

01.10.2014

Appellant in person and Mr. Fazal Ghafoor, PSI on behalf of respondents with Mr. Muhammad Adeel Butt, AAG present. Written reply/para-wise comments received on behalf of the respondents, copy whereof is handed over to the appellant for rejoinder on 29.01.2015.

  
Member

07

29.01.2015

Appellant in person and Mr. Fazal Ghafoor, PASI on behalf of respondents alongwith learned Addl: AG present. Rejoinder submitted. To come up for final hearing/arguments before D.B on 31.07.2015.

  
Chairman

31.07.2015

Counsel for the appellant and Mr. Muhammad Jan, GP with Muzafar Khan, SI (Legal) for the respondents present. Learned Member (Executive) is feeling unwell, therefore, arguments could not be heard. To come up for arguments on

17-11-2015

  
MEMBER


16.10.2015

Appellant with counsel present and requested for requisition of file for to-day. File has been requisitioned.

Appellant submitted an application for withdrawal of the appeal, his signature also obtained in the margin of order sheet. As such, the appeal is dismissed as withdrawn. File be consigned to the record.

ANNOUNCED  
16.10.2015.

  
MEMBER

  
MEMBER

15302-8961086-9  
13/10/15

Appeal No. 244/2014  
Mr. Muhammad Pervez

3. 11.04.2014

Counsel for the appellant present. Preliminary arguments heard and case file perused. Counsel for the appellant contended that the appellant has not been treated in accordance with law/rules. Against the original order dated 25.12.2013, he filed departmental appeal, which has been rejected on 07.02.2014, hence the present appeal on 24.02.2014. He further contended that the impugned order dated 07.02.2014 has been issued in violation of Rule-5 of the Civil Servant (Appeal) Rules 1986. Points raised at the Bar need consideration. The appeal is admitted to regular hearing subject to all legal objections. The appellant is directed to deposit the security amount and process fee within 10 days. Thereafter, Notices be issued to the respondents for submission of written reply/comments on 26.06.2014.

Appellant Deposited  
Security & Process Fee  
Rs. 220/- Bank  
Receipt No. \_\_\_\_\_ with File.

S

Member

4. 11.04.2014

This case be put before the Final Bench 2 for further proceedings.

Chairman

5.

26.6.2014


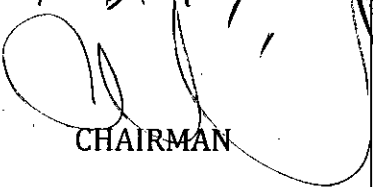
Appellant in person and Mr. Fazal Ghafoor, PSI on behalf of respondents with AAG present. Written reply has not been received. To come up for written reply/comments, positively, on 01.10.2014.

Chairman

Form- A  
FORM OF ORDER SHEET

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

Case No. 244/2014


S.No.	Date of order Proceedings	Order or other proceedings with signature of judge or Magistrate
1	2	3
1	24/02/2014	<p>The appeal of Mr. Muhammad Perviz resubmitted today by Mr. Muhammad Ayub Shinwari Advocate may be entered in the Institution register and put up to the Worthy Chairman for preliminary hearing.</p> <p style="text-align: right;"> REGISTRAR</p>
2	24-2-2014	<p>This case is entrusted to Primary Bench for preliminary hearing to be put up there on <del>11-4-2014</del></p> <p style="text-align: right;"> CHAIRMAN</p>

The appeal of Mr. Muhammad Pervaiz Ex-sub-Inspector received today i.e. on 14.02.2014 is incomplete on the following scores which is returned to the counsel for the appellant for completion and resubmission within 15 days.

Heading of the appeal is incomplete which may be completed.

No. 248 /S.T,

Dt. 17/02 /2014.

  
REGISTRAR  
SERVICE TRIBUNAL  
KHYBER PAKHTUNKHWA  
PESHAWAR.

Mr. Muhammad Ayub Shinwari Adv. Pesh.

*It is re-submitted after removal  
in objection of*

**In The Khyber Pakhtunkhwa Service Tribunal, Peshawar**

Service Appeal No 246 /2014

Muhammad Perviz

....Appellant

versus

Governmentt of Khyber Pakhtunkhwa through  
Secretary Home and Tribal Affairs & others.

....Respondents

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Through

  
Appellant



**Muhammad Ayub Khan Shinwari**  
Advocate Peshawar

**CHAMBER**  
7-A & 11-A,  
Haroon Mansion,  
Khyber Bazar, Peshawar  
Cell 03219068514

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**In The Khyber Pakhtunkhwa Service Tribunal, Peshawar**

Service Appeal No 240 /2014

191  
14-2-14

Muhammad Perviz,  
Ex-Sub Inspector, No 360/M,  
Dir Lower District.

.....Appellant

Versus

1. Government of Khyber Pakhtunkhwa through Secretary Home and Tribal Affairs Department, Peshawar.
2. Inspector General of Police, Government of Khyber Pakhtunkhwa, Peshawar.
3. Deputy Inspector General of Police, Malakand Region, Said Sharif, Swat.
4. Regional Police Officer, Malakand Rang-III at Saidu Sharif, Swat.
5. District Police Officer, Dir Lower at Timergara.

.....Respondents

**Service Appeal under Section 4 of the Khyber Pakhtunkhwa Service Tribunal Act, 1974**

against Order dated 07-02-2014. *Passed by regional Police officer Malakand at Saidu Sharif Swat whereby the major punishment for combatting retirement was upheld.*

**Prayer:**

On acceptance of this Service Appeal the impugned Order dated 25-12-2013 whereby the Appellant is Compulsory Retired from service and Order dated 07-02-2014 whereby the Departmental Appeal of the Appellant is dismissed may kindly be set aside and the Respondents may kindly be directed to reinstate the Appellant in service with all back benefits.

as-submitted to  
and filed.

14/2/14  
Respectfully Sheweth,

Brief but relevant facts of the case are as follows:

1. That the Appellant was appointed as Constable in the Police Department on 05-10-1974 and promoted as Sub Inspector in the Year 2008.
2. That ever since his appointment the Appellant has performed his duties to the best of his abilities and to the entire satisfaction of his superiors.
3. That vide Office Order 11-12-2013 the Disciplinary Action was initiated against the Appellant on the grounds of corruption and corrupt practices. An inquiry officer was appointed who exonerated the Appellant in his finding report. (Copy of Office Order dated 11-12-2013 and Finding Report are attached herewith as **Annex-A & B** respectively)
4. That thereafter to the utter surprise of the Appellant the Respondent No 5 passed an Order dated 25-12-2013 whereby the Appellant was Compulsory Retired from service with immediate effect. (Copy of Order dated 25-12-2013 is attached herewith as **Annex-C**)
5. That against the aforesaid Order, the Appellant filed Departmental Appeal which is dismissed vide Order dated 07-02-2014. (Copy of Departmental Appeal and Order dated 07-02-104 are attached herewith as **Annex D & E** respectively)
6. That it is important to mention here that the impugned order whereby the Appellant is Compulsory Retired from service besides being coram non judice is passed without holding any inquiry, without issuing any show cause notice, without giving any chance of hearing and without giving any final show cause notice to the Appellant.

Hence the instant Service Appeal on the following amongst other grounds:

**Grounds:**

- a. That the impugned order is against the law, illegal, unlawful, without lawful authority and void ab initio, hence untenable and liable to be set aside.
- b. That the treatment met to the Appellant is against law, rules and policy on the subject matter, which is his inalienable right under the Article 4 of the Constitution of Islamic Republic of Pakistan, 1973.
- c. That the impugned order whereby the Appellant is Compulsory Retired from service is passed without holding any inquiry, without issuing any show cause notice, without giving any chance of hearing, without giving any final show cause notice, without producing any witness/evidence against the Appellant and without affording him any opportunity of cross examination.
- d. That the impugned Order whereby the Appellant is Compulsory Retired from service is based on malafide for extraneous consideration.

- e. That the impugned order has been passed in utter disregard of the procedure laid down in the Khyber Pakhtunkhwa Servants (Efficiency and Discipline) Rules, 2011 and Khyber Pakhtunkhwa Police Rules, 1975.
- f. That the impugned Order is a non speaking order and no reasons are given for passing the impugned order which is against the Section 24-A of the General Clauses Act, 1897 furthermore the impugned Order is *Coram non Judice*.
- g. That the impugned order is against the principles of natural justice because before passing the impugned order no chance of hearing was given to the Appellant.
- h. That the impugned order is against the fundamental rights enshrined and protected under the Constitution of Islamic Republic of Pakistan, 1973.
- i. That the impugned Order is passed in utter disregard of the dictums of the Superior Courts.
- j. That the Appellant craves permission of this Honorable Tribunal to rely on other grounds at the time of arguments and produce any additional document if required in support of his Service Appeal.

It is, therefore, prayed that on acceptance of this Service Appeal the impugned Order dated 25-12-2013 whereby the Appellant is Compulsory Retired from service and Order dated 07-02-2014 whereby the Departmental Appeal of the Appellant is dismissed may kindly be set aside and the Respondents may kindly be directed to reinstate the Appellant in service with all back benefits.

Any other relief which has not been specifically prayed for and deemed fit and appropriate by this Honorable Tribunal in the circumstances may graciously be granted.

Through

  
Appellant



**Muhammad Ayub Khan Shinwari**  
Advocate Peshawar



**In The Khyber Pakhtunkhwa Service Tribunal, Peshawar**

Service Appeal No \_\_\_\_\_/2014

Muhammad Perviz

....Appellant

versus

Governmentt of Khyber Pakhtunkhwa through  
Secretary Home and Tribal Affairs & others.

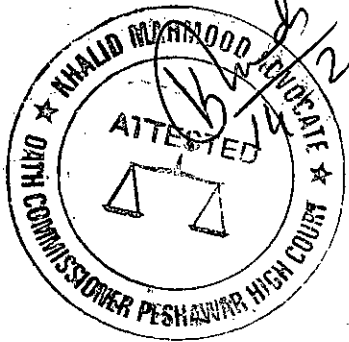
....Respondents

**Affidavit**

I, Muhammad Perviz, Ex-Sub Inspector, No 360/M, Dir Lower District do hereby solemnly affirm and declare on oath that the contents of the accompanying Service Appeal are true and correct to the best of my knowledge and belief and nothing has been concealed from this Honorable Tribunal.



**Deponent**



A (5) E/No-1476/E,  
dt 11.12.13

DISCIPLINARY ACTION

I, Tahir-Ur-Rahman, Acting District Police Officer, Dir Lower at Timergara as competent authority, am of the opinion that you SI Muhammad Perviz have rendered yourself liable to be proceeded against departmentally as you have committed the following acts/omission as defined in Rule 2 (iii) of Police Rules 1975.

STATEMENT OF ALLEGATION.

That while, he posted at PS Samar Bagh as SHO remained involved in corruption and corrupt practices, which shows gross misconduct on his part.

2- For the purpose of scrutinizing the conduct of said officer with reference to the above allegations Mr. Zafar Khan DSP HQrs is appointed as enquiry officer.

3- The enquiry officer shall conduct proceedings in accordance with provisions of Police Rules 1975 and shall provide reasonable opportunity of defence and hearing to the accused officer, record its findings and make within two (02) days of the receipt of this order, recommendation as to punishment or other appropriate action against the accused officer.

4- The accused officer shall join the proceeding on the date, time and place fixed by the Enquiry officer.

District Police Officer,  
Dir Lower at Timergara.

No. 23578-79 /E,

dated 11-12- /2013.

- 1- Mr. Zafar Khan DSP-HQrs (Enquiry Officer) for initiating proceeding in against the accused SI Muhammad Perviz, under Police Rules 1975.
- ✓ 2- SI Muhammad Perviz SHO Police Station Samar Bagh.

*Muhammad Perviz*

5/1

Better Copy

E/NO-1476/C,  
dated 11/12/2013

DISCIPLINARY ACTION

I, **Tahir-Ur-Rehman**, Acting District Police Officer, Dir Lower at Timergara as competent authority, as of the opinion that you SI **Muhammad Perviz** have rendered yourself liable to be proceeded against departmentally as you have committed the following acts/omission as defined in Rule 2 (iii) of Police Rules 1975

STATEMENT OF ALLEGATION

1. That while, he posted at PS Samar Bagh as SHO remained involved in corruption and corrupt , which shows gross misconduct on his part.
2. For the purpose of scrutinizing the conduct of said officer with reference to the above allegations **Mr. Zafar Khan DSP HQrs** is appointed as enquiry officer.
3. They enquiry shall proceedings in accordance with provisions of Police Rules and shall provide reasonable opportunity of defence and hearing to the accused officer, record its findings and make within two (2) days of the receipt of his order, recommendation as to punishment or other appropriate action against the accused officer.
4. The accused officer shall join the proceeding on the date, time and place fixed by the Enquiry officer.

xxSdxx

**District Police Officer,  
Dir Lower at Timergara.**

No. 23578-79/E,

dated 11/12/2013

1. Mr. Zafar Khan DSP-HQrs (Enquiry Officer) for initiating proceeding in against the accused SI Muhammad Perviz under Police Rules 1975.
2. SI Muhammad Perviz SHO Police Station Samar Bagh.

*Muhammad Perviz*

بنام: SI محمد پرویز سابقہ SHO تھانہ شہر باغ حال معطل شدہ پولیس لائن۔

جناب عالی!

مکالمہ انکوائری، چارج شیٹ نمبری 1476/EC مورخہ 11.12.013 اور انکوائری

کاغذات برخلاف پرویز خان SI/SHO تھانہ شہر باغ اعروض ہوں۔ کہ من DSP ہیڈ کوارٹر تیرگرہ کو SI صاحب مذکور کا چارج شیٹ بغرض انکوائری مارک ہو کر جسمیں جناب طاہر رحمان خان ایکٹنگ DPO صاحب لوئر دیر نے مذکورہ SI صاحب کے خلاف الزامات عائد کیا ہے۔ ردہ کرپشن میں ملوث ہے اور بدعنوانی کا مشق کر رہا ہے۔

اندریں بارہ انکوائری شروع ہو کر دوران انکوائری استیمان قاضی حسین احمد سابقہ ناظم شہر باغ، ڈاکٹر سر بلند خان بازار صدر شہر باغ، عنایت خان تحصیل صدر PTI شہر باغ و جلیئس کمیٹی ممبر، اظہار الدین عرف شاہ جی انچارج کمپلیٹ سیل PTI تحصیل شہر باغ، بحرہ مند جان نائب صدر PTI تحصیل شہر باغ، عبدالتین ولد توکل خان ساکن کامبٹ لیکوڑ، صدر بازار کامبٹ / ANP یونین کونسل صدر کامبٹ / و جلیئس کمیٹی ممبر / مصالحتی کمیٹی ممبر، DSP صاحب سرکل چندول محمد نعیم خان اور ملزم پرویز خان SI سابقہ SHO تھانہ شہر باغ حال معطل شدہ پولیس لائن کے بیانات قلمبند کئے جا کر صفحہ مسل انکوائری پر لائے گئے۔

انکوائری بیانات سے پرویز خان SI مذکور کے خلاف کرپشن میں ملوث ہونے یا اندریں بارے مشق کرنے کا کوئی ثبوت سامنے نہیں آئی ہے۔ البتہ عنایت خان ممبر و جلیئس کمیٹی و تحصیل صدر PTI نے اپنے بیان میں پرویز خان SI کے خلاف الزامات عائد کئے ہیں۔ کہ اُس نے مسیان بحرہ مند جان اور اظہار الدین سے سنا ہے۔ کہ اس نے منشیات فروشان گرفتار کر کے چھوڑے ہیں۔ اور سرکاری الاچھی درخت کاٹ کر گھر خود لے گیا ہے۔ جب متذکرہ کسان سے رابطہ ہوا تو وہ منکر پائے اُنکے بیانات بھی صفحہ انکوائری مسل پر لائے ہیں، SI صاحب نے بھی عائد شدہ الزامات سے انکاری بیان دیا ہے جو شامل کاروائی ہے۔ جو مزید تسلی اور معلومات کی راہ میں روکاؤ ہے، اور منشیات فروشان کو نہیں بلکہ چرس پینے والے مسیان عبد الجبار ولد انزر گل ساکن شہر باغ اور شفاء خان ولد فیض الرحمن ساکن کوٹکے چم شہر باغ کو گرفتار کر کے اُنکے خلاف مقدمات علت 603,604 بجرم 4PO تھانہ شہر باغ رجسٹر کئے ہیں یہ بات بھی جھوٹ پر مبنی ثابت ہوئی، جو کہ عنایت خان کے بیان میں الزامات برخلاف SI مذکور سنی سنائی بھی ہے جو تصدیق نہ ہو سکے۔ (نقل FIR,s تصدیق شدہ ہمراہ شامل انکوائری ہیں)۔

SHO/SI پرویز خان پر عائد شدہ الزامات کے سلسلہ میں انچارج IB راحت خان، AGO نصیب جان خان اور انچارج DSB انور سید خان SI کو مطالبہ کر کے اُن سے معلومات کی گئی۔ مگر وہ بیانات دینے پر آمادہ نہیں ہیں کیونکہ انہیں اندریں یا قانونی التعلیل حاصل ہے۔ انہیں بیان دینے پر بھی کوئی مجبور نہیں کر سکتا ہے البتہ زبانی الفاظ کہتا ہے کہ افسران بالذکر وہ بھی ہمارے الزام شدہ معلومات افکار نہیں ہے۔ چونکہ

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All  
D

انکوائری بیانات اور معلومات سے مذکورہ SI صاحب کے خلاف کس پشن میں ملوث ہونے کا کوئی ثبوت سامنے نہیں آئی ہے۔ البتہ گواہ عنایت خان کے بیان میں کچھ مزید کچھ جسکی تصدیق اور تائید نہیں ہوئی ہے۔ اس لئے اس کے ساتھ اتفاق کرنا انصاف کے معانی ہے۔ اور اپنی جنس ادارے بھی اندریں بارہ لائسی کا اظہار کرتے ہیں۔

لہذا مندرجہ ذکر حالات میں پرویز خان SI/SHO تھا شرم باغ کرپشن کے الزامات سے بے قصور وار ٹھہرنا قرین انصاف ہے۔ چونکہ افسران بالا نے مذکورہ SI/SHO کے خلاف کرپشن اور کم پشن کی کاروائیوں میں ملوث ہونے کے الزامات لگائے ہیں اور عنایت خان صدر P.H. تحصیل شرم باغ گواہ کے عدم تصدیق شدہ بیان میں بھی بدعنوانی کے الزامات ظاہر کئے ہیں۔ اس بناء پر SI/SHO مذکور کو پولیس لائن میں کچھ عرصہ کیلئے زیر نگرانی رکھنے اور انکوائری کاغذات مزید کسی کارروائی کے فائل کرنے کی سفارش کرتا ہوں، مزید افسران بالا کے آراء اور احکامات میرے۔ فارشات اور رائے سے مقدم اور افضل ہوگی۔



ڈی۔ ایس۔ پی اہیڈ کوارٹر

تیسرے ضلع دیرپائین۔



C 8

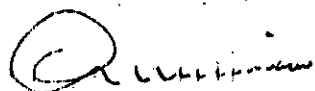
OFFICE OF THE DISTRICT POLICE OFFICER,  
DIR LOWER AT TIMERGARA

ORDER

This order will disposed off the departmental enquiry conducted against SI Muhammad Pervaiz No.360/M, he while posted as SHO Police Station Samar Bagh has been charged for his involvement in corruption / corrupt practices upon source report. Consequently he was served with Charge Sheet and DSP Hqrs appointed Enquiry Officer to scrutinize his conduct. The Enquiry Officer examined some notables from locality and also some Police officials. The Enquiry officer in his finding report has submitted that he consulted the In-charges IB and Special Branch of District Dir Lower, but they dis-owned the source report and were not ready to record their statements. The Enquiry Officer recommended the delinquent SI to be kept under surveillance in Police Lines. Though the Enquiry Officer has not held the delinquent officer guilty of charge, but has mentioned that one Inayat Khan Member Vigilance Committee and Tehsil President PTI have mentioned in his statement that the SI is involved in corrupt practices.

Keeping in view the general reputation of the delinquent officer, I, Ghulam Habib Khan, District Police Officer, Dir Lower (Competent authority) do hereby order his compulsorily retirement from service with immediate effect.

OB No. 1699  
Dated. 25/12/2011

  
District Police Officer,  
Dir Lower at Timergara

  
Assistant  
District Officer

بکھنور جناب ریجنل پولیس آفیسر صاحب ملاکنڈ Rang-III بمقام سید و شریف سوات۔

درخواست بمراد خالی ملازمت بعہدہ SI۔

نمونہ

جناب عالی!

سائیل ذیل غرائض گزار ہے۔

(1) یہ کہ فدوی سال 05/10/1974 کو نکلے پولیس دیر پائین میں بحیثیت کنسٹیبل بھرتی ہو کر مختلف عہدوں پر کام کر کے عہدہ SI پر سال 2008 کو ترقیاتی کا حکم ہوا ہے۔

(2) یہ کہ سائیل نے ملاکنڈ ڈویژن کے مختلف اضلاع میں انتہائی دنیا منداری ایمانداری اور نامساعد حالات میں فرمائیں سرانجام دے کر ریکارڈ پر موجود ہے۔

(3) یہ کہ سائیل سرکاری کام اور فرمائیں کی انجام دہی سے بخوبی واقفیت رہنے کے باعث بالا حکام کے احکامات کے تابع مختلف تھان جات میں SHO تعینات رہا ہے۔

(4) یہ کہ سائیل ملاکنڈ آپریشن کے دوران سوات اور شانگلہ میں تعینات رہا ہے۔

(5) یہ کہ سائیل بحوالہ چھٹی نمبری E/1476 مورخہ 11.12.2013 چارج شیٹ اور چھٹی نمبری E/79-23578 مورخہ

11.12.2013 ڈسپلنری ایکشن DPO صاحب دیر لوئر نے جاری کر کے جس میں Curreption کا ذکر ہے۔

(6) یہ کہ سائیل کے خلاف تحریری یا زبانی شکایت کا حوالہ جاری شدہ چارج شیٹ میں موجود نہ تھا۔

(7) یہ کہ سائیل نے اس حوالے سے تنصیلاً جواب تحریر کر کے جو کے لف ہذا ہے۔

(8) یہ کہ سائیل کو جرح کا موقع فراہم نہ کر کے ایک طرف انکو آڑی کی گئی۔

(9) یہ کہ سائیل کا تھانہ شمر باغ میں بحیثیت SHO پوسٹنگ تھا اور سائیل کو بغیر صفائی کا موقع دینے کے لائن کلوز اور معطل کیا گیا۔

(10) یہ کہ سائیل کے خلاف بغیر کسی شواہد کے مورخہ 26.12.2013 کو جناب DPO صاحب دیر لوئر نے جبری ریٹائرمنٹ کا حکم

صادر فرمایا۔

(11) یہ کہ حکم صادر شدہ کے نقل کاپی کیلئے باقاعدہ درخواست گزار کرتا ہم باوجود اس کے کہ سائیل نے اس محکمہ میں 1974 سے تاحکم

برطرنی انتہائی اہم خدمات سرانجام دی ہے۔ نقل کی فراہمی میں مشکلات کا سامنا کرنا پڑا۔

(12) یہ کہ سائیل کو نقول نہ ملنے کے باعث ان حالات پر درخواست واپس کرنے کا انتہائی دکھ بھی ہے۔ تاہم قانونی تقاضے پورا

کرنا اور انصاف کے تلاش میں شکایات کرنے اور درخواست ٹرمپ کرنے کے سوائے دیگر کوئی چارہ نہیں ہے۔

(13) یہ کہ سائیل کے دائرہ میں بے گناہی کی سزا اور سائیل کے نامہ ان کو مینا لائون قواعد اور ہر قسم کی انسانی حقوق کی پامالی کے

متبادل ہے۔

(14) یہ کہ سائیل اور سائیل کے بچوں کے مال پر ہم نے سائیل کے نامہ ان کو مینا لائون قواعد اور ہر قسم کی انسانی حقوق کی پامالی کے

حکم صادر فرمادیں۔

(15) حکم DPO صاحب دیر لوئر باوجود درخواست کے نہ ملنے کے متبادل کے نامہ ان کو مینا لائون قواعد اور ہر قسم کی انسانی حقوق کی پامالی کے

العارض

سب انسپکٹر پرویز خان

ضلع دیر یائین۔

0344 9896 424 - 0300 - 9511887

**OFFICE OF THE REGIONAL POLICE OFFICER, MALAKAND**  
**REGION, AT SAIDU SHARIF SWAT**

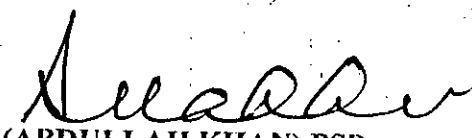
**ORDER:**

This order will dispose off the appeal preferred by Ex-SI Muhammad Perviz No. 360/M of Dir Lower District for reinstatement in service.

Brief facts are that, the above named Ex-SI while posted as SHO PS Samar Bagh District Dir Lower was charged for involvement in corruption / corrupt practices upon source report. He was issued charge sheet coupled with statement of allegation and DSP/ Hqrs: was appointed as Enquiry Officer. The Enquiry Officer examined some notables from locality and also some Police Officials. The Enquiry Officer in his finding report submitted that he consulted the Incharges IB and Special Branch of District Dir Lower, but they disowned the source report and were also not ready to record their statements. The Enquiry Officer recommended the Ex-SI / applicant for keeping him under surveillance in Police Lines and also not held him guilty of charges, but stated that one Inayat Khan member vigilance committee and Tehsil Presidnet PTI disclosed in their statements that he was involved in corrupt practice, therefore, he was compulsorily retired from service under Police Rules 1975 vide DPO Dir Lower office OB No. 1699, dated 25/12/2013.

The appellant was called in Orderly Room on 06/02/2014 and heard in person, but he did not produce any substantive materials in his defense. Therefore I uphold the order of District Police Officer, Swat, whereby the appellant has been awarded major punishment for compulsory retirement from service.

Order announced.

  
 (ABDULLAH KHAN) PSP  
 Regional Police Officer,  
 Malakand, at Saidu Sharif Swat  
 \*Naqi\*

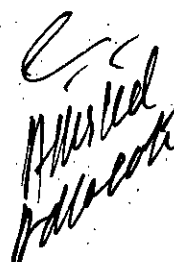
No. 1198-99/E,

Dated 07/02/2014.

Copy for information and necessary action to the:-

1. District Police Officer, Dir Lower with reference to his office Memo: No. 363/EC, dated 09/01/2014.
2. Ex-SI Muhammad Perviz of Dir Lower District.

\*\*\*\*\*





BEFORE SERVICE TRIBUNAL. KPK بعدالت

PETITIONER *محمد نجیب*

18/2/19. مورخہ

SERVICE APP. مقدمہ

دعویٰ

جرم

## باعث تحریر آنکہ

مقدمہ مندرجہ عنوان بالا میں اپنی طرف سے واسطے پیروی و جواب دہی وکل

کارروائی متعلقہ آن مقام SERVICE TRIBUNAL کے لئے ADVOCATE کے لئے  
مقرر کر کے اقرار کیا جاتا ہے کہ صاحب موصوف کو مقدمہ کی کل کارروائی کا کامل اختیار ہوگا۔ نیز  
وکیل صاحب کو کرنے رضی نامہ و تقرر ثالث و فیصلہ بر حلف دینے جواب دہی اور قبل دعویٰ اور  
بصورت ڈگری کرنے اجراء اور وصولی چیک و روپیہ اور عرضی دعویٰ اور درخواست ہر قسم کی تصدیق  
زراں پر دستخط کرانے کے اختیار ہوگا۔ نیز بصورت عدم پیروی یا ڈگری یکفرقہ یا اپیل کی برآمدگی اور  
منسوخی نیز دائر کرنے اپیل نگرانی اور نظر ثانی و پیروی کرنے کا اختیار ہوگا۔ اور بصورت ضرورت مقدمہ  
مذکور کے کل یا جزوی کارروائی کے واسطے اور وکیل یا مختار قانونی کو اپنے ہمراہ یا اپنی بجائے تقرر کا اختیار  
ہوگا۔ اور صاحب مقرر شدہ کو بھی وہی جملہ مذکورہ بالا اختیارات حاصل ہوں گے اور اس کا ساختہ  
پرداختہ منظور و قبول ہوگا دوران مقدمہ میں جو خرچہ و ہرجانہ التوائے مقدمہ کے سبب سے ہوگا اس کے  
مستحق وکیل صاحب موصوف ہوں گے۔ نیز بقایا و خرچہ کی وصولی کرنے کا بھی اختیار ہوگا۔ اگر  
کوئی تاریخ پیشی مقام دورہ پر ہو یا حد سے باہر ہو تو وکیل صاحب پابند نہ ہوں گے۔ کہ پیروی مذکور  
کریں۔ لہذا وکالت نامہ لکھ دیا کہ سندر ہے۔

2019

فروری

ماہ

13

المرقوم

بد الع بد الع ش بد الع

ATTESTED.

ACCEPTED.  
BT.

ADVOCATE.

کے لئے منظور ہے۔

لسبق و۔

بمقام

*M. J. Khan*  
PETITIONER.

CNIC # 15302-8961086-9.

M. MUHAMMAD PARVAIZ KHAN

5/10  
M. MUHAMMAD YAKOUB.



**BEFORE THE KHYBER PAKHTUNKHWA SERVICE TRIBUNAL PESHAWAR**

Service Appeal No. 244/ 2014

Muhammad Prviz Ex- sub Inspector 360/M, Dir Lower .....Appellant ;

**VERSUS**

- 1) Government of Khyber Pakhtunkhwa through Secretary Home and Tribal Affairs Department, Peshawar.
- 2) Inspector General of police, Government of Khyber Pakhtunkhwa, Peshawar.
- 3) Regional Police Officer, Malakand at Saidu Sharif Swat.
- 4) District Police Officer .Dir Lower.....Respondents.

**PARA WISE COMMENTS ON BEHALF OF THE RESPONDENTS.**

Respectfully she with;

**PRELIMINARY OBJECTIONS.**

- 1) That the present service appeal is not maintainable in it's form.
- 2) That the appellant has not come to this August Tribunal with clean hands.
- 3) That the present appeal is badly time barred.
- 4) That the Honorable Service Tribunal has no jurisdiction to entertain the present Service appeal.
- 5) That the appellant has got no cause of action.
- 6) That the appellant suppressed material facts from this Honorable Tribunal.

**ON FACTS**

1. Correct.
2. Pertains to record.
3. Correct,. The enquiry officer shows his sympathy with the appellant but the competent authority is not bound with the finding report.
4. Correct, The appellant was involved in corruption and the competent authority right awarded him major punishment. Although this case was fit for Dismissal from service but the competent authority while taking lenient view awarded compulsory retirement to the appellant.
5. Correct, the appeal was rightly dismissed as there were no found for acceptance of appeal.

2/1/14

**Before The Khyber Pakhtunkhwa Service Tribunal, Peshawar**

Service Appeal No 244/2014

Muhammad Pervez

.....Appellant

Versus

Govt of KP through Secty Home & Tribal Affairs & Others

.....Respondents

**Rejoinder on behalf of Appellant**

**Respectfully Sheweth,**

**On Preliminary Objections:**

All the preliminary objections are formal, wrong and incorrect, hence denied.

**On Facts:**

1. Para No "1" is admitted to be correct, hence needs no reply.
2. Para No "2" needs no rejoinder.
3. Para No "3" of the Service Appeal is partially admitted to be correct which needs no reply, while the remaining part of comments is wrong and incorrect, hence denied while that of Service Appeal is correct.
4. Para No "4" of the Service Appeal is partially admitted to be correct which needs no rejoinder while remaining part is wrong and incorrect while that of Service Appeal is correct.
5. Para No "5" of the Service Appeal is partially admitted to be correct which needs no rejoinder while remaining part is wrong and incorrect while that of Service Appeal is correct.
6. Para No "6" of the comments is wrong, incorrect, mis leading and misconceived, hence denied while that of Service Appeal is correct. In fact before passing the impugned Order no charge sheet, no show cause notice, no final show cause notice, no chance of cross examining the witness, no

0-5  
22.09.15

chance of hearing is given to the Appellant, which is evident from the fact that no such document is attached with the comments by the respondents.

**On Grounds:**

- a. Para "a" of the comments is wrong and incorrect hence denied, while that of Service Appeal is correct.
- b. Para "b" of the comments is wrong and incorrect hence denied, while that of Service Appeal is correct.
- c. Para "c" of the comments is wrong, incorrect, mis leading and misconceived, hence denied while that of Service Appeal is correct. In fact before passing the impugned Order no charge sheet, no show cause notice, no final show cause notice, no chance of cross examining the witness, no chance of hearing is given to the Appellant, which is evident from the fact that no such document is attached with the comments by the respondents.
- d. Para "d" of the comments is wrong and incorrect hence denied, while that of Service Appeal is correct.
- e. Para "e" of the comments is wrong and incorrect hence denied, while that of Service Appeal is correct.
- f. Para "f" of the comments is wrong and incorrect hence denied, while that of Service Appeal is correct.
- g. Para "g" of the comments is wrong and incorrect hence denied, while that of Service Appeal is correct.
- h. Para "h" of the comments is wrong and incorrect hence denied, while that of Service Appeal is correct.
- i. Para "i" of the comments is wrong and incorrect hence denied, while that of Service Appeal is correct.
- j. Para "j" needs no reply.

It is, therefore, prayed that the title Service Appeal may kindly be allowed as prayed for.

Through

Appellant,

  
**Muhammad Ayub Khan Shinwari**  
Advocate Peshawar

**Before The Khyber Pakhtunkhwa Service Tribunal, Peshawar**

Service Appeal No 244/2014

Muhammad Pervez

.....Appellant

Versus

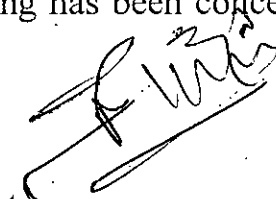
Govt of KP through Secty Home & Tribal Affairs & Others

.....Respondents

**Affidavit**

I, Muhammad Perviz, Ex-SI, No 360/M, Dir Lower District do hereby solemnly affirm and state on oath that the contents of accompanying rejoinder are true and incorrect to the best of my knowledge and belief and nothing has been concealed from this learned Tribunal.

Deponent



ATTESTED



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28.01.15

**Before The Khyber Pakhtunkhwa Service Tribunal, Peshawar**

Service Appeal No 244/2014

Muhammad Pervez

.....Appellant

Versus

Govt of KP through Secty Home & Tribal Affairs & Others

.....Respondents

**Rejoinder on behalf of Appellant**

**Respectfully Sheweth,**

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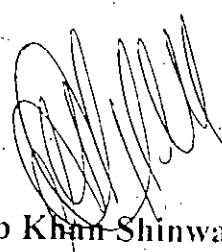
**On Grounds:**

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- b. Para "b" of the comments is wrong and incorrect hence denied, while that of Service Appeal is correct.
- c. Para "c" of the comments is wrong, incorrect, mis leading and misconceived, hence denied while that of Service Appeal is correct. In fact before passing the impugned Order no charge sheet, no show cause notice, no final show cause notice, no chance of cross examining the witness, no chance of hearing is given to the Appellant, which is evident from the fact that no such document is attached with the comments by the respondents.
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- e. Para "e" of the comments is wrong and incorrect hence denied, while that of Service Appeal is correct.
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- h. Para "h" of the comments is wrong and incorrect hence denied, while that of Service Appeal is correct.
- i. Para "i" of the comments is wrong and incorrect hence denied, while that of Service Appeal is correct.
- j. Para "j" needs no reply.

It is, therefore, prayed that the title Service Appeal may kindly be allowed as prayed for.

Through

Appellant,

  
**Muhammad Ayub Khan Shinwari**  
Advocate Peshawar



Before The Khyber Pakhtunkhwa Service Tribunal, Peshawar

Service Appeal No 244/2014

Muhammad Pervez

.....Appellant

Versus

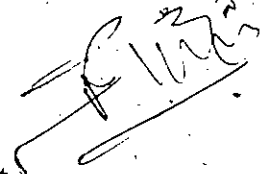
Govt of KP through Secty Home & Tribal Affairs & Others

.....Respondents

**Affidavit**

I, Muhammad Perviz, Ex-SI, No 360/M, Dir Lower District do hereby solemnly affirm and state on oath that the contents of accompanying rejoinder are true and incorrect to the best of my knowledge and belief and nothing has been concealed from this learned Tribunal.

Deponent



29/1/2015

6. Incorrect proper Departmental inquiry conducted. The respondents fulfilled all the codal formalities. (charge sheet, statement of Allegation and Inquiry Report Annex: A, B &C)

### **GROUNDS**

- A) Incorrect, the impugned order is in accordance with law and rules.
- B) Incorrect, the appellant treated in accordance with law and rules and no violation of the fundamental right has been committed by respondents.
- C) Incorrect, the order of the respondents was issued after fulfilling all the legal/codal formalities. Proper opportunity was give to the appellant, but he failed to prove his innocence.
- D) Incorrect, there is no mala-fide against the appellant at all.
- E) Incorrect, the impugned order is passed in accordance with law and rules.
- F) Incorrect, the impugned order is speaking one and the order is according to the section 24-A of General Clauses Act and the impugned order is Cor am- judice.
- G) Incorrect, the order is according to principles of natural justice.
- H) Incorrect, the order is in accordance with law and not repugnant to the constitution of Pakistan.
- I) Incorrect, every case has its own facts and merits and the respondents always obeys the dictums of the superiors courts.
- J) The respondents also craves permission of this honorable tribunal to rely on other grounds at the time of arguments.

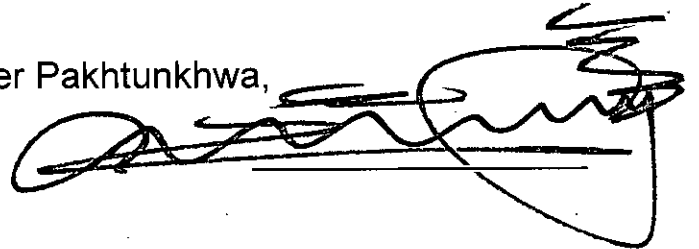
PRAYER:-

In light of above it is prayed that the appeal being time barred and baseless, may be dismissed with order of cost please.

**Secretary,**

Home & Tribal Affairs Deptt: Khyber Pakhtunkhwa,

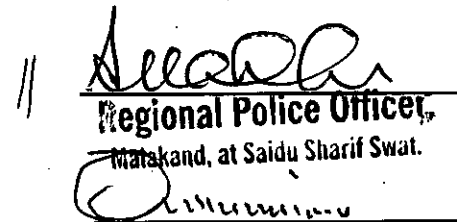
Peshawar



**Provincial police officer,**  
Khyber Pakhtunkhwa, Peshawar.



**Regional police officer,**  
Malakand, at Saidu, Swat.

//   
**Regional Police Officer,**  
Malakand, at Saidu Sharif Swat.

**District Police Officer,**  
Dir Lower at Timergara.

  
**District Police Officer**  
Dir Lower at Timergara

**BEFORE THE KHYBER PAKHTUNKHWA SERVICE TRIBUNAL PESHAWAR**

Muhammad Perviz. Ex- Sub inspector 360/M, Dir Lower..... **Appellant**

**VERSUS**

- 1) Government of Khyber Pakhtunkhawa through Secretary Home and Tribal Affairs Department, Peshawar.
- 2) Inspector General of police, Government of Khyber Pakhtunkhawa, Peshawar.
- 3) Regional Police Officer. Malakand at Saidu Sharif Swat.
- 4) District Police Officer .Dir Lower at Timergara. .... **Respondents**

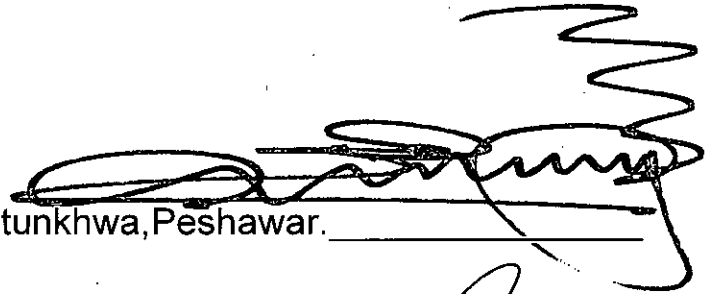
**POWER OF ATTORNEY.**

We the following responds do hereby authorized Mr. Muzafar Khan SI Legal Timergara Dir Lower to appear on our behalf before the honorable service tribunal Khyber Pakhtunkhwa Peshawar in connection with above service appeal.

He is also authorized to submit all documents required by the tribunal in the above service appeal.

**Secretary,**


Home & Tribal Affairs Deptt: Khyber Pakhtunkhwa, Peshawar.



**Provincial police officer,**  
Khyber Pakhtunkhawa, Peshawar.



**Regional police officer,**  
Malakand, at Saidu, Swat.



**District Police Officer,**  
Dir Lower at Timergara.

**Regional Police Officer,**  
Malakand, at Saidu Sharif Swat.

**District Police Officer**  
Dir Lower at Timergara

**BEFORE THE KHYBER PAKHTUNKHWA SERVICE TRIBUNAL PESHAWAR**

Service Appeal No. 244/ 2014

Muhammad Perviz. Ex- Sub inspector 360/M, Dir Lower.....Appellant.

**VERSUS**

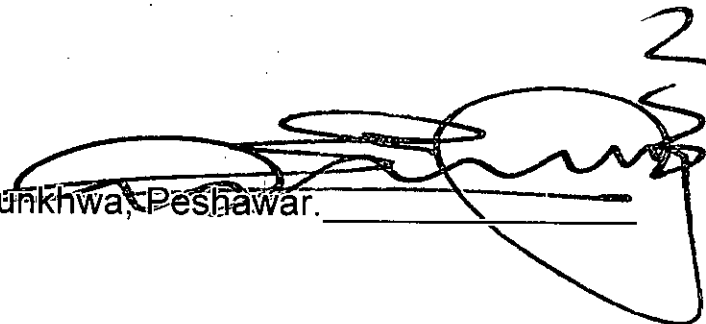
- 1) Government of Khyber Pakhtunkhwa through Secretary Home and Tribal Affairs Department, Peshawar.
- 2) Inspector General of police, Government of Khyber Pakhtunkhwa , Peshawar.
- 3) Regional Police Officer. Malakand at Saidu Sharif Swat.
- 4) District Police Officer .Dir Lower at Timergara.....Respondents

**AFFIDAVIT**

We the undersigned do hereby solemnly affirm and declare on Oath that the contents of the Para-wise comments are true and correct to the best of our knowledge and belief and nothing has been suppressed or concealed from this honorable tribunal.

**Secretary,**

Home & Tribal Affairs Deptt: Khyber Pakhtunkhwa, Peshawar.



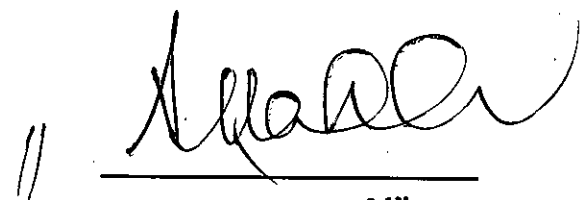
**Provincial police officer,**

Khyber Pakhtunkhwa, Peshawar.



**Regional police officer,**

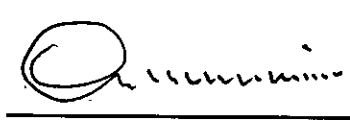
Malakand, at Saidu, Swat.



**Regional Police Officer,**  
Malakand, at Saidu Sharif Swat.

**District Police Officer,**

Dir Lower at Timergara.



**District Police Officer**  
Dir Lower at Timergara

(2.S)

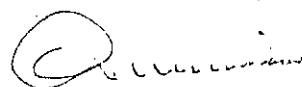
OFFICE OF THE DISTRICT POLICE OFFICER,  
DIR LOWER AT TIMERGARA

ORDER

This order will disposed off the departmental enquiry conducted against SI Muhammad Pervaiz No.360/M, he while posted as SHO Police Station Samar Bagh has been charged for his involvement in corruption / corrupt practices upon source report. Consequently he was served with Charge Sheet and DSP Hqrs appointed Enquiry Officer to scrutinize his conduct. The Enquiry Officer examined some notables from locality and also some Police officials. The Enquiry officer in his finding report has submitted that he consulted the In-charges IB and Spécial Branch of District Dir Lower, but they dis-owned the source report and were not ready to record their statements. The Enquiry Officer recommended the delinquent SI to be kept under surveillance in Police Lines. Though the Enquiry Officer has not held the delinquent officer guilty of charge, but has mentioned that one Inayat Khan Member Vigilance Committee and Tehsil President PTI have mentioned in his statement that the SI is involved in corrupt practices.

Keeping in view the general reputation of the delinquent officer, I, Ghulam Habib Khan, District Police Officer, Dir Lower (Competent authority) do hereby order his compulsorily retirement from service with immediate effect.

OB No. 1698  
Dated 25/12/2013



District Police Officer,  
Dir Lower at Timergara

E/No-1476/E  
dt 11.12.13

DISCIPLINARY ACTION

I, Tahir-Ur-Rahman, Acting District Police Officer, Dir Lower at Timergara as competent authority, as of the opinion that you SI Muhammad Perviz have rendered yourself liable to be proceeded against departmentally as you have committed the following acts/omission as defined in Rule 2 (iii) of Police Rules 1975.


STATEMENT OF ALLEGATION.

That while, he posted at PS Samar Bagh as SHO remained involved in corruption and corrupt practices, which shows gross misconduct on his part.

2- For the purpose of scrutinizing the conduct of said officer with reference to the above allegations Mr. Zafar Khan DSP HQrs is appointed as enquiry officer.

3- The enquiry officer shall conducted proceedings in accordance with provisions of Police Rules 1975 and shall provide reasonable opportunity of defence and hearing to the accused officer, record its findings and make within two (02) days of the receipt of this order, recommendation as to punishment or other appropriate action against the accused officer.

4- The accused officer shall join the proceeding on the date, time and place fixed by the Enquiry officer.

  
District Police Officer,  
Dir Lower at Timergara.

No. 23578-79 /E,

dated 11-12- /2013.

1- Mr. Zafar Khan DSP HQrs (Enquiry Officer) for initiating proceeding in against the accused SI Muhammad Perviz under Police Rules 1975.

✓ 2- SI. Muhammad Perviz SHO Police Station Samar Bagh.

نام: SI محمد پرویز سابقہ SHO تھانہ ثمر باغ حال معطل شدہ پولیس لائن۔

جناب عالی!

بھولامہ انکوائری، چارج شیٹ نمبر 1476/EC مورخہ 11.12.013 اور انکوائری

کاغذات بر خلاف پرویز خان SI/SHO تھانہ ثمر باغ معروض ہوں۔ کہ من DSP ہیڈ کوارٹر تیز گره کو SI صاحب مذکور کا چارج شیٹ بغرض انکوائری مارک ہو کر جس میں جناب طاہر رحمان خان اینٹنگ DPO صاحب لوئر دیر نے مذکورہ SI صاحب کے خلاف الزامات عائد کیا ہے۔ زدہ کرپشن میں ملوث ہے اور بد عنوانی کا مشق کر رہا ہے۔

اندریں بارہ انکوائری شروع ہو کر دوران انکوائری مسلمان قاضی حسین احمد سابقہ ناظم ثمر باغ، ڈاکٹر سر بلند خان بازار صدر ثمر باغ، عنایت خان تحصیل صدر PTI ثمر باغ و مجلسین کمیٹی ممبر، اظہار الدین عرف شاہ جی انچارج کمپلیٹ سیل PTI تحصیل ثمر باغ، بحرہ مند جان نائب صدر PTI تحصیل ثمر باغ، عبدالتین ولد توکل خان ساکن کامبٹ لیکوڑ، صدر بازار کامبٹ / ANP یونین کونسل صدر کامبٹ / و مجلسین کمیٹی ممبر / مصالحت کمیٹی ممبر، DSP صاحب سرکل چندول محمد نعیم خان اور ملزم پرویز خان SI سابقہ SHO تھانہ ثمر باغ حال معطل شدہ پولیس لائن کے بیانات نقلہ بند کئے جا کر صفحہ مسل انکوائری پر لائے گئے۔

انکوائری بیانات سے پرویز خان SI مذکور کے خلاف کرپشن میں ملوث ہونے یا اندریں بارے مشق کرنے کا کوئی ثبوت سامنے نہیں آئی ہے۔ البتہ عنایت خان ممبر و مجلسین کمیٹی و تحصیل صدر PTI نے اپنے بیان میں پرویز خان SI کے خلاف الزامات عائد کئے ہیں۔ کہ اُس نے مسلمان بحرہ مند جان اور اظہار الدین سے سنا ہے۔ کہ اس نے منشیات فروشان گرفتار کر کے چھوڑے ہیں۔ اور سرکاری لالچگی درخت کاٹ کر گھر خود لے گیا ہے۔ جب متذکرہ کسان سے رابطہ ہوا تو وہ منکر پائے اُنکے بیانات بھی صفحہ انکوائری مسل پر لائے ہیں، SI صاحب نے بھی عائد شدہ الزامات سے انکاری بیان دیا ہے جو شامل کاروائی ہے۔ جو مزید تسلی اور معلومات کی راہ میں روکاؤ ہے، اور منشیات فروشان کو نہیں بلکہ جیس مینے والے مسلمان عبدالجبار ولد انزر گل ساکن ثمر باغ اور شفاء خان ولد لیس الرحمن ساکن کو نکلے چم ثمر باغ کو گرفتار کر کے اُنکے خلاف مقدمات علت 603,604 جرم 4PO تھانہ ثمر باغ رجسٹر کئے ہیں یہ بات بھی جھوٹ پر مبنی ثابت ہوئی، جو کہ عنایت خان کے بیان میں الزامات بر خلاف SI مذکور شی سنا ہی ہے، جو تصدیق نہ ہو سکے۔ (نقل FIR,s تصدیق شدہ ہمراہ شامل انکوائری ہیں)۔

SHO/SI مہر ویز بنان پر مائد شدہ الزامات کے سلسلہ میں انچارج IB راحت خان، AGO

نصیب جان خان اور انچارج DSB انور سید خان SI کو لالہ کر کے اُن سے معلومات کی گئی۔ مگر وہ بیانات

دینے پر آمادہ نہیں ہیں کیونکہ انہیں اندر میں بارہ الزامات عائد ہیں۔ انہیں بیان دینے پر بھی کوئی مجبور نہیں

کر سکتا ہے البتہ زبانی الفاظ کہتا ہے کہ انراں بالکل اللہ دیکھ بارہ لراہم شدہ مقدمات اُنکا نہیں ہے۔ چونکہ



انکوائری بیانات اور معلومات سے مذکورہ SI صاحب کے خلاف کس پیشین میں ملوث ہونے کا کوئی ثبوت سامنے نہیں آئی ہے۔ البتہ گواہ عنایت خاں کے بیان میں کہ تھانہ لکھنؤ کے جسکی تصدیق اور تائید نہیں ہوئی ہے۔ اس لئے اس کے ساتھ اتفاق کرنا انصاف کے منافی ہے۔ اور ایسی ضمنی ادارے بھی اندریں بارہ لائنوں کا اظہار کرتے ہیں۔

لہذا مندرجہ ذکر حالات میں پرویز خان SI/SHO تھانہ شرباغ کرپشن کے الزامات سے بے قصور وار ٹھہرنا قرین انصاف ہے۔ چونکہ انسران بالا نے مذکورہ SI/SHO کے خلاف کرپشن اور کمیشن کی کاروائیوں میں ملوث ہونے کے الزامات لگائے ہیں اور عنایت خاں سردار P.M.H. تحصیل شرباغ گواہ کے عدم تصدیق شدہ بیان میں بھی بدعنوانی کے الزامات لگائے ہیں۔ اس بناء پر SI/SHO مذکور کو پولیس لائن میں کچھ عرصہ کیلئے زیر نگرانی رکھنے اور انکوائری کاغذات مزید کسی کاروائی کے فائل کرنے کی سفارش کرتا ہوں، مزید انسران بالا کے آراء اور احکامات میرے سفارشات اور رائے سے منقذ اور اذیت منسل ہوگی۔



ڈی۔ ایس۔ پی اہیڈ کوارٹر

تیمرگرہ ضلع دیرپائیں۔

**BEFORE THE SERVICE TRIBUNAL KHYBER**  
**PAKHTUNKHWA, PESHAWAR.**

Service Appeal No. 244/2014

K.P. Provincial  
Service Tribunal  
Diary No. 1210  
Dated 16-10-15

**Muhammad Pervez Khan**

**VERSUS**

**Govt. of KPK through Secretary Home and others**

**APPLICATION FOR EARLY FIXATION**  
**OF THE ABOVE TITLED APPEAL NO.**  
**244/2014.**

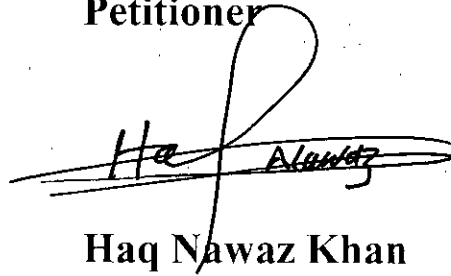
**RESPECTFULLY SHEWETH,**

1. That the titled appeal is pending adjudication before this Honourable Tribunal in which 17/11/2015 is the next date fixed for hearing.
2. That the respondents conditionally ordered that the petitioner / appellant withdrawal the appeal and the respondents re instated the petitioner / appellant.
3. That there is no legal impediment in early fixation of the title appeal.

It is therefore, humbly prayed that on acceptance of instant application the next date in the titled appeal i.e. 02/09/2015 may kindly be expedited and the appeal may kindly be fixed at earlier date as convenient to this Honourable Tribunal.

Through

Petitioner



Haq Nawaz Khan

Advocate, High Court,

Peshawar .

**AFFIDAVIT**

I, Muhammad Pervez Khan, do hereby solemnly affirm on oath that contents of instant application are correct to the best of my knowledge and belief.

**ATTESTED**

16 OCT 2015



  
DEPONENT

acc/5302-8961086-9

**BEFORE THE SERVICE TRIBUNAL KHYBER**  
**PAKHTUNKHWA, PESHAWAR.**

Service Appeal No. 244/2014

**Muhammad Pervez Khan**

**VERSUS**

**Govt. of KPK through Secretary Home and others**

**APPLICATION FOR EARLY FIXATION**  
**OF THE ABOVE TITLED APPEAL NO.**  
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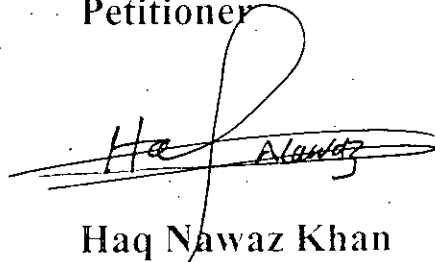
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DEPONENT

acc/5302-8961086-9

تعمیرت  
10



21689

ایڈووکیٹ / دستخط  
بارکول اباد ایسوسی ایشن  
رابطہ نمبر: 0300-5832137

پشاور بار ایسوسی ایشن، خیبر پختونخواہ

بعدالت جناب: Service Tribunal KP Peshawar

<p>منجانب: سائل / اپیلانٹ</p>  <p>حکومت خیبر پختونخواہ</p>	<p>دعویٰ: درخواست</p> <p>علیت: غلطی</p> <p>موضوع: Early Hearing</p> <p>پرہیز:</p> <p>تھکانہ:</p> 
<p><b>بامستحضرانکہ</b></p>	

مقدمہ مندرجہ عنوان بالا میں اپنی طرف سے واسطے پیروی و جواب دہی کاروائی متعلقہ

ان مقام کے اقرار کیا جاتا ہے کہ صاحب موصوف کو مقدمہ کی کل کاروائی کا کامل اختیار ہوگا۔ نیز وکیل صاحب کو راضی نامہ کرنے و تقرر جانے و فیصلہ برحق دینے جواب دعویٰ اقبال دعویٰ اور درخواست از ہر قسم کی تصدیق زریں مدد منتظر کرنے کا اختیار ہوگا۔ نیز بصورت عدم پیروی یا تاخیر کی صورت میں یا اپیل کی برآمدگی اور منسوخی، نیز دائر کرنے اپیل نگرانی و نظریاتی و پیروی کرنے کا اختیار ہوگا اور بصورت ضرورت مقدمہ مذکورہ کے کل یا جزوی کاروائی کے واسطے اور وکیل یا مختار قانونی کو اپنے ہمراہ یا اپنے بجائے تقرر کا اختیار ہوگا اور صاحب مقرر شدہ کو بھی وہی جملہ مذکورہ اختیارات حاصل ہوں گے اور اس کا سامنے ہر ذمہ منقولہ مقبول ہوگا اور ان مقدمہ میں جو خرچہ ہر جانہ التوائے مقدمہ کے سبب سے ہوگا وہ وکیل موصوف و سائل کے لئے کا حقدار ہوگا کوئی تاریخ پیشی مقام دورہ یا حد سے باہر ہو تو وکیل صاحب پابند نہ ہوں گے کہ پیروی یا مذکورہ کریں، لہذا نکات نامہ لکھ دیا تاکہ مندر ہے۔

المرقوم: 16-10-2015

بند \_\_\_\_\_ واہ شد \_\_\_\_\_ بند \_\_\_\_\_

Accepted

مقام \_\_\_\_\_ کے لئے منظور ہے۔

*Haq Nawaz*

وقت اس وقت ہائی کورٹ کی ہائی کورٹ کی



