PM

Patient Name: Mrs Abdul Ghayas Age: 57 Years Sex: Female MRN: 917

Investigation Required: MRI Cervical Spine

Ref by: Dr. Waseem Anwar

Technique:

Multiplanar, multisequential non contrast MRI cervical spine.

Report:

Bone marrow MR signals are within normal limits. No abnormal paraspinal soft tissue mass is seen. Cervical cord is showing normal MR signals. Craniocervical junction is normal. No evidence of tonsillar herniation.

Multilevel disc osteophyte complexes are seen, mainly at C4-C5 & C5-C6 level. Mild retropulsion of C5 on C6 is noted.

At C4-C5 level disc osteophyte complex is causing mild central canal, mild to moderate lateral recess and foraminal stenosis, more on the right side.

At C5-C6 level disc osteophyte complex is causing mild central canal, mild to moderate lateral recess and foraminal stenosis.

IMPRESSION:

Mild retropulsion of C5 on C6 is noted.

Multilevel disc osteophyte complexes, mainly at C4-C5 & C5-C6 level causing mild central canal, mild to moderate lateral recess and foraminal stenosis, more on the right side.

Dr Muhammad Fiaz
MBBS, B S c, MCPS, FCPS, FRCR-11
Associate Professor,
Surayya Azeem Teaching Hospital, Lahore,
Senior Consultant Radiologist Alrazi Health care
Visiting fellowship (MRI) SGH, Singapore

This is a computer generated report and no need signature. Reported via internet.

POPULAR DIAGNOSTIC CENTRE, SUEKARNO CHOWK, PESHAWAR
Tel: 091-2552890 Fax: 091-2593235



PESHAWAR MEDICAL IMAGING

Rahman Baba Colony, Dabgari Garden Peshawar.
Cell: 0343-8904617 Tel: 091-2592838-9 Fax: 091-2550694

8

Name: Zar jana Bibi	Age/Gender: 55 y/Female
Referred By: Self.	Date: 18 February 2021

3D CT Chest with Contrast

Clinical Information

DRY COUGH SOMETIMES FEVER. CHEST PAIN.

Report

Contrast enhanced CT of the chest has been performed.

There is evidence of moderate degree fibrocalcific changes in the right upper lung lobe with resultant upper lobe volume loss. Patchy ground glass changes is also noted in the right lower lobe along with background fibrosis and patchy air space infiltrates. Mild right sided bronchiectasis is also noted. There are bilateral multiple scattered bullae. Mild nodular infiltrates are also noted in the left lower lobe. There are several calcified pleural plaque bilaterally as well. No suspicious mass seen on either side. No pleural or pericardial effusion noted.

No radiologically significant supraclavicular, axillary or mediastinal lymph nodes.

Few sections through upper abdomen appear unremarkable. No aggressive osseous lesion is seen.

Impression

Appearances are suggestive of post-infective scarring in the right upper lobe with bilateral lower lobe infiltrates. This is likely suggestive of underlying infective process. TB remains a possibility. Disease activity need to be excluded clinically.

This is electronically generated report and does not require signature.

DR MUHAMMAD ISRAR AHMAD
MBBS FCPS(Radiology)
Fellowship Breast Imaging, SKMCHSR
Assistant Professor Radiology,
Shalamar Medical & Dental College, Lahore

DR IMRAN YOUSAF
MBBS FCPS(Radiology) MSCS (Gold Medal)
Assistant Professor Radiology,
Shalamar Medical & Dental College, Lahore



9

Department of Pathology

Plot #2, Sector B-2, Phase-5,
Hayatabad Peshawar.پشاور انسٹیٹیوٹ آف میڈیکل سائنسز
پلاٹ نمبر 2، سیکٹر B-2، فیز 5، میات آباد پشاور

Patient Name	P19082367 Zar Jan	Father's Name	-
Age	55 Years	Date	27-February-21 12:16 PM
Gender	Female	Consultant	S M.Sohail
Address	karak	Receipt No	P1908-1436

URINE EXAMINATION

	RESULT	NORMAL VALUES	UNIT	RESULT	NORMAL VALUES	UNIT
Urine Examination						
Physical						
Color	Yellow			04-02		/HPF
Chemical				00-01		/HPF
Sp.Gravity	1.030					/HPF
PH	6.0					/HPF
Glucose	Nil					/HPF
Bilirubin						/HPF
Urobilinogen						/HPF
Ketone						/HPF
Nitrite						/HPF
Protein	Nil					/HPF
Microscopy						
Pus Cells						
RBC Cells						
Epithelial						
Cast Type						
Crystal type						
M. Thread						
Bacteria						

Prof. Dr. Liaqat Ali
MBBS, DCP, M. Phil (Microbiology)
Chairman Laboratory Services &
Consultant Microbiologist

Prof. Dr. M. Sheraz Khan
MBBS, M. Phil (Histopathology)
Consultant Histopathologist

Dr. Inamullah
MBBS, MCPS (Pathology)
M. Phil (Hematology)
National Lecturer &
Consultant Hematologist

Dr. M. Tariq Hamayun
MBBS, M. Phil (Hematology)
Director Laboratory Services &
Consultant Hematologist

10

Zarjawa 60 Karak 02/03/2021

Referred by Dr. Sohail SB Gastroenterologist

4% ACS - 2+3 Wks ago

4% SOB, Cough

Occasional Chest pain
Epigastric pain

Age 120/70

Chest 6/12 Chest
and knee

Tab. Myteka 10ml
Acefygel 400mg
4-1-1

Tab. Ozrel 75mg
- Tab. Herbesser 30mg
- Tab. Rova 5mg
1-1-1

Dr. Mazhar Mahmood
FCPS (Cardiology)
RMI
Rajasthan Medical Institute
Hospital Road, Palastar

ECG
 Echo
 TROP
M

Plan CT Coronary Angio

No evidence of recent major cardiac event. Remains symptomatic



5/B-2 Phase - 5 Hayatabad Peshawar Pakistan
 Tel: +92-91-5838000 | Fax: +92-91-5838333
 Appointments: +92-91-5838666
 Head Office: Peshawar (P)

REPORT

Department of Cardiology

THIS FORM CAN ONLY BE USED FOR PATIENT REPORTS

Echocardiogram

Patient: Bibi Zar Jana, 55y, Female
 Referred by: Dr. Mazhar Mahmood

PRN: 19-08-105455
 Test Date: 02-March-2021 2:43 PM

Reference No: CAR-19-08-137542
 Report Printed on: 02-March-2021 2:45 PM

Measurements:

02-March-2021 2:43 PM

Aortic Root Dimension:	32	(20-40)	IVS Thickness:	11	(8-12)
Left Atrial Dimension:	37	(19-39)	LVPW Thickness:	11	(7-11)
LV End Diastolic Dimension:	48	(36-56)	Rt. Vent. Dimension:	23	(7-25)
LV End Systolic Dimension:	32	(25-41)			

LV Function Indices:

Fractional Shortening: 32 % Ejection Fraction: 60 %

Valve	Gradient Peak (mmHg)	Gradient Mean (mmHg)	Peak Velocity (cm/sec)	Valve Area Doppler (cm ²)	Valve Area 2-D (cm ²)	Regurgitation
Mitral Valve						
Tricuspid Valve						
Aortic Valve						
Pulmonic Valve						

Comments:

Comments:

- Normal size cardiac chambers.
- Good LV systolic function.
- No regional wall motion abnormality at rest.
- Valves are normal in structure and flow pattern.
- No clot or pericardial effusion.

Conclusion:

Good LV systolic function.

Dr. Farhana Nosheen

MBBS





Rehman Medical Institute
 Rehman Medical Institute (Pvt) Ltd. B-5/2, Hayatabad Town, info@rmi.edu.pk
 Contact: 111-REH-MAN(734), +92-91-5838 000, +92-91-5838 666 For Appointment
 +92-91-5838 000

PRN : 19-08-105455
 Lab ID : 421959667
 Patient Name: Mrs. Bibi Zar Jara
 Age | Gender: 56 Y | Female
 Referred by: Mazhar Mahmood

12

**Provisional Report
 IIS Troponin I**

Visit Date: 02-March-2021

Test	Result	Unit	Reference Values
High Sensitive Troponin-I	2.0	ng/l	< 16

Interpretation

Troponin-I levels can be increased in any condition resulting in myocardial cell damage, therefore, the result should be interpreted in conjunction with other cardiac markers (Myoglobin, homocystine and/or CK-MB), ECG and clinical findings.

- Serial sampling is recommended to detect the temporal rise and fall characteristic of AMI.
- The values obtained from two different labs/instruments may not be comparable.
- The cut-off value for Troponin-I varies from 0.1 to 1.0 depending upon the technique/analyser. Value more than cut-off is considered POSITIVE.

Method:

- Chemiluminescent Microparticleimmunoassay (CMIA) Architect ci 8200 System

Report Initialized By: Mansoor Khan

Prof. Dr. Faris Nadeem
 MRBS, M.Phil., FCPE (Haem), PCPP (Haem)
 Professor, Consultant Haematologist
 Head of Pathology Department and Blood Bank

Prof. Dr. Shabir Ehsan
 MRBS, DCP, PCPS (Haem)
 Consultant Haematologist

Dr. Saleem Zahoor
 MRBS, DCP, MCB (Haem)
 Consultant Haematologist
 Printed On: 23 Aug, 2019 | 03:28 pm

Brig(R) Prof. Iqbal Muhammad Khan MD
 MRBS, DCP, MCPS, FCPS (Gen), PCPP (Med), MRAC
 (Gen), FRCP (Edinburgh), FRCAP (USA)
 Professor & Consultant Histopathologist

Col.(R) Dr. Muhammad Ashraf Qasim MD
 MRBS, M.Phil., FCPS (H+L)
 Histopathologist/Cytogeneticist
 Professor & Consultant Histopathologist

Dr. Maria Tammara
 MRBS, FCPS (Gen)
 Consultant Histopathologist

Brig(R) Prof. Dr. Asim Qazi
 MRBS, MCPS, FCPS (Chem. Path.), MCPS (PE), FRCP
 (Edinburgh)
 Professor, Consultant Chemical Pathologist

Prof. Dr. Jahan Zeb
 MSc, MD, M.Phil
 Professor, Consultant Chemical Pathologist

Dr. Yasir Mahmood Yasmeen
 MRBS, DCP, PhD (Haem)
 Consultant Haematologist

Prof. Dr. Sakir Zai
 DCP Med. Microbiology, MRB, M.Phil., PhD Microbiology
 Professor, Consultant Microbiologist

Dr. Jahar Ali
 MS, PhD(USA) Molecular Biology
 Consultant Center of genetic diseases

Dr. Maria Khan
 MRBS, M.Phil (Genetics), FCPS (Microbiology)
 Consultant Microbiologist



Hussain Clinical Laboratory

Sher Ahmad Khan Market Takht-e-Nusrati District Karak
Mob #:- 0345-9663218 / 0315-9663218

13

Name: Bibi Azra Sex: ♀ Date: 6-3-2021

Consultant: _____

HEMATOLOGY

Hb %	<u>15.6%</u>	M: 13.1g/dl F: 12.1g	E.S.R	M: 5-9 mm/hr F: 10-20 mm/hr
Hct			T.L.C	<u>9900/mm³</u>
Neutrophils	<u>62%</u>	40-75%	Bleeding time	m-sec Upto 9m
Lymphocytes	<u>29%</u>	20-40%	Clotting time	m-sec Upto 11m
Eosinocytes	<u>07%</u>	00-05%	Platelets Count	<u>273000</u>
Monocytes	<u>02%</u>	02-07%		5000-15000/mm ³
Basophils		00-02%		
Malaria Parasites				
RF Bodies				

SERUM IMMUNOLOGY

BLOOD GROUP
Rh. Factor
Widal test
To
TH
Typhidot Test
IgM:
IgG:
Mantox Test
R.A Factor
A.S.O Titer
Brucella Test: Bru. Meli: Bru. Abu:
Toxoplasmosis: IgM: IgG:
CRP

Fazal Composing Qabli Rahman Market Takht-e-Nusrati (Karak)
0301-4750449/0308-5657588/0343-9797189

[Signature]

14

Name: Babu Zameen Age: _____ Sex: ♂

Consultant: from Date: 06-03-2019

URINE EXAMINATION Urine Passes at _____ Received at _____

PHYSICAL CHEMICAL MICROSCOPY

Quantity 30me Albumin Nil Red Cells Nil /HPF

Colour Yellow Sugar Nil Pus Cells 05-06 /HPF

PH 5 Ketone Bodies / Epith Cells 05-06 /HPF

Sp. Gravity 1.025 Bile Salt / Casts /

Bil Pig; / Granular / /HPF

Hyaline / /HPF

Others /

PREGNANCY TEST

حسین
کلینکل لیبارٹری
شیرا عرفان مارکیٹ
تخت لہری (کرک)

Mob No:
0345-9663218
0313-9985830

Signature [Signature]

میڈیکل سیشنٹ

ڈاکٹر عرفان الدین

MBBS (Pesh)
MCPS (Med)
FCPS-II (Med)

ہواستانی

ماہر امراض زچہ و بچہ

الپڈی ڈاکٹر عاصم رحیم

MBBS (Pesh)
RMP (Pak)

دوسرے میڈیکل آفیسر

دوسرے اینڈ چلڈرن ہسپتال کرک

کلیک بک نمبر 2 ایچ ای ہسپتال تخت نصرتی کرک

ٹائپ "سی" ہسپتال تخت نصرتی کرک

Name: Ch. Abdul Ghaffar Age: Sex: Date: 18-3-2021

Clinical Record

Rx

Ch

LIBA

Dyspnoea

3 1/2 DRELOX 100mg

1-1

27

200

3 1/2 ITP - 50mg

3 1/2 1-1-1

Ope exam
BB 11/1/20

12/1/20

1/20

270

3 1/2 PANADOL 500

1-1-1

273

PTD

Not Valid For Medico Legal Purpose

رابطہ نمبر:

الٹراساؤنڈ اور ڈیپلومی کی سہولت موجود ہے

پنجشنبہ روز ہفتہ اتوار
حیاتی زرخاں

16

Dr. S.N. Suhail

M.B.C.P. (L.K) F.C.P.S (Pak)
Diplomate Gastroenterology and Hepatology

160 Hq. Rev. Ac

ڈاکٹر ایس. ایم. سہیل
میرنگل اسپتال امراض معدہ و جگر
خیابان حیات آباد سرگرمی ہسپتال
نور محمدان ہسپتال، فیز 5 حیات آباد پشاور

60 years
Date 23/08/2022

S. No.

Oxalex 100

ITP. 50

Panmo 8

Vermor

Mucain

Loxin

Stool

Lactation

Pregnancy

LBB

131 8/19

made dand

10

2/50

ز

B.P.

Single

Married

M - 5

F - 3

D

See Job. Court

J
HTN
DM

su/uu

SOR | 2/50

5/15

wkly. P 2-4

Lapp

9RA

ecg - Resolving

Ac. mi

7/4 wkly 2 SOR

B. SP-

See

Cardiologist

(H) work up

CAngio (4) 6/5

~~DBA~~
~~Combination~~
~~Britany~~

~~See~~
~~AO E~~
~~Doc~~
~~V.D.~~
~~SOR~~

H-Pylori مثبت
آنے پر پریشان مت ہوں

ان دو باتوں میں سے کوئی ایک پسند کر لیں۔
دونوں ممکن نہیں

{ زیادہ سچے
یا
زیادہ تعلیم

بچان بچا نیوا

Specialist

Arman Ullah



ڈاکٹر ارمان اللہ

بی۔ بی۔ ایس۔

ایف۔ سی۔ بی۔ ایس۔ (II)

(پشاور ہسپتال پشاور)

Medical Complex Peshawar

Name BIAZ NATANA Age 50 yrs Sex ♀ Date 28-03-201

Rx

⊙ hx of PFB
⊙ dx of Bact. [Δ] post TB
- Took AD for 8 yrs. Bronchitis
(No Recurrence) E. Positive

04726176 ↓

- ⊙ High grade fever
- ⊙ Intermittent.

⊙ COPD
⊙ very Interm.
(now stopped)

- ⊙ Body aches

- ⊙ hx of severe throat
- ⊙ hx of dyspepsia.

Took Rx from
DR Sultan
(PMS)

CBC = (U)
⊙ dx of Bact.

O/E

Bp = 110/70

Pulse = 80 Bpm

Temp = 100.5°

SpO₂ = 90%

Chest: P/L wheezes

PI

- Adx.
- ⊙ CBC
 - ⊙ URINE/E
 - ⊙ CXR

0345-9663218 رابطہ نمبر حسین کلینیکل ایبارٹری تحت نضرتی

B (18)

CHARGE SHEET

1. Zaib Ullah Khan, Deputy Commandant Elite Force Khyber Pakhtunkhwa Peshawar as competent authority, hereby charge you Constable Muazam Khan No. 835, (Elite HQrs) of Elite Force as follows:

As per letter of SP Elite Force HQrs vide No. 215/R, dated 25.11.2020, you remained absent from lawful duty w.e. from 07.11.2020 to till date. Being a member of discipline force, your this act amounts to gross misconduct on your part.

2. By reason of the above, you appear to be guilty of misconduct under the Khyber Pakhtunkhwa Police Rules, 1975 (Amendment 2014) and have rendered yourself liable to all or any of the penalties specified in the said rules.

3. You are therefore, directed to submit your defense within Seven days of the receipt of this Charge Sheet to the Enquiry Officer.

4. Your written defense, if any, should reach the Enquiry Officer within the specified period, failing which, it shall be presumed that you have no defense to put in and in that case ex-parte action shall be taken against you.

5. You are directed to intimate whether you desire to be heard in person.

6. A statement of allegation is enclosed.

(ZAIB ULLAH KHAN)PSP
Deputy Commandant
Elite Force Khyber Pakhtunkhwa,
Peshawar.

Dated, Feb 11, 2021

To
The Deputy Commandant,
Elite force,
KPK.

Subject: Reply to charge sheet.

Sir,

This has reference to charge sheet No 215/11
Dated 25-11-2020 in respect of my absence from
duty received by me.

According to charge sheet I made absence
of 80 days which is a bad act according to
police rule, But there was a big Reason by
which I do such Shamfull act. I have
alone with my mother and my father has
died few years ago - during days of my
absence my mother openly remained
by which I regularly check her
Although she is fine now but find
charge sheet.

Now I request to solve my
So I could join my duties easily
Yours obedient
Moazzam Ahmad
Belt No 835
Elite HQ Peshawar



1

OFFICE OF THE DEPUTY SUPERINTENDENT OF POLICE,
HEADQUARTERS, ELITE FORCE, PESHAWAR.

④ D 20
20

No. 05 /R, DSP/EF, HQrs

Date: 23 /02/2021.

To: The Deputy Commandant,
Elite Force, Khyber Pakhtunkhwa.

Subject: DEPARTMENTAL ENQUIRY AGAINST CONSTABLE MUAZAM KHAN
NO.835

Memo: Kindly refer to your office Endst: No.15148-53/EF, dated Peshawar the
03.12.2020.

Respected Sir,

In pursuance of your kind directives, the undersigned completed enquiry in the
above cited case. Its stepwise detail is given below:

ALLEGATIONS:

It is submitted that the delinquent Constable Muazam Khan No.835 was absent
from 07.11.2020 to 27.01.2021 (total 80 days) without prior permission. Being a member of
discipline force his this act amounts to gross misconduct on his part.

PROCEEDINGS:

In this regard, the Deputy Commandant Elite Force Khyber Pakhtunkhwa
Peshawar issued Charge Sheet and Summary of Allegation to him and Deputy Superintendent of
Police Elite Force Headquarters was appointed as enquiry officer.

Charge Sheet and Summary of Allegations were served upon delinquent
Constable Muazam Khan No.835 through reader to DSP/HQrs Elite Force.

STATEMENT OF MUAZAM KHAN NO.835:

Responding to the Charge Sheet and summary of allegations the delinquent
constable appeared before the undersigned and submitted his written reply stating wherein that
the delinquent constable was remained absent due to his mother's severe illness. Owing to
serious illness he time and again took his mother properly to doctor for checking.
(Medical documents and statement attached)

21

FINDINGS:

Keeping in view all the circumstances the delinquent constable was absent for 80 days without prior permission. Hence, this act of omission of delinquent constable was committed on account of illness of his mother but he did not submit application for leave.

CONCLUSION:

Having gone through the all materials placed on record as under,

- Charge sheet and summary of allegations.
- Absence Report.
- Daily Diary Report.
- Statement of Delinquent Constable
- Medical Documents.

The undersigned has reached to conclusion that the delinquent constable was absent due to severe illness of his mother but no application was submitted for leave, by reason of which he was absented and enquiry was initiated.

RECOMMENDATIONS:

Keeping the above facts and figures in view, it is recommended that the delinquent constable Muazam Khan No.835 was absent by virtue of illness of his mother therefore he absence period from 07.11.2020 to 27.01.2021 (total 80 days) the delinquent Constable may be treated as;

1. Leave Without pay and
2. Stoppage annual increment without accumulative.

(ROZIA ALTAF)
Deputy Superintendent of Police,
Headquarters Elite Force, Peshawar.

RI
Ar
Ar

01-03-2021

11/7
24.2.2021

E 22

FINAL SHOW CAUSE NOTICE

1. Zaib Ullah Khan, Deputy Commandant Elite Force Khyber Pakhtunkhwa Peshawar as competent authority under Khyber Pakhtunkhwa Police Rules, 1975 (Amendment) do hereby serve you Constable Muazam Khan No. 835/UT, (Elite HQrs) of Elite Force as follows:

26-3-2021

As per letter of SP Elite Force HQrs: Peshawar vide No.215/R, dated 25.11.2020, you remained absent from lawful duty without any leave or prior permission w.e. from 07.11.2020 to 27.01.2021 and again absented himself from Elite HQrs: w.e. from 25.02.2021 to till date. Being a member of discipline force, your this act amounts to gross misconduct on your part.

That consequent upon the completion of enquiry conducted against you by Mr. Rozia Altaf DSP Elite Force HQrs: Peshawar but you failed to satisfy the Enquiry Officer

ii. Ongoing through the finding and recommendation of the enquiry officer, the material available on record, I am satisfied that you have committed the omission/commission specified in Police Rules and charges leveled against you have been established beyond any doubt.

2. As a result therefore, I, Zaib Ullah Khan, Deputy Commandant Elite Force, Khyber Pakhtunkhwa Peshawar as competent authority have tentatively decided to impose major penalty upon you, under Police Rules of the said ordinance.

3. You are therefore, directed to show cause as to why the aforesaid penalty should not be imposed upon you.

4. If no reply to this show cause notice is received within seven days of its delivery in the normal course of circumstances, it shall be presumed that you have no defense to put and in that case an ex-parte action shall be taken against you.

5. A copy of the finding of the Enquiry Officer is enclosed.

(ZAIB ULLAH KHAN) PSP
Deputy Commandant
Elite Force Khyber Pakhtunkhwa Peshawar

16/03/2021

No. 2489 /EF, dated Peshawar the
FC Muazam Khan No. 835/UT at his home address through reader DSP Elite HQrs

29

To;

Dated, March 29-2021

The deputy comendant,
Elite force,
Peshawar.

F-23

Subject: Reply to final show cause.

Sir;


This has reference to showcause No 2491
Dated 16-03-2021, in respect of my absence.
With all due respect I am clearing
my self that my absence was not a habitual
absentnee, during that time my mother was
sick again and as she is facing some serious
diseases. Before that I was performing my duty
dutifully but that time no one was at home
and I should to perform this shameful act -
time, I kindly, I will request to forgive me this
As, I am shifting my mother to Peshawar
for treatment and I will perform my duty
too. I will be very thankful to your kindness.

Yours obedient.

Muazzam Ahmad

Belt No: 835

Elite HQ Peshawar.



V / b

In the court
ALAMZEB KHAN JUDICIAL MAGISTRATE
Takht-e-Nasrati, Karak

Moazam Ahmad.....Vs..... The State.

ORDER
10.06.2021

APP for the State present. Accused/petitioner through Muslim Jan Advocate present, who submitted attested wakalatnanta on behalf accused/petitioner, placed on file. Record received, placed on file.

The petitioner namely **Moazam Ahmad** son of **Abdul Chous** resident and **Tehsil Takhti Nasrati District Karak** is seeking post-arrest bail in case FIR No. 307 dated 02.06.2021 U/S 392/34 PPC registered at Police Station YKS Takht-e-Nasrati.

Complainant **Atiqur Rahman** alongwith **Shaif Ullah** Advocate present, who submitted wakalatnama on behalf of complainant. Complainant stated at bar that he has entered into compromise with accused party outside the court and he has got no objection if the accused/petitioner is released on bail. To this effect complainant submitted affidavit ExPA and recorded statement overleaf of the affidavit. Photocopy of CNIC of complainant is ExPB.

The offence u/s 392 PPC for which the accused-petitioner has been charged in the case FIR ibid, though, non-compoundable, however, in view of amicable solution of the matter between the complainant and the accused party through compromise, there is no need of further keeping the accused in custody. Reliance is placed on 2004 PCrLJ 490 Peshawar and 2015 Cr.M.BA Peshawar.

Therefore, without touching the merits of the case, the instant bail application is accepted on the basis of compromise as complainant has got no objection over the same. Hence, the accused/petitioner be released on bail subject to furnishing bail bonds to the tune of Rs.80,000/- (Eighty Thousand Only), with two local and reliable sureties to the satisfaction of this Court/MOD. A copy of this order be placed on judicial/police files. Requisitioned record be returned.

File after completion and compilation be consigned to record room.

ANNOUNCED
10.06.2021

ALAMZEB KHAN
Judicial Magistrate
Takht-e-Nasrati, Karak

H. (25)

4/6/21



Office of the Deputy Commandant
Elite Force Khyber Pakhtunkhwa Peshawar



No. 5854-62/EF

Date: 07/06/2021

ORDER

This order will dispose of the departmental proceedings against Constable Muazam No. 835, of District Police Karak now on deputation to Elite Force Khyber Pakhtunkhwa.

He remained absent from lawful duty without any leave or prior permission from the Competent authority on different dates i.e w.e.from 07.11.2020 to 27.01.2021, 25.02.2021 to 26.03.2021, 12.04.2021 to 23.04.2021 (Total 119 days).


In this regard Charge Sheet along with Summary of Allegations were issued to him and DSP Elite Force HQrs was appointed as enquiry officer. The Enquiry Officer recorded all the statements but the said Constable failed to satisfy the enquiry officer. Therefore, the Enquiry Officer recommended him for minor punishment and his absence period be treated as leave without pay. Similarly Final Show Cause Notice was issued to him, which was received himself and now he submitted his reply of FSN which was found unsatisfactory. Moreover, He was called in orderly room on 22.04.2021, to appear before the undersigned and explain his position but he failed to appear.

Later on the said Constable was also charged in a criminal case FIR No. 307, dated 02.06.2021 u/s 382 PPC PS Yaqoob shaheed District Karak and arrested by the local Police vide DD No. 08, dated 05.06.2021 of Elite HQrs Peshawar and also the report of MHC Elite HQrs has been obtained, he reported that the delinquent officials again absented w.e.f 17.05.2021 till to date.

Keeping in view the circumstances and his involvement in criminal case and other material available on record, the undersigned being competent authority, came to the conclusion to take an ex-parte action against him and imposed major penalty of "Dismissal from Service" upon him from the date of absence i.e 17.05.2021 under the Khyber Pakhtunkhwa Police Rules, 1975 (amendment 2014).

Moreover, his absence period 119 days is hereby treated as leave without pay.

Order Announced!


(MUHAMMAD HUSSAIN) PSP
Deputy Commandant
Elite Force Khyber Pakhtunkhwa
Peshawar

Copy of the above is forwarded to the:-

1. District Police Officer, Karak for information.
2. Superintendent of Police, Elite Force HQrs:Peshawar.
3. Deputy Superintendent of Police, Elite Force HQrs:Peshawar.
4. Supdt: Accounts, Elite Force Khyber Pakhtunkhwa Peshawar.
5. RI, Elite Force Khyber Pakhtunkhwa Peshawar.
6. I/C Kot,OASI, SRC, Elite Force Khyber Pakhtunkhwa Peshawar.
7. FMC, Elite Force along with complete file Encls: (63) pages.

TO:

The Commandant Elite Force
Khyber Pakhtunkhwa,
Peshawar

~~Q~~ J 27

SUBJECT:- Departmental Appeal

With profound regards appellant Submits departmental appeal Against the orders of Deputy Commandant Elite Force Bearing No.5854-64 EF Dated 07-06-2021. Vide which penalty of dismissal from service was imposed on appellant.

FACTS

1. That Appellant Was recruited as constable in district police and was later on transferred to elite force of Khyber Pakhtunkhwa police.
2. That the father of appellant has died natural death since long, therefore appellant looks after the domestic affairs including the welfare of a living mother (widow)
3. That in the year 2020, the chronic ailment of mother did not allow appellant to join duties in the subordinate staff of the Deputy commandant were encouraging the appellant for managing treatment of mother at the risk of non-joining of duties.
4. That appellant was rendered to departmental action on charges of absence from duty.
5. That in mean while appellant was falsely implicated in a criminal case FIR No.307 dated 02/06/2021 under section 382 PPC police station yaqoob khan Shaheed (takhte Nasrati) District karak.
6. That the near and dears of appellant approached the complainant party about the innocence of appellant and complainant was co-operative enough to withdraw from charges levelled against appellant and the learned judicial magistrate for accepting the statement of complainant granted bail to appellant.
7. The appellant was ready for joining duty but was shocked to know about passing the impugned order, hence this departmental appeal on the following grounds.

GROUND

1. That the impugned order has been passed against law and facts of records first enquiry officer the commended award of Minor penalty but the lower authority imposed major penalty on appellant. Secondly the impugned order has also been based on involvement of appellant in the criminal case while the charge sheet contains only charges of absence from duty, therefore the lower authority has made departure from the main charging in violation of law and rules.
2. That the impugned order has been passed on the basis of ex-parte proceeding despite the fact appellant was available for joining the inquiry proceedings therefore the order is against the principles of natural justice and constitution of Pakistan which ensure right of fair trial of all the citizens.
3. That respective effect has been given to the impugned order as the order passed on 07/06/2021 has been made effective from 17/05/2021 against the alleged absence

period has been treated as "leave" therefore the order has been passed against the rules once the alleged absence was treated as leave than there was the justification for award of penalty.

- 28
4. That the involvement of appellant has wrongly been referred to the impugned order first the complainant on realizing and confirming the innocence of appellant withdraw from the charge against appellant, again it is well settled principle of law that accused an innocent unless and until the charge is proved in trial before competent court.
 5. That the impugned order is bad in law in not sustainable the lower authority has not taken in to account the defense of appellant and has first ex-parte order.
 6. That no evidence has been collected in support of the charges leveled against appellant again the authority has admitted in the impugned order the transfer of appellant to elite force on deputation in case of such admission authority was not competent to passed the impugned order in a view of law contained in rule 9(iii) of police rules 1975. The was bound to transmit the record to district police officer karak for further action.
 7. Let appellant belongs to poor family and the monthly salary was the sole source of income the loss of service amounts the stoppage of ration of the members of the family of the appellant.

It is therefore requested that appellant may be re-instated with back benefits.

Your obediently,
Moazzam Ahmad
Constable No.835 (EX)
Cell No.0346-6445254.

E. C.
Kas
19/7

3733

19-7-21

In the court
ALAMZEB KHAN JUDICIAL MAGISTRATE-II,
Talhat-e-Nasr, Karak

K (29)

The State. Vs Moazam Amad etc

FIR No.307 Dated: 02.06-2021 U/S: 392 PPC P.S Y.K.S

Order --- 04
01-10-2021

APP for State present. Accused namely Moazam Amad & Munawar Hussain present on bail along with their counsel (Muslim Jan Advocate). Similarly complainant is also present before the court.

On previous date of hearing complainant Atiq-ur-Rahman and eye witness namely Nadir Khan appeared and recorded their statements as PW-1 & PW-2 respectively whereafter counsel for the accused submitted application u/s 249-A Cr.P.C and requested for acquittal of accused in view of statement of complainant and eye witness named above. Notice of said application was given to state through prosecutor & complainant.

Both the parties were heard in detail and record gone through.

As per available record, complainant and eye witness admitted in unequivocal words that on the night of occurrence, due to pitch dark night, they could not properly identify the accused rather they were implicated in the instant case on the disclosure of other person. Furthermore, both these witnesses also admitted that accused have satisfied them about their innocence. Mere this fact is sufficient to create material doubt in the case of prosecution, therefore, even after recording of rest of prosecution evidence, which is either circumstantial or confirmatory in nature, there is no probability of conviction of accused exists. Hence by accepting the applications of accused on trial as well as absconding accused, are hereby **acquitted u/s 249-A Cr.P.C.**

ATTESTED

Examiner (Signature)
25

Order --- 04
01-10-2021

30

....Continued

Sureties of accused are also discharged from their liability of bail bonds. Case property, if any, be disposed of in accordance with law after the expiry of period of appeal/revision.

File be consigned to record room after completion and compilation.

ANNOUNCED
01-10-2021

ALAMZEB KHAN
Judicial Magistrate-II
Tahnat-e-Nasrati, Karak

01/10/2021

ATTESTED

Examiner Copying
Branch Karak

Certified To be true Copy

Examiner Copying Branch
Karak

C D No 5062
Date of Presentation of Application 25-7-22
Number of Words 3
Copying Fee 1
Urgent Fee 1
Name of W/O
Date 25-7-22
Date 25-7-22
Date of service of notice 1



Office of the Addl: IGP/Commandant,
Elite Force Khyber Pakhtunkhwa, Peshawar

L 31

No. 11727-34 /EF

Dated: 12/10 /2021.

ORDER

This order will dispose off the appeal submitted by Ex-Constable Muazam No.835 of this unit against his major penalty of dismissal from service awarded by Deputy Commandant Elite Force Khyber Pakhtunkhwa Peshawar vide order No. 5854-62/EF, dated 07.06.2021.

Brief facts of the case are that;

He remained absent from lawful duty without any leave or prior permission w.e.f. 07.11.2020 to 23.04.2021 (Total: 119 days).

He was issued **Charge Sheet & Summary of Allegations** and DSP/HQrs: Elite Force, Peshawar was nominated as enquiry officer and after going through all the proceedings the enquiry officer reported that the delinquent official failed to satisfy and was recommended for minor punishment and the absence period be treated as leave without pay.

A **Final Show Cause Notice** was also served upon him but his reply was found unsatisfactory. Later-on, he was called in orderly room by the Deputy Commandant/Elite Force Khyber Pakhtunkhwa on 22.04.2021, but he failed to appear.

Later-on the delinquent official was charged in case FIR No. 307, dated 02.06.2021 u/s 382, PPC, PS Yaqoob Shaheed, District Karak and was arrested by the local Police vide DD No. 08, dated 05.06.2021.

Hence, the Deputy Commandant/Elite Force, Khyber Pakhtunkhwa keeping in view all the facts and circumstances imposed major punishment of dismissal from service upon him.

Now, he preferred service appeal before the undersigned for re-instatement into service. The undersigned being competent authority, called him in OR on 11.10.2021, heard in person but he does not offer any cogent reason or any documental proof regarding his absence, hence his appeal is rejected.

Order announced!

(MUHAMMAD FARIM KHAN)PSP
Commandant
Elite Force Khyber Pakhtunkhwa
Peshawar

No. 1 /EF

Copy of above is forward for information and necessary action to the:-

1. Superintendent of Police, HQrs: Elite Force, Peshawar.
2. Deputy Superintendent of Police, HQrs: Elite Force, Peshawar.
3. RI/Accountant, Elite Force Khyber Pakhtunkhwa Peshawar.
4. S.R.C/FMC/OASI, Elite Force Khyber Pakhtunkhwa Peshawar.
5. EX/FC Muazam No.835, through Reader DSP/ HQrs Elite Force Peshawar.

بخدمت جناب اسپیکر جنرل پولیس صاحب خیبر پختونخواہ

جناب عالی!

سائل مورخہ 2016-12-31 کو بطور کسٹبل بھرتی ہوا اور اپنے فرائض بطریق احسن سرانجام دے رہا تھا۔ تاہم سائل چند ناگزیر وجوہات (ماں کی بیماری) کی وجہ سے کچھ عرصہ غیر حاضر رہا جو کہ سائل کی غیر حاضری اپنی ضعیف، لاغر اور بیمار والدہ کی تیمارداری و علاج معالجے کی وجہ سے تھی نیز اسی اثنا سائل کے کچھ مخالفین نے بد نیتی سے سائل کے خلاف یعقوب خان شہید تخت بھرتی کر رکھا۔ مورخہ 2021-06-02 زیر دفعہ PPC 392 علت نمبر 307 کے تحت دعویٰ اری کی جس میں سائل گرفتار ہوا اور بعد از مورخہ 2021-10-01 کو مجاز عدالت نے سائل کو الزامات سے بری فرماتے ہوئے رہا کیا۔ سائل نے اپنی بے گناہی کے تمام شواہد محترم کلرک ڈپٹی (پبلک فوئرس) صاحب کو بھی پیش کیے تاہم سائل کی درخواست / اپیل پر ہمدردانہ غور نہیں فرمایا گیا اور سائل کو محض غیر حاضری کی وجہ سے ملازمت سے برخاست کیا۔

سائل کی غیر حاضری جو اپنی والدہ کی عیادت کے لیے تھی اور برطانیہ قانون غیر حاضری کی وجہ سے سائل کو Minor Penalty دے جانی چاہے تھی۔ تاہم سائل کو Major Penalty دیتے ہوئے ملازمت سے برخاست کیا گیا۔

لہذا استدعا ہے کہ سائل کی سابقہ ریکارڈ کو مد نظر رکھتے ہوئے سائل کی غیر حاضری کو ave Without Pay قرار دیتے ہوئے سائل کو ملازمت پر بحال کرنے کا حکم صادر فرمایا جائے۔

العرض

الرقوم: 26 نومبر 2021

AS
Process please

آپ کا تابعدار معظم احمد نسیم

پلٹ نمبر: 835 (Ex)

رابطہ نمبر: 03459076809

Office of the PPO, Rawalpindi

26/11/21

26/11/21



5134
3622

OFFICE OF THE
INSPECTOR GENERAL OF POLICE
KHYBER PAKHTUNKHWA
PESHAWAR.

① N 33

ORDER

This order is hereby passed to dispose of Revision Petition under Rule 11-A of Khyber Pakhtunkhwa Police Rule-1975 (amended 2014) submitted by Ex-FC Muazam No. 835. The petitioner was dismissed from service by Deputy Commandant, Elite Force, Khyber Pakhtunkhwa, Peshawar vide order No. 5854-62/EF, dated 07.06.2021 on the allegations that he while posted to Elite Force remained absent from lawful duty w.e.f 07.11.2020 to 23.04.2021 (119-days). Later on he was charged in a criminal case vide FIR.No. 307, dated 02.06.2021 u/s 382 PPC Police Station Yaqoob Shaheed District Karak and was arrested by the local police vide DD No. 08, dated 05.06.2021 of Elite HQ's; Peshawar. A report of MHC Elite HQs: was obtained, he reported that the appellant again absented w.e.f 17.05.2021 till date of dismissal from service i.e. 07.06.2021. His appeal was rejected by Commandant, Elite Force, Khyber Pakhtunkhwa, Peshawar vide order No. 11727-34/EF, dated 12.10.2021.

Meeting of Appellate Board was held on 19.05.2022 wherein petitioner was heard in person. Petitioner contended that he was falsely implicated in the case and the court acquitted him of the charges. Petitioner further contended that his absence was not deliberate but his mother was ill.

The petitioner was acquitted u/s 249-A Cr.P.C by the court of Judicial Magistrate-II, Takhat-e-Nasrati, Karak vide order dated 01.10.2021. Therefore, the Board decide that the petitioner is hereby re-instated in service and his penalty of dismissal from service is converted into time scale for a period of two years. However, the absence period as well as intervening period to be treated as without pay.

Sd/-

SABIR AHMED, PSP

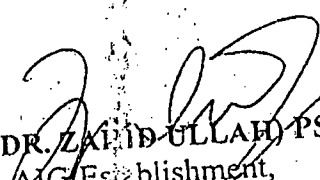
Additional Inspector General of Police,
HQs: Khyber Pakhtunkhwa, Peshawar.

No. S/ 1212-18 /22, dated Peshawar, the 2/6 /2022.

Copy of the above is forwarded to the:

1. Commandant, Elite Force, Khyber Pakhtunkhwa, Peshawar.
2. Deputy Commandant, Elite Force, Khyber Pakhtunkhwa, Peshawar. One Service Roll, one Fauji Missal and one enquiry file (69-pages) of the above named FC received vide your office Memo: No. 14954/EF, dated 16.12.2021 is returned herewith for your office record.
3. PSO to IGP/Khyber Pakhtunkhwa, CPO Peshawar.
4. AIG/Legal, Khyber Pakhtunkhwa, Peshawar.
5. PA to Addl: IGP/HQs: Khyber Pakhtunkhwa, Peshawar.
6. PA to DIG/HQs: Khyber Pakhtunkhwa, Peshawar.
7. Office Supdt: E-IV CPO Peshawar.

SPC/EMC


(DR. ZAID ULLAH) PSP
AIG Establishment,
For Inspector General of Police,
Khyber Pakhtunkhwa, Peshawar.