

Execution Petition 243/2021


30th May, 2022

Non for the petitioner present. Mr. Kabir Ullah Khattak,
Additional Advocate General alongwith Mr. Muhammad Raziq,
Reader for respondents present.

Representative of the respondents produced a copy of order OB. No. 10 dated 03.01.2022 bearing endorsement No. 20-26/PA/SP dated 03.01.2022 whereby in compliance of the judgment of the Tribunal, the petitioner was reinstated in service with all back benefits subject to the decision of CPLA which is said to be pending before the august Supreme Court of Pakistan. Since the order of the Tribunal has been complied with, therefore, the instant execution petition is disposed off in the above terms. Consign.

Pronounced in open court in Peshawar and given under my hand and seal of the Tribunal this 30th day of May, 2022.




(Kalim Arshad Khan)
Chairman

13.12.2021

Petitioner in person present. Mr. Kabirullah Khattak, Addl: AG for respondents present.

Learned AAG seeks time to submit implementation report on the next date of hearing. Adjourned. To come up for implementation report on 02.02.2022 before S.B.


(MIAN MUHAMMAD)
MEMBER (E)

02.02.2022

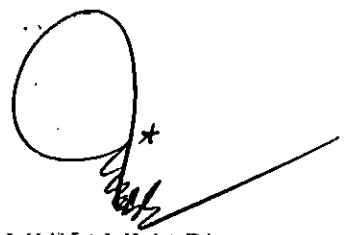
Junior of learned counsel for the petitioner present. Mr. Muhammad Adeel Butt, Addl: AG for respondents present. Preliminary arguments could not be heard due to learned Member (Executive) Mian Muhammad is on leave. To come up for further proceedings on 22.03.2022 before S.B.


Reader

29.03.2022

Counsel for the petitioner present. Mr. Kabirullah Khattak, Addl: AG alongwith Mr. Aziz Shah, Reader for the respondents present.

Learned counsel for the petitioner seeks adjournment. Adjourned. To come up for implementation report on 30.05.2022 before S.B.





(MIAN MUHAMMAD)
MEMBER(E)

Form- A

FORM OF ORDER SHEET

Court of _____

Execution Petition No. 243 /2021

S.No.	Date of order proceedings	Order or other proceedings with signature of judge
1	2	3
1	20.10.2021	<p>The execution petition of Mr. Hamid Khan submitted today by Mr. Saad-Ullah Khan Marwat Advocate may be entered in the relevant register and put up to the Court for proper order please.</p> <p> REGISTRAR -</p>
2-		<p>This execution petition be put up before S. Bench on <u>12/11/21</u>.</p> <p> CHAIRMAN</p>
	12.11.2021	<p>Counsel for the petitioner present.</p> <p>Notices be issued to the respondents for the date fixed. To come up for implementation report on 13.12.2021 before S.B.</p> <p> Chairman</p>

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BEFORE THE KPK SERVICE TRIBUNAL, PESHAWAR

Misc Pett: No. 243 /2021

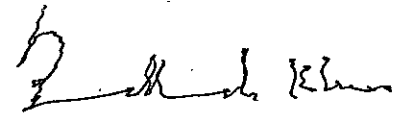
Hamid Khan versus Superintendent & Others

I N D E X

S.#	Description of Documents	Annex	Page
1.	Memo of Misc Petition		1-2
2.	Copy of Appeal dated 27-08-2020	"A"	3-6
3.	Copy of Judgment dated 14-09-2021	"B"	7-12
4.	Compliance letter dated 15-10-2021	"C"	13

Applicant

Through



(Saadullah Khan Marwat)
Advocate
21-A Nasir Mension,
Shoba Bazar, Peshawar.
Ph: 0300-5872676

Dated: 20-10-2021

BEFORE THE KPK SERVICE TRIBUNAL, PESHAWARMisc Pett: No. 243 /2021

IN

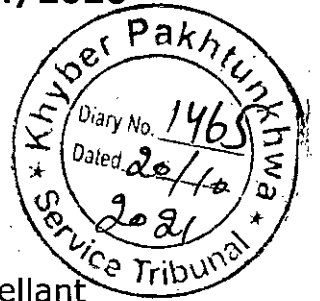
S.A. No. 10014/2020

Hamid Khan S/O Niaz Ali,

Constable No. 5193,

Capital City Police,

Peshawar Appellant

**VERSUS**

1. Superintendent of Police,
Hqrs: Peshawar.
2. Capital City Police Officer,
Peshawar.
3. Provincial Police Officer,
Peshawar. Respondents

**APPLICATION FOR IMPLEMENTATION OF THE
JUDGMENT DATED 14-09-2021 OF THE HON'BLE
TRIBUNAL, PESHAWAR:**

Respectfully Sheweth:

1. That on 24-08-2020, applicant filed appeal before this hon'ble Tribunal for reinstatement in service. (Copy as annex "A")
2. That the said appeal came up for hearing on 14-09-2021 and then the hon'ble Tribunal was pleased to hold that

"The instant Service Appeal as well as connected Service Appeal bearing No. 10014/20 titled Hamid Khan Versus Superintendent of Police Hqrs: Peshawar and two others and service appeal bearing No. 10015/2020 titled Majid Ullah Versus Superintendent of Police Hqrs: Peshawar and two others are accepted and the appellants are reinstated in service with all back benefits." (Copy as annex "B")

3. That on 21-09-2021 and 15-10-2021 not only applicant but the Registrar of the hon'ble Tribunal remitted the same to respondents for compliance but so far no favorable action was taken there and then and the judgment of the hon'ble Tribunal was put in a waste box. (Copy as annex "C")
4. That the respondents are not complying with the judgment of the hon'ble Tribunal in letter and spirit and flouts the same with disregard, so are liable to be proceeded against the Contempt of Court Law for punishment.

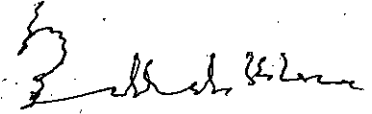
It is, therefore, most humbly requested that the judgment dated 14-09-2021 of the hon'ble Tribunal be complied with hence forthwith.

OR

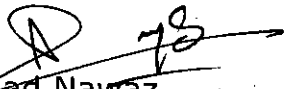
In the alternate, respondents be proceeded for contempt of court and they be punished in accordance with Law.


Applicant

Through


Saadullah Khan Marwat


Arbab Saif-ul-Kamal


Amjad Nawaz
Advocates

Dated: 20-10-2021

A 3

BEFORE KPK SERVICE TRIBUNAL PESHAWAR

S.A No. 10014/2020

Hamid Khan S/O Niaz Ali,
R/o Battagram Charsadda,
Ex. F. Constable No. 5193,
Police Line Peshawar.



Appellant

Versus

1. Superintendent of Police,
Hqrs: Peshawar.
2. Capital City Police Officer,
Peshawar.
3. Provincial Police Officer,
KP, Peshawar. Respondents

⊕<=>⊕<=>⊕<=>⊕<=>⊕

**APPEAL U/S 4 OF SERVICE TRIBUNAL ACT, 1974
AGAINST OB. NO. 892 DATED 17-03-2020 OF R. NO.
01, WHEREBY APPELLANT WAS DISMISSED FROM
SERVICE OR OFFICE ORDER NO. 812-17 / PA DATED
10-07-2020 OF R. NO. 02 WHEREBY
REPRESENTATION OF APPELLANT WAS REJECTED
FOR NO LEGAL REASON:**

⊕<=>⊕<=>⊕<=>⊕<=>⊕

Respectfully Sheweth;

That appellant was enlisted in service as Foot Constable in the year 2009 and served the department till the date of dismissal from service.

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[Signature]
EXAMINER
Khyber Pakhtunkhwa
Service Tribunal

Filed to-day
24/8/2020
Registered
and filed
Resubmitted today
2020/8/19

2. That on 24-02-2020 complainant Muhammad Sharif S/O Ghulam Rasool R/O Talagung District Chakwal presently Khazana Sugar Mill Peshawar lodged report in PS: Chamkani against unknown persons u/s 365A PPC by snatching huge amount from him. (Copy as annex "A")
3. That on 26-02-2020, appellant was suspended from service by R. No. 01. (Copy as annex "B")
4. That on 26-02-2020, appellant was served with Charge Sheet along with Statement of Allegation to the affect:-

"That you FC Luqman No. 2739, FC Majid No. 5668 and FC Hamid No. 5193 were involved in a criminal case mentioned above which amounts to gross misconduct on his part and is against the discipline of the force. The said Charge Sheet was not served upon him, so did not reply the same. (Copy as annex "C")
5. That in-fact the occurrence was of 22-02-2020 which was altered into 24-02-2020 (cutting seems quite evident) by the local police, yet appellant etc, were taken into custody on 22-02-2020 and not on 24-02-2020, so after rejection of Bail Application from the court of law, approached to Peshawar High Court, Peshawar for release on bail on 04-03-2020. (Copy as annex "D")
6. That enquiry report was finalized by Deputy Superintendent of Police (Security) Civil Secretariat Peshawar who submitted the same before the authority on 10-03-2020 for onward action. The enquiry was not conducted as per the mandate of law. (Copy as annex "E")
7. That on 10-03-2020, appellant was served with Final Show Cause Notice which was not replied as at the same time he was in Jail. (Copies as annex "F" & "G")
8. That on 11-03-2020, R. No. 01 wrote letter to Inquiry Officer that enquiry was conducted in haphazard manner which would give benefit to the accused in appeal for reinstatement in service. (Copy as annex "H")
9. That on 13-03-2020, appellant was released on bail by the hon'ble Peshawar High Court Peshawar. (Copy as annex "I")

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- 10. That on 16-03-2020, Inquiry Officer did try to rectify the deficiency in enquiry. (Copy as annex "J").
- 11. That on 17-03-2020, appellant was dismissed from service under Police Rules 1975 by R. No. 01. (Copy as annex "K")
- 12. That on 16-04-2020, appellant submitted representation before R. No. 02 for reinstatement in service which was rejected on 10-07-2020. Copy of the same was received from the office on 24-08-2020. (Copies as annex "L" & "M")

Hence this appeal, inter alia, on the following grounds:-

GROUND S:

- a. That the story narrated by the complainant as well as by the department is totally against the fact. The complainant as well as the respondents relied upon video regarding abduction of the complainant clearly shows that he in presence of another police officials sit in the vehicle at his own discretion and was never abducted by the appellant.
- b. That complainant seems to be highly player as he himself is involved in such like cases.
- c. That enquiry was not conducted as per the mandate of law because when the enquiry report was submitted to the authority for onward action against the appellant, he pointed out numerous deficiencies in the same.
- d. That appellant was arrested on 22-02-2020. He was at the same time being the bar but no Charge Sheet or Statement of Allegations was served upon him in the Jail.
- e. That as and when Final Show Cause Notice is served upon the defaulter, it is mandatory for the authority to supply him whole proceedings of the enquiry but in the case in hand the same lacks despite the fact that at the same time appellant was in Jail, so he was unable to submit comprehensive reply to the Final Show Cause Notice.
- f. That no statement of any witnesses was recorded in the presence of appellant nor he was afforded opportunity of cross examination, being mandatory.

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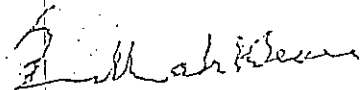
- g. That the matter was not dealt with as per the mandate of law, so is of no legal effect.
- h. That complainant is habitual in adverse activities and makes complaints to mint money. From his appearance in the video he does not seem to be painter.
- i. That whole of the story narrated in the FIR is manipulated, concocted and based on malafide.

It is, therefore, most humbly prayed that on acceptance of appeal, order dated 17-03-2020 and 10-07-2020 of the respondents be set aside and appellant be reinstated in service with all consequential benefits, with such other relief as may be deemed proper and just in circumstances of the case.



Appellant

Through



Saadullah Khan Marwat



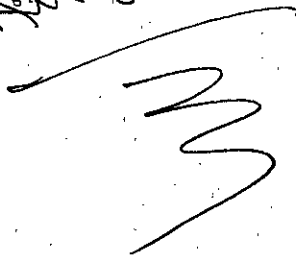
Arbab Saiful Kamal



Amjad Nawaz
Advocates.

Dated: 25-08-2020

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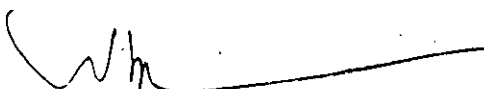


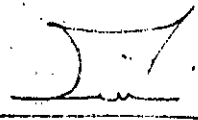
ORDER
14.09.2021

Appellant alongwith his counsel Mr. Arbab Saif-ul-Kamal, Advocate, present. Mr. Muhammad Raziq, Head Constable alongwith Mr. Riaz Ahmed Pindakhel, Assistant Advocate General for the respondents present. Arguments heard and record perused.

Vide our detailed judgment of today, separately placed on file of Service Appeal bearing No. 10013/2020 titled "Luqman Versus Superintendent of Police, Hqrs: Peshawar and two others", the instant appeal is accepted and the appellant is reinstated in service with all back benefits. Parties are left to bear their own costs. File be consigned to the record room.

ANNOUNCED
14.09.2021


(ATIQ-UR-REHMAN WAZIR)
MEMBER (EXECUTIVE)


(SALAH-UD-DIN)
MEMBER (JUDICIAL)

Certified to be true copy


Khyber Pakhtunkhwa
Service Tribunal,
Peshawar

Date of Presentation of Application 15/10/21
Number of Words 800
Copying Fee 10/-
Urgent 9/-
Total 19/-
Date of Issuance of Copy 15/10/21
Date of Delivery of Copy 15/10/21

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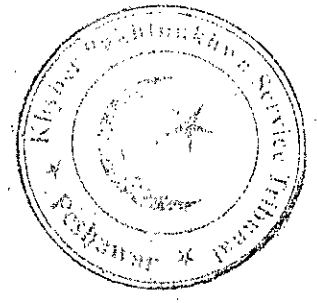

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BEFORE THE KHYBER PAKHTUNKHWA SERVICES TRIBUNAL,
PESHAWAR.

Service Appeal No. 10013/2020

Date of Institution ... 27.08.2020

Date of Decision ... 14.09.2021



Lugman S/o Mehraban Shah R/o Nisata Charsadda,
Ex-F. Constable No. 2739, PS: Tatara Peshawar.

... (Appellant)

VERSUS

Superintendent of Police, Hqrs: Peshawar and two others.

... (Respondents)

Mr. ARBAB SAIF-UL-KAMAL,
Advocate

For appellant.

MR. RIAZ AHMED PAINDAKHEL,
Assistant Advocate General

For respondents.

MR. SALAH-UD-DIN

MEMBER (JUDICIAL)

MR. ATIQ-UR-REHMAN WAZIR

MEMBER (EXECUTIVE)

JUDGMENT:

SALAH-UD-DIN, MEMBER:- Through this single judgment, we intend to dispose of the instant service appeal as well as connected Service appeal bearing No. 10014/2020 titled "Hamid Khan Versus Superintendent of Police, Hqrs: Peshawar and two others" and Service Appeal bearing No. 10015/2020 titled "Majid Ullah Versus Superintendent of Police, Hqrs: Peshawar and two others", as similar questions of law and facts are involved in all the appeals.

2. The appellants in all the three appeals were proceeded against departmentally on the allegations that they were involved in a criminal case registered vide FIR No. 396 dated

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24.02.2020 under section 365-A Police Station Chamkani. On conclusion of inquiry, vide separate orders dated 17.03.2020 passed by the competent Authority, the appellants were dismissed from service. The appellants filed separate departmental appeals, however the same were also dismissed, hence the instant service appeals.

3. Notices were issued to the respondents, who submitted their comments, wherein they refuted the contentions of the appellants.

4. Learned counsel for the appellants has contended that on conclusion of the inquiry proceedings, the inquiry report was sent to the competent Authority, however he was bent upon awarding of penalty to the appellants, therefore, vide order dated 11.03.2020, he while pointing out certain deficiencies in the inquiry proceedings, returned back the matter to the inquiry officer for conducting proper inquiry; that neither during the inquiry nor during the re-inquiry, the appellants were in any way associated with the inquiry proceedings; that admittedly the statement of the complainant or any other witness were not recorded during the inquiry and no incriminating material whatsoever was collected in support of the allegations against the appellants; that in the subsequent inquiry report, the inquiry officer has not at all mentioned that the charges against the appellants stood proved; that on receipt of the inquiry report, no final show-cause notices were issued to the appellants, thereby depriving them of opportunity of defense as well as personal hearing; that the appellants have already been acquitted by the learned Judge Anti-Terrorism Court Peshawar vide order dated 09.02.2021, therefore, the very ground, which formed basis for awarding punishment to the appellants has vanished away. Reliance was placed on PLD. 2003 Supreme Court 187, PLD - 2010 Supreme Court 695 as well as judgment of this Tribunal rendered in Service Appeal bearing No. 1025/2017 decided on

03.07.2018.

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Khyber Pakhtunkhwa
Service Tribunal
Peshawar

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5. On the other hand, learned Assistant Advocate General for the respondents has contended that departmental proceedings different from criminal proceedings, therefore, mere acquittal of the appellants in the criminal case cannot be considered as ground for their exoneration in the departmental proceedings conducted against the appellants; that the complainant of the criminal case was belonging to District Talagang falling in Punjab Province, therefore, it cannot be presumed that the complainant of the criminal case was having any ill-will with the appellants; that regular inquiry was conducted in the matter by complying all legal as well as codal formalities and the appellants were afforded ample opportunities of their defense; that the appellants remained indulged in illegal activities of moral turpitude and the charges against them stood proved in a proper legal inquiry, therefore, they have rightly been dismissed from service. Reliance was placed on 2021 PLC (C.S) 587, 2005 SCMR 1802, 2006 SCMR 554 as well as judgment dated 28.10.2016 of this Tribunal, rendered in Service Appeals bearing No. 1493/2013, 1494/2013 and 1495/2013.

6. We have heard the arguments of learned counsel for the parties and have perused the record.

7. A perusal of the record would show that Niaz Muhammad, the then Deputy Superintendent of Police (Security) Civil Secretariat Peshawar was appointed as inquiry officer, who submitted his report to the competent Authority on 10.03.2020 and final show-cause notices were also issued to the appellants on the same day. However, the competent Authority instead of proceeding further with the matter, returned back the inquiry to the inquiry officer vide order dated 11.03.2020 with the observations, which are summarized as below:-

- i) *The statement of the complainant/abductee as well as statements of the accused appellants were not recorded during the inquiry.*

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 Kh. Per. Parh. (S) / 10
 Service Tribunal
 Peshawar

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ii) The inquiry officer was supposed to make identification of the accused/appellants from the complainant/abductee.

iii) The photograph of the appellants, showing their presence in the motorcar in which the complainant was abducted was not attached with the inquiry report.

8. The subsequent report dated 16.03.2020, sent by the inquiry officer to the competent Authority would show that the inquiry officer could not record statement of the complainant/abductee as he was not traceable. Moreover, instead of recording statements of any witnesses in support of charges against the appellants, the inquiry officer chose a shortcut and annexed photocopies of statements of some of the witnesses recorded by the investigation officer in the criminal case. Similarly, instead of annexing the alleged photograph of the appellants, showing their presence in the motorcar in which the complainant was abducted, the photographs of the vehicle in which the complainant was allegedly abducted, were attached with the inquiry, without mentioning that the appellants are having any nexus with the vehicle shown in the photographs. Moreover, the appellants have not been provided any opportunity of cross-examination, which has created material dent in the inquiry proceedings.

9. The available record also does not show that the copies of the inquiry reports were provided to the appellants and an opportunity of personal hearing was afforded to them. On receipt of the finding of the inquiry officer on 16.03.2020, the appellants were straight away dismissed by the competent authority vide the impugned order dated 17.03.2020, without issuing of show cause notices to them. This Tribunal has already held in numerous judgments that the issuance of final show cause notice along with the inquiry report is must under Police Rules, 1975. Reliance is also placed on the judgment delivered by august Supreme Court of Pakistan reported as PLD 1981 SC-176, wherein it has been held that rules devoid of provision of final show cause notice along with inquiry report were not valid rules. Non issuance of the final show

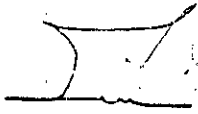
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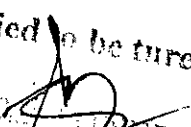
cause notices and non-supply of copies of the findings of the inquiry officer to the appellants has caused miscarriage of justice as in such a situation, the appellants were not in a position to properly defend themselves in respect of the allegations leveled against them. Moreover, the appellants have already been acquitted by the learned Judge Anti-Terrorism Court Peshawar vide order dated 09.02.2021, therefore, the very ground, which formed basis for awarding punishment to the appellants has vanished away.

10. In view of the foregoing discussion, the instant service appeal as well as connected Service appeal bearing No. 10014/2020 titled "Hamid Khan Versus Superintendent of Police, Hqrs: Peshawar and two others" and Service Appeal bearing No. 10015/2020 titled "Majid Ullah Versus Superintendent of Police, Hqrs: Peshawar and two others", are accepted and the appellants are reinstated in service with all back benefits. Parties are left to bear their own costs. File be consigned to the record room.


ANNOUNCED
14.09.2021


(SALAH-UD-DIN)
MEMBER (JUDICIAL)


(ATIQ-UR-REHMAN WAZIR)
MEMBER (EXECUTIVE)

Certified to be true copy

Khyber Pakhtunkhwa
Service Tribunal,
Peshawar

Date of Presentation of Application 15/10/21
Number of Cases 2000
Copy of 22/r
List of 5/r
26/r
Date of Copy 15/10/21
Date of Delivery of Copy 15/10/21

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16880
15/10/21

"C"

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To,

1. Superintendent of Police, Headquarters, Peshawar
2. Capital City Police Officer, Peshawar
3. Provincial Police Officer, KP, Peshawar

Subject: COMPLIANCE OF JUDGMENT DATED 14.09.2021
PASSED BY HON'BLE KP SERVICE TRIBUNAL IN SA
NO.10014/2020

Sir,

Please comply with the judgment dated 14.09.2021 passed by Hon'ble Khyber Pakhtunkhwa Service Tribunal, Peshawar in SA No.10014/2020 in its letter and spirit and also to consider this compliance letter as my arrival report. (Certified copy of judgment is attached)

Thanking you

Appellant



Hamid Khan S/o Niaz Ali

Constable No.5193

CCP, Peshawar

Cell: 0345-9896810

Dated: 15.10.2021

ATTACHED



بعد الت جناب سرسٹریٹ ٹریبونل صوبہ سرحد پشاور

متجانب ایڈوائس

خا عرفان بنام محمد خان جولی

دعوی اپیل

باعث شکریہ ایتمہ

بقدرہ مندرجہ عنوان بالا میں اپنی طرف سے واسطے پیروی و جواب دہی وکیل کاروائی متعلقہ آن مقام پشاور کیلئے اسعد امانت خان سے وٹس ایڈ ویسٹ ہائی کورٹ کو وکیل مقرر کر کے اقرار کیا جاتا ہے کہ صاحب موقوف کو مقدمہ کی کل کاروائی کا کامل اختیار ہوگا نیز وکیل صاحب کو کرنے باہمی نامہ و تقرر ثالث و فیصلہ برتلاف دینے جواب دہی اور اقبال دعویٰ اور بصورت دیگر کسی نہ اجراء اور وصولی چیک و درپہ اور مرضی دعویٰ اور درخواست ہر قسم کی تعلیق اور اس پر دستخط کرنے کا اختیار ہوگا نیز بصورت عدم پیروی یا لاکری کی طرف یا اپیل کی برآمدگی اور منسوخی نیز تاہر کرنے اپیل نگران و نظر ثانی و پیروی کرنے کا اختیار ہوگا اور بصورت ضرورت مقدمہ میں پورے کے کل یا جزوی کاروائی سے واسطے اور وکیل یا نثار قانونی کو اپنے ہمراہ یا اپنی بجائے نثار کا اختیار ہوگا اور اس میں مقرر شدہ کو بھی وہی جملہ بند کردہ بالا اختیارات حاصل ہوں گے اور اس کا ساختہ پر واختہ منظور قبول ہوگا و دوران مقدمہ میں جو خرچہ و ہر جانہ التواء مقدمہ کے سبب سے ہوگا اس کے مستحق وکیل صاحب موقوف ہوں گے نیز بقایا و خرچہ کی وصولی کرنے کا بھی اختیار ہوگا اگر کوئی تاریخ پیشی مقام دہرہ پر ہو یا عدسے باہر ہو تو وکیل صاحب پابند نہ ہوں گے کہ پیروی مذکور کریں۔

لہذا وکالت نامہ لکھو یا کہ سند ہے۔

الرقوم 21-10-20

التعبید

ایڈوائس ایڈوائس ایڈوائس

سعد امانت خان سرسٹریٹ ٹریبونل

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خا عرفان

احمد اعجاز ایڈوائس

IN THE SUPREME COURT OF PAKISTAN
(Appellate Jurisdiction)

CPLA NO. 652-P /2021

Superintendent of Police, Headquarters,
Peshawar & Others

PETITIONERS

VERSUS

Hamid Khan

RESPONDENT

Appeal from : *Khyber Pakhtunkhwa Service Tribunal,*
Peshawar
Counsel for Petitioner : *Advocate General, KPK, Peshawar*
Instituted by : *Moin-ud-Din Humayun, AOR*

MC

IN THE SUPREME COURT OF PAKISTAN
(Appellate Jurisdiction)

CPLA NO. 653-P /2021

Superintendent of Police, Headquarters,
Peshawar & Others

-----**PETITIONERS**

VERSUS

Majid Ullah

-----**RESPONDENT**

Appeal from : *Khyber Pakhtunkhwa Service Tribunal,
Peshawar*
Counsel for Petitioner : *Advocate General, KPK, Peshawar*
Instituted by : *Moin-ud-Din Humayun, AOR*

IN THE SUPREME COURT OF PAKISTAN
(Appellate Jurisdiction)

CPLA NO. 651-P /2021

Superintendent of Police, Headquarters,
Peshawar & Others

PETITIONERS

VERSUS

Luqman

RESPONDENT

Appeal from : *Khyber Pakhtunkhwa Service Tribunal,
Peshawar*
Counsel for Petitioner : *Advocate General, KPK, Peshawar*
Instituted by : *Moin-ud-Din Humayun, AOR*

ORDER

Ex-Constable Hamid Khan No.5193 was awarded major punishment of dismissal from service by the then SP HQrs vide OB No.892 dated 17.03.2020 on the charges of involvement in criminal case vide FIR No.396 dated 24.02.2020 u/s 365-A PS Chamkani.

In this regard he was filed departmental appeal before appellate authority against above punishment orders which was rejected/filed by the then CCPO, Peshawar vide No.812-17/PA dated 10.07.2020.

Being aggrieved of the orders, Ex-Constable Hamid Khan No.5193 instituted a service appeal No.10014/20 title as Hamid Khan versus Superintendent of Police HQrs Peshawar and two others before the Honourable Service Tribunal Peshawar. The Honourable Service Tribunal vide its judgment passed on 14.09.2021 has ordered that **"the instant service appeal as well as connected service appeal bearing No.10014/2020 titled Hamid Khan versus Superintendent of Police HQrs: Peshawar and two others and service appeal bearing No.10015/2020 titled Majid Ullah versus Superintendent of Police HQrs Peshawar and two others are accepted and the appellants are re-instated in service with all back benefits."**

In light of the Tribunal Judgment, DSP Legal opinion & kind approval of W/CCPO, Ex-Constable Hamid Khan No.5193 is hereby re-instated in service with all back benefits subject to the decision of CPLA which is still subjudice in the Apex Court.


**SUPERINTENDENT OF POLICE
HEADQUARTERS, PESHAWAR**

OB. NO. 10 / Dated 3/1/2021

No. 20-26 /PA/SP/dated Peshawar the 03/01/2021

Copy of above is forwarded for information & n/action to:

1. The Capital City Police Officer, Peshawar.
2. DSP/HQrs, Peshawar.
3. Pay Office,
4. OASI, CRC & FMC along-with complete departmental file.
5. Officials concerned.