Form- A

FORM OF ORDER SHEET

Court of	
Case No	1427/ 2022

S.No.	Date of order proceedings	Order or other proceedings with signature of judge 3 The appeal of Mr. Shaukat Mehmood resubmitted today by Mr. Muhammad Asif Advocate. It is fixed for preliminary hearing before Single Bench at Peshawar on Notices be issued to appellant and his counsel for the date fixed.		
1	2			
1-	05/10/2022			
		By the order of Chairman		
		REGISTRAR		
;				
	·			

This is an appeal filed by Mr. Shaukat Mehmood today on 15/08/2022 against the order dated 08-12-2021 against which he preferred/made departmental appeal/ representation on 04.07.2022 the period of ninety days is not yet lapsed as per section 4 of the Khyber Pakhtunkhwa Service Tribunal Act 1974, which is premature as laid down in an authority report as 2005-SCMR-890.

As such the instant appeal is returned in original to the appellant/Counsel. The appellant would be at liberty to resubmit fresh appeal after maturity of cause of action.

No. 2400 /ST,

Dt. 17/8 /2022.

Muhammad Asif Adv. Pesh.

5/10/2022 sui, Regulamité, 90 dans houre hun Passad put respt have nt replies so for

S.A.No. 1427,2022

Shaukat Mehmood

VERSUS

INDEX

S.No.	Description of documents.	Annex:	Pages
1.	Memo of appeal.		1-6
2.	Affidavit.		7
3.	Application for suspension of service order with affidavit.		[8-9]
4.	Addresses of the parties.		10
5.	Copy of the order dt.21.10.1982	A	11
6.	Copy of FIR	.3	12-13
7.	Copy of the application and orders on application 21.10.2021	c:	.14
8.	Copy of release order dt.22.10.2022	D	15-16
9.	Copy of the order dt.08.12.2021	€/1	17-13
10.	Copy of application dt.07.05.2022	F	5
11.	Copy of application 02.07.2022	G	20
12.	Copy of order dt.02.07.2022	H	2;
13.	Copy of application 04.07.2022 and postal receipt.	I-J	22-23
14.	Copy of application 18.97.2022 and postal receipt	K-L	24-25
15.	Copy of application dt.25.07.2022 and postal receipt.	M-N	26-27
16.	Copy of certificate dt.22.10.2021	O.	28
17.	Wakalamama.		29
		Na	
	Through Muhammar A	The Control	•

Muhammad Asif

Advocate Supreme Court

214 Syed Ahmad Ali Building Off: Near Taj Autos. Sunehri Masjid

Road, Peshawa: Cantt. call. 0332-8885187

0302.8885187

<u>BEFORE THE KHYBER PAKHTUNKHWA SERVICES TRIBUNAL.</u> PESHAWAR

S.A.	No
	ikat Mehmood son of Abdul Manan ing as C.T. Govt. Middle School. Ghulam Banda. Kohat Appeliam <u>V E R S U S</u>
1)	District Education Officer (male). District Education Office, Konat.
2) ·	Additional Deputy Education Officer (male), Establishment, Konat.
3)	Director Education, Directorate of Education, G.T. Road, Peshawar City
4)	Govt. of Khyber Pakhtunkhwa through Secretary Education, Civil Secretariat. Peshawar.
5)	Government of Khyber Pakhtunkhwa through Chief Secretary, Civil Secretariat. Peshawar.

APPEAL UNDER SECTION 4 OF THE SERVICE TRIBUNAL ACT, 1974 AGAINST THE ORDER RESPONDENTS ISSUED THROUGH RESPONDENT No.1 DATED 08.12,2021 BY APPELLANT WHICH HAS NOT REINSTATED IN SERVICE AT THIS STAGE AND AGAINST THE ORDER OF RESPONDENTS TROUGH WHICH DEPARTMENTAL THE APPEAL HAS BEEN "FILED" AND REFUSED TO ISSUE LETTER OR PROVIDE ATTESTED COPIES OF THE ORDER.

Prayer:

On acceptance of this appeal, the decision, orders of respondents may kindly be set aside and the appellant may kindly be reinstated in

(2)

service with all back benefits and also grant annual increment and adhee relief allowance as well:

Respectfully Sheweth;

Appellant humbly submits as under:

- 1) That appellant was appointed as C.T. on 21.10 1982 in Government Middle School. Ghulam Banda Kehat and is still serving in the said school. (Copy of the order is Annexure "A").
- 2) That unfortunately appellant was involved in a criminal case on 17.10.2021 and after arrest was sent to jail on the order of the court. (Copy of FIR is Annexure "B").
- 3) That appellant moved an application to headmaster of the school on 18.10.2021 informing the whole facts.
- 4) That headmaster referred the application to the respondent No.2 with his remarks for guidance.
- 5) That respondent No.2 summoned the report from District Police Officer. (Copy of the application and orders on application as Annexure "C").
- 6) That on the other hand appellant was granted bail on 22.10.2021 and went to the school for duty. (Copy of release order is Annexure "D").
- 7) That Headmaster of the school informed the appellant that his case is under process, therefore, he should wait and refused to allow on duty.
- 8) That respondent No.1 vide Endst No.7210-13 dated 08.12.2021 suspended the service of appellant with effect from 18.10.2021 till the decision of criminal case by Hon ble Court. (Copy of the order is Annexure "E").

- 9) That appellant started pursuing the case so that criminal case could be put in court as early as possible and finally the case was put in court on 09.11.2021.
- 10) That appellant was under the impression that case would be decided in a month or so but uptil now the attendance has not been completed therefore, on 07.05.2022 appellant moved an application to respondent No.1 for reinstatement in service. (Copy of application is Annexure "F").
- 11) That on 02.07.2022 appellant moved another application to respondent No.1 with the request to issue reinstatement order of appellant as well as to allow annual increment and adhoc allowance 2021 and DRA allowance as well. (Copy of application is Annexure "G").
- 12) That on the same date respondent No.1 informed the appellant vide letter No.3534 dated 02.07.2022 through which appellant was not reinstated in service on the ground that the criminal case has not yet been finalized, therefore, appellant cannot be reinstated in service at this stage. (Copy of order is Annexure "H").
- 13) That on 04.07.2022 appellant moved an application to respondent No.3 and to respondent No.4 on 18.07.2022 through registered post. (Copy of application is Annexure "I" while postal receipt is Annexure "J", Copy of application is Annexure "K" while postal receipt is Annexure "I").
- 14) That on 25.07.2022 appellant moved an application to respondent No.5 through registered post with the same prayer. (Copy of application is Annexure "M" while copy of receipt is Annexure "N").
- 15) That on 10.08.2022 appellant inquired from respondent No.3 office regarding the appeal on which appellant was informed that the same has been "filed" however, appellant can file appeal after the decision of the criminal case but refused to reply in writing or to issue attested copy.

4

16) That now appellant has come before this Hon'ble Court on the following grounds amongst the others:

GROUNDS:

- a. That the order of respondents on departmental appeal as well as order dated 08.12.2021 are against law and facts, hence untenable in the eyes of law.
- That the respondents by not issuing the decision on departmental appeal or by not providing the attested copy of the decision, respondents are exercising the powers not vested to them under the law.
- That the order of respondents dated 08.12.2021 through which appellant has been suspended from 18.10.2021 till the decision of hon'ble court is itself illegal because Rule 6 of KP Government Servants (Efficiency and Disciplinary Rules) 2011 is very much clear which says:
 - 6. Suspension. A government servant against whom action is proposed to be initiated under Rule 5 may be placed under suspension for period of ninety days, if in the opinion of the competent authority, suspension is necessary or expedient and if the period of suspension is not extended for a further period of ninety days within thirty days of the expiry of initial period of suspension, the government servant shall be deemed to be reinstated.

Provided that the competent authority may in appropriate case, for reasons to be recorded in writing, instead of placing such person under suspension, require him to proceed on such leave as may be admissible to him from such date as may be specified by the competent authority.

(5)

- d. That under the law suspension order in the first instance, cannot be issued for more than ninety days but in the case of appellant with malafide intention suspension order has been issued till the decision of criminal case.
- e. That the respondents by violating the rules have issued suspension order till the final decision of criminal case instead of issuing suspension order for 90 days.

f. That similarly CSR 194-A says:

A Govt, servant who has been charged for a criminal offence or debt and is committed to prison shall be considered as under suspension from the date of his arrest or is released on bail, the competent authority may suspend him by specific order if the charge against him is proved."

- g. That respondents failed to appreciate the fact that appellant was released on bail by Judicial Magistrate on 22.10.2021.
- h. That as appellant was released on bail after 5 days and reported for duty therefore, there was no need of issuing the suspension order.
- That the respondents by issuing the suspension order has not followed the services laws, rule and regulations and thus has acted illegally.
- j. That the respondents failed to appreciate the fact that under law if suspension period is not extend for further ninety days within thirty days of the expiry of initial period of suspension "the government servant shall be deemed to be reinstated" and thus as period of suspension has not been extended therefore, no reinstatement order is necessary because by operation of law appellant has been reinstated.
- k. That the respondents failed to appreciate the fact that appellant is going to be retired from service on 20.10.2022 after attaining the age of superannuation i.e. 60 years.

7

BEFORE THE KHYBER PAKHTUNKHWA SERVICES TRIBUNA!: PESHAWAR

S.A.No		2		
Shaukat Mehm	booi	•••••••••••••••••••	••••••	Appellant
	!	VERSUS	<u>S</u>	
District Educat	ion Officer (N	Male). Kohat an	d others	Responae.ns

AFFIDAVIT

I. Shaukat Mehmood son of Abdul Manan Serving as C.T. Govt. Middle School, Ghulam Banda, Kohat do hereby affirm and declare on oath that the contents of the accompanying **Appeal** are true and correct to the best of my knowledge and belief and nothing has been concealed from this hon'ble court.

Depenent

BEFORE THE KHYBER PAKHTUNKHWA SERVICES TRIBUNAL, PESHAWAR

S.A.No	
Shaukat Me	hmood Appellani
	<u>VERSUS</u>
District Edu	cation Officer (Male). Kohat and othersRespondents
	APPLICATION FOR SUSPENSION OF
	SUSPENSION FROM SERVICE ORDER
	DATED 08.12.2021 AND TO REINSTATE
	THE APPLICANT IN SERVICE TILL THE
	FINAL DECISION OF APPEAL.

Respectfully Sheweth;

- 1) That the above noted appeal has been instituted in this Hon ble Tribunal wherein no date has yet been fixed
- 2) That prima facie applicant has a good case in h s favour.
- That on the face of record the so-called order is illegal because under the law suspension order cannot issued beyond 90 days and in case after passing of 90 days within 30 days another further order is not passed, applicant shall be presumed to be reinstated in service.
- 4) That applicant is going to be retired on 20.10.2022.

- That in case the said order is not suspended and the applicant is not reinstated in service till the final decision of the appeal petitioner would suffer an irreparable loss. Affidavit is given to this effect.
- 6) That balance of convenience also lies in favour of applicant.

It is, therefore, requested that on acceptance of this application the suspension order dated 29.10. may kindly be suspended and the applicant may kindly be reinstated in service till the final decision of the appeal.

Appellant
Through

Muhammad Asif

Advocate,

Supreme Court of Pakistan

AFFIDAVIT

I, do hereby affirm and declare on oath that the contents of the application are true and correct to the best of my knowledge and belief and nothing has been concealed from this Hon ble Court.

. S.,	A.No
Sh	aukat Mehmood Appellant
	<u>VERSUS</u>
Dis	strict Education Officer (Male). Kohat and othersRespondents
	ADDRESSES OF THE PARTIES
API	PELLANT:
Sha Serv	nukat Mehmood son of Abdul Manan ving as C.T. Govt. Middle School. Chulam Banda, Kohat
<u>kes</u>	PONDENTS:
1)	District Education Officer (male), District Education Office, Kohat.
2)	Additional Deputy Education Officer (male), Establishment, Kohat.
3)	Director Education, Directorate of Education, G.T. Road, Peshawar City
)	Govt. of Khyber Pakhtunkhwa through Secretary Education. Civil

Government of Khyber Pakhtunkhwa through Chief Secretary, Civil Secretariat, Peshawar.

Secretariat. Peshawar.

5)

Appellant

Through

Muhammad Asif Advocate Supreme Court

OPPICE OF THE DISTRICT ENGATION OF THE CHALBY EXPLAIN

APPOINTMENTS.

The following appointments of Candidates in NPS-6 @ %.315/-P.M. fixed plus usual allewances against the vacuat posts of FFC are hereby ordered in the interest of public service with immediate effect:-

8.Ho. Name of Candidate & Address Schubere posted 1. Er. Heseif Ali Shah S/e Abdur of Cas, Pershai.

ordinat the Vibuatt post

Mess 2/0 Chorlaki (Matrio).

2. Er-Shaukat Mahmood S/o Abdul Manaa r/o Chulan Banda (intrio). Chulan Banda

bdoM. TH coiV Sultan 18 absent from duty,

NOTES:-

1. No PA/DA etc is allowed to any one.
2. The appointments of the Candidates are purely temporary and liable to termination at any time without assigning any reasons, thereof.
3. The Candidates should not be allowed to take over charge if their age is less than 13 years or above than 25 years.
4. The Candidate should produce health and age Contificate from the Medical Superindendent concerned.
5. Charge reports should be submitted to all concerned.
6. In once of regionstics they will have to give one month prior notice.

6. In onse of resignation they will have to give one month prior notice or shall ferfeit one month pay in lieu thereof.
7. In case of units appointment made in this order to error mistake overtyping the appointment will be considered he exacelled without

HASI ARDUR RAZIQ KHAN Distt: Education Officer, (Male) Kohat.

/A-I/PTC/I-AG, Dated Kenut the 2//0/1982.
the above is forwarded for information and nec: notion to the

1). SBMO (Male) Koha-t.

2). Chairman Dastrict Council, Kohat.

3-4). Candidate concerned.

Phists: Education officer, (Male) Kohst.

Ender: No 1541 | Lated Work the MALL 1982. E/Teacher Govt: Err: School Wollan Band Transa pl:

Sab Divisional Ducation Coficer (Kohat.

Better Copy



OFFICE OF THE DISTRICT EDUCATION OFFICE (MALE) KOHAT.

Appointments:

The following appointments of candidates in NPS-o & Rs. 815/- PM fixed plus usual allowances against the vacant posts of PTC are hereby ordered in the interest of public service with immediate effecti-

S.No. 1	Name of Candidate & Address Mr. Munsif Ali Shah S'o Adbur Rauf //o Ghorlaki (Where posted At GMS, Pershai	Remarks Against the
Notes:-	Mr. Shoukat Mehmood S'o Abdul Manan r'o Ghulam Banda (Matris)	Ghulam डिबाल्ज	Vacant post Vice Mar. Mohd. Sultan is absent from cuty.

Notes:-

- 1. No TA/DA etc is allowed to any one.
- 2. The appointments of the candidates are urely temporary and liable to termination at any time without assigning any reasons, thereof.
- 3. The candidates should not be allowed to take over charge if their age is less than 18 years or above than 25 years.
- 4. The candidates should produces health and age certificate from the Medical Superintendant concerned.
- 5. Charge Report should be submitted to all concerned.
- 6. In case of resignation they will have to give one month prior notice or shall forfeit one month pay in tieu thereof
- 7. In case of undue appointment made in this order to error mistake overtyping the appointment will be considered as cancelled without any notice.

Haji Abdur Raziq Khan,

Distt: Education Officer,

(Male), Kohar,

Endst No. 19366-69/A-I/PTC/I-AG, Dated Kohat the 21.10.1932

Copy of the above is forwarded for information and nee: action to the:-

- 1. SDO (Male) Kohat.
- 2. Chairman District Council, Kohai.
- 3. Candidate concerned.

Distt: Education Officer,

(Male), Kohat.

Endst: No. 6541/ Dated Kohat the 24.10. 982.

Forwarded to the:-

H'Teacher Govt: Pry: School Ghulam Banda for n/a pl:

Sub Divisional Education officer (Male) Kohat.

مرابر۱۲۲ مد ۱۱) Ly EUDIGIA 12 (فاين) ابتدائي اطلاع نسب عرم قابل دست اندازي لولس دلورط شده زير دفعه مه الجوعه منابطه نو جداري حوام 18 حق - 1.7 متانه المحاليّ تاریخادونت وقوع را از این مادیک 311:25 2017 31 311/10 3.11:11 المركة ووقت راوت المرك المركة - 156915 ; July 36 1. 165 /36 نام وسكينت الحلاع دبندو ومتينث بالح وقور فا مر بقار سے اور سیب میں میں دور آر و راز و ماز و و اور و ع) وسکونت ملی و بر براز ان مرد از ان از اور و سائے وقوع فاصل تھانے سے اورسمیت كارروالى مج تفيش كيم متعلق كي محمد أكراطه ألاع دريج. مريع مان توقف موابه تودجر بيان مرد -مقانه بيه روانگي کي تا رسط و وقت المستلى اطلاع يحدد ويسفيذ وزراجر فالمراكزان الله المعالم ا المعالم Lucie up of the property of the series in a modern of the first of the one The instruction of the contraction of the i was comply by winging the complete with the state of the second of the second of the second Most in 30 in the compaction of the state in the Cabi ich de juli gazilli, gir julia santi rule in the of the morning in the control in while it delivery your from 5 doles alust we will the start of the grand SURPORTESION SPORTS in market to discourse water of the same of the Mass de Jas " Humaninis July Call Deller of Comment of the williams Topico de signi Belling and the some of the

Better Copy of FIR

ابتدائى اطلاعى رپورٹ

لیس ر بپرٹ شده زمیرد فعی ^{ین ۱۵ انجمی} نه منهابط انو حداری	(فائيل)ابندال احداع سينت مجرم دست انداز لي بو
علع كوإث	آبان بل نگ
وتته وقوعه 17.10.21 ليفت 10:30 بيج	563 gradu
17.10.21 بونت 11:10 بج پر چه جا کیدگی 17.10.21	ال الله الله الله الله الله الله الله ا
وت 11:25 بىج	
عادل خان ولدغفران سكنه مُلام باندُ ٥	۲ نام وسکینه شاطلاع د مهنده و مستخیف
PPC 506B-504-341-447-148-148	س- مختركنيي برم (معددفعه) عل أريجه ليا كيابو
شين ڏهنڌروڙوا قع نلام ٻانڙ ،	٣- جائے قوید فاصلہ تھانہ سے اور مت
1) شفاعت، 2) محمود ولد عبد المثان، 3) نجيب، 4) خالق محمود، 5)	۵- ناسوسون نامرم
ببلوان سا كنان غلام بانده	ا نام وسورت مرم

<u>ا تو قف بوا ہوتو وجہ بیان کرو</u>

legiple. 5 3, 18/12 15 III

ومن مه 1300 م براه ال عادمال مهم مرسان عان (۱) ایار و له مرالما فی مراسله می الما فی السله می دارد و المراسی می دارد و المراس می دارد و المراسله و المراس عِسكود الله على المستعلمة على وسر قرن العراسعًا ما في عيمان افراس کا بنیا خالی تحود ہے تھے سے مکل دیکیں دھولی دی کے اگر ایران الیسی را سکے کے بار سیس عاد کے قوم تی طمف آئے تو ہم ایکو ذیرہ اس فیو ذوں عوادا سی براز نے سے زیر هو حال و بال العورى المراسيم حصر المن كالون كارات بين ميم سرورا المراح مرص حديد المالاد و غال على ولمرسمت وستا سان المراق المر 4-12-15 (- 11-5 /2) - die de l'és de l كي درورا و در الله المورسية المورسية الله الماد مروراً Li Gue Cucha - 5 - 3 Copi line - in month & حول تعالیمون کاروای لیا بسط کال داری ماری کیماتی ہے۔

ك بيماني اجل

10-9-21

نتلع كوباث

بل پېږې

تقليد 15 روز المراجعة في 08.09.21

مدنمبر 15 رور نه محمد عادل ولد غفران بخر 44/44 سال سكنه غلام با نذه مورخد 20.09 وقت 08.09 بجهمراه (۱) خان بالى ولد مرست خان (۲) اياز ولد عبداله نان سراخ نه نظام با نذه بحاضر أن خنا نه آگر بيل ريورث كرتا ب كه بهاري تو مي راسته جو بين شين و هنار رو و كران كر بهاري اراي قو مي راسته جو بين شين و هنار كيل كوكر ان كريا اين ادافعيات جاتا به اراي قو مي راسته عبلي تير كيش نييل و ال كريورت قوم كيمية بندكيا به جسكورات كولا كولا و يا تو كلا ديا تو ندكورد اوراسكا بها كي حميد خان و يا ان كا بينا خالق محمود في شيخ بندكيا به جسكورات كولا يا راي قول كا روا كلا ديا تو ندكورد اوراسكا بها كي حميد خان و يا ان كا بينا خالق محمود في المراسة به الرف عنه من يدخطر جان و مال كا فوري انديشه به برائي قانوني كا روا كي الماري كي من بين بير بير بيرورث بي خور بيري و منظ نشان الكريزي اياز ولد عبد لهناف و منظ الكريزي و بيرورث بيرورث خود النظان الكريزي و بيرورث بيرورث خود النظان الكريزي و بيرورث بيرورث خود النظان الكريزي مين المدين الماري توليرت خود النظام بيري الماري الماري الماري و بيرورث كي الماري و بيرورث كولورورث كي الماري و بيرورث كي

جنا ب عالی! نقش بمط^{ابق} اِصل ہے.

-sd-

10.09.21

ASIATE

ele ntim wind کیا ہے۔ جس مور سے مرس ڈلوئی انجام دینے سے قامرے م کسیال مدرس کو آگا ہی کی رفعیت عندیث وطاسی حسی لزارش ہوتی do Por العاران العالج فرمان سولت الحود C.T عالم الم على بالمراق الوائع على من ع قالوی رہے کی کسیع کی جواست ارال 558 pt contacts 20/10/2021/3/11



IN THE COURT OF MUHAMMAD WAQAR JUDICIAL MAGISTRATICAL, KOHAT

<u>Kchat</u>

Scrial No. of Order of	Date of order	Order or other proceedings with signature of Judge or Magistrate
Proceedings	or Proceedings	and that of parties or counsel where necessary
ORDER- 03	22.10.2021	APP Muhammad Haseeb for the State. Counsel for accused / petitioner present. Complainant appeared yesterday and submitted wakalatname and
	mosp ma Per Ha Pes that day petit	yesterday and submitted wakalatnama and requested for adjournment for arguments, hence, instant bail/case was adjourned on request and was fixed for today for arguments on bail petition. However, today again complainant appeared before the court and requested for adjournment on the ground that his counsel is not available due to his health condition, therefore, case may be adjourned again for next date, hence, learned APP duhammad Haseeb was allowed to argue the case on chalf of complainant. My instant order intends to dispose of bail petition of coused / petitioners namely Shekat Mhemood and fujceb Ullah in above mentioned case/FIR. Before disposing instant bail petition it is pertinent to cention here that National Judicial Policy-2009 provides ceific time for decision of the criminal cases and bail after within period of three days. Moreso, in Writ littion No.2424-P/2021 bearing title "Mian Muhamamd mayun Shah vs. Nacem Jan and others." the august thawar High Court, Peshawar has specifically enshrined bail matters shall be decided within stipulated (three shilms) time. Perusal of record reveals that current accused thores was booked by local police in instant case for alleged occurrence, however, no specific role has been alleged occurrence, however, no specific role has been
200		outed to present accused petitioners.



IN THE COURT OF MUHAMMAD WAQAR JUDICIAL MAGISTRATE-II, KOHAT



FIR No.563 dated 17.10.2021 under 506-(B)/504/341/447/148/149-PPC Police Station Bilitang

Kohat

continued order No.03 22.10.2021 Furthermore, neither any recovery was made from the possession of accused nor recovery memo is prepared by local police, which makes instant case one of further inquiry. Moreover, offences PPC does not falls within the prohibitory clause of section 497-Cr.PC, wherein bail is rule while its refusal is exception.

At present, there is nothing available on the record to prima-facie connect the accused/petitioners with the commission of the offence.

In the light of aforementioned reasons, the accused/petitioner stands entitled to the grant of bail; he be released from custody if the accused/petitioner furnishes bail bonds in the sum of Rs.80,000/- (eighty thousand rupees) each with two sureties each in the like amount to the satisfaction of this Court.

A copy of this order be placed on judicial record and police record as well. Record be returned.

File be consigned to record room after completion and compilation.

Judicial Magistrate-II, Kohat

Alexander of the



- personal B/Jay £ 59959-

OFFICE OF THE DISTRICT EDUCATION OFFICER (MALE) KOHATA

SUSPENSION ORDER.

Consequent upon the approval of competent authority, the services of Mr. Shoukat Mehmood CT GMS Ghulam Banda Kohat is hereby suspended with effect from 18.10.2021 till the decision of Honorable Court, on account of FIR 563 detcd 17.102.2021 chalked against him under sextion 506 B, 504-341-447-148-149, duly confirmed/verified vide District Police Officer Kohat No 14358, dated 19.11.2021

Necessary entry to this effect should be made in his service book accordingly.

DISTRICT EDUCATION OFFICER, (MALE) KOHAT.

Endst: No ____/Suspension/Re-instatement /2021

Dated Kohat the 9 8 / 12 /2021

Copy of the above is forwarded to the:-

- 1 District Monitoring Officer Kohat.
- 2 Accountant Middle Schools local office:
- Service Book in charge of the local office.
- 4 Headmaster GMS Ghulam Banda Kohac w/r to his No 558, dated 20.10.2021.

DY: DISTT: EDU: OFFICER, ()
() (MALE) KOHAT.

Asy

Annex Ely

IN THE COURT OF MUHAMMAD WAQAR JUDICIAL MAGISTRATE-II, KOHAT



FIR No. 563 dated 17.10.2021 u/s 506-B-504-341-447-148-149-PPC PS Bilitang, Kohat.

Accused: (1). Shougat Mehmood s o Abdul Manan r o Ghulam Banda. (2). Mujib ur Rehman s/o Mehmood ur Rehman r/o Ghulam Banda

ORDER 18.10.2021

Accused named above produced by LO Javed Younas, before the Court, for grant of police custody. The grounds raised therein are not well found, hence, denied. Accused be sent to judicial lockup and be produced before court, on 01.11.2021.

Muhammad Waqar, Judicial Magistrate-II, Kohat

Re-histatement - Min (19) Charles in paper with 22 gloce No - with Suspend en i Bois Nig -1 - restort file of of And El Sungin Re-histak · (1/0/6 2620/2/3) Bry Pild Cire 07 2022 (2/2) Et die wilns er of Chipe ADIO (Estab) Dizi/M)YT

in 5 n. 4.17%

مع مد مدایش محضور جناب و سرکٹ ایجو پیشن آفیسر صاحب (M) کو ہاٹ (20)

درخواست بمرادمروس بحال جو بمور ند 2021-12-08 کوسائل کو Suspend کیا گیا ہے جس میں سالانہ انگریمسٹ ایڈیاک الاوکس 2021ء اور DRA الاوکس کی بندش شامل ہیں۔

جاب عالى! ماكل ذيل عرض كزارت.

- ا ۔ ۔ ہیر کہ حکم وفیصلہ مور ہے۔ 2021-12-08 خلاف تا نون وخلاف ضا املہ ہے۔
 - بی که هم و فیصله موراند 21-12-80 جا نبرا داندا و رغیر شصفانه ہے۔
- سر میکه ایجوکیش آبسر ماحب نے اصل حقائق مش و ایسله عدالت ضافت کا بغور مطالعه نیس کیا ہے اور علت میں سرسری طور پرغلط فیصلہ کیا ہے۔ جو قابل منسوفی ہے۔
- ا۔ یہ کہ عدالت حصور نے اپنے فیصلہ ضانت وویگر کسی آفیسرائجارج نے سائل کو Suspend کرنے کا کو کی تھم جاری میں کہا مہیں کیا ہے اور نہ کو کی حوالہ دیا ہے۔
- یہ۔ میک جرائم جر FIR نمبر 563 مورجہ 2021- 10-17 کی نبست خلاف قانون اور بدیمی کی بناء مرازم بداری ہوئی کے برائم ہے۔ جس میں زیر دفعہ PPC تھا ہے۔ جس میں زیر دفعہ 906 -8/504/341/447/143/149 PPC قاند کی نگ کو باث جس میل شرائل زیر نجو بر ہے دورکوئی جرم برخلاف سائل ٹابت نیس ہوا ہے۔ ندکورہ دفعات قابل عنانت ہیں ایک میں گالی گلوٹ مرکم کیاں آتی ہیں۔ جب Suspend ہوئے سے کوئی تعلق نہیں ہے۔
 - ۲.. پیکہ برطابق قانین Suspend فیچر کرائم شن میں آتے ہیں جو کہ ضانت کے قابل ہیں۔
- ے بین کی کہ سائل کے طاف جرم الا ثابت کرنے کیلئے تھوں واقع ٹی غیر جانبداران شہادت مو توزیس ہے مسرف اور صرف مائل کونقصان کی تیائے اور بدنام کرنے کی سازش ہے۔ تیز سائل باامر مجبوری اپنا قانون حق محقوظ رکھتا ہے۔ عمراسید رکھتا ہوں کہ DEO ماحب سائل کواس زحمت سے چھٹکارہ دلائیں گے۔

لہذا متدعا ہے کہ عدالت کے فیصلہ اور حکم کو بغور پڑے کر سائل کو دوبارہ بھال کرنے کرنے کا حکم صافر رفر ما کر مشکور فرماویں ۔ سائل تا زیست دعا گوہ رہے گا۔ م<u>ائے جزیر ن</u>ے

الورقة 2022-07-20

مرد (المحال المسلم المسلم عواضي عواضي من المسلم المرد المر

رابط نمبر 3328 565-0300

Asif





THE DISTRICT EDUCATION OFFICER **KOHAT**

Dated Kohat the 12/07

To

The Mr. Shoukat Mehmood CT BPS-15 GMS Ghulam Banda Kohat

Subject: -

REINSTATEMENT

Memo:-

Reference to your application on the subject cited above it is to inform that you have been suspended vide this office order No. 7210-13 dated Kohat the 08/12/2021 and your suspension was till the finalization of the case in FIR No. <u>563 Dated. 17/10/2021</u> under 506-(B) /504/341/447/148/149-PPC Police Station Bilitang Kohat. The record reveals that you have been released on bail vide judicial magistrate-II district Kohat Dated. 22/10/2021.

Your case has not yet been finalized, therefore this office is unable to reinstate your services at this stage.

Hence you are informed accordingly.

RICT EDUCATION OFFICER (MALE) KOHAT

المراب و الركاب و ال

چهنور جناب در ایز یکٹرصا حب ایلمنٹری اینڈ سیکنڈری ایجو کیشن KPK پیثاور

ورخواست بمرا دسروس بحالی جو بمور خد 2021-12-08 کوسائل کو Suspend کما گیا ہے جس میں سالانہ انگریمنٹ، ایڈیاک الا وکس 2021 ، اور DRA الا وکس کی بندش شامل ہیں۔

جناب عالی! سائل ڈیں عرض گزارہے۔

- - ۲ یید کتکم و فیصله مورند. 21-12-08 جا نبدار نداور نمیر منصفانه ہے۔
- سر ہے کہ ایجوکیشن آفیسر صدیب نے اصل حقائق مثل و فیصلہ عدالت صانت کا بغور مطالبھ ہیں کیا ہے اور عجلت میں سرسری طور پر غلط فیصلہ کیا ہے۔ جو قابل منسوخی ہے۔

ہم یکھیں کم بیٹکہ غدالت حضور نے اپنے فیصلہ عنات، ودیگر کسی آفیسرانچار ن نے سائل کو Suspend کرنے کا کوئی علم نواڈنگ نہیں کیا ہے اور نہ کوئی حوالہ دیا ہے۔

- ے۔ یہ کہ جرائم جو FIR نمبر 563 مور خد 2021-10-17 کی نسبت خلاف قانون اور بدنیتی کی بناء پر دعو بیراری ہوئی ۔ م ہے۔ جس میں زیر دفعہ PPC تھانہ بلی مُنگ کو ہائ جس میں رئیر دفعہ میں دئیر دفعہ ہے۔ جس میں زیر تجویز ہے اور کو ٹی جرم برخلاف سائل انا ہت نہیں ہوا ہے۔ مذکورہ دفعات قابل صافت ہیں اس میں گالی گلوچ ، دھمکیاں آتی ہیں۔ جسکا Suspend ہو۔ ، سے کوئی تعاق نہیں ہے۔
 - ۲۔ پیکہ بمطابق قانون Suspend ٹیچر کرائم میں ٹین آتے ہیں جو کہ منانت کے تا ہی ہیں۔
- ے۔ پیکسائل کے خلاف جرم بالا ثابت کرنے کیلئے ٹیوس وا تعاتی غیر جانبدارانہ شہادت موجود نہیں ہے۔ صرف اور صرف سائل کو نقصان پنجانے نور بدنام کرنے کی سازش ہے۔ نیز سائل باامر مجبوری اینا تا نونی حق محفوظ رکھتا ہے۔ گرامید رکھتا ہوں کہ DEO صاحب سائل کواس زمیت ہے جھڑکار دواائیں گے۔

لبنراستدعا ہے کہ عدالت، کے فیصلہ اور تئم کو بغور پڑھ کر سائل کو دویا رہ بحال کرنے کرنے کا تکم صا درفر ما کر مشکور فرماویں ۔ سائل تا ایستہ دیما گوہ رہے گا۔

موري 2022-07-04

عرضي عرضي المراق المرا

ASIL

Annex J

Received a registered acknowledgement is the mitials of Receiving Officer. Write here "letter" pestcard, backet or "parcel" Initials of Receiving Officer. With the word Insured for R. Chapter of the pestcard, backet or "parcel" Insured for R. Chapter of the pestcard, backet or "parcel" Insured for R. Chapter of the pestcard, backet or "parcel" Insured for R. Chapter of the pestcard, backet or "parcel" Insured for R. Chapter of the pestcard, backet or "parcel" Insured for R. Chapter of the pestcard of the

Asil

arsiads 1, 100 470

ا بعد الله من جناب سيكر شرى صاحب اليجو كيش خيبر پختونخواه بيثاور الم

﴾ ﴾ عنوان: درخواست بمراد مروس بحالي مورند 2021-12-08 جس بين سالانه ايتكريمنث، ايرباك الاؤنس 2021 اور دي آرام الاؤنس بندش شامل ہے

جناب عالى!

سائل حسب ذیل عرض رسال ہے۔

1 - بىر كەخكىم وفىصلە مورىنە 2021-12-08 خلاف قانون وخلاف ضابطە يىپ-

2- بیر که ڈسٹر کٹ ایجو کیشن آفیسر صاحب کو ہاٹ نے اصل تقائق مسل و فیاملہ عدالت شانت کا بغور مطالعہ نہیں کیا ہے اور عجلت میں سرسری طور پر فیصلہ کیا ہے جو کہ قابل منسوخی ہے۔

3- بدكه عدالت عضور نے اپنے فیصلہ ضانت میں سبینڈ كرنے كاكوئی تھم اور حوالہ نہیں دیا۔

4۔ بیر کہ ایف کی آر نمبر 563 مور خد 2021-10-17 کی نسبت خلاف قانون اور بدنیتی کی بناپر دعوید ار بی ہو کی ہے جس میں زیر د فعہ 506 بی / 447/341/504/ 148 تھانہ بلی ٹنگ کوہاٹ میں درج ہے۔

5۔ یہ کہ بمطابق قانون سپینڈ ٹیچر کرائم میں نہیں آتے ہیں جو کہ قابل صانت ہیں۔

6۔ یہ کہ سائل کو صرف اور صرف نقصان پہنچانے اور بدنام کرنے کی سازش ہے۔ نیز سائل باامر مجبوری اپنا قانونی حق محفوظ رکھتا ہے مگر امیدر کھتا ہوں کہ سیکرٹری صاحب ایجو کیشن سائل کو اس زحت سے چھٹکارا دلائیں گے۔

7- (الف) - نقل ڈسٹر کٹ ایجو کیشن آفیسر کوہاٹ (ب) ۔ ڈائر کیٹر صاحب ایلیمنٹری ادر سیکینیڈری ایجو کیشن پشاور لف ہے۔

لہذاات عاہے کہ سائل کو ری اینسٹیٹمینٹ کرنے کا تھم صادر فرماکر مشکور فرمائیں۔سائل دعا گورہے گا۔

الله 18-07-2022 غيرة

لعارض

Asif

سائل شوکت محود س ئی (لی بی ایس 16)

گور شمنٹ مڈل اسکول غلام بانڈہ کوہاٹ

رابط نمبر: 5656328-0300

-Ni43 R. No 470

Annex 2 25)

For Insurance Notices RGL81818189 s. Ps
Stamps affi RGL81818189 s. Ps
Iministred reacts of not more than the initial weight prescribed in the post Office Guide or an which no adjusted a registered.

Ceived a registered.

Insurance fee Rs. Ps. (in words)

Insurance fee Rs. Ps. (in words)

Insurance fee Rs. Ps. (in words)

Of sender

Asil

بخر مت جناب چیف سکرٹری صاحب خیبر پختونخواہ پیثاور کے سب کہ کہا

عنوان: درخواست بمر ادسروس بحالي مورخه 2021-12-08جس ميں سالانه اينگريمنٽ، ايڈ ہاک الاؤنس 2021 اور ڈی "راہے الاؤنس

جناب عالى!

سائل حسب ذیل عرانی رسال ہے۔

1- مير كه حكم وفيصله مورنه 1202-12-08 خلاف قانون وخلاف ضابطه - ب

2- بیر کہ ڈسٹر کٹ ایجو کیشن آفیسر صاحب کوہائ نے اصل حقائق مسل وفیعالہ عدالت ضانت کا بغور مطالعہ نہیں کیا ہے اور عجلت میں سرسری طور پر فیصلہ کیا ہے جو کہ قابل منسوخی ہے۔

3- میر که عدالت حضور نے اپنے فیصلہ ضانت میں سسپینڈ کرنے کا کوئی حکم ادر حوالہ نہیں دیا۔

4- بيكدايف كي آرنمبر 565 مور خد 2021-10-17 كي نسبت خلاف قالون اور بدنين كي بناپر وغويداري موكي ہے جس ميں زير وفعه 506

بي/341/504/447/148/447/ قانه بلي تنگ كوباك مين درج يه-

5- يد كه بمطابق قانون سبينز ميچر كرائم مين نتين آتے ہيں جو كه قابل صانت ہيں-

6- یہ کہ سائل کو صرف اور صرف نقصان پہنچانے اور بدنام کرنے کی سازش ہے۔ نیز سائل باامر مجبوری اپنا قانونی حق محفوظ رکھتا ہے مگر امیدر کھتا ہوں کہ چیف سیکرٹری صاحب سائل کو اس زحت سے چھٹکاراولائیں گے۔

7_ نقول (۱) ڈسٹر کٹا یجو کیش آفیسر کوہاٹ، (ب)ڈائر یکٹر صاحب ایلیمنٹری اور سیکنڈری ایجو کیشن پشاور (ج)سکیرٹری ایجو کیشن بیشاور۔

لہذا استدعاہے کہ سائل کوری اینسٹیٹمینٹ کرنے کا تھم صادر فرماکر مشکور فرمائیں۔ سائل دعا گورہے گا۔

مور فته 2022-07- گ

125/

العارض A Si-1 مر مراح المراح المراح

گور نمنٹ مڈل سکول غلام بانڈہ کوہاٹ

رابطه نمبر: 5656328-0300

Annex N 27

No 15F	•
No. 1251 For Insurance Notices see reverse.	Rs. Ps.
Stappn RGL81814531 f	
H RGLD (7) 1200 1 more man	
the initial weight prescribed in the	G = G
Post Office Guade or on which no	00
acknowledgement is due.	
Received a registered*	N .
addressed to Date-Sta	יוווןי צ
A 1779 TWING INDIANT TO AND THE THE	-1
Initials of Receiving Officer with the word "insured" before i	twist or parcel
(Insured for Rs. (in figures) In words)	t when necessary.
This med for its. (in figures)	
5 D7	
Insurprise fee Rs. Ps. (in-words) Gran	ا چىر سىس
Insurance fee Rs. Ps. Tinguords . Gran	18 0 China
1 Norme and 13 801-10 20 478	-) x
5 Mily address / The	
100000000000000000000000000000000000000	
Mandan Harry	
, -/	7.7

ASIL



PRISONS DEPARTMENT

KHYBER PAKHTUNKHWA

(28)

OFFICE OF THE SUPERINTENDENT DISTRICT JAIL KOHAT

PHONE & FAX: 0922-554150

No. 8131 dated; 22/10/2021

CERTIFICATE

It is certified that Mr. Shoukat Mehmood s/o Abdul Manan and Mujeeb ur Rehman @ Najeeb s/o Mehmood Rehman was admitted in to this Jail on 18-10-2021 being involved in case FIR No. 563 dated: 17/10/2021 under section: 506-B/S04/341/447/148/149 of police Section: Ballitang, Kohai. He has been released on District Jail Kohat.

Asif

SUITERINTENDENT POHEC

