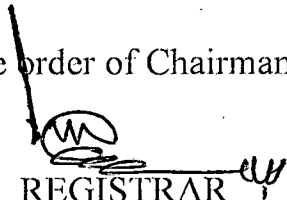


Form- A

## FORM OF ORDER SHEET

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

Case No.- \_\_\_\_\_ 1499/2022

| S.No. | Date of order proceedings | Order or other proceedings with signature of judge  |
|-------|---------------------------|---|
| 1     | 2                         | 3   |
| 1-    | 17/10/2022                | <p>The appeal of Mr. Zafar Iqbal received today by registered post through Mr. Muhammad Idrees Advocate. It is fixed for preliminary hearing before touring Single Bench at D.I.Khan on _____. Notices be issued to appellant and his counsel for the date fixed.</p> <p>By the order of Chairman</p> <p><br/>REGISTRAR</p> |

BEFORE THE HONOURABLE PESHAWAR HIGH COURT, BENCH  
DERA ISMAIL KHAN.

In Service Appeal No. 1499/2022

Zafar Iqbal .....(Appellant)

VERSUS

Govt. of KPK etc.....(Respondents)

INDEX

| S.No | Description of Documents                       | Annexure | Page   |
|------|--|----------|--------|
| 1.   | Grounds of Service Appeal along with affidavit |          | 1-8    |
| 2.   | Application for condonation of delay           |          | 9-11   |
| 3.   | Application for joining                        | I        | 12     |
| 4.   | Show Cause Notice                              | II       | 13     |
| 5.   | Impugned order 16/01/20                        | III      | 14     |
| 6.   | 1st departmental appeal                        | IV       | 15     |
| 7.   | 2nd impugned order 29/07/20                    | V        | 16     |
| 8.   | 2nd departmental appeal                        | VI       | 17-17A |
| 9.   | Impugned Final order 01/04/22                  | VII      | 18     |
| 10.  | Application for copies                         | VIII     | 19     |
| 11.  |  |          |        |
| 12.  |  |          |        |
| 13.  |  |          |        |
| 14.  | Vakalatnama                                    |          | 20     |

Your Humble Appellant

Dated: 12/10/2022

Zafar Iqbal  
Through Counsel

MUHAMMAD IDREES  
Advocate High Court,  
Dera Ismail Khan.

**BEFORE THE CHAIRMAN SERVICES TRIBUNAL, KHYBER  
PAKHTUNKHWA, PEWSHAWAR.**

Service appeal No. 1499 / 2022

**Zafar Iqbal** Ex-FC No. 7373, FRP Bunu Range, Presently  
Basti Sher Pao Abad, Near Madina Colony, Dera Ismail Khan.  
.....( Appellant)

**VERSUS**

1. Government of Khyber Pakhtunkhwa, through Chief Secretary Government of Khyber Pakhtunkhwa, Peshawar.
2. Secretary Home & Tribal Affairs Department, Khyber Pakhtunkhwa, Peshawar.
3. Provincial Police Officer / Inspector General of Police, Khyber Pakhtunkhwa, Central Police Office Peshawar.
4. Inspector General of Police Khyber Pakhtunkhwa Peshawar.
5. Commandant Frontier Reserve Police (FRP), KPK, Peshawar.
6. Deputy Commandant Frontier Reserve Police (FRP, KPK, Peshawar.
7. Superintendent of Police /SP Frontier Reserve Police (FRP), Bunu Range Bunu.
8. District Police Officer, Bunu, Bunu.

.....(Respondents)

**SERVICE APPEAL UNDER SECTION 4 OF  
SERVICES TRIBUNAL ACT, 1974.**

**PRAYER:-**

- Through Service Appeal in hand, the appellant is beseeching to declare impugned Departmental proceedings by respondent no. 7 vide which impugned order OB no. 29, dated. 10/01/2020 was

passed, and Appellant was Dismissed from Service through imposition of Major Punishment/Penalty, and later on the same was maintained and confirmed by respondent no. 6 vide order no. 5879-80/E-C, dated. 29/07/2020, vide which appeal of the appellant was dismissed, assailed through appeal/Mercy Petition dated. 24/03/2021, which was dismissed too vide impugned order no. S/631 dated.01/04/2022, by Respondent no.4

- The respondents authorities may graciously be directed to deal the appellant as in accordance with law and by setting aside impugned proceeding and impugned orders mentioned above, appellant be reinstated at his original position with all back benefits and seniority as in accordance with law and statute.

Any other relief may graciously be granted with this Court deems fit and proper for the Natural Justice.

Respectfully Sheweth:-

- 1- That addresses of parties given above are correct and sufficient for the purpose of service.
- 2- That the appellant is permanent and bonafide resident of District Dera Ismail Khan having 10 years of Government service at his credit, CNIC is enclosed as Annexure "A".
- 3- That the appellants while serving as Constable at the office of Respondent no. 07. During the days of

service respondent no. 07 has issued a final show cause notice dated. 20/11/2019, which was never served on or communicated to the appellant, and without affording any opportunity to the appellant, issued impugned order dated. 16/01/2020. Copies of showcause notice, and impugned order dated. 16/01/2020 are enclosed as Annexure "B & C".

3

4- That being aggrieved from the impugned order of the respondent no. 07, communicated to the appellant on 19/06/2020, appellant submitted Departmental Appeal dated, 25/06/2020, to the office of the respondent no. 06, who again without affording any opportunity to the appellant, maintained impugned order of respondent no. 06 vide impugned order no. 5879-80/EC, dated. 29/07/2020, communicate to the Appellant on 15/03/2021.

Copy of the impugned order dated 29/07/2020, is annexed as annexure D, to the main appeal.

5- That appellant once again being condemned unheard, hence to redress his grievance's approached the next higher forum, and impugned the orders of the Respondents no. 06 and 07, before respondent no. 04, vide appeal/petition dated. 22/03/2022, forwarded through proper channel vide office memo no. S/1294/21, dated. 24.03.2021 which was dismissed too vide impugned order dated. 01/04/2022, copy of which is annexed as annexure E, to the appeal.

6- That, impugned order dated. 16/01/2020 was served on the appellant on 19/06/2020, which was assailed vide Departmental Appeal dated.

25/06/2020, and was decided by the then Appellate Authority on 29/07/2020, which was communicated to the Appellant on 15/03/2021, and appellant once again assailed impugned order of the Appellate Authority vide Departmental Appeal dated 22/03/2021, forwarded through proper channel on 24/03/21 by the respondent no. 05 to the respondent no. 04, and was decided on 01/04/2022, which was yet not communicated to the appellant until application for copies of the impugned order was made on 19/09/2022, upon which, in response copies of the final impugned order was received to the appellant on 24/09/2022, against which having no other appropriate remedy and being final order, appellant approached this Honorable forum on following grounds.

**GROUND:-**

- a) That impugned proceedings vide which the appellant has been proceeded (with affording him any opportunity) by the respondent no. 07 as well as respondent no. 06 and no.04 are against the Law, and are against natural Justice, being Void abinitio, are unconstitutional and are liable to be set at naught.
- b) That respondent no. 07 has proceeded against the appellant without any substance and valid ground for proceedings conducted at his own end, where in Appellant has been omitted to afford him any opportunity, before taking Harsh step by awarding Major Panelity.
- c) That the respondents authorities were under obligation to deal the appellant as in accordance

with law, and keep him under suspension as in accordance with the rules till the disposal inquiry conducted, if any, and give him an opportunity to prove his innocence, but Respondents Authorities through impugned proceeding has acted malafidely and in ultra-vires to satisfy their self temptations and personal grudge, and has suffered the appellant by **non affording him any opportunity of Fair Trial** which is his constitutional right under Article 10-A of the Constitution of Islamic Republic of Pakistan, 1973, and hence is not warranted under the law. Reliance can be placed here on case of Waseem Yaqub reported as 2017 PLJ 476.

d)

That respondent authorities were under obligation to act as in accordance with law and implement the statute in its letter and spirit in case of the appellant, but impugned malafide acts of the respondent authorities has unleashed their malafide and unseen temptations towards the appellant, which has opened the gates for interference into the impugned orders of the respondent authorities by this Honorable Court for the appellant.

e)

That Respondent Authorities has led the case of the appellant against the Dictim of Natural Justice before awarding him major Punishment by proceeding against him without legal justifications, when his Total earned leaves during his entire service were omitted to be deducted from the alleged absentees, which is sheer violation of the statute and rules there under. While on the other side, both the Appellate authorities had kept their eyes closed and maintained the impugned orders

and proceedings, which are equivalent to nullity for not affording any opportunity to the appellant of fair trial or at least to be a part of the proceedings conducted for charges leveled against the appellant.

*f)* That respondent no. 07, besides honoring application of the appellant for joining his duties, has omitted to retain the appellant on duties, and made him a rolling stone to make him suffer of impugned proceeding and impugned order.

*g)* That vide impugned order respondent no. 07, has just to show appellant guilty, has mentioned his previous absentees regarding which competent authority has already made final orders, which shows arbitrary nature of the impugned order.

*h)* That the counsel for the Appellant may kindly be allowed to raise the additional grounds at the time of arguments.

***In view of the above submissions, appeal in hand be accepted as prayed for in the head of the appeal.***

Your Humble Appellant

**Zafar Iqbal**  
Through Counsel

**MUHAMMAD IDREES**  
Advocate High Court,  
Dera Ismail Khan.

**BOOKS REFERED:**

1. Constitution of Islamic Republic of Pakistan case law.
2. E&D Rules, 2011
3. Services Tribunal Act, 1973
4. Services Tribunal Rules, 1974
5. Civil Servants Appeal rules 1977
6. Police Act ,2017 as amended 2019
7. Police Rules 1934



CERTIFICATE:-

I, Zafar Iqbal Khan S/o Muhammad Javed, Basti Shiverpao  
Abad Muriyali, Dera Ismail Khan, **The Appellant**,  
that it is first appeal and no such appeal has ever been  
preferred in this learned Court by the Appellant.

DEPONENT

Zafar Iqbal

**BEFORE THE HONOURABLE PESHAWAR HIGH COURT**  
**D.I.KHAN BENCH**

Service Appeal No. of 2021

8

**Zafar Iqbal** .....(Appellant)

**VERSUS**

**Govt. of KPK etc.....(Respondents)**

**AFFIDAVIT:**

I, **Zafar Iqbal** S/o *Muhammad Jawad* / *Basti Sher Pora* **Appellant**,  
*Dera Ismail Khan* Dera Ismail Khan, **The Appellant**, do  
hereby solemnly affirm and declare on oath that the contents  
of above **Appeal** are true and correct to the best of my  
knowledge and belief and nothing has been concealed from  
this Honourable Court.

  
**DEPONENT**

CNIC No:- *12101-5385848-3*

**BEFORE THE HONORABLE CHAIRMAN SERVICES  
TRIBUNAL, KPK, PESHAWAR, AT DERA ISMAIL KHAN**

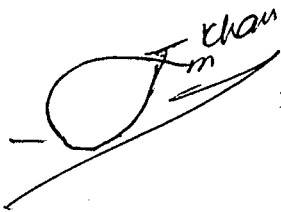
In Service Appeal no-----/2021

**Zafar Iqbal Versus Govt Of KPK etc.**

**Civil Miscellaneous Application For Condonation Of  
Delay Occurred In Filing Service Appeal Titled  
Above**

Respectfully sir,

1. That instant application is being filed with main appeal, and contents of the application in hand be considered as part and parcel of the main appeal.
2. That appellant filed main appeal against impugned order dated, 16/01/2020, which became final on 01/04/2022, and communicated to the appellant on 24/09/2022, with a delay of 05 month and 12 days after the expiry of 30 days statutory period, after 01/04/2022, which was beyond the control of the appellant, and not deliberate, which is further explained as follows,
  - i. That impugned order was neither communicated nor have been delivered to the appellant, regarding which appellant approached the local authorities time and again, but no response was given to the appellant regarding impugned order, unless and until appellant moved an application and impugned order dated. 16/01/2020 was served on the appellant on 19/06/2020, which was assailed vide Departmental Appeal dated. 25/06/2020, and was decided by the then Appellate Authority on 29/07/2020, which was communicated to the Appellant on 15/03/2021, and appellant once again assailed impugned order of the Appellate Authority vide Departmental Appeal dated. 22/03/2021, forwarded through proper

  
J. M. Khan

channel on 24/03/21 by the respondent no. 05 to the respondent no. 04, and was decided on 01/04/2022, which was yet not communicated to the appellant until application for copies of the impugned order was made on 19/09/2022, upon which, in response copies of the final impugned order was received to the appellant on 24/09/2022, against which having no other appropriate remedy and being final order, appellant approached this Honorable forum

- ii. That, as and when appellant got knowledge of the issuance of the impugned order, appellant moved application dated. 17.09.21, without any further delay, and got a snap copy of the impugned order, which was not properly delivered, proper application was filed.
- iii. That as appellant has got knowledge regarding the impugned order on 24.09.2022, hence keeping in view the date of knowledge and communication of the impugned order, appeal of the appellant is well within time .

***In view of the submissions made above , it is humbly prayed that the delay occurred in filling service appeal in hand may graciously be condoned as not being deliberate, and beyond the control of the appellant.***

Oct 12, 2022

Appellant

**Zafar Iqbal**  
Through Counsel

**Muhammad Idrees Khan**  
Advocate, High Court,  
Dera Ismail Khan.

**BEFORE THE HONORABLE CHAIRMAN SERVICES  
TRIBUNAL, KPK, PESHAWAR, AT DERA ISMAIL KHAN**

In Service Appeal no-----/2021

**Zafar Iqbal          Versus          Govt Of KPK etc.**

**AFFIDAVIT**

I, Zafar Iqbal Appellant, do hereby solemnly affirm and declare on oath that the contents of the application are true and correct and nothing has been concealed.

  
**Deponent**

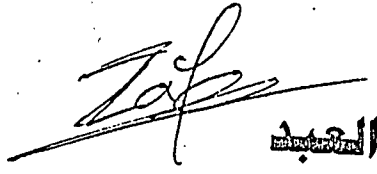
# بخدمت جناب SP ایف آر پی بنوں

جناب عالی!

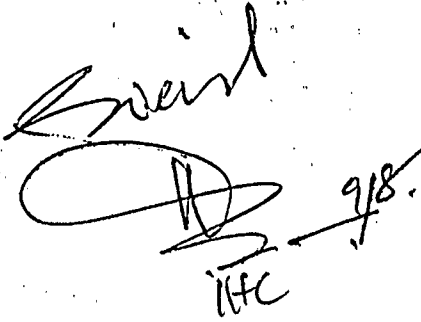
معروض ہوں کہ ایف آر پی ڈیرہ سے تبادلہ کر کے ایف آر پی بنوں تبدیل کیا گیا ہے  
لیکن درپس بالاتا حال بقاعدہ نقلمد چاک کر کے فدوی کونہ دی گئی  
تا کہ فدوی آپ جناب کے پاس حاضر کر سکے۔

I/12

دریں بالافدوی نے SP ایف آر پی ڈیرہ کہ متعلقہ محرر کو درخواست  
کی تو مسمیٰ 5/07/2019 کو متعلقہ محرر نے فدوی کو آپ جناب کے پاس  
حاضری کی ہدایت کی فدوی کی حاضری قبول کی جا کر ڈیوٹی پر تعینات کیا جائے۔

  
الحید

مورخہ:- 9/8/2019

  
9/8  
HFC

No. 1760

Dated 20/11/2019

**FINAL SHOW CAUSE**

II/13

I, Kifayat Ullah Khan Wazir, Superintendent of Police, FRP Bannu Range, Bannu as competent authority, under Rule 5(3) of the Khyber Pukhtunkhwa Police rules (As amended vide Khyber Pukhtunkhwa gazette Notification, No.27<sup>th</sup> of August 2014) for the following misconduct hereby serve upon you Constable Zafar Iqbal No. 7373 this final show cause notice.

That Constable Zafar Iqbal No. 7373 has absent himself from lawful duty without any sanctioned leave or prior permission of the competent authority vide DD No. 26 dated 19-07-2019 to 08-08-2019 & 09-08-2019 to till date at FRP Police Line II Bannu. His pay was stopped to this effect.

Such act on your part is against service discipline and amounts gross misconduct/ negligence in duty.

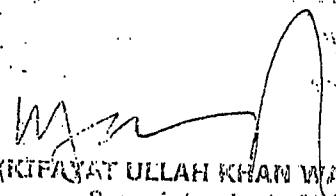
That consequent upon the completion of enquiry conducted through enquiry officer, FRP, Bannu submitted findings report and reported that the allegations contained in the charge sheet have fully been proved against the defaulter Constable Zafar Iqbal No. 7373 is proved.

As a result, I, as a competent authority, have tentatively decided to impose upon you one for more punishments including dismissal as specified the rules.

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

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

The copy of the findings, of the Enquiry Officer is enclosed.

  
(KIFAYAT ULLAH KHAN WAZIR), PSP  
Superintendent of Police,  
FRP, Bannu.

IG/KF

SIR! Kindly Re-Instate on Humanitarian  
Grounds & Oblige!  
THANKS!



7.9.21  
**ALI AMIN KHAN GANDAPUR**  
Federal Minister  
for Kashmir Affairs & Gilgit-Baltistan  
Government of Pakistan  
Islamabad

ORDER

This order shall dispose of the enquiry proceedings pending against Constable Zafar Iqbal No. 7373 as the official was charged for commission of the following misconduct.

Reported to have found absent from duty w.e from 19-07-2019 to 08-08-2019 & 09-08-2019 to till date without any leave or legal permission of the competent authority.

III / 19

On the above charges accused official was charge sheeted based on summary of allegations & S/PC Sami Ullah Khan was nominated as Enquiry Officer with the directions to make probe into the matter within stipulated period.

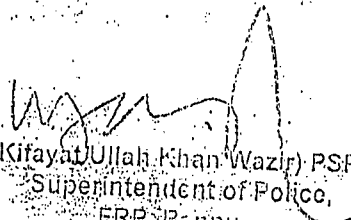
A discreet probe was made by the Enquiry officer and submitted his findings wherein it was reported that charge sheet was not received by the official subsequently a Final Show Cause notice of Major punishment including dismissal from service was issued which was properly served upon him on 25-12-2019. But he did not reply to the said Notice.

Enquiry Officer submitted his report dated 14-01-2020, wherein defaulter official was reported to have willful and habitual absentee malingering type official and seems to be not interested to continue further service. After perusal of service record of the defaulter official, it revealed that the previous absence period was made out for 527 days. His retention more in the Police Force is not fruitful. He was enlisted as constable on 30-07-2007. Finally he was rendered guilty for the allegations leveled against him and recommended him for the imposition of major punishment being not taking interested in his service.

Keeping in view the recommendation of the enquiry officer, now therefore, I, Kifayat Ullah Khan Wazir Superintendent of Police, FRP Bannu, in exercise of the powers vested in me under Police Rules 1975 do hereby imposed upon him Major punishment i.e. Dismiss from Service and also absence period is treated as without pay with immediate effect.

OB No. 24

Dated: 16-01-2020

  
(Kifayat Ullah Khan Wazir) PSP,  
Superintendent of Police,  
FRP, Bannu



بخدمت جناب کمانڈنٹ صاحب، ایف آر پی صوبہ خیبر پختونخواہ پشاور۔

عنوان: اپیل اور خواہش باہر دو بارہ سروس بحالی۔

جناب عالی!

سائل بذریعہ درخواست ذیل معروض ہوں۔

یہ کہ سائل محکمہ پولیس ایف آر پی بنوں ریجن بنوں میں سال 2007ء کو بطور کنسٹیبل بھرتی ہوا تھا۔ سائل نے ہفتہ وار

ڈیوٹی نہایت خوش اسلوبی اور ذمہ داری کے ساتھ سرانجام دیتا رہا۔

یہ کہ سائل گھریلو مسائل کی وجہ سے مجبوراً ڈیوٹی سے غیر حاضر ہوا۔

یہ کہ سائل کو بوجہ غیر حاضری پر محکمہ جناب ایس پی، ایف آر پی بنوں نے جنوالہ OB نمبر 29 مورخہ 16-01-2020 کو

محکمہ پولیس سے برخاست کیا گیا ہے۔

یہ کہ سائل نہایت ہی غریب خاندان سے تعلق رکھتا ہے اور سائل گھر کا واحد کفیل ہے۔ سائل ایک تعلیم یافتہ اور تربیت یافتہ

پولیس اہلکار ہے اور دوبارہ پولیس فوریس میں اپنی خدمات پیش کرنا چاہتا ہے۔

لہذا! آپ صاحبان سے بذریعہ درخواست عاجزانہ طور پر استدعا کرتا ہوں کہ سائل کی مجبوری، غریبی کو مد نظر رکھتے

ہوئے سائل پر رحم فرما کر پولیس فوریس میں دوبارہ سروس پر بحال کرنے کے احکامات صادر فرما کر مشکور فرمادیں۔

سائل آنجناب کی ترقی، بخدمت سکندر اور عمر درازی کیلئے تاحیات دعا گو رہیگا۔

عین نوازش ہوگی۔

مورخہ: 25-06-2020

العارضی

سائل ایکس کنسٹیبل ظفر اقبال بیلٹ نمبر 7373 ایف آر پی بنوں ریجن بنوں۔

COMMANDANT / FRP

15/6

ORDER

This order will dispose of the departmental appeal preferred by ex-constable Zafar Iqbal No. 7373 of FRP Bannu Range, against the order of SP FRP Bannu Range, Bannu issued vide OB No. 29, dated 16.01.2020, wherein he was awarded major punishment of dismissal from service. The applicant was proceeded against on the allegations that he absented himself from lawful duty with effect from 19.07.2019 to 08.08.2019 & 09.08.2019 till the date of dismissal from service i.e 16.01.2020 for a period of 05 months 27 days, without any leave or prior permission of the competent authority.

In this regard, he was issued Charge Sheet alongwith Summary of Allegations and SI/PC Sami Ullah Khan was nominated as Enquiry Officer to unearth the actual facts. A discreet probe was made by the Enquiry Officer and submitted his findings, wherein he reported that the Charge Sheet was not received by the official subsequently a Final Show Cause Notice of major punishment including dismissal from service was issued, which was properly served upon him on 25.12.2019, but he did not reply to the said notice.

Finally Enquiry Officer submitted his report dated 14.01.2020, wherein defaulter official to have willful and habitual absentee malingering type official and seems to be not interested to continue further service.

After perusal of his service record, it has been found that in past he remained absent from duty for a long period of 527 days on different occasions, to which he awarded different punishment i.e major punishment of time scale by bringing him in initial stage of constable and his absence period was treated as leave without pay etc. Finally he was rendered guilty for the allegations leveled against him and recommended for imposition of major punishment.

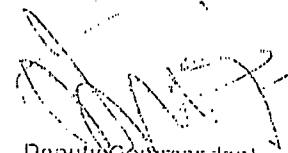
Keeping in view the above narrated facts and other material available on record, he was awarded major punishment of dismissal from service vide OB No. 29, dated 16.01.2020.

Feeling aggrieved against the impugned order of SP FRP Bannu Range, Bannu, the applicant preferred the instant appeal. The applicant was summoned and heard in person in Orderly Room held on 23.07.2020.

During the course of personal hearing, the applicant failed to present any justification regarding to his prolong absence. From perusal of enquiry file it has been found that the allegations were fully established against him by the enquiry officer during the course of enquiry. Thus the applicant has been found to be an irresponsible person in utter disregard the discipline of the force. Therefore any leniency or complacency would further embolden the accused officer and impinge upon the adversely on the over all discipline and conduct of the force. It is settled proposition of law that law helps the diligent and not indolent. Thus there doesn't seem any infirmity in the order passed by the competent authority, therefore no grounds exist to interfere in same.

Based on the findings narrated above, I, Malik Muhammad Tariq PSP, Deputy Commandant FRP Khyber Pakhtunkhwa, Peshawar, being the competent authority, has found no substance in the appeal, therefore, the same is rejected/dismissed being meritless.

Order Announced.

  
Deputy Commandant  
For Commandant FRP  
Khyber Pakhtunkhwa, Peshawar.

No 5879-80/EC, dated Peshawar the 27/07/2020.

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

1. SP FRP Bannu Range, Bannu. His service record and D file sent herewith.
- Ex-constable Zafar Iqbal No. 7373 S/o Javid Iqbal R/o Basti Sher Pao, Police Station Cantt, District DI Khan.

بخدمت جناب Inspector General of Police (IGP) خیبر پختونخواہ۔ پشاور

عنوان :-

حکمانہ اپیل برخلاف احکام ہائے زیر عذر نمبری 16/01/2020، Dated. 29، مصدرہ

ازاں۔ SP FRP, Bunnu Range۔ جس کی رو سے من سائل کو نوکری سے

برخواست جبکہ حکم نمبری 80-5879 مورخہ 29/07/2020 مصدرہ ازاں

Deputy Cammanadant FRP, KPK۔ پشاور۔ جس کی رو سے حکم زیر

عذر مورخہ 16/01/2020 بحال رکھا گیا۔

جناب عالی!

معروض ہونکہ۔ من سائل بطور کانسٹیبل FRP۔ بنوں ریجن سال 2007 سے اپنی ڈیوٹی خوش اسلوبی سے انجام دیتا چلا آ رہا تھا۔ لیکن از روئے حکم مورخہ 16/10/2020 کو جناب SP. FRP بنوں ریجن نے من سائل کو بغیر کسی وجہ کے از روئے حکم زیر عذر نوکری سے برخاست کر دیا۔ جس کے برخلاف من سائل نے کمانڈنٹ FRP خیبر پختونخواہ کو اپیل مورخہ 25/06/2020 کی۔ جو کہ ڈپٹی کمانڈنٹ صاحب نے از روئے حکم مورخہ 29/07/2020 خارج فرمائی۔ جس کے برخلاف من سائل درجہ ذیل وجوہات واستدلال ہائے کی بناء پر حکمانہ اپیل برخلاف حکم زیر عذر مورخہ 29/07/2020۔ بحضور والا نشان پیش خدمت کرتا ہے۔ بقولات اپیل واحکام ہائے زیر عذر ہمراہ اپیل بذالف ہیں۔

یہ کہ حکم زیر عذر سرسری انداز میں۔ بغیر اطلاق متعلقہ قوانین سروس جاری فرمائے گئے۔ جو کہ ہرگز قابل

پذیرائی نہ ہیں۔

یہ کہ جب من سائل سرکاری ملازم Govt Servant ہے۔ اور تمام تر قوانین بابت سرکاری ملازمین کا اطلاق من سائل پر تھا۔ تو حکم زیر عذر بیچ اور لاق منسوخ ہی۔ کہ جب اولاً تو من سائل قبل ازیں ہی متعلقہ مسینہ غیر حاضری کی نسبت سزاوار ہو چکا تھا۔ تو سزا از روئے حکم زیر عذر دہری سزا اور غیر آئینی وغیر قانونی ہے۔

یہ کہ اسی طرح جب من سائل سرکاری ملازم ہے۔ اور 12 سال کی طویل سروس بھی کر چکا تھا۔ تو از روئے

Civil Servants revised Leave Rules 1981 من سائل کی Earned Leave

ہی متعلقہ غیر حاضری کے لگ بھگ برابر تھی۔ لیکن مذکورہ مجاز افسرنے۔ اختیارات کا بے جا استعمال کرتے ہوئے۔

تعلقہ قوانین کا من سائل کو فائدہ دینے کے بجائے من سائل کو غیر ضروری طور پر بغیر کسی باقاعدہ شکایت یا انکوائری

سخت ترین سزا Major Punishment دی۔ جو کہ اختیارات کے استعمال میں اہم بے قاعدگی۔ اور نا

قابل پذیرائی ہے۔

یہ کہ نہ تو من سائل کو باقاعدہ طور پر کسی انکوائری پر خلاف من سائل میں شامل یا گیا۔ اور نہ ہی من سائل کو اپنی صفائی پیش کرنے کا موقع فراہم کیا گیا۔ بلکہ مذکورہ مجاز افسر نے یکطرفہ طور پر کارروائی تادیبی عمل میں لاتے ہوئے حکم زیر عذر جاری کیا۔ جو کہ من سائل کے حقوق پر غیر متاثر اور لائق منسوخی ہے۔

یہ کہ من سائل ایک بوڑھی ماں اور ۳ بچوں واحد کفیل ہے۔ اور من سائل کی سروس اور گریڈ کو مد نظر رکھتے ہوئے۔ مجاز افسر کو من سائل کے بارے نرم رویہ Lenient View اختیار کرنا چاہیے تھا۔ جو کہ نہ کیا جا کر۔ مجاز افسر نے من مانا Arbitrary استعمال اختیار کیا۔

لہذا استدعا ہے کہ۔ اپیل من سائل منظور کی اکر۔ من سائل کو دوبارہ سروس پر بحال فرمایا

جاوے۔

العبد

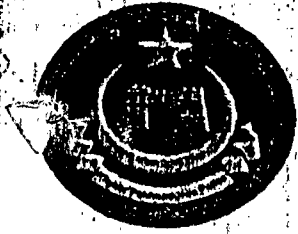
ظفر اقبال FRP- No. 7373 بنوں ریجن۔ حال

بستی شیر پاؤ آباد۔ نزد مدینہ کالونی۔ مدینہ کالونی روڈ۔

(تھانہ کینٹ) ڈیرہ اسماعیل خان۔

موبائل نمبر۔ 0340.8972112





OFFICE OF THE  
INSPECTOR GENERAL OF POLICE  
KHYBER PAKHTUNKHWA  
Central Police Office, Peshawar.

No. S/ 631 /22, dated Peshawar the 01/04 /2022.

To: The Commandant,  
Frontier Reserve Police,  
Khyber Pakhtunkhwa, Peshawar.

VII/18

Subject: MERCY PETITION.

Memo:

In continuation of this office Memo: No. S/1294/21, dated 24.03.2021.

The Competent Authority has examined in the light of Police Rule 16.32 and filed the mercy petition submitted by Ex-FC Zafar Iqbal No. 7373 of FRP Bannu against the punishment of dismissal from service awarded by Superintendent of Police, FRP, Peshawar vide OB No. 29, dated 16.01.2020, being badly time barred.

The applicant may please be informed accordingly.

(NOOR AFGHAN)

Registrar,

For Inspector General of Police,  
Khyber Pakhtunkhwa, Peshawar.

0.292

For Station **RGL9468E992** Rs. **AS**

uninsured letters of not more than the initial weight prescribed in the Post Office Guide or on which no acknowledgment is due.

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Insurance fee Rs. \_\_\_\_\_ Ps. \_\_\_\_\_ (in words) \_\_\_\_\_ Weight \_\_\_\_\_ Kilo \_\_\_\_\_ Grams \_\_\_\_\_

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**UP-9-2**

بخدمت جناب کمانڈنٹ FRP خیبر پختونخواہ پشاور

VIII/19

Office Copy

درخواست اجراء نقل حکم و فیصلہ مصدرہ ازاں IGP خیبر پختونخواہ برائیل ازاں من سائل برخلاف حکم زیر  
عذر مصدرہ ازاں فاضل ڈپٹی کمانڈنٹ FRP خیبر پختونخواہ مورخہ 29/07/2020 جس کی رو سے  
محکمانہ اپیل من سائل خارج فرمائی گئی اور برخلاف حکم زیر عذر محکمانہ اپیل بذریعہ دفتر ہذا IGP صاحب  
KPK داخل کروائی گئی۔

جناب عالی!

معروض ہونکہ از روئے حکم مورخہ 16/01/2020 ازاں SP FRP بنوں ریج من سائل کو نوکری سے برخاست کیا گیا جس کے خلاف من سائل نے محکمانہ اپیل دفتر ہذا جمع کرائی جو کہ از روئے حکم مورخہ 29/07/2020 مصدرہ ازاں ڈپٹی کمانڈنٹ FRP خارج فرمائی گئی۔ جس کے برخلاف من سائل نے Through Proper Chanel اپیل (Second Departmental appeal) بذریعہ دفتر ہذا مورخہ 24/03/2022 دفتر IGP صاحب بھجوائی۔ جس پر حکم صادر فرمایا جا چکا ہے لیکن نقل تاحال من سائل امرافہ گزار کو فراہم نہ کی گئی ہے۔

لہذا استدعا ہے کہ مذکورہ Departmental appeal پر فیصلہ ازاں IGP صاحب کی نقل من سائل کو فراہم کی جاوے تاکہ من سائل مزید چارہ جوئی بشرط ضرورت بابت حق رسی کر سکے۔

آپ جناب کی عین نوازش ہوگی

مورخہ 19/09/2022

ظفر اقبال ولد محمد جاوید سکٹنہ مریالی ڈیرہ اسماعیل خان

سابقہ کانسٹیبل بلٹ نمبر 7373 FRP۔

موبائل نمبر 0340-8972112

کاپی برائے اطلاعیاتی و ضروری حکم بنام IGP صاحب KPK ارسال کی جاتی ہے۔



MUHAMMAD IDREES

Advocate  
bc-09-1978

Date of issue: June 2022

Valid upto: June 2025



Secretary  
KP Bar Council

وکالت نامہ

کورٹ  
فیس

20

حکومت سندھ، سٹیٹ لائبریری، کراچی۔ کراچی کے لیے  
 منجانب  
 طرز اعتدال  
 دعویٰ یا جرم  
 تفصیل دعویٰ یا جرم

باعث تحریر یا آنکہ

مقدمہ مندرجہ بالا عنوان میں اپنی طرف سے واسطے پیروی اور جواب مانگنے والے پیشی یا تعلقہ مقدمہ بنام  
 محمد اویس خان اور اسی کے والدین (جن کی کورٹ سے وکیل صاحب  
 کو حسب ذیل شرائط پر وکیل مقرر کیا ہے کہ میں پیشی پر خود یا بنا برکوبہ رو برو عدالت حاضر ہونا رہوں گا اور ہر وقت پکارنے جانے کے مقدمہ وکیل صاحب  
 موصوف کو اطلاع دے کر حاضر عدالت کروں گا اگر پیشی پر منظر حاضر نہ ہو اور مقدمہ میری غیر حاضری کی وجہ سے کسی طور میرے خلاف ہو گیا تو صاحب  
 موصوف اس کے کسی طرح ذمہ دار نہ ہوں گے نیز وکیل صاحب موصوف صدر مقام کچہری کے علاوہ یا کچہری کے اوقات سے پہلے یا پیچھے یا بروز تعطیل  
 پیروی کرنے کے ذمہ دار نہ ہوں گے اور مقدمہ صدر کچہری کے علاوہ اور جگہ سماعت ہونے یا بروز تعطیل یا کچہری کے اوقات کے آگے یا پیچھے پیش ہونے  
 پر منظر کوئی نقصان پہنچے تو اس کے ذمہ دار یا اسکے واسطے کسی معاوضہ کے ادا کرنے یا محنت نہ واپس کرنے کے بھی صاحب موصوف ذمہ دار نہ ہوں گے مجھ  
 کو کل ساختہ پر داخستہ صاحب موصوف مثل کردہ ذات خود منظور قبول ہو گا اور صاحب موصوف کو عرض دعویٰ یا جواب دعویٰ یا درخواست اجراء اسمائے ذکری  
 نظر ثانی اپیل نگرانی و ہر قسم درخواست ہر قسم کے بیان دینے اور پر تالی یا راضی نامہ و فیصلہ برحلف کرنے اقبال دعویٰ کا بھی اختیار ہو گا اور بصورت مقرر ہونے  
 تاریخ پیشی مقدمہ مرکز بیرون از کچہری صدر پیروی مقدمہ مذکور نظر ثانی اپیل و نگرانی و برآمدگی مقدمہ یا منسوخ ذکری یک طرفہ یا درخواست حکم استغاثی یا ترقی  
 یا گرفتاری قبل از فیصلہ اجراء ذکری بھی صاحب موصوف کو بشرط ادا ہونے علیحدہ مختص پیروی کا اختیار ہو گا اور تمام ساختہ پر داخستہ صاحب موصوف مثل کردہ  
 از خود منظور و قبول ہو گا اور بصورت ضرورت صاحب موصوف کو یہ بھی اختیار ہو کہ مقدمہ مذکورہ یا اس کے کسی جزو کی کارروائی یا بصورت درخواست نظر ثانی  
 اپیل نگرانی یا دیگر معاملہ و مقدمہ مذکورہ کسی دوسرے وکیل یا بیرسٹر کو اپنے بجائے یا اپنے ہمراہ مقرر کریں اور ایسے شیر تافون کو بھی ہر امر میں وہی اور دیے  
 اختیارات حاصل ہوں گے جیسے صاحب موصوف کو حاصل ہیں اور دوران مقدمہ میں جو کچھ ہر جانہ التواء پڑے گا وہ صاحب موصوف کا حق ہو گا مگر  
 صاحب موصوف کو پوری فیس تاریخ پیشی سے پہلے ادا نہ کروں گا تو صاحب موصوف کو پورا اختیار ہو گا کہ مقدمہ کی پیروی نہ کریں اور ایسی صورت  
 میں میرا کوئی مطالبہ کسی قسم کا صاحب موصوف کے برخلاف نہیں ہوگا

لہذا وکالت نامہ لکھ دیا ہے تاکہ سند رہے  
 مورخہ 12 ماہ اکتوبر 2022

مضمون وکالت نامہ سن لیا ہے اور اچھی طرح سمجھ لیا ہے اور منظور ہے

Accepted  
 [Signature]

Adv. H. C.

[Signature]

CNIC # [Signature]