BEFORE THE KHYBER PAKHTUNKHWA SERVICE TRIBUNAL, PESHAWAR

SERVICE APPEAL NO. 736/2014

Date of institution ... 26.05.2014

Date of judgment ... 20.12.2018

Inspector Mazhar Jehan S/o Jahan Khan R/O Barh Tehsil & District Kohat (Presently) Counter Terrorism Department Police line Kohat.

(Appellant)

VERSUS

1. Deputy Inspector General of Police, Kohat Region Kohat.

2. Provincial Police Officer/Inspector General of Police, Khyber Pakhtunkhwa, Peshawar.

(Respondents)

APPEAL UNDER SECTION-4 OF SERVICE TRIBUNAL ACT.
1974 AGAINST THE IMPUGNED ORDER NO. 9336 DATED
28.11.2013 OF THE RESPONDENT NO. 1 WHO AWARDED
PUNISHMENT "WITHHOLDING OF INCREMENT FOR ONE
YEAR WITH THE ACCUMULATIVE EFFECT" TO THE
APPELLANT.

Mr. Abrar Alam, Advocate.

Mr. Muhammad Jan, Deputy District Attorney

For appellant.

For respondents.

Mr. MUHAMMAD AMIN KHAN KUNDI MR. HUSSAIN SHAH

MEMBER (JUDICIAL)
MEMBER (EXECUTIVE)

JUDGMENT

MUHAMMAD AMIN KHAN KUNDI, MEMBER: - Counsel for the appellant present. Mr. Muhammad Jan, Deputy District Attorney alongwith Mr. Arif Saleem, ASI for the respondents present. Arguments heard and record perused.

M. Amm 2015

prayed that the impugned punishment may be set-aside and the appeal may be accepted.

- 5. On the other hand, learned Deputy District Attorney for the respondents opposed the contention of learned counsel for the appellant and contended that the appellant being SHO of the area was legally required to directly take action and not to base his report on the secret diaries of Special Branch without permission of the competent authority. It was further contended that the appellant was present on the occasion but he wrongly referred the diaries of Special Branch in the FIRS which shown his non-professionalism and willful misconduct therefore, it was contended that the minor punishment of withholding of increment for one year was rightly imposed on him. It was further contended that the impugned order was passed 28.11.2013 and the appellant filed departmental appeal on 27.01.2014 after substance delay. It was further contended that the appellant had not alleged in the departmental appeal as well as service appeal regarding the date communication of the impugned order dated 28.011.2013 therefore, it was contended that the appeal is also time barred and prayed for dismissal of appeal.
- 6. Perusal of the record reveals that the appellant is serving in Police Department as SHO, he was imposed minor penalty of withholding of increment for one year with accumulative effect on the allegations that he had disclosed the Special Branch Diaries in the FIRs. The record further reveals that the aforesaid FIRs was registered by him against the elder of Ahl-e-Sunnat & Ahl-e-Tashi belong to different sect being sensitive matter therefore, he was required not to disclose the Special Branch Diaries in the said FIRs. Moreover, the main plea of the appellant was that in a similar nature case one Zafarullah

Mann

had also disclosed the Special Branch Diaries in the FIR but he was not proceeded therefore, the appellant was discriminated. But there is nothing on the record except of FIR No. 155 registered by Zafarullah khan SHO that whether the said Zafarullah was proceeded or not therefore, the appellant was rightly imposed minor penalty of withholding of one increment for one year. AS such, the appeal has no force which is hereby dismissed. Parties are left to bear their own costs. File be consigned to the record room.

ANNOUNCED 20.12.2018

(MUHAMMAD AMİN KHAN KUNDI) MEMBER

luham mal Amin

(HUSSAIN SHAH) MEMBER 20.12.2018

Counsel for the appellant present. Mr. Muhammad Jan, Deputy

District Attorney alongwith Mr. Arif Saleem, ASI for the respondents

present. Arguments heard and record perused.

Vide our detailed judgment of today consisting of four pages placed on file, the appeal has no force which is hereby dismissed. Parties are left to bear their own costs. File be consigned to the record room.

ANNOUNCED 20.12.2018

(MUHAMMAD AMIN KHAN KUND

MEMBER

(HUSSAIN SHAH) MEMBER

De Culdicia Qu (فاین) ابترانی اطلاع نسبت حرّم قابل دست اندازی بولیس دبورت متره دیردند ۱۵۲ انجموع منا بطرفو جداری تارخ ووقت وتوع (نام وسكونت اطلاع دمندو ومتغيث لخفر کیفیت جرم (مورنع) حال اگر کچه ایا گیا ہو 7 ATA-16MPO/506 PRE جائے وقوع فاصلہ بھارے اور سمیت ع) وسكونت منزى قراب وارتماد جان في السند رارائم في الساد جين عرد سك دارزوا - كى عيم دا دار معاد وراد كارروالي بوتفيش كم متعلق كي محي أكرا طبلاع درج 216 6191 : 100 DS/ Tun كرفيم توقف بوابوتودجر بيان كرو----مخانه سے روانگی کی تاریخ و وقت الررسيل رازك إبستالي اطلاع يتحدر حكو ما على وره في الريان مرره ما ي בי ליו ולקני ענו לצנטין פי לעלני ועוני עיר דוד שי האוני ווו ליול ועוני עיר דוד שי האוני ווו ליול ועוני עיר היו و المناول ول و والمال كروج والمراد والمراد والمراد والمراد المراد من عامران روان و مران مارزاه جان کر شرط مارزاه را شارس کے رار ارقاب کی عرف بری ساز فارقال کارس کا دام ما فالم بار شکردید یا مردد درار من از روم طرور وروم الداره كو روم المرد المرد المرار المرار مردم و دران المرار المرد جارکان فرار جرب بین مرج الرجارکان میں فرانع بدالم و لا المرسال محدود علی مرابع ما درکر المرسال عدود ما درکر الم ول عدارج و و مع من مرك و المري كالمان و المراد المرد من المراد المرد من المراد المرد من المراق المرا SHO/Sh. Dava. Wented 12-10-13

08.05.2018

Due to retirement of the worthy Chairman, the Tribunal is incomplete, therefore the case is adjourned. To come up for same on 24.07.2018.

Reader

24.07.2018

Clerk to counsel for the appellant and learned Deputy District Attorney present. Clerk to counsel for the appellant seeks adjournment as learned counsel for the appellant is not in attendance. Adjourned. To come up for arguments on 17.09.2018 before D.B

め Member

Member

17.09.2018

Clerk to counsel for the appellant and Mr. Kabirullah Khattak learned Additional AG alongwith Mr. Arif Saleem Stenographer for the respondents present. Due to General Strike of the Bar, arguments could not be heard. To come up for arguments on 01.11.2018 before D.B.

(Hussain Shah) Member

(Muhammad Amin Kundi) Member

01.11.2018

Due to retirement of Hon'able Chairman, the Tribunal is defunct. Therefore, the case is adjourned for the same on 20.12.2018 before D.B.

16. 04.07.2017 No one present on behalf of appellant. Mr. Muhammad Adeel Butt, Additional AG for the respondent present. Notice be issued to the appellant and his counsel for attendance. To come up for arguments on 30.10.2017 before D.B.

(Gul Zeo Khan) Member (Muhammad Hamid Mughal) Member

30.10.2017

Counsel for the appellant and Mr. Kabeerullah Khattak, Addl. A.G for the respondents present. Learned counsel for the appellant seeks adjournment. Granted. To come up for arguments on 15.01.2018 before the D.B.

Member

Chairman

15.01.2018

Appellant in person present. Mr. Kabir Ullah Khattak, Addl: AG alongwith Arif Saleem, ASI for the respondents present. Lawyer community on strike on the call of Khyber Pakhtunkhwa Bar Council. Adjourned. To come up for arguments on 15.03.2018 before D.B.

(Gul Zelekhan) Member (M. Hamid Mughal) Member

15.03.2018

Learned counsel for the appellant present. Mr. Riaz Paindakheil learned Assistant Advocate General on behalf of respondents present. Respondent department is directed to provide relevant record on the next date i. 8 08.05.2018. Adjourn. To come up for arguments/record on on the date fixed

(Muhammad Amin Kundi) Member

(Muhammad Hamid Mughal)

Member

16:06 2.016

Clerk to counsel for appellant and Mr. Arif Salim, ASI, along with Mr. Muhammad Adeel Butt, Addl. AG for respondents present Learned Addl. AG requested for adjournment as he is not in possession of rejoinder, already filed by the appellant. Copy of the rejoinder handed over to him. To come up for a guments on 7.11.2016.

ìMember

Mumber

07.11.2016

Counsel for the appellant and Assistant AG for respondents present. Counsel for the appellant submitted fresh Wakalat Nama and requested for adjournment. To come up for arguments on 7-3/7

(PIR BAKHSH SHAH) MEMBER

(MUHAMMAD AAMIR NAZIR)

MEMBER

07.03.2017

Counsel for the appellant and Mr. Muhammad Jan, GP alongwith Mr. Arif Saleem, ASI for respondents present. Counsel for the appellant submitted an application for adjournment. Adjourned. To come up for arguments on 04.07.20/17 before D.B..

(MUHAMMÁÐ ÁAMIR NAZIR) MEMBER

(ASHFAQUE TAJ)

MEMBER

10.06.2015

. 52

10

Appellant in person and Mr. Imtiaz Ali, DSP (legal) alongwith Addl: A.G for respondents present. Requested for adjournment. To come up for written reply/comments on 2.9.2015 before S.B.

Chailman

11 02.09.2015

Appellant with counsel and Mr. Arif Saleem, ASI alongwith Addl: A.G for respondents present. Written statement submitted. The appeal is assigned to D.B for rejoinder and final hearing for 3.12.2.15.

Charlman

03.12.2015

Appellant in person and Mr. Peshawar Khan, HC alongwith Mr. Muhammad Jan, GP for respondents present. Appellant requested for adjournment due to non-availability of his counsel. To come up for rejoinder as well as arguments on

2.5-2016

Member

Mendber

02.05.2016

Appellant in person and Mr. Arif Saleem, H.C alongwith Addl:AG for respondents present. Rejoinder on behalf of the appellant submitted copy of which is placed on file. To come up 'for arguments on 16.06.2016.

Member

Member

Reader Note:

17.11.2014

Appellant in person presents. Since the Tribunal is incomplete, therefore, case is adjourned to 30.01,2015 for the same.

Ader !

30.01.2015

Appellant along with his counsel and Mr. Kabirullah Khattak, Asst: Advocate General for the respondents present. Counsel for the appellant requested for adjournment. Request, accepted. To come up for preliminary hearing on 26.03.2015.

Member 1

26.03.2015



Counsel for the appellant present. Learned counsel for the appellant argued that the appellant was awarded minor punishment with the shape of withholding of increment for one year with accumulative effect vide impugned order dated 28.11.2013 communicated to the appellant on 17.01.2014 against which he preferred departmental appeal on 27.01.2014 which remained unresponded and hence the present service appeal on 26.05.2014.

That the penalty imposed is against facts and law.

Points urged need consideration. Admit. Subject to deposit of security and process fee within 10 days, notices be issued to the respondents for written reply/comments for 10.06.2015 before S.B.

Chairman

Appellant in person present and requested for adjournment.

Request accepted. To come up for preliminary hearing on 26.08.2014.

26.08.2014

Appellant along with his counsel present, and requested for adjournment. Request accepted. To come up for preliminary hearing on 03.09.2014.

03.09.2014

17.10.2014

Appellant along with his counsel present, and requested for adjournment. Request accepted. To come up for preliminary hearing on 17.10.2014.

Appellant alongwith his counsel present. Preliminary arguments partly heard. The matter required further clarification, therefore, pre-admission notice be issued to the AAG/GP with the direction to contact the respondents for submission of complete record of the appellant and to assist the Tribunal. To come up for preliminary hearing on 17.11.2014.

Member

Member

Form- A FORM OF ORDER SHEET

Court of	· · · · · · · · · · · · · · · · · · ·
Case No	736 /2014

	Case No	736 /2014	
S.No.	Date of order Proceedings	Order or other proceedings with signature of judge or Magistrate	
1	2	3	
1	26/05/2014	The appeal of Mr. Mazhar Jehan presented today Mr. Abrar Alam Advocate, may be entered in the Institu	
		register and put up to the Worthy Chairman for preliminary	
		hearing.	
		REGISTRAR	
2	27-5-20		
,		hearing to be put up there on $25-7-20/6$	
		CHAIRMAN	
		!	
	·	·	
٠.		I	
		· -	
		•	
		1	
		i	
•			
		•	

BEFORE THE SERVICE TRIBUNAL, K.P.K, PESHAWAR.

Appeal No. 736/2014

Inspector Mazhar Jehan

VERSUS

DIG, Kohat etc.

(Appellant)

(Respondents)

INDEX

S. No.	Description of documents	Pages
1	Memorandum of appeal	1-4
2	Affidavit	5
3	Correct Addresses of parties	- 6
4	Order of punishment of respondent No. 1 dated 28-11-2013	7 America"
5	Representation / departmental appeal before IGP Peshaawar	Bog AmeriB
6	Special Dairies No. 437 & 438	10-19 Anex
7	Prosecution opinion	10-19 Amen
8	FIR No. 1191 & 1192 dated 02-11-2013 P.S City Kohat	22,23 Anen
9 .	Reportn and FIR No. 155 dated 10-10-2013 P.S Shakardara Kohat	24 Anex 1
10	Wakalat Nama	25

Dated: 24-05-2014

Through:

Abrar Alam Advocate

High Court & District Courts Kohat.

Cell: 0314-9217005

(Appellant)

Prosecutur apinion by deprint of the Cal 2 is ~1/2 1/2013 (1/2013) 21/2013 تا لزن دائے سے متاور فرناس کا اس ایج اوسی 2-11:2013 SHO PS city Mr. Mazher Johans Submitted an aplication for opion alongwith Dairy NO 438 dated 13 which throughly presud. As fer available scored section. 295-A, 506 PPE are fully awanted at this stage. · Su builled pleaser

المالئ المالئ المالئ المالئ المالئ المالئ المالئ المالئ المالئ المالئ المالئ المالئ المالئ المالئ المالئ المالئ FIR 1191 Annex G فلي منبريه آرد . ٥ دا) (فائیل) ابتدائی اطلاع نسبت مجرم قابل دست اندازی بولیس دبورف شده زیردند، ۲۰ انجموع منا بط فوج اری منبع كولكط متساد سنبي · تاریخورنت وقوم 13 ماریخ دوت 30 اگا 23:00 اگا 23:00 عن التابیخ دوت 30 التابیخ د الرقورت رور المراع والمراع وال خطرجان مال انسکر SHO عنی . ٧ اتام وسكونت اطالع دمينده ومتينث. D 295 A 506-149 مختر كمينيت جرم (مورنه) حال الركيم لياكي بو فليكترمان عجمدوك بم العالي وقوع فاصله تقاله من الرسيت ر کوس دی و بعام جدر ردی سورج را صردکس ری کس معاوم ام مرر ن وسكونت ملزم ول درا اي الله الحاج ور كاردان وتفيش كم متعلق كومي الراطلاع درج بدرصمول مانوی راے برح رباطالے۔ كريس توقف بوابوتووجر بيان كرو-مخارسيرواكلي كي تاريخ ووقت ر مر برسیل داک ابت لائ اطلاع ينهدرج كرو آ درج الا عرائ اللاع ينهدرج كرو آ درج الا عرائ اللاع ينهدرج كرو آ درج الله مُنْ 137 اللَّهُ عَوْمُولُ بِوكُمْ حَمَّو مِظَالَةِ كُرِ فَيْ رَجِي بِمِن اللَّهُ عَلَيْهِ اللَّهُ اللَّالِي اللَّهُ اللللَّا الللَّهُ اللَّالَةُ الللَّهُ الللَّهُ اللَّاللَّ الللَّا مُرَع مُونَالَ صَمْرِ يَحْتُونَ وَأَهُ فِيسَا ور (2) فحدفياص صيركا بالق صلى صرك سيكون (3) وصفور الم رہ صروفین ہی سیکن معاور صریعی حترف نے وقع وارام مذہبی عقامہ کی تورس اور وین اخر شفار رکی ہے۔ اس بابت آفران بالا کا نوٹس س کیا جاک جناب موہ 8- سے قانوی رائے جامل کرے صاب APP والے دیوات 149-506-295A والے ى رائع ديكر بعد حصول مالوى رائم برجر بحلم بالا برحلاف مان بالا جاك بهوكر دارى سِيْل رائع وكر أو صفحات ورجمل مي مرس وج المراه لف Fir كا جاتى ہے - سل رج بغض تفتی واله ادع سفاف تواجاناهے - برجہ درارش ہے insp/sho/city

> Attendents July 24/5/14

02/11/013

Amex IFIRL 1192 بتزائ اطلاعي رورط فلم تمريم برت و (1) (فافین) ابترانی اطلاع نسست مرم قابل دست اندازی بولیس دادر فستره زیردند ۱۵ مجموع منا بطرف مرادی منيه كولاط تارِن ورقت وقوم 13/ ال وقرت : 30:31 ع شا 30:13 <u>ا</u> تارت و قت راور قدار دو وقت ترى اومات جاكيرگي يرج 13/20 وقت: 12:50 ع نام وسكونت اطلاع دبنده ومتيست. مظرحان السيكر ١١٥٥ يى مختر ميست جرم (مورده) حال اگر كه ايا گيا بو R 295-A-506 نجائے دقوع فاصل مخالزسے اور میست قوى إمام باركاه كويا ضريتي نا وسكوست منزم كاررواني بوتفيتن كيمتعلق كالمحي الراطلاع درج كرفين توقف موابوتو دجربيان كرو-بدمول قانول رائے پرچر رباحاتاہے مقاد سرواهی کی تاریخ و وقت الله السبيل داک ابت لائ اطلاع ينهدرج كو آجرة والا يرسيس الله واراج والراج والرابع والر مومول ہوکر صافو خطائع کرتے پرجسمیں شرفد طورٹی نے وقر وارات عدیدی عقابلہ کی توہین آمیز لورکیاہے اس بابت آخران بالا کے ویس بن لایا جاکر جناب موج کے خالف کی جناب موج کے جناب موج وارس دفعات 100 A- 295. من دور درج کرنے کی رائے دیکر لیدھوں مالوئی رائے پرچہ بحرائم مالا رِفُلُافَ مِلْمَ بِالْا عِالَ بَهُوكُ نَقَلَ بِرَجِ بَوْنَ تَفْسَلُ وَالْهِ الْكَارِبُ فَاقْ كِمَا حِالَا بِهِ الل تشع كاغار عم رسراعات ولارا حرل رجاء بالعداد ١٥٥٥ كسال ادا بول - لعدار ماز على المارة والمعنى المارة المعنى ال بمنع وكافر كماي - أورسانويس محم كى جلوس كى دوث يترمل وستركا سوال بى بدر اجنس بسرتاياتوس وعرفيان اع صيدروايت ورائد دو في اي راري الله منهاي محود كياء مع موارس اي الركوني جنك وغيرة برما جائية إلى التي التي الله والم الله والم الله المنظامية والم الله المنظامية والم بمارے خلاف تا زمیر الفاظ اور نمیں کا فر کہتے والوں ع خلاف کاروائی کریں۔ بھررت دیگر جم کی علام بنگس سے کافی تعدادیس ایل تربیع کوبلوا کر محملہ کان تجدید کی کوائے کے دعام ير مخالفين كا خلاف على حرب الحرب وسبت تده باد سباه معام اربياه يربدو باد Alterté JUN 15/14 insp/s40/city 02/11/013

24/5/14

بسال حسا _ مس سردسوس بردسوس مردسوس (25) Principal (25) تمت ایک روبیه July 2 15 DIR I'm ille son باعث خررآ نكد مقدمه مندرجه عنوان بالامیں اپی طرف ہے واسطے بیروی وجوابد ہی کل کاروائی متعلقہ آل مقام کے لئے عصر رم رر مام رم و وكري الله و المعور ف مقرر کر کے اقر ارکیا جاتا ہے کہ صاحب موصوف کو مقدمہ کی کل کاروائی کا اضیار ہوگا۔ نیز وکیل صاحب کو کرنے راضی نامہ و تقرر نالث وفیصله برحلف دینے جواب دہی اورا قبال دعویٰ اور بھورت ڈگری کرانے اجراءاور وصولی جیک دررو پیڈا ورعرضی وعویٰ اور درخواست ہرشم کی تصدیق زراس پر دستخط کرنے کا اختیار ہوگا۔ نیز بصورت عدم پیروی یا ڈگری پکطرفہ یا اپیل کی برآ مدگی ابجد منصوفی و نیز دائر کرنے اپیل نگرانی نظر ٹانی و بیروی کرنے کا اختیار ہوگا۔اور بصورت ضرورت مقدمہ ندکور کے کل یا پی بجائے تقرر کا ختیار ہوگا۔اورصاحب مقررشدہ کو بھی وہی جملہ مذکورہ بالااختیارات حاصل ہوں گے۔اوراس کا ساختہ پر واخته منظور وقبول ہوگا۔ دوران مقدمہ میں جوخر چہ وہر جانہ التوائے مقدمہ کے سب سے ہوگا۔ اس کے متحق کیا صاحب موصوف ہوں گے نیز بقایا خرچہ کی وصولی کرنے کا بھی اختیار ہوگا۔اور کوئی تاریخ بیشی مقام دور د پر ہویا حدے باہر وکیل صاحب پابندنہ ہوں گے۔۔ کہ بیروی مذکور کریں۔ لہٰذاو کالت نامہ کھودیا کہ سندر ہے 2014 له المرقوم Altertal A coefted 15/2014 sign of Appelant

Registrar, Khyber Pakhtunkhwa/Service Tribunal,

Peshawar.

"A"

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

PESHAWAR. PH No. 17)5fector Mazhar Jenan
Apellant/Petitioner .Versus DIG POLICE Kohat Region Kohat
RESPONDENT(S) Notice to Appellant/Petitioner Govt Plander Service To, bunal Polhawar. Take notice that your appeal has been fixed for Preliminary hearing, replication, affidavit/counter affidavit/record/arguments/order before this Tribunal on 17 - 11 at 8 ger AM You may, therefore, appear before the Tribunal on the said date and at the said place either personally or through an advocate for presentation of your case, failing which your appeal shall be liable to be dismissed in default.

"B"

KHYBER PAKHTUNKHWA SERVICE TRIBUNAL, PESHAWAR. JUDICIAL COMPLEX (OLD), KHYBER ROAD, **PESHAWAR** May hay Johan Appellant/Petitioner D.T. G. Or Police Kalat Region Respondent Respondent No.... Notice to: - DI. G. of Police, Kohaf Rogio 1 Kohaf. WHEREAS an appeal/petition under the provision of the North-West Frontier 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 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......dated Given under my hand and the seal of this Court, at Peshawar this.....

•

Khyber Pakhtunkhwa Service Tribunal, Peshawar.

ote: 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.

(at Peshawar)



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

	PESHAWAR.	ンソン
No.	77/	,,
Appeal No.	736	of 20/4
huperti	x Maghax Tehon	Appellant/Petitioner
D.1. Cars	Police Kowa f Region A	Koha f. Respondent
	***************************************	9
	Respondent No	Øx:
Notice to: _ P. P. C	FIGIR KAK	
WHEREAS an appea	d/petition under the provision	of the North-West Frontier
*on	oner in this Court and notice has said appeal/petition is fixed for	hearing before the Tribunal to urge anything against the ked, or any other day to which sed representative or by any e, therefore, required to file in a copies of written statement ease also take notice that in manner aforementioned, the of this appeal/petition will be gistrar of any change in your
. , –	petition will be deemed to be you s by registered post will be deeme	
	ached. Copy of appeal has alrea	idy been sent to you vide this
office Notice No	dated	
	d and the seal of this Court, at I	•
Given under my nam	and the scal of this court, at i	Conawai biis
Day of	20 ′	

Khyber Pakhtunkhwa Service Tribunal, Peshawar.

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

WAKALATNAMA

IN THE SERIVICE	TRIBUNAL KPK, PESHAWAR
Mathax Je	(1.12111511)
VERSUS	(Applicant) (Complainant) (Appellant) (Decree Holder)
DiG, Kohat	(Respondent) (Defendant) (Accused) (Judgment Debtor) M S/o Jehan Kham M Disfrict What M
plo tehsil an	A District What - [1]
Peshawar to appear, plead, act	do hereby appoint and constitute ak (Lachi) & Ibrahim Shah Advocates, compromise, withdraw or refer to arbitration sel in the above noted matter, without any the the authority to engage/ appoint any other matter.
Attested & Accepted	FIR No/ Dated// U/s P.S
	CAIENT/S
Muhammad Amin Kha Advocate,	ttak (Lachi)
Supreme Court of Pakistan Cell:0300-9151041	
2/9/17	* 4

Ibrahim Shah
Advocate, High Court,
Peshawar



BEFORE THE HONORABLE SERVICE TRIBUNAL, KHYBER PAKHTUNKHWA PESHAWAR

Service appeal No. 736/2014		
Inspector Mazhar Jehan		Appellant.
	-	
	VERSUS .	I
		-
Provincial Police Officer, Khyber Pakhtunkhwa and others		Respondents.

Parawise comments on behalf of respondents

Respectively Sheweth:-

Parawise comments are submitted as under:-

Preliminary objections:-

- 1. That the appeal is not maintainable in the present form.
- 2. That the appellant has got no cause of action.
- 3. That the appellant has not come to this Honorable Tribunal with clean hands.
- 4. That the appeal is badly time barred.
- 5. That the appeal is bad for misjoinder of unnecessary parties and non-joinder of necessary parties.
- 6. That this Honorable Tribunal has got no jurisdiction to entertain the appeal.

Reply on Facts:-

- 1. Pertains to record. The appellant being SHO of area was legally required to directly take action and not to base his report on the secret diaries of special branch without permission of competent authority.
- 2. Pertain to record.
- 3. The special diaries of Special Branch are for information of the high ups and appellant without permission of the high ups registered the cases on the basis of their diaries.
- 4. That appellant was present on the occasion of conference but he wrongly referred the diaries of Special Branch in the FIRs which shown his non-professionalism and willful misconduct. Therefore he was awarded minor punishment of withholding of increment for one year with cumulative effect vide order bearing No. 9336/EC dated 28.11.2013. Copy annexure "A".
- Pertains to record.
- 6. That impugned order was passed on 28.11.2013. The departmental appeal/mercy petition on 27.01.2014 whereas the instant appeal lodged on 24.05.2014 and is badly time barred.

Grounds:-

- a. Incorrect. The impugned order is in accordance with law and rules.
 - b. Incorrect. The impugned order is comprehensive and speaking one.
 - c. Incorrect.
 - d. Incorrect. The offence has taken place in his presence and he was required to take legal action but he based his report on intelligence report of Special Branch without orders of the high ups.
 - e. As stated at para D above.
 - f. As stated above, the appellant was present when the objectionable speeches were delivered but he took no legal action and based his report on the diaries of Special Branch without any orders of high ups whereas in referred case of SHO Zafar Ullah, the case was registered through proper permission.
 - g. Incorrect. He has been dealt with in accordance with law/rules.
 - h. Incorrect, the service record contains several adverse entries.
 - i. That the Respondents also seek permission to raise additional grounds at the time of arguments.

In view of above, it is humbly prayed that on acceptance of parawise comments, the instant appeal may kindly be dismissed being meritless and badly time barred.

Deputy Inspector General of Police

Kohat Region, Kohat (Respondent No. 1)

Provincial Poilice Officer, Khyber Pakhtunkhwa (Respondent No. 2)

BEFORE THE HONORABLE SERVICE TRIBUNAL, KHYBER PAKHTUNKHWA PESHAWAR.

Service appear No. 750/2014	
Inspector Mazhar Jehan	Appellant.
VE	ersus
Provincial Police Officer, Khyber Pakhtunkhwa and others	sRespondents.

COUNTER AFFIDAVIT

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

Deputy Inspector General of Police Kohat Region, Kohat (Respondent No. 1) Provincial Police Officer, Khyber Pakhtunkhwa (Respondent No. 2)

F 108 16/013



KOHAT REGION.

ORDER.

IC DEPARTMENT

This order will dispose of on the Show Cause Notice issued / served upon to Inspector Mazhar Jehan S.H.O PS City (hereinafter called defaulter) for the allegations mentioned below:-

Facts of the case are that the defaulter while posted as SHO PS City Kohat, registered a case vide FIR No. 1191 & 1192, dated 02.11.2013 PS City against the elders of Ahl-e-Sunnat & Ahl-e-Tashi respectively. Despite Additional SHO City was present on the occasion of conference held at Mohallah Sikandar Khan as well as Police of PS City on the other occasion, but he referred/ disclosed the diary of Special Branch in the above-mentioned FIRs, which peaks of his non-professionalism and willful miscor duct. Reply to the Show Cause Notice was received, perused and found unsatisfactory.

Therefore, the defaulter was called in Orderly Room and heard in person on 27.11.2013. He failed to submit any plausible explanation to his misconduct.

Therefore, in view of above and available record, the undersigned came to the conclusion that the allegation against him is proved without any shadow of doubt. Hence, the defaulter Inspector Mazhar Jehan is awarded a minor punishment withholding of increment for one year with accumulative effect.

ANNOUNCED.

27.11.2013

Dy: Inspector General of Police, Kohat Region, Kohat.

No. 336 /EC, dated Kohat the 28-11 /2

Copy to the District Police Officer, Kohat for information with the direction to make necessary entry in his Service Record and a copy be placed in his character Roll.

12/

Dy: Inspector General of Police, Kohat Region, Kohat.

Q1

<u>BEFORE THE KHYBER PAKHTUNKHWA SERVICE TRIBUNAL</u> PEASHAWAR

Service Appeal No. 736/2014

Inspector Mazhar Jehan.....(Appellant)

Versus -

Provincial Police Officer, KPK, Peshawar & others(Respondents)

Subject:- REPLICATION ON BEHALF OF APPELLANT.

The respondents have raised evasive preliminary objections. Appellant has filed Service Appeal against the penalty order passed by departmental authority in departmental proceedings initiated against appellant after exhausting departmental remedy. Therefore, the service appeal of appellant is maintainable and appellant has good cause of action. Furthermore, the impugned order was passed at the back of appellant and copy of the penalty order was not served on appellant, the appeal was filed after receipt of the copy of the penalty order and limitation period commences from the date of knowledge or service of the impugned order, hence the appeal is within time. All the necessary parties have been made respondents and this Honorable Tribunal has got jurisdiction to entertain appeal against penalty order passed by the departmental authority.

FACTS:-

1. The reply of respondents in response to Para-1 of the appeal of appellant is wrong. Under the law as provided in Section 154 Cr.P.C Police officer is

Furthermore, Zafar Ullah the then SHO Police Station Shaker Dara registered the case on the basis of information of Special Branch Police and he was not proceeded against departmentally. Therefore, appeal was

2. Respondents have admitted the correctness of Para-2 of the appeal as no reply has been furnished.

discriminated.

- 3. Reply in response to Para-3 of appeal is also wrong, the information supplied by Special Branch was conveyed to appellant and appellant registered the cases after consulting the District Public Prosecutor who furnished written opinion.
- 4. The reply in response to Para-4 is also wrong. Appellant was punished for legal action. Furthermore, the law does not allow stoppage of increment forever as envisaged in FR-29.
- 5. Respondent have admitted Para-5 of the appeal of appellant as no reply has been furnished.
- 6. Reply in response to Para-6 is wrong as limitation period commences from the date of receipt of copy of order, the order was not served on appellant, for which appellant submitted an application on 13.01.2014, on basis of Which copy of impunged order dated 28.11.2013 was delivered on 15.01.2014 and then filed departmental appeal on 27.01.2014 (Copies are attached).

GROUNDS:-

- A. Respondents have advanced no reasons and grounds in support of the contention mentioned in Para-A of the reply of the grounds of appeal. Furthermore, the respondents have over looked the directions contained in FR-29, and no proper inquiry was conducted before passing the impugned order.
- B. The reply of respondents in response to Para-B of the grounds of appeal is also wrong and evasive as the impugned orders have not been based on sound grounds, the impugned order is not specking as required Under Section 24 of General Cluases Act 1897.
- C. Respondents have admitted Para-C of the grounds of appeal of appellant as no reply has been furnished.
- D. The reply of respondents in response to Para-D of the grounds of appeal is wrong as the cases were registered on the basis of information.
- E. Respondents have admitted Para-E of the grounds of appeal of appellant as no reply has been furnished.
- F. The reply of respondents in response to Para-F of the grounds of appeal is wrong because the respondents have based the impugned orders on wrong registration of FIR and have furnished wrong comments that appellant has not been discriminated.
- G. The reply of respondents in response to Para-G of the grounds of appeal is wrong as appellant has not been treated in accordance with law. Identical action of Zafar Ullah the then SHO Shakar Dara was ignored while appellant was wrongly punished.

- H. The reply of respondents in response to Para-H of the grounds of appeal is wrong as no proof has been annexed with the reply.
- I. That some other grounds may be adduced during the course of arguments.

It is therefore, prayed that the appeal may be accepted with back benefits.

Appellant

Through

Muhammad AminKhattak (Lachi)

Dated: 2 / 5 /2016

Advocate, Supreme Court of Pakistan City Gate Plaza, G.T, Road, Peshawar.

0301-8904498

&

Ibrahim Shah

Advocate, High Court,

Peshawar

BEFORE THE KHYBER PAKHTUNKHWA SERVICE TRIBUNAL PEASHAWAR

Service Appeal No. 736/2014

Inspector Mazhar Jehan....(Appellant)

Versus

Provincial Police Officer, KPK, Peshawar & others(Respondents)

AFFIDAVIT

I, Inspector Mazhar Jehan S/o Jahan Khan R/o Barh Tehsil & District Kohat, do hereby solemnly affirm and declare that the contents of the accompanying *Rejoinder* are true and correct to the best of my knowledge and belief and nothing has been concealed from this learned court.

Deponent

BEFORE THE KHYBER PAKHTUNKHWA SERVICE TRIBUNAL, PESHAWAR

Appeal No.736/2014

Inspector Mazhar Jehan......Appellant

VS

D.I.G Kohat and othersRespondents

APPLICATION FOR EARLY HEARING

Respectfully Sheweth:-

- 1. That the above title case is pending adjudication before this Hon'ble Tribunal and is fixed for $\frac{\nu}{05/2016}$.
- That the matter involved in the instant appeal is of service nature, while the date fixed in the tiled appeal is a lengthy one, therefore, the instant application.
- 3. That the appellant has a good prima-facie case in his favour and is also sanguine about its success.
- 4. That a very short point is involved in the instant appeal, which will not take sufficient time of this Hon'ble Tribunal, hence needs early disposal.

In view of above, it is therefore, most humbly prayed that on acceptance of this application, the above title appeal may kindly be fixed for an early date for its early disposal.

but up to the cour

9/2-/16.

Appellant
Through

M. Amin Khattak Lachi Advocate

Supreme Court of Pakistan

BEFORE THE KHYBER PAKHTUNKHWA SERVICE TRIBUNAL, PESHAWAR

Appeal No.736/2014

Inspector Mazhar Jehan......Appellant
VS

D.I.G Kohat and othersRespondents

AFFIDAVIT

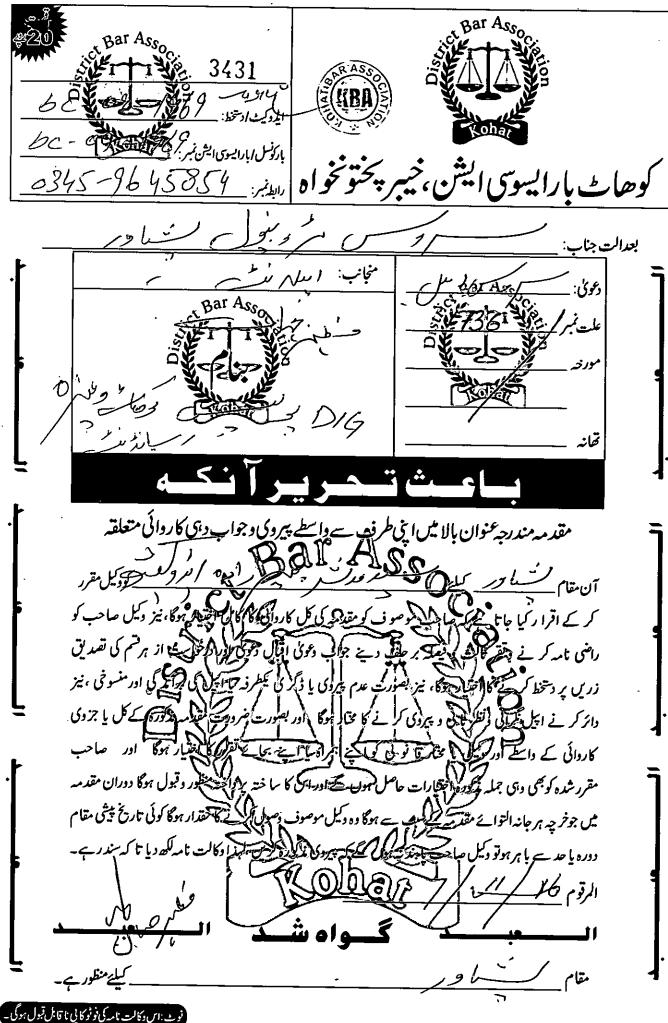
I, Mazhar Jehan S/o Jehan Khan R/o Post Office Burh, Village Burh, Kohat (Appellant), do hereby affirm and declare on oath that the contents of this **Application** are true and correct and nothing has been concealed from this honourable court.

DEPONENT

14301-1988920-7

NOHAMMAD

ADVOCATE



BEFORE THE KHYBER PAKHTOON KHWA SERVICE TRIBUNAL PESHAWAR.

Mazahar Jehan S.I	V/s	DIG etc
Appellant		Respondents

Application for Adjournment.

Respectfully Sheweth,

- 1) That the above mentioned appeal is pending before this Honoable Tribunal
- 2) That the Appellant council is engaged in other cases in high court

Service Appeal 736

3) That the Appellant council will appear before the honorable tribunal on next date positively

It is therefore humbly and respectfully prayed that on acceptance of this application ,the date may please be adjourned .

Dated---7/3/----/2017

Appellant

Through

Syed Mudasir Pirzada Advocate of HC Kohat. 2. Brief facts of the case as per present service appeal are that the appellant is serving in Police Department as Inspector. He was imposed minor penalty of withholding of increment for one year with accumulative vide order dated 28.11.2013 by the competent authority on the allegations that he while posted as SHO PS City Kohat, registered a case vide FIR No. 1191& 1192 dated 02.11.2013 PS City against the elders of Ahl-e-Sunnat & Ahl-e-Tashi respectively despite Additional SHO City was present on the occasion of conference held at Mohallah Sikandar Khan as well as Police of PS City on the other occasion, but he referred/disclosed the diary of Special Branch in the above-mentioned FIRs, which speaks of his non-professionalism and willful misconduct. The said impugned order was received to the appellant on 17.01.2014. The appellant filed departmental appeal on 27.01.2014 which was not responded hence, the present service appeal on 26.05.2014.

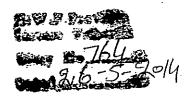
mud 2/10 2

- 3. Respondents were summoned who contested the appeal by filing written reply/comments.
- 4. Learned counsel for the appellant contended that the appellant was serving in Police Department. It was further contended that minor penalty of withholding of increment for one year with accumulative effect was imposed upon the appellant by the competent authority due to the aforesaid allegations. It was further contended that the impugned order is injustice, illegal and not sustainable in the years of law. It was further contended that similar nature of FIR was also registered against SHO namely Zafarullah Khan wherein the said Zafarullah Khan disclosed the Special Branch Diary but no action was taken against him therefore, the appellant was discriminated. It was further contended that the appellant have unblemished record in Police Department therefore,

حبابعالي م م منات 1192 عرام 110/11/20 عمام سرى من الموامرى سر ر داے ڈی آئی جی ماس کو ہیں ہوا، اگر دا۔ (ی) آئی جی ماس سے کوی سرادی سو لو، کی ریب لفیرنی سفیرہ طالی معیری رحم درنورست 1.2400 السيس فطرصان نولس املی کیاح. 13-1-2014 800 b/10 Copy has been hander over to you Mary de la company de la compa 17-1-14

BEFORE THE SERVICE TRIBUNAL, K.P.K, PESHAWAR

Service Appeal No. 736 2014



VERSUS

- Deputy Inspector General of Police, Kohat Region Kohat
- Provincial Police officer / Inspector General of Police KPK Peshawar (Respondents)

APPEAL U/S 4 against the impugned order No. 9336 dated 28-11-2013 of the respondent No. 1 who awarded punishment "withholding of increment for one year with the accumulative effect" to the appellant.

PRAYER:

On acceptance of this appeal, the impugned order dated 28-11-2013 awarded punishment mentioned above of respondent No. 1 to the appellant may kindly be set-aside and also other suitable remedy may kindly be granted.

Respectfully Shaweth:

With great veneration, the instant appeal is preferred by the appellant on the following facts and grounds.



FACTS:

- 1) That the appellant lodged two in number FIR i.e. 1191, 1192 dated 02-11-2013 U/S 295A 506 PPC of P.C City Kohat against the accused of different sect. (FIRs are attached)
- 2) That the above mentioned FIR are lodged through the special dairy of the special branch i.e. Dairy No. 437 dated 30-10-2013 and Dairy No. 438 dated 01-11-2013. (Both of diaries 437 and 438 are attached).
- 3) That the above mentioned FIRs has been lodged through special diaries mentioned above and after obtaining respective opinion from the prosecution. (The opinion are attached)
- 4) That due to the above mentioned proceeding which is conducted by the appellant, the respondents given / awarded of the punishment withholding of increment for one year with accumulative effect. (The order of respondent No. 1 is attached)
- 5) That being aggrieved person, the appellant approach through departmental appeal before the respondent No. 2 but in vain. (The appeal is attached)
- 6) That now the appellant has no way except to approach to this Hon'ble Court and are rely on the inter alie following grounds.

GROUNDS:



- A. That the impugned order is being un-justice, illegal, baseless and not sustainable in the eyes of law, therefore, need liable to be set-aside.
- B. That the impugned order is suffering from perversity of reasoning, hence liable to be set-aside.
- C. That the impugned order is outcome of surmises and conjectures.
- D. That the penalty has been imposed to the appellant is totally illegal, because the appellant performed and conducted his legal duty and lodged the report in the shape of FIRs mentioned above against the accused of different sect.
- E. That it is pertinent to mentioned that Kohat is a very sensitive area and the peoples belong to different sect like Ahle Sunat and Ahle Tashi and when the appellant observed / received the report of special branch in shape of dairy, upon the said report the appellant lodged the FIRs mentioned above and appellant had not committed any illegality and any disobeying of his high-ups.
- F. That before these FIRs mentioned above, similarly an other SHO namely Zafar Ullah Khan of Shakardara also lodged the report through special branch dairy but neither the High-ups have asked any single word and nor he be awarded any punishment. (FIR No. 155 dated 10-10-2013 U/S 506-16MPO-7ATA is attached)



- G. That the applicant performed his duty for his performance he may be awarded appreciation "AWARD" but the defendant awarded punishment which is totally un-justice and illegal for the such like honest officer of the police.
- H. That the appellant have un-blemished record in police department and also served himself for the service of people.
- I. That the further grounds will be agitated at the time of arguments with the kind permission of this Hon'ble court / Tribunal.

It is, therefore, humbly prayed that on acceptance of this appeal, the impugned order dated 28-11-2013 may kindly be set-aside, and the appellant may be appreciated for his duty and other suitable remedy may kindly be granted.

(Appellant)

Dated: 24-05-2014

Through: Abrar Alam Advocate

High Court Peshawar

Cell: 0314-9217005



BEFORE THE SERVICE TRIBUNAL, K.P.K, PESHAWAR.

Inspector Mazhar Jehan VERSUS

DIG, Kohat etc.

(Appellant)

(Respondents)

AFFIDAVIT

I, Mazhar Jehan, do hereby solemnly affirm and declare on oath that the contents of the instant appeal are true and correct to the best of my knowledge and belief and nothing has been concealed from this Honourable Tribunal. Further no such like service appeal has been moved before this.

Distt; Court Kohat.

Dated: 24-05-2014

Deponent

Mazhar Jehan

BEFORE THE SERVICE TRIBUNAL, K.P.K, PESHAWAR

Service Appeal No.		2014
--------------------	--	------

Inspector Mazhar Jehan VERSUS

DIG, Kohat etc.

(Appellant)

(Respondents)

CORRECT ADDRESS

Appellant:

Inspector Mazhar Jehan S/o Jahan Khan R/o Barh Tehsil & District Kohat (Presently) Counter Terrorism Department Police Line Kohat

Respondent:

- 1. Deputy Inspector General of Police, Kohat Region Kohat
- 2. Inspector General of Police KPK Peshawar

(Appellant)

Dated: 24-05-2014

Through: Abrar Alam Advocate

High Court & District Courts Kohat.

Cell: 0314-9217005

Annexne-A Order of Dige 28/11/2014 KOHAT REGION.

POLICE DEPARTMENT

ORDER.

This order will dispose of the Show Cause Notice issued / served upon to Inspector Mazhar Jehan S.H.O PS City (hereinafter called defaulter) for the allegations mentioned

Facts of the case are that the defaulter while posted as SHO PS City Kohat, registered a case vide FIR No. 1191 & 1192, dated 02.11.2013 PS City against the elders of Ahl-e-Sunnat & Ahl-e-Tashi respectively. Despite Additional SHO City was present on the occasion of conference held at Mohallah Sikandar Khan as well as Police of PS City on the other occasion, but he referred/ disclosed the diary of Special Branch in the above-mentioned FIRs, which speaks of his non-professionalism and willful misconduct. Reply to the Show Cause Notice was received, perused and found unsatisfactory.

Therefore, the defaulter was called in Orderly Room and heard in person on 27.11.2013. He failed to submit any plausible explanation to his misconduct.

Therefore, in view of above and available record, the undersigned came to the conclusion that the allegation leveled against him is proved without any shadow of doubt. Hence, the defaulter Inspector Mazhar Jehan is awarded a minor punishment withholding of increment for one year with accumulative effect.

ANNOUNCED.

Dy: Inspector General of Police, Kohat Region, Kohat.

No. 9336 /EC, dated Kohat the 28/11

Copy to the District Police Officer, Kohat for information with the direction to make necessary entry in his Service Record and a copy be placed in his character Roll.

SRe 1/2 For necessary endors in the Service Record areasologies 11

Dy: Inspector General of Police, Kohat Region, Kohat.

Copy given to you

بهاطت: افران بالا

عنوان: مر ور فواست

يدكه ماكل ذيل عرض كزار --

1۔ یہ کہ ماکل کو بعید چاک گرنے FIR نجر 191، 192، 11.2013 مورفد 02.11.2013 ان و دفعہ اللہ کا کہائے ذریر دفعہ اللہ 28.11.2013 میں بناء پر مورفد 28.11.2013 آرڈر نجر 9336/AC مورفد 28.11.2013 جتاب ڈی آئی جی صاحب کوہائے نے accumulatie effect مورفد 20.11.2013 میزادی ہے۔

2۔ یہ کرمزا کی بنیادی وجہ پیتھی کہ پیٹل برائج کی ڈائری 437مور نہ 30.10.2013، 438مور نہ 01.11.2013 کی رپورٹ کے مطابق اصل حقائق کے اوپر ڈسٹر کھٹے پبلک پراسکیو ٹرسے رائے کیکر FIR درج کی۔

3۔ سیش برائج کے اہلکاران کی شکایت پرمیرے خلاف انکوائری ہوکر سز اہوئی۔

مقیقے :

ا بیکہ پیش برائج کی ڈائری نبر 437اور 438 ڈی پی اوصاحب کو ہاٹ اور ڈی ایس پی ٹی کو مارک ہوکر جناب ڈی ایس پی ٹی ٹ صاحب نے دفتر طلب کر کے ان پیشل ڈائریوں کے اوپر جو کہ عدالت میں بطور شوت ثابت ہو سکتے تھے تھے تھے محم دیا کہ ان پیشل برائج ڈائریوں کے اوپر ڈسٹر کٹ پہلک پر اسکیو ٹرسے دائے کیکر FIR دیں۔ افسران بالا کے تھم پر ڈسٹر کٹ پہلک پر اسکیو ٹرکی رائے پر پر چددیا گیا۔ دائے براسکیو ٹراور FIR کی کا بیال ہمراہ لف ہیں۔

ب۔ یہ کہ سائل کو سرز افسران بالا کے احکامات کی درست بجا آوری کے صلے میں دی گئی حالانکہ چاہیے تو بیرتھا کہ قانون کے مطابق کاروائی کوسراہاجا تا۔

ج۔ جبکہ ای طرح کا پر چیطت 155 مورخہ 10.10.2013 جرم 16MPO/506/7ATA تھا نہ شکر درہ جناب ایس ان آگا او ظفر اللہ خان کی مدیعت میں چاک ہوئی جو کہ پیشل برائج کی ڈائری نمبر 409 مورخہ 10.10.2013 مروز خان HC سپیشل برائج کی ڈائری نمبر 409 مورخہ 10.10.2013 مروز خان FIR پیشل برائج کی ڈائری پر آئندہ کو اگری پر چاک ہوئی چونکہ اس FIR پر افسان نے کوئی کا روائی نہیں کی اور نہ ہی جملہ شاف کو بتایا گیا کہ پیشل برائج کی ڈائری پر آئندہ کوئی بھی پر چہ چاک نہیں ہوگا۔ FIR کی کا فی ہمراہ لف ہے۔

لہذابذر بعذا تیل گزارش ہے کہ سائل کی درخواست منظور کرتے ہوئے ایک سالہ صبط شدہ انگر بہنٹ بحال کرنے کا تھم صادر فرمائیں۔ ہیشہ دعا گور ہول گا۔

انسپکژمظهر جهان پولیس لائن کوبائ تح مر 27.01.2014 9

Phone No: 9260112. Fax No: 9260114.

From: -

The Dy. Inspector General of Police,

Kohat Region, Kohat.

 T_{Ω}

The Provincial Police Officer,

Khyber Pakhtunkhwa, Peshawar.

No. 1670

/EC, Dated Kohat the /2 / 22 /2014.

Subject: -

APPEAL.

MEMO:

Kindly refer to the subject cited above.

It is submitted that Offg: Inspector Mazher Jehan of this Region Police has preferred the enclosed appeal, requesting therein for setting aside the punishment order wherein he was awarded punishment of withholding of increment for one year with accumulative effect please.

Dy: Inspector General of Police Kohat Regign, Kohat.

No. <u>/67/-</u>/EC

Copy to the District Police Officer, Kohat for information w/r to his office Memo: No. 1890/SRC, dated 29.01.2014.

Dy: Inspector General of Police, Kohat Region, Kenat. Blog to of the District Police Office (1) (1) Dury 137 23:00 l € 18:30 cist 330 - 10 0° 3 & 1. Blechio Lute Em Boll of wer ile ilm 13 (like with ما فظ منیل کی شادی قاتم آرای را مای قالفرس مافون دو شیادی من ورف الله عامودی وربی وسی مربی و الله عامودی و الله عامو chilipping phi 3 @ 1912 light عاري مداوليل (ماع عارية) (عام عارية) (عام عامر الح Geral Company Color Bank Boll of PM-38 MA قَ الله المعلى المعالم المعالم المعالية المعالية المعالم المعا وَرَ عَمَانُ عَنَى وَيُرِيدُ وَ مِنْ اللَّهِ وَمُ مِنْ اللَّهِ وَمُ مِنْ اللَّهِ اللَّهِ مِنْ اللَّهِ الللَّهِ اللَّهِ اللَّهِ اللَّهِ اللَّهِ اللَّهِ D.P.O. KOHAT & 56) SHO/BUT per miformator a ale Hadaly 24/5/14

219 [23 had well lind led 2 July فرارات كرن مين - بم انتظامين كو رافسال مي يفيل دالم - L'OS Ogle 1 1 de Me E O 6 19 Gel 6 0 - Che The one of which we have being got of (35.09 d. 56 lb lin in 1 6 Colones July Cold محاب کرام خواد ف علیط الفاظ را تھال نزر ہی ۔ اور مازارس المست لو تا جائز شک نے کری ۔ کو تعمالی is of - (" 2) who of " but as but is Us or. (1) 26 11 - Ch 25 (2) 200 (1) 200 (1) Bociow Ohi B يني - تُو بر مارير هريير هريير 12 ciego 11- Eb blie / 2 / 6 - 3 / 3 / 1. 1, 2) com. Oral Jacob Ling - Lilje i. Ornil à lève est la lève che de de les de les in in the 1-02/William of (b) مع دها اوران قام زیا اوران قام زیا وایس به و عوایی تاریس از برای کرده کی از می دهشت de jelvel. Sale de la come. Ori Alfare 24/5/14

50 Ju 66 2 2 2 0 0 5 6 4 2 8 1/4 190 يرف سين ماسات أق را عالى دو سين قرول م على أن - قارب على مطالبي شمالا الورثر ما نا is in of well a de comparison - h معومًا على أن فاطر الرئوس أو سوراً وسا الم الله Le gr - Pi (gets 6 Por Cr Joboson i in Colo Light of Cude 6 Wiley 1852 - Wing Colo (6) Edrita 601. 916 de 1600 Loybe Logo - 26 8 in contest to co 5.63 09 (h, 6 d) 18 13. 40 16 65 9 Du. in 6 0) One calle suite on consider ريني مات منول واين - بالرق الرق الرق المول الحوال المولاد ~ Colo & 3 (13 F) 3 K 100 a Attenta 24/5/14

000 (1905 31) well- (1) of an energille in Uy li falle (gr or or or (lin) one - Ore her Sin 1/1/1/1/ 6 1/1/1/10 Ent John J. C. 3 O Jun 1 Out is is it is a list - 4/5 a Eng zin san gin sellen ged ging 186,6 radry 4/0 nles 2 1986 en 219 Elle. فَر رِيك الْعَدِي رُيرِ مِن كَوْدًا - أَكَانِنَ فِي الْمَا الْمَاكِ فِي وَالْمَا رِينَ الْمُعْلِي وَالْمِي رَنَ on the file is with the Cis of Cis 21/2 - On On Co 21/2 com بر سانسی مزائے ہیں۔ سی م موں ہے میں مردوانسی ماند محسب الله عاروى بينها و يك كريس لو عارون للفروالله Cel-1/10 6 30 6 8 Co - 4 Marit 6 Com عَمَانُ عَالَيْهِ مَا تَسِيرًا لُورِ صَارِيدُ لِمُ صَارِيدًا كُلُ مَا وَفِي عَلَى مَا وَفِي عَبْرِي i l'harmen i gibê i gibê inswikterie Tie he Controller in - 1" on he is be in the Ontr. Site - 0,6 10/10 60/6 - 6/2/16/25 Attorted e M a415/14

عسالی رسی سے ملا اور آی الم ار آن الم فَرْقُ وَلِينَ - فَسَادِكَ مَنَ يُسِلِدُ - السَّامِ } الْمَارِينَ الري نام من المالك - منه الله من الله وران على 4 /10 6 Cir ling & job 6 chis (i) - his سى سے بيك كوركش كال الولو عثرور نے حفیت كرما روز سراسوقت کا - قب وه محر شوی کے قول قبی کاز (39 le 28 é 19 réd d1. W- 6 1 1 55/ Of Cer softell a availate, 4 166 1/19 4 15 m 3 / 50 / 6 m / 5 m و دي ساعي الوث والع - الجد الموالم فترون كا قمال تقیراسران میں ہے الولولوشرور كو مامان تا بي كال من شيس عربا - تعمد الولو فيراث من من المولو في gw. Generale le pre 13 M2 00 12 Use y Po Gr 1666 Atlante 24/5/14

6 (15) عسان من تورق اور فسا معلا تع والا عبراله من عماد في نقوه لگا - سموس رئيس كا من دار حول - رسى علون مرور افراد كساني اس وفي حريق محريق من در فراس كان مرد م وين عميان في على المحاص المعالية بن عباية بن عباية Will Pilie Cal The Get with 2 12 Constituted insoficies so - les tignes de les 2016 10 00 9 me 9 166 166 500 فيل ع فريسي من عبير عثر يكر المرفنا تريس عبي الم July Och is the state of the is on Get j'eje C'el L'86-25 GES VOS orije bo a co o cham con 191- 4 brue i 99. 4 h/2 2 180h, 18 860 0 16 6 16 1 26 jet 62 - 6. 4 p 3 d 6.601 6. 600/31-0/3/61- 4 WWC Lines

On in out of it of only Bob & Get philipped. On The 28 of the get رالزامات سر دسته ما شق عبرقالوی علوسی ا 1/16 -9/ in Liple of will city of comes in ي عد الحاد بر فيور بولك ، فري مكرف كاروال (زار bite with for the war con of our start water Justeral Flores. 1. Color & Color - 20 2013 (10 16 16 10) Cus i-01 200 6 6 6 6 6 1 1 191. 4 39/ did Imbis I ged I - Ear Beer Do prisary et Dole 20 Color 8 100 - Or 21/2 (21/1/09/2 200/40/6/08 00/6/10 intiliste out i 20) rleg & mel 19 2/3 8 96). 5 (3)) (160) CES (3 Astrontal 24/5/1

من لوط فراعول كوسلام بين) (ما مول - رَمْ لولوں أ علوں Une (18) Well be - 2 2 199 00 5/16 - 08 f. 6" 1 (in) (in) (in) (in) 00 were 166 WO, No Este Out - 1 go of فيها ديمه لا يوس - اور الله کار فلا) من احق رامان کام راس 012/0-18 2000 19 64 6 1000 > topindiling of the all its religione l'élèc- lieb de 3 Calbirbill's 06-36 mais de · plous ching of @ 01 0 b Sigh 2 2 1/2/16 6, 8 pm (by 2) ch (by Consider D)

2/ in Cle/19,000 / Co 6-(1) Ched Chew Pols Cines & 45/2013- 26W793W0916 402015 CWI- Galler welling 3 530 g (1) 1 is 1 39 63 0318/00 56132. O-1 7936009 Julous Of a for In- On I Down with Torse E F. 1. 10 /1/3 forworded. Vu86 Wllock the Sis-lat 30-10-13 Officer Special Branch Kohat 30-10-13 6333-9603877 24/5/14

19 7 438 145/15 13.30 613.00 Co 20 20 1 11 Roger 10150 فو في الحام ماركاه مني كوها طرام سيح كا يمار . هم زمر المامات ولانا و بالعاد عالمعالم عمال عمال الموى . 3 30/18 por (we Spinson de) 10/10 المفام الما تعرب الله الما والحارك والحارك والما والحارك والحارج الما والحارج الما والحارج الما والحارج الما والحارج الما والما والم وها العام المعالم المع Gode OC 3 Code of the Wind Soll of Sol of with south your light of it will En/800 10/1/1/2011/2011/2019 فريدي الحقو المنازين من الرون من و ورا المانية The look of the فرون از براان فر اور یکس کافریک والوک قابرای کارران کی 14.5 mil dio stable of our of the house Topo e logistim ite jil 18 (١٥٠ عالم الماه المرادول be ducked affective the Sich Ribe Ahreter No officamwait Here Lead and have I 146/ay Tala luga arelia and Sapert 6/1/11/13

epholiphia (20)
Prosecution
de un opinion

SHO Maghing. les list

application for opinion alongwith Dairy NO 437 dated 31-10-13

submitted by SHO Mazhar Jahan which is thoughty personed.

As per available record

Section 295-A, 506, 149 ppc

one fully attracted at this

submitted Please.

Herry 24/5/14

2/11/13