

28<sup>th</sup> July, 2022

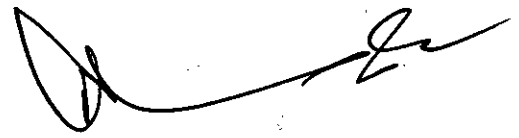
1. Learned counsel for the appellant present. Mr. Muhammad Adeel Butt, Addl: AG alongwith Mr. Gul Zad, ASI(CTD) for respondents present.

2. Learned counsel for the appellant submitted copy of writ petition No. 3349-P/2016 filed by 178 petitioners and submitted that somehow or the other the petition was related to instant appeals, therefore, it would be appropriate to adjourned these appeals sine-die till the decision of the petition by the Hon'ble Peshawar High Court. On the request of the petitioner this appeal is adjourned sine-die. The parties or any of them may get it restored and decided by making an application, after decision of the Hon'ble Peshawar High Court in writ petition referred to above. Copy of this order be placed in the connected appeals. Cosign.

3. *Pronounced in open court in Peshawar and given under our hands and seal of the Tribunal on this 28<sup>th</sup> day of July, 2022.*



(Salah Ud Din)  
Member(Judicial)




(Kalim Arshad Khan)  
Chairman


02.06.2022

Appellant present through representative.

Naseer ud Din Shah, learned Assistant AG alongwith Gulzad Khan SI (Legal) for respondents present.

Lawyers are on general strike, therefore, case is adjourned to 28.07.2022 for arguments before D.B.

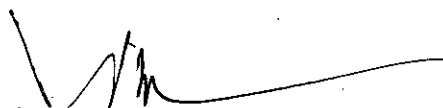
  
(Fareeha Paul)  
Member(E)


  
(Rozina Rehman)  
Member (J)

31.08.2021

Miss Uzma Syed, Advocate junior of learned counsel for the appellant present. Mr. Gul Zad S.I alongwith Mr. Muhammad Rasheed, Deputy District Attorney for the respondents present.

Junior of learned counsel for the appellant requested for adjournment on the ground that learned counsel for the appellant is busy in the august High Court. Adjourned. To come for arguments before the D.B on 04.11.2021.

  
(ATIQ UR REHMAN WAZIR)  
MEMBER (EXECUTIVE)


  
(SALAH-UD-DIN)  
MEMBER (JUDICIAL)

04.11.2021

Counsel for the appellant and Mr. Kabirullah Khattak, Addl. AG alongwith Gulzad Khan, S.I (Legal) for the respondents present.

Learned counsel for the appellant seeks adjournment. Request is accorded. To come up for arguments on 09.02.2022 before the D.B.

  
(Rozina Rehman)  
Member(J)

  
Chairman

9-2-2022

Due to the retirement of the Honorable Chairman the case is adjourned to come up for the same as before on 2/6/2022

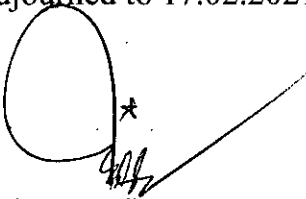
  
Reader


25.11.2020

Counsel for the appellant present. Addl: AG for respondents present.

Learned counsel for the appellant requests for adjournment as a writ petition is also pending before the Hon'able High Court on the subject.

Adjourned to 17.02.2021 before D.B.

  
(Mian Muhammad)  
Member (E)

  
Chairman

17.02.2021

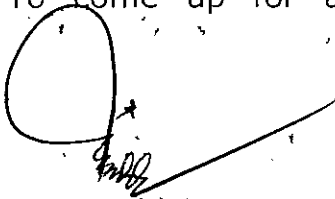
Due to Pandemic of Covid-19, the case is adjourned to ~~27~~ 27.05.2021 for the same.

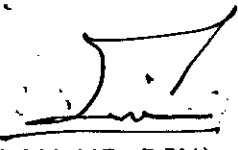
  
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27.05.2021

Learned counsel for the appellant present. Mr. Gul Zad, ASI alongwith Mr. Kabirullah Khattak, Additional Advocate General for the respondents present.

Former stated at the bar that an adjournment may be granted as Writ Petition involving similar nature issue is already pending before august Peshawar High Court, Peshawar. Adjourned. To come up for arguments before the D.B on 31.08.2021.

  
(MIAN MUHAMMAD)  
MEMBER (EXECUTIVE)

  
(SALAH-UD-DIN)  
MEMBER (JUDICIAL)

17.02.2021

Due to Pandemic of Covid-19, the case is adjourned to

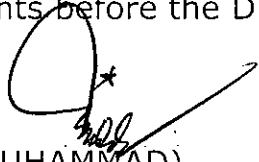
28.05.2021 for the same.

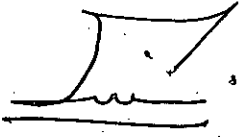
  
Reader

28.05.2021

Learned counsel for the appellant present. Mr. Kabirullah Khattak, Additional Advocate General for the respondents present.

Learned counsel for the appellant requested that identical nature Service Appeal No. 775/2017 titled "Muhammad Zaman Versus Police Department" has been fixed on 31.08.2021, therefore, the instant service appeal may also be fixed on the said date. Request of learned counsel for the appellant appears genuine, therefore, the appeal in hand is adjourned. To come up for arguments before the D.B on 31.08.2021.

  
(MIAN MUHAMMAD)  
MEMBER (EXECUTIVE)

  
(SALAH-UD-DIN)  
MEMBER (JUDICIAL)

18.06.2020

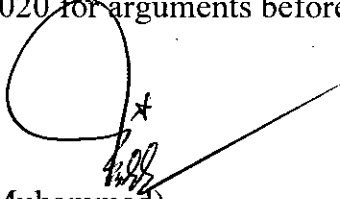
Due to Covid-19, the case is adjourned. To come up for the same on 08.09.2020 before D.B



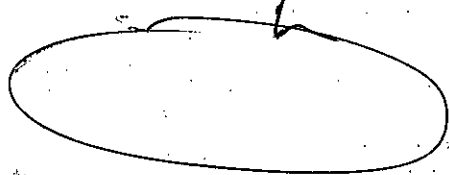
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08.09.2020

Appellant, Arifullah has not forthcoming despite having been called time and again and he was waited for till quarter to 3:00 O'clock. Whereas Mr. Kabirullah Khattak, Additional Advocate General alongwith Mr. Wajid, ASI for respondents are present. The perusal of preceding order sheet reveals that the case was adjourned due to Covid-19, therefore, in the circumstances it is deemed appropriate to issue notice to the appellant as well as his respective counsel for 25.11.2020 for arguments before D.B.



(Mian Muhammad)  
Member (E)



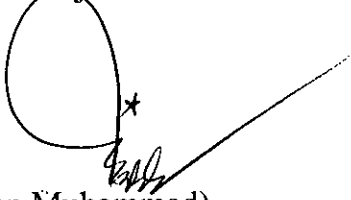
(Muhammad Jamal)  
Member(J)

25.11.2020

Counsel for the appellant present. Addl: AG for respondents present.

Learned counsel for the appellant requests for adjournment as a writ petition is also pending before the Hon'able High Court on the subject.

Adjourned to 17.02.2021 before D.B.



(Mian Muhammad)  
Member (E)



Chairman

16.12.2019

Junior to counsel for the appellant present. Mr. Riaz Paindakheil learned Assistant Advocate General present. Junior to counsel for the appellant requested for adjournment as senior counsel for the appellant is not in attendance. Adjourn. To come up for arguments on 29.01.2020 before D.B.

  
Member

  
Member

29.01.2020

Junior to counsel for the appellant and Addl. AG alongwith Gulzar, ASI for the respondents present.


Former requests for adjournment due to general strike of the Bar. Adjourned to 30.03.2020 for arguments before the D.B.

  
Member

  
Member

30.03.2020

Due to public holidays on account of Covid-19, the case is adjourned. To come up for the same on 18.06.2020 before D.B.


  
Reader

09.10.2019

Appellant absent. Mr. Amjad Nawaz, Advocate present on behalf of learned counsel for the appellant. Mr. Kabir Ullah Khattak learned Additional Advocate General alongwith Gulzad ASI present and stated that identical nature service appeals have been dismissed by this Tribunal. Junior to counsel for the appellant seeks adjournment. Appellant be put to notice. Adjourn. To come up for arguments on 15.11.2019 before D.B.

During the course of proceedings Mr. Amjad Nawaz, Advocate behaved in an undignified, disrespectful and contemptuous manner, which was against the decorum of this Tribunal. He constantly tried to provoke the members of the bench by sarcastic remarks. Therefore, in future, cases of Mr. Amjad Nawaz, Advocate may not be fixed before me (Mr. Ahmad Hassan, Member Executive) and this may be kindly be brought to the notice of the worthy Chairman.

  
Member

  
Member

15.11.2019

Counsel for the appellant and Mr. Riaz Ahmad Paindakheil, Assistant AG alongwith Mr. Wajid, IHC for the respondents present. Learned counsel for the appellant seeks adjournment. Adjourned to 16.12.2019 for arguments before D.B.

  
(Ahmad Hassan)  
Member

  
(M. Amin Khan Kundi)  
Member



28.06.2019

Miss. Uzma Said, junior counsel for the appellant and Mr. Muhammad Jan, Deputy District Attorney alongwith Mr. Gul Zad, ASI for the respondents present. Junior counsel for the appellant requested for adjournment on the ground that learned senior counsel for the appellant is busy before the Hon'ble Peshawar High Court, Peshawar and cannot attend the Tribunal today. Adjourned to 21.08.2019 for arguments before D.B.

  
(Hussain Shah)  
Member

  
(M. Amin Khan Kundi)  
Member

21.08.2019

Counsel for the appellant and Mr. Riaz Ahmad Paindakheil, Assistant AG alongwith Mr. Gulzad Khan, ASI for the respondents present. Learned counsel for the appellant requested for adjournment. Adjourned to 09.10.2019 for arguments before D.B.

  
(Hussain Shah)  
Member

  
(M. Amin Khan Kundi)  
Member

05.12.2018

Counsel for the appellant present. Mr. Kabirullah Khattak, Additional AG alongwith Mr. Gul Zad, ASI for the respondents present. Learned counsel for the appellant requested for adjournment. Adjourned. To come up for arguments on 17.01.2019 before D.B.

  
(Ahmad Hassan)  
Member

  
(M. Amin Khan Kundi)  
Member

17.01.2019

Appellant alongwith his counsel present. Mr. Kabirullah Khattak, Additional AG alongwith Mr. Gul Zad, ASI for the respondents present. Learned counsel for the appellant requested for adjournment. Adjourned. To come up for arguments on 12.03.2019

  
(Ahmad Hassan)  
Member

  
(M. Amin Khan Kundi)  
Member

12.03.2019

Appellant absent. Learned counsel for the appellant is also absent. However, junior counsel for the appellant present and seeks adjournment on the ground that learned senior counsel for the appellant is busy before the Hon'ble Peshawar High Court. Mr. Kabirullah Khattak, Additional AG alongwith Mr. Wajid, ASI for the respondents present. Adjourn. To come up for arguments on 06.05.2019 before D.B.

  
(M. AMIN KHAN KUNDI)  
MEMBER

  
(M. HAMID MUGHAL)  
MEMBER

06.05.2019

Appellant with counsel, Mr. Muhammad Jan, DDA for respondents present.

Learned counsel for the appellant requests for adjournment due to over occupation in many cases today.


Adjourned to 28.06.2019 for arguments before D.B.

  
Member

  
Chairman

17.10.2018

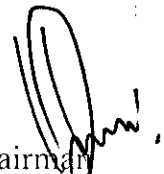
counsel for the appellant present. Mr. Gulzad Khan, ASI, CTD alongwith Mr. Kabirulalh Khattak, Addl: AG for respondents present. Written reply not submitted. Requested for adjournment. Granted. Case to come up for written reply/comments on 03.12.2018 before S.B.

  
(Ahmad Hassan)  
Member

03.12.2018

Counsel for the appellant present. M/S. Gul Zad Khan, ASI (CTD) and Ihsanullah, ASI alongwith Mr. Kabirullah Khattak, Addl: AG for respondents present.

Reply on behalf of respondent no.1 to 3 has been submitted while it is stated at the bar that respondent no.4 also relies on the said comments. Learned counsel for the appellant states that cases involving similar preposition are fixed for hearing on 05.12.2018. Let instant appeal also come up on the said date for arguments before D.B.

  
Chairman

30.04.2018

None present on behalf of appellant. Learned Addl: AG for the respondents present. The Tribunal is non functional due to retirement of the Honorable Chairman. Therefore, the case is adjourned. To come up for the same on 27.06.2018 before S.B.

  
Reader

27.06.2018

Junior counsel for the appellant. Mr. Muhammad Jan, DDA for respondents present. Security and process fee not deposited. Appellant is directed to deposit security and process fee within seven (7) days, thereafter notices be issued to the respondents for written reply/comments on 17.08.2018 before S.B.

Appellant Deposited  
Security & Process Fee

  
Member

17.08.2018

Miss Uzma Syed, Advocate put appearance on behalf of counsel for the appellant. Mr. Gul Zad, ASI alongwith Mr. Kabirullah Khattak, Addl: AG for respondents present. Written reply not submitted. Learned AAG sought some time to submit the same. Case to come up for written reply/comments on 17.10.2018 before S.B.

  
Chairman

Form- A  
FORM OF ORDER SHEET

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

Case No. 270/2018


S.No.	Date of order Proceedings	Order or other proceedings with signature of judge or Magistrate
1	2	3
1	27.02.2018	<p>The present appeal was received on 05.05.2017 which was returned to the counsel for the appellant for completion and resubmission within 15 days. Today i.e on 27.02.2018 he resubmitted the same late by 282 days. The same may be entered in the institution register and put up to the Worthy Chairman for appropriate order please.</p> <p style="text-align: right;"><i>[Signature]</i> REGISTRAR 27/2/18</p>
2	01/03/18	<p>This case is entrusted to S. Bench for preliminary hearing to be put up there on <u>12/03/18</u>.</p> <p style="text-align: right;"><i>[Signature]</i> CHAIRMAN</p>
12.03.2018		<p>Learned counsel for the appellant present. Preliminary arguments heard.</p> <p>The appellant (Ex-Head Constable) has filed the present appeal against the order dated 08.12.2016 whereby one step promotion/out of turn promotion to the officers/officials including the appellant of C.I.D Khyber Pakhtunkhwa <sup>was</sup> withdrawn/cancelled and were brought to their original/substantive ranks. The departmental appeal of the appellant was not responded till the date.</p> <p>Points raised need consideration. Admitted for regular hearing subject to all just/legal objections. The appellant is directed to deposit process fees and security within 10 days, thereafter notice be issued to respondents for written reply/comments. To come up for written reply/comments on 30.04.2018 before S.B.</p> <p style="text-align: right;"><i>[Signature]</i> MEMBER</p>

The appeal of Mr. Arif Ullah son of Raqeeb Ullah Head Constable No. 466 received today on 05.05.2017 is incomplete on the following score which is returned to the counsel for the appellant for completion and resubmission within 15 days.

- 1- Memorandum of appeal may be got signed by the appellant.
- 2- Annexures of the appeal may be attested.
- 3- Annexures of the appeal may be flagged.
- 4- Index of the appeal may be prepared according to the Khyber Pakhtunkhwa Service Tribunal rules 1974.
- 5- The documents/Annexures referred to in the memo of appeal (Annexure- A to E) are not attached with the appeal which may be placed on it.
- 6- Wakalat Nama in favour of appellant be placed on file.
- 7- Six more copies/sets of the appeal along with annexures i.e. complete in all respect may also be submitted with the appeal.

No. 1735/S.T,

Dt. 5/5/2017

  
REGISTRAR  
SERVICE TRIBUNAL  
KHYBER PAKHTUNKHWA  
PESHAWAR.

Mr. Saadullah Khan Marwat Adv. Pesh.

*Div*  
Re-submitted after

*a photo*



**BEFORE THE KPK SERVICE TRIBUNAL PESHAWAR**

S.A No. 270 /2018

Arifullah

versus

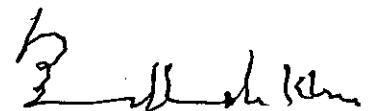
AIG, CTD & Others

**I N D E X**

S. No	Documents	Annex	P. No.
1.	Memo of Appeal		1-4
2.	Certificate of various courses	"A"	5-9
3.	Promotion to HC	"B"	10
4.	Supreme Court Judgment	"C"	11-12
5.	Cancellation order dated 08-12-2013	"D"	13-14
6.	Representation dated 07-01-2017	"E"	15-17

Appellant

Through



Saadullah Khan Marwat  
Advocate.

21-A Nasir Mansion,  
Shoba Bazaar, Peshawar.

Ph: 0300-5872676

0311-9266609

Dated:03-05-2017

**BEFORE KPK SERVICE TRIBUNAL PESHAWAR**

S.A No. 270 /2018

Khyber Pakhtunkhwa  
Service Tribunal

Diary No. 463

Dated 05/5/2017

Arif Ullah S/O Raqeeb Ullah,

B. No. 466, Head Constable, Counter

Terrorism Department, Bannu . . . . . Appellant

**Versus**

1. Additional Inspector General of Police, CTD, KP, Peshawar
2. Inspector General of Police, KP, Peshawar
3. Superintendent of Police, CTD, Bannu
4. Commandant FRP, Hqr, KP, Peshawar. . . . . Respondents

⇄<=>⇄<=>⇄<=>⇄<=>⇄

**APPEAL U/S 4 OF SERVICE TRIBUNAL ACT, 1974**  
**AGAINST OFFICE ORDER NO. 13222-30 / EC /**  
**CTD, DATED 08-12-2016 OF R. NO. 1 WHEREBY**  
**ORDER OF PROMOTION TO THE RANK OF HEAD**  
**CONSTABLE WAS CANCELLED AND APPELLANT**  
**WAS REVERTED TO THE RANK OF CONSTABLE FOR**  
**NO LEGAL REASON:**

Filed to-day

*[Signature]*  
Registrar  
5/5/17

Re-submitted to -day and filed.

⇄<=>⇄<=>⇄<=>⇄<=>⇄

*[Signature]*  
Registrar  
22/2/17  
**Respectfully Sheweth;**

1. That appellant was appointed as constable in the year, 2004 and is serving the force to the best of his ability. He is the basic employee of Frontier Reserve Police, D.I. Khan Range.



2. That appellant qualified / passed all the courses, i-e, Recruit, Finger Print, Traffic, Bomb Reconcis, Civil Defense, Basic Intelligence Course, Technical Intelligence Course-I, etc. (Copies as Annex "A")
3. That due to the dédicated performances of the official duties, appellant was promoted to the rank of Head Constable in the year, 2009. He also qualified the required Courses with length of service for further promotion. He was also awarded selection grade as per his own turn, meaning thereby that his promotion was quite per the mandate of Law and Rules. (Copies as Annex "B")
4. That issue was cropped up as to whether the promotion of appellant was one step promotion or the same was out of turn. Here it is to point out that promotion of appellant to the rank of Head Constable in FRP, Bannu Range was neither one step promotion nor was from other Branch or department but was per the mandate of length of service.
5. That unfortunatly, the department in KP generally and in Sind especially has given out of turn promotions to some of the incumbents by showing either extra ordinary performance of the official duties or due to safarash on this not only some officers / employees of the force were unhappy with the same even such promotions were assailed in Courts / Tribunals by the aggrieved persons, in KP and in Sind too. Those who were favorites, recommends and brought on transfer / deputation to the police department with malafide, the apex Supreme Court of Pakistan took notice of such illegal and out of turn promotions which were done away by the apex court. (Copies as Annex "C")
6. That the department became influence of the said judgment, cancelled order of promotion of appellant vide order dated 08-12-2016 issued by R. No. 1. (Copy as Annex "D")
7. That on 07-01-2017, appellant submitted departmental appeal before R. No. 2 for setting aside the said order and to restore him to his original position but the same met dead response till date. (Copies as Annex "E")

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

**GROUND S:**

1. That appellant was promoted to the rank of Head Constable as per the mandate of Law. He has in his credit length of service, experience and qualified the required courses.
2. That before issuing of the impugned order, appellant was neither served with any notice nor any enquiry was conducted, being mandatory, so the impugned order is of no legal effect.
3. That appellant was promoted to the rank of Head Constable at his own district, i.e. FRP, Bannu Range. He was deputed / selected to CTD as confirmed Head Constable of the said district and was not given out of turn promotion.
4. That the impugned order was passed by incompetent authority, i.e. R. No. 1. The competent authority for him was Commandant FRP as appellant was the basic employee of FRP authority and not of R. No. 1, so the impugned order is not only without lawful authority but is ab-initio void too.
5. That the authority misinterpreted the judgment of the apex court as order of promotion of appellant was not out of turn but was per Law, Rules, Seniority / Fitness, etc. and not otherwise.
6. That prior to the issuance of the impugned order, the department reverted dozens of employees from higher rank to lower which orders were assailed before this hon'ble Tribunal and the same were accepted by restoring them to their original positions.
7. That in the rank of Head Constable, appellant was paying monthly salaries of the grade but after reversion to the rank of constable, he is now paying less pay of the grade.
8. That the impugned order is not only against Law and Rules, as stated above but is also based on malafide.

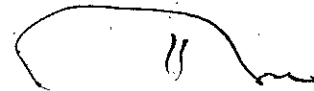
It is, therefore, most humbly prayed that on acceptance of appeal, the impugned order dated 08-12-2016 of R. No. 1 be set aside and appellant be restored to his original rank of Head Constable with all back benefits, with such other relief as may be deemed proper and just in circumstances of the case.

  
Appellant

Through



Saadullah Khan Marwat



Arbab Saiful Kamal  
Advocates.

Dated.03.05.2017



# CERTIFICATE OF PROFICIENCY

N.W.F.P. POLICE

10-3-10

Certified that Ari Fullah Constable  
No. 1146 (FR? / Banna District) of N.W.F.  
Province Police, has passed the examination prescribed for  
Proficients and is fit to conduct the duties of that office.

No. 4027-53/FSL  
Date 10/3/10

SRC

*Mehdi Khan*  
Superintendent of Police  
F&P Banna

*H. M. Khan*  
Deputy Superintendent of Police  
Finger Print Bureau,  
Crime Branch, N.W.F.P., Peshawar.

*Atchd*  
*M*

A  
51

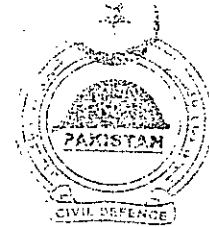
Reg. No. 23383

# Government of Pakistan

## Federal Civil Defence Training School

### Peshawar

Certificate No. 21346



# CERTIFICATE

Mr./Mrs./Miss. ARIF ULLAH S/O RAQIB KHAN

of POLICE STATION CHORIWALA BANNU

has attended and qualified CIVIL DEFENCE SPLT: INSTRUCTOR'S CASUALTY SERVICE

Course No. C 102 from 24.5.2010 to 12.6.2010

SRC

Commandant

*[Signature]*  
SUPERVISOR OF POLICE  
PESHAWAR  
16/1

62-6-10

6

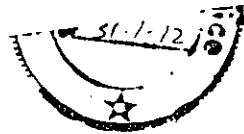
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22-1-12

Certificate No. 211235



**Government of Pakistan**  
**Ministry of Interior**  
**DIRECTORATE GENERAL CIVIL DEFENCE**  
**Federal Civil Defence Training School**  
**Peshawar**



# CERTIFICATE

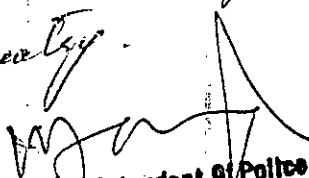
Mr./Mrs./Miss. MRIF ULLAH KHAN W/O SAJID HAN

of POLICE LINE, BANNU

has attended and qualified BCMS RECRUITMENT COURSE

Course No. BR 37 from 02.1.2012 to 21.1.2012

  
Commandant

SRC.  
for necessary  
entry.  
  
Superintendent of Police  
FRP/ Bannu

  
Director Trainir

30/01/2012

CIVIL DEFENCE ISLAMABAD DIRECTORATE GENERAL CIVIL DEFENCE ISLAMABAD DIRECTORATE GENERAL CIVIL DEFENCE ISLAMABAD DIRECTORATE GENERAL CIVIL DEFENCE ISLAMABAD

TORATE GENERAL CIVIL DEFENCE ISLAMABAD DIRECTORATE GENERAL CIVIL DEFENCE ISLAMABAD DIRECTORATE GENERAL CIVIL DEFENCE ISLAMABAD

Superintendent

16-10-15

# CERTIFICATE



This is to certify that

Mr. HC Arif Ullah No 446 District Bannu

Has participated and successfully completed  
TECHNICAL INTELLIGENCE COURSE - I  
held at Police School of Intelligence Abbottabad

From 05.10.2015 to 16.10.2015



\_\_\_\_\_  
Director  
Police School of Intelligence  
Abbottabad



27-3-15

9



# CERTIFICATE



This is to certify that

Mr. HC Arif Ullah Khan District Bannu

has participated and successfully completed

**BASIC INTELLIGENCE COURSE - 4**

held at Police School of Intelligence Abbottabad

From 02.03.2015 to 27.03.2015

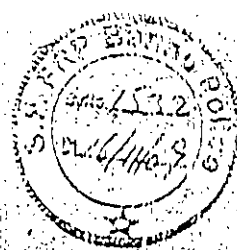


Director  
Police School of Intelligence  
Abbottabad



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ORDER.

The following Constables of FRP Dikhan, Bannu and Old SDO's Bannu Ranges are hereby promoted to the rank of Head constable (BPS-7) purely on temporary basis with immediate effect. They will not claim any seniority of this promotion in case of their transfer from FRP to Regular Police.

S.NO	NAME & NO	NAME OF RANGE
✓ 1	Bakhtiar 1234	Bannu
2.	Fida Ullah 1111	Bannu
3.	Nauroz 1224	Bannu
4.	Hyas 1009	Bannu
5.	Rahmat Ayaz 1220	Bannu
6.	Irfan 1101	Bannu
7.	Zarqiaz 1769	Bannu
8.	Raham Diaz 1783	Bannu
9.	Muhammad Soha 1875	Bannu
10.	Sailoon 2165	Bannu
11.	Rukh Niaz 1960	Bannu
12.	Muhammad Sabir Shah 1961	Bannu
13.	Nasib Ullah 2196	Bannu
14.	Umar Ali 2495	Bannu
15.	Javed Ali 801	Bannu
16.	Umar Zaman 2007	Bannu
→ 17.	Anif Ali 1146	Bannu
18.	Taimoor 1189	Bannu
19.	Altal 1211	Bannu
20.	Umar Daraz 1228	Bannu
21.	Haider Ali 1155	Bannu
22.	Riaz ul Din 1124	Bannu
23.	Fariq Al-Muhammad 1074	Bannu
24.	Shakir 1775	Bannu
25.	Muhammad Shoaib 1159	Bannu
26.	Riaz 1177	Bannu
27.	Rahmad Ullah 1152	Bannu
28.	Waheed Ullah 1257	Bannu
29.	Insan 1267	Bannu
30.	Faiz Ullah 1509	Bannu
31.	Rosh Ullah 1315	Bannu
32.	Wasid Ali Shah 1255	Bannu
33.	Farooq 1008	Bannu
34.	Musa Kadir Ullah 1034	Bannu
35.	Surat Khan 1042	Bannu
36.	Abid Ullah 1043	Bannu
37.	Razi Ullah 1050	Bannu
38.	Kamran Ullah 1051	Bannu
39.	Zar Nazim 1001	Bannu

Atk  
/

2017 P L C (C.S.) 725

[Supreme Court of Pakistan]

Present: Amir Hani Muslim and Umar Ata Bandial, JJ

REGIONAL POLICE OFFICER GUJRANWALA and another

versus

EJAZ AHMAD and others

Civil Appeal No.184-L of 2013, decided on 26th January, 2016.

(On appeal from judgment dated 20-3-2012 of the Punjab Service Tribunal, Lahore, passed in Appeal No. 110 of 2011).

PLC (Service)

(a) Civil service---

—Promotion—Out of turn promotion—No civil servant (or police personnel) was entitled to out of turn promotion on account of gallantry award or otherwise. [p. 726] A

Contempt Proceedings Against Chief Secretary Sindh 2013 SCMR 1752, and Ali Azhar Khan Baloch v. Province of Sindh 2015 SCMR 456 ref.

(b) Civil service---

—Seniority—Ante-dated seniority to a civil servant—Violation of the law. [p. 726] B

Contempt Proceedings Against Chief Secretary Sindh 2013 SCMR 1752, and Ali Azhar Khan Baloch v. Province of Sindh 2015 SCMR 456 ref.

Siraj ul Islam, Additional P.-G. and Rana M. Anwar, S.P. (L) Gujranwala for Appellants.

Aftab Gull, Advocate Supreme Court for Respondent No.1.

Aftab Mustafa, Advocate Supreme Court for Respondent No.7.

M. Arif Gondal, Advocate Supreme Court for Respondents Nos.6, 8, 10, 24, 26, 28, 30; 32-35, 37-39 and 41.

Respondents Nos.4, 13 and 19 in person.

Date of hearing: 26th January, 2016.

#### ORDER

AMIR HANI MUSLIM, J.--- The issue raised in these proceedings have already been answered by the judgments of this Court reported as Contempt Proceedings Against Chief Secretary Sindh (2013 SCMR 1752) and Ali Azhar Khan Baloch v. Province of Sindh (2015 SCMR 456). It has been declared in the aforesaid judgment that no Police Personnel and or Civil Servant is entitled to out of turn promotion on account of gallantry award or otherwise. It has further declared that ante dated seniority to a Civil Servant is violation of the law.

2. Through the impugned judgment, the Regional Police Officer has challenged the anti-date seniority granted to the Respondents, which has been dealt with in depth in the aforesaid judgments and has been declared to be unconstitutional and *ultra vires* of the fundamental rights of the Civil Servants. We, therefore, set aside the impugned judgment, in terms of the law enunciated in the aforesaid judgments, and allow the Appeal.

Amir Hani Muslim  
Umar Ata Bandial

2017] Jan Muhammad v. National Bank of Pakistan  
(Ayesha A. Malik, J)

3. The learned Additional Advocate General, Punjab, states that the Punjab Government has started implementing judgments of this Court reported as Contempt Proceedings Against Chief Secretary Sindh (2013 SCMR 1752) and Ali Azhar Khan Baloch v. Province of Sindh (2015 SCMR 456) and till date substantial portion of seniority of the Police personnel has been re-fixed. We must record our displeasure over the inaction on the part of the Punjab Government for the directions issued by this Court in 2013 and 2015. We expect that all the out of turn promotions granted either to the police personnel on gallantry award or otherwise shall be undone within four weeks from today and their seniority be re-fixed with their batch mates in terms of the directions contained in the aforesaid judgments. Out of turn promotions ranging from Constable to any gazetted officers shall be streamlined in terms of the aforesaid two judgments. On completion of the exercise, the I.G. Police Punjab, Home Secretary, Punjab and Chief Secretary, Punjab, shall submit compliance report with the Assistant Registrar of this Court for our perusal in Chambers. This order shall be communicated to the I.G., Punjab, Home Secretary, and Chief Secretary, Punjab, for their information and compliance and non-compliance of this judgment shall expose the concerned officials to contempt proceedings.

MWA/R-6/SC

Order accordingly.

*Att. Ad.*  
*S*

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8-12-16

ORDER

In compliance with the direction of Honorable Supreme Court, and Worthy Inspector General of Police, Khyber Pakhtunkhwa Peshawar vide Memo No S/6601-02/16 dated 10.10.2016, One Step out of turn promotions to the following Officers / Officials of CTD Khyber Pakhtunkhwa from their substantive ranks are also hereby withdrawn / cancelled and brought to their original / substantive ranks with immediate effect.

S.No	Name Rank & No	District	S No	Name Rank & No	District
1.	SI Yasin Khan	Nowshera	49 ✓	HC Muhammad Zubair No 245	Tank FRP ✓
2.	ASI Riaz Ali Khan	Mardan	50 ✓	HC Bakhtiar Khan No 346	Bannu
3.	ASI Hakim Khan	Charsadda	51 ✓	HC Syed Mudassir Shah No 81	Bannu
4.	ASI Ridad Gul	Mardan	52 ✓	HC Abdullah Akbar No 344	Bannu
5.	HC Ahmed Jan No 06	Peshawar	53 ✓	HC Shada Ullah No 365	Bannu
6.	HC Gul Mat Khan No 18	Peshawar	54 ✓	HC Nawaz No 368	Bannu
7.	HC Nafees Ud Din No 24	Peshawar	55 ✓	HC Arif Ullah No 446	Bannu
8.	HC Abdul Malik No 28	Peshawar	56 ✓	HC Sad Ullah No 477	Bannu
9.	HC Khyal Mir No 96	Peshawar	57	HC Muhammad Arif No 153	Swabi
10.	HC Naimat Khan No 72	Peshawar	58	HC Gul Shad No 142	Nowshera
11. ✓	HC Siyal No 113	Peshawar	59	HC Misri Khan No 643	Abbottabad
12.	HC Nasir Ud Din No 156	Peshawar	60	HC Aziz Ur Rahman No 07	Manshera
13.	HC Kaleem Ullah No 167	Peshawar	61	HC Siraj Ud Din No 301	Kohistan
14.	HC Muhammad Ibrahim No 319	Peshawar	62	HC Sana Ullah No 621	Kohat
15. ✓	HC Mohammad Siyal No 384	Peshawar	63	HC Zahid Ullah No 682	Kohat
16. ✓	HC Sajid Ali No 572	Peshawar	64	HC Gul Saeed No 582	Kohat
17.	HC Asim Ullah No 747	Peshawar	65	HC Shahbaz No 345	Tank
18.	HC Shezad Gul No 406	Special Case	66 ✓	HC Muhammad Ayaz No 175	Lakki Marwat
19.	HC Hameesh Khan No 04	Mardan	67 ✓	HC Sharif Ullah No 336	Lakki Marwat
20.	HC Amjad Khan No 82	Mardan	68 ✓	HC Noor Ul Amin No 473	Lakki Marwat FRP ✓
21.	HC Aurangzeb No 87	Mardan	69	HC Sajjad Hussain Shah No 48	DI Khan
22.	HC Bakht Zada Khan No 97	Mardan	70	HC Ghazi Gul No 68	DI Khan
23.	HC Gul Umer No 119	Mardan	71 ✓	HC Muhammad Tahir No 137	Tank FRP ✓
24.	HC Lal Zada No 134	Mardan	72 ✓	HC Ikram Ullah No 181	Tank FRP ✓
25.	HC Mazid Khan No 57	Mardan	73	HC Waheed Ullah No 185	Nowshera
26.	HC Kajeer Dad Shah No 152	Mardan	74	HC Abbas Khan No 114	Charsadda
27.	HC Fayaz Ali No 699	Mardan	75	HC Munib Shah NO 149	Charsadda
28.	HC Nadeem Hassan No 787	Mardan	76	HC Javed No 161	Charsadda
29.	HC Hashmat Ali No 104	Swabi	77	HC Masood Khan No 189	Charsadda
30.	HC Gul Shed No 142	Nowshera	78	HC Sajid Ullah No 180	Charsadda
31.	HC Javeed Ahmad No 1370	Chitral	79	HC Shada Muhammad No 120	Charsadda
32.	HC Nadeem Shah No 610	Kohat	80	HC Sadat Ullah No 140	Swat
33. ✓	HC Ikram Shah No 499	Abbottabad FRP	81	HC Amir Zada No 791	Swat
34.	HC Darwish Khan No 1110	Kohat	82	HC Abdullah No 769	Swat

*Att. of*  
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124

35.	HC Lais Khan No 151	Karak	83	HC Tasneem Ul Haq No 1526	Buner
36.	HC Noor Rahim No 171	Karak	84	HC Bakht Munir No 501	Dir Lower
37.	HC Taj Malook No 641	Hangu	85	HC Khadim Ullah No 827	Dir Upper
38.	HC Muhammad Zaman No 174	Lakki Marwat	86	HC Muhammad Lallif No 1304	Dir Upper
39.	HC Ali Ahmad No 1440	Chitral	87	HC Zakir Hussain No 1317	Chitral
40.	DHC Muhammad Yousaf No 264	Peshawar	88	DHC Aman Ullah No 64	Peshawar
41.	DHC Habib Khan No 92	Peshawar	89	DHC Gul Wahab No 123	Peshawar
42.	DHC Asad Zia No 599	Mardan	90	DHC Abdul Ghayas No 202	Swabi
43.	DHC Altaf Hussain No 172	Nowshera	91	DHC Waris Khan No 164	Nowshera
44.	DHC Tilawat Khan No 165	Charsadda	92	DHC Rehman Said No 837	Swat
45.	DHC Abdur Rashid No 838	Swat	93	DHC Muhammad Hassan No 872	Chitral
46.	DHC Rehmat Nabi No 880	Chitral	94	DHC Abdul Wadod No 1003	Bannu
47.	DHC Akhtar Faraz No 1060	Lakki Marwat	95	DHC Abdul Latif No 470	DI Khan
48.	DHC Asmat Ullah No 391	Lakki Marwat			

Due to non availability of the vacancies of Constables in their Unit, there pay will be drawn against the vacant post of Head Constables till further orders.

Senior Superintendent of Police, CTD  
Northern Zone, Abbottabad,  
Khyber Pakhtunkhwa.

Additional Inspector General of Police,  
CTD, Khyber Pakhtunkhwa,  
Peshawar.

No 13222-30-1/EC/CTD

Dated Peshawar the 08/12/2016

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

- i. Worthy Inspector General of Police, Khyber Pakhtunkhwa w/r to his office Memo No S/6601-02/16 dated 10.10.2016.
- ii. All Regional SSp, CTD, Khyber Pakhtunkhwa.
- iii. Superintendent of Police, CTD HQrs; Peshawar.
- iv. SRC, CTD HQrs; Peshawar to check & make necessary entries in the service records of all those Police Officers / Officials of this Unit who have been promoted as out of turn.
- v. PA / PSO to Worthy Addl: IGP, CTD Khyber Pakhtunkhwa.
- vi. Acctt: CTD HQrs; Peshawar.
- vii. OASi, CTD HQrs; Peshawar.
- viii. MTO / MHC CTD HQrs; Peshawar.

*Ad As*

بخدمت جناب انسپکٹر جنرل آف پولیس صوبہ خیبر پختونخواہ پشاور

عنوان:- اپیل برخلاف حکم نمبری 13222-30/EC/CTD، مورخہ 08/12/16 جاری کردہ ایڈیشنل انسپکٹر جنرل آف پولیس سی ٹی ڈی، کے پی پشاور جسکی رو سے بن سائلان کی ترقیابی بر عہدہ ہینڈ کانسٹیبلان کینسل کرنے کا حکم صادر فرمایا گیا ہے۔

جناب عالی! سائلان حسب ذیل گزارش کرتے ہیں۔

۱۔ یہ کہ سائلان مجوزہ طریقہ کار اپنانے کے بعد سال 1988، 1994، 2003، 2004، 2007، 2008 میں کانسٹیبلان بھرتی ہوئے تھے۔

۲۔ یہ کہ بعد ازاں سائلان نے ریکروٹ، ڈرل انسٹرکٹر، سیکشن کمانڈرز، پلاٹون کمانڈرز، ویپنز، گیس، فنگر پرنٹس، بم ڈسپوزل کورسز رائج شدہ طریقہ کار کے مطابق پاس کئے تھے۔

۳۔ یہ کہ سائلان نہایت خوش اسلوبی کے ساتھ اپنے فرائض سرانجام دیتے رہے۔ اور پھر محکمہ کی ضرورت کے مطابق سال 1996، 2008، 2009، 2010، 2011، 2012، 2013 میں بچہ ہینڈ کانسٹیبلان ترقی یاب ہوئے۔ جہاں ضرورت پڑتی سائلان کو سالانہ انکریمنٹس و سیلکشن گریڈ سے بھی نوازتے رہے۔

یہاں اس امر کی وضاحت ضروری ہے کہ سائلان کی ترقیابی نہ تو ون سٹیپ پر دموشن کی تھی نہ ہی کسی دیگر برانچ یا محکمہ میں جانے کی وجہ سے تھی۔ بلکہ قانون کے مطابق تھی نہ آؤٹ آف ٹرن۔

۴۔ یہ کہ بد قسمی سے اثر و رسوخ اور غیر معمولی کارکردگی دکھانے پر محکمہ نے بعض ملازمین کو آؤٹ آف ٹرن پر دموشن دی تھی۔ جس پر بعض اہلکاران نے ناخوشی کا اظہار کیا تھا۔ بلکہ بعض

At 18  
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عدالتوں/ٹریبیونلز میں آؤٹ آف ٹرن پروموشن کو چیلنج کیا خاص کر سندھ حکومت نے جہاں شورش بہت زیادہ تھی اور اسکو ختم کرنے کے لئے قانون نافذ کرنے والے ایجنسیوں نے غیر معمولی کارکردگی دکھائی تھی۔ نیز بعض نے محکموں نے منظور نظر افسران سے ٹرانسفر/ڈی پوٹیشن پر لے کر اس گنگا میں زیادہ ہاتھ دھوئے تھے کا معاملہ سپریم کورٹ آف پاکستان پہنچا جس نے اپنے فیصلے میں قرار دیا کہ آؤٹ آف ٹرن پروموشن غیر قانونی ہیں۔

۵۔ یہ کہ فیصلہ سپریم کورٹ کے برعکس، سائیکل ان کا پروموشن برطابق مجوزہ قانون، رولز، سیناریو و فنکشن کے مطابق تھا کہ آؤٹ آف ٹرن۔

۶۔ یہ کہ حکم مصدرہ جاری کرنے سے پہلے نہ تو سائیکل ان کو کوئی نوٹس دیا تھا نہ ہی کوئی انکو آڑی کر دئی گئی تھی۔ جو کہ ضروری تھی تاکہ معلوم ہو سکے کہ آیا سائیکل ان کی ترقی۔ عہدہ ہائیڈ کانسٹیبلان مجوزہ طریقہ کار کے مطابق تھی یا اسکے برعکس۔

۷۔ یہ کہ سائیکل ان کو متعلقہ سٹیشنز/ڈسٹرکٹ ہا سے چنا کر کے بطور کنفرم ہائیڈ کانسٹیبلان سی ڈی میں متعین کئے تھے۔ اور متعلقہ اسامیوں پر آؤٹ آف ٹرن پروموشن نہیں ہوئی تھی۔ بلکہ کمانڈنٹ ایف آر پی نے اپنے قائم پر پروموشن دی تھی۔

۸۔ یہ کہ سائیکل ان کے لئے مجاز اتھارٹی ایڈیشنل انسپکٹر جنرل آف پولیس سی ڈی نہیں ہے۔ وہ سائیکل ان کا ریورس کرنے کا مجاز نہ ہے۔ بلکہ سائیکل ان کے لئے مجاز اتھارٹی کمانڈنٹ ایف آر پی ہے۔ لہذا حکم صدر شدہ نہ صرف بلا مجاز اتھارٹی ہے۔ بلکہ سرے سے غلط ہے۔

۹۔ یہ کہ قبل ازیں محکمہ نے ایسے احکامات جاری کئے تھے اور ملازمین کے عہدہ ہا بالا سے تنزیلی کی تھی جسکو نہ صرف فاضل ٹریبونل نے غیر قانونی قرار دیئے تھے بلکہ سپریم کورٹ آف پاکستان نے فاضل ٹریبونل کا فیصلہ برقرار رکھا تھا۔

Attest  
[Signature]

۱۰۔ یہ کہ ساکنان پہلے گریڈ بالا میں زیادہ تنخواہ جات لیتے تھے جبکہ مذکورہ حکم کے بعد انہیں گریڈ میں دینے جائینگے۔ جو کہ سزا شمار کیا جاتا ہے۔

۱۱۔ یہ کہ حکم مصدرہ نہ صرف برخلاف قانون ہے بلکہ نئی بددیتی ہے۔

لہذا استدعا ہے کہ حکم مورخہ 08/12/16 کو نہ صرف کالعدم و منسوخ قرار دیا جاوے بلکہ ساکنان کو تمام سابقہ مراعات کے ساتھ سابقہ عہدوں پر بحال فرمانے کا حکم صادر کیا جاوے۔

المترجم:- 07/01/2017

### الف۔ حصار ضعی

محمد زمان 172	-۷	محمد شہ شاہ 84	-۱۳	محمد ایاز 175
محمد زبیر 245	-۸	عبداللہ اکبر 344	-۱۴	نورالامین 473
عبداللطیف 470	-۹	شداء اللہ 365	-۱۵	نوروز خان 368
اکرام اللہ 181	-۱۰	عارف اللہ 446	-۱۶	محمد سیال 384
محمد طاہر 137	-۱۱	اخلاق فرراز 1060	-۱۷	اکرام شاہ 499
بختیار خان 346	-۱۲	شریف اللہ 336	-۱۸	ساجد علی 572

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یعدالت جناب سرسٹریٹریٹ صوبہ سندھ پشاور

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مخبرہ لکھتہ بنام محکمہ ٹولس وغیرہ

دعوی اپیل

باعضرت سربراہ ایٹک

مترجمہ مندرجہ عنوان بالا میں اپنی طرف سے واسطے پیروی و جواب دہی وکل کاروائی متعلقہ آن مقام پشاور کیلئے سید احمد خان سرور سے ایڈووکیٹ ہائی کورٹ کو وکیل مقرر کر کے اقرار کیا جاتا ہے کہ صاحب موضوع کو مقدمہ کی کل کاروائی کا کابل اختیار ہوگا نیز وکیل صاحب کو کرنے راضی نامہ و تقرر ثالث و فیصلہ برحلف دینے جواب دہی اور اقبال دعویٰ اور لہجہ و ڈگری کرنے اجراء اور وصولی چیک و روپیہ اور رضی دعویٰ اور درخواست ہر قسم کی تطدین اور اس پر دستخط کرنے کا اختیار ہوگا نیز بصورت عدم پیروی یا ڈگری بیکطرفہ یا اپیل کی برآمدگی اور مستوحی نیز دائر کرنے اپیل نگرانی و نظارتی و پیروی کرنے کا اختیار ہوگا اور بصورت ضرورت یہ مقدمہ مذکورہ کے کل یا اجزائی کاروائی کے واسطے اور وکیل یا مختار قانونی کو اپنے ہمراہ یا اپنی بجائے تقرر کا اختیار ہوگا اور صاحب مقرر شدہ کو بھی وہی جملہ مذکورہ بالا اختیارات حاصل ہوں گے اور اس کا ساختہ پروا خستہ منظور قبول ہوگا و دوران مقدمہ میں جو خرچہ و ہرجانہ التوا مقدمہ کے سبب سے ہوگا اس کے مستحق وکیل صاحب موضوع ہوں گے نیز بغایا و خرچہ کی وصولی کرنے کا بھی اختیار ہوگا اگر کوئی تاریخ پیشی مقام درہ پر ہو یا حد سے باہر ہو تو وکیل صاحب پابند نہ ہوں گے کہ پیروی مذکور کریں۔ لہذا وکالت نامہ دیکھ دیا کہ سند ہے۔

المترجم

العبد العبد العبد

ارباب سید انکال ایڈووکیٹ

سید اللہ خان مروت ایڈووکیٹ

Handwritten signature

من رویتہ تاز ایڈووکیٹ

**BEFORE THE KHYBER PAKHTUNKHWA SERVICE TRIBUNAL PESHAWAR**

**Service Appeal No. 270/2017**

Arif Ullah.....(Appellant)

Versus

Deputy Inspector General of Police CTD Khyber Pakhtunkhwa Peshawar and others.....(Respondents)

Subject:- **COMMENTS ON BEHALF OF RESPONDENTS.**

**Respectfully Sheweth!**

**Preliminary Objections:-**

- a) The appeal has not been based on facts.
- b) The appeal is not maintainable in the present form.
- c) The appeal is bad for mis-joinder and non-joinder of necessary parties.
- d) The appellant is estopped to file the appeal.
- e) The appellant has not come to the Honorable Tribunal with clean hands.

**FACTS:-**

1. Pertain to record hence needs no comments.
2. Correct to the extent that appellant has passed different courses but he did not qualified B-I examination which is mandatory for selection to Lower School Course which enabled promotion to the next rank.
3. Incorrect, appellant was promoted purely on temporary basis therefore he is not entitled for regular/permanent promotion.
4. Incorrect, appellant was recruited as constable in Police Department and he has not qualified promotion courses, however, earned out of turn and irregular promotion to the rank of Head Constable while serving FRP, Police. The Honorable Supreme Court of Pakistan has issued strict directions vide reported judgment 2010 PLC (CS) 924 and 2013 SCMR 1752 to undo the out of turn promotions. Police department in order to comply with the directions of Honorable Supreme of Pakistan has withdrawn the illegal, out of turn and irregular promotions.
5. Incorrect, appellant did not qualified B-I examination which is mandatory for selection to Lower School Course which enabled him for promotion to the rank of Head Constable. Furthermore, it is pertinent to mention here that the promotion of appellant was completely on temporary basis. He has not qualified promotion course, however, earned out of turn and irregular promotion to the rank of Head Constable. Police department in order to comply with the directions of Honorable Supreme of Pakistan was withdrawing the illegal, out of turn and irregular promotions.

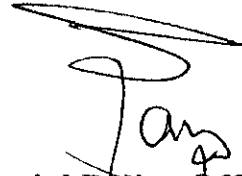
6. Needs no comments as respondents have already given a detail reply in response to Para-4 & 5 of the appeal.
7. Correct to the extent that departmental appeal of appellant was rejected as it was found without any force and substance.

**GROUND:-**

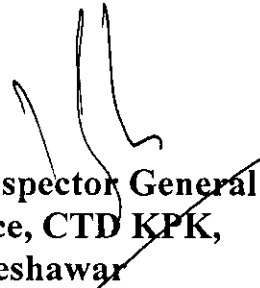
1. Incorrect, appellant has not qualified B-I examination which is mandatory for selection to Lower School Course which enabled him for promotion to the rank of Head Constable.
2. Incorrect, appellant was treated in accordance with law and rules. Police department in order to comply with the directions of Honorable Supreme Court of Pakistan has withdrawn the illegal, out of turn and irregular promotions.
3. Incorrect, appellant did not qualified B-I examination which is mandatory for selection to Lower School Course which regulate promotion to the rank of Head Constable. Furthermore, it is pertinent to mention here that the promotion of appellant was completely on temporary basis. He has not qualified promotion course, however, earned out of turn and irregular promotion to the rank of Head Constable.
4. Incorrect, the appellant was serving under the command of respondent No. 1, hence respondent has issued withdrawal order in out of turn promotion in compliance of the judgment passed by the Honorable Supreme Court of Pakistan.
5. Incorrect, illegal order and selection creates no right on the beneficiary. The authorities are under constitutional obligations to revoke illegal orders. Furthermore, Honorable Supreme Court of Pakistan has issued clear directions that out of turn promotion in a public department generates undue frustration and thereby diminishes the spirit of public service. It generates undue preference in public service. In view of the above directions of the Honorable Supreme Court of Pakistan, the respondents took action against the illegal and out of turn promotion orders were withdrawn.
6. Incorrect, Police department in order to comply with the directions of Honorable Supreme Court of Pakistan has withdrawn the illegal, out of turn and irregular promotions.
7. Pertains to record hence needs no comments.
8. Incorrect, The Honorable Supreme Court of Pakistan has issued strict

1752 to undo the out of turn promotions and Police Department has complied it in its true sense.

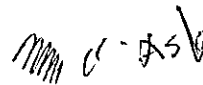
It is therefore, prayed that the appeal may be dismissed with costs.



**Provincial Police Officer  
Khyber Pakhtunkhwa  
Peshawar  
(Respondent No.2)**



**Deputy Inspector General  
Of Police, CTD KPK,  
Peshawar  
(Respondent No.1)**



**Superintendent of Police  
CTD, Bannu  
(Respondent No.3)**

Superintendent of  
Police, CTD  
Bannu, FATA

**BEFORE THE KHYBER PAKHTUNKHWA SERVICE TRIBUNAL PESHAWAR**

**Service Appeal No. 270/2017**


Arif Ullah.....(Appellant)


Versus

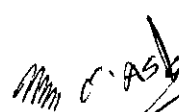
Deputy Inspector General of Police CTD Khyber Pakhtunkhwa Peshawar and  
others.....(Respondents)

**AFFIDAVIT**

We the deponents in the above titled service appeal, do here by solemnly affirm and declare on oath that the contents of Para wise comments/reply are correct and true to the best of our knowledge and belief and nothing have been kept concealed from this honorable tribunal.

  
**Provincial Police Officer  
Khyber Pakhtunkhwa  
Peshawar  
(Respondent No.2)**

  
**Deputy Inspector General  
Of Police, CTD KPK,  
Peshawar  
(Respondent No.1)**

  
**Superintendent of Police,  
CTD, Bannu,  
(Respondent No.3)**  
Bannu

**"B"**

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

No.

Appeal No. 270 of 2018

M. Arifullah Appellant/Petitioner

Versus

Head- I of Police (T.D./P.M.) etc. Respondent

Respondent No. 2

Notice to:

Inspector General of Police  
K.P. Peshawar

WHEREAS an appeal/petition under the provision of the North-West Frontier Province Service Tribunal Act, 1974, has been presented/registered for consideration, in the above case by the petitioner in this Court and notice has been ordered to issue. You are hereby informed that the said appeal/petition is fixed for hearing before the Tribunal \*on 17-8-2018 at 8.00 A.M. If you wish to urge anything against the appellant/petitioner you are at liberty to do so on the date fixed, or any other day to which the case may be postponed either in person or by authorised representative or by any Advocate, duly supported by your power of Attorney. You are, therefore, required to file in this Court at least seven days before the date of hearing 4 copies of written statement alongwith any other documents upon which you rely. Please also take notice that in default of your appearance on the date fixed and in the manner aforementioned, the appeal/petition will be heard and decided in your absence.

Notice of any alteration in the date fixed for hearing of this appeal/petition will be given to you by registered post. You should inform the Registrar of any change in your address. If you fail to furnish such address your address contained in this notice which the address given in the appeal/petition will be deemed to be your correct address, and further notice posted to this address by registered post will be deemed sufficient for the purpose of this appeal/petition.

Copy of appeal is attached. ~~Copy of appeal has already been sent to you vide this office Notice No. .... dated.....~~

Given under my hand and the seal of this Court, at Peshawar this 14th.....

Day of July 2018

[Signature]  
11/2

[Signature]  
Registrar,  
Khyber Pakhtunkhwa Service Tribunal,  
Peshawar.

Note: 1. The hours of attendance in the court are the same that of the High Court except Sunday and Gazetted Holidays.  
2. Always quote Case No. While making any correspondence.

**"B"**

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

No.

Appeal No. 270 of 2018

Mr. Harpelled Appellant/Petitioner

Versus

Addl. S. of Police OTD/KP/2018/900 Respondent

Respondent No. 3

Notice to: Superintendent of Police,  
OTD, Bannu.

WHEREAS an appeal/petition under the provision of the North-West Frontier Province Service Tribunal Act, 1974, has been presented/registered for consideration, in the above case by the petitioner in this Court and notice has been ordered to issue. You are hereby informed that the said appeal/petition is fixed for hearing before the Tribunal \*on 17-8-2018 at 8.00 A.M. If you wish to urge anything against the appellant/petitioner you are at liberty to do so on the date fixed, or any other day to which the case may be postponed either in person or by authorised representative or by any Advocate, duly supported by your power of Attorney. You are, therefore, required to file in this Court at least seven days before the date of hearing 4 copies of written statement alongwith any other documents upon which you rely. Please also take notice that in default of your appearance on the date fixed and in the manner aforementioned, the appeal/petition will be heard and decided in your absence.

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Copy of appeal is attached. Copy of appeal has already been sent to you vide this office Notice No. .... dated .....

Given under my hand and the seal of this Court, at Peshawar this 17/8 .....

Day of July ..... 2018.

[Signature]  
Registrar,  
Khyber Pakhtunkhwa Service Tribunal,  
Peshawar.

Note: 1. The hours of attendance in the court are the same that of the High Court except Sunday and Gazetted Holidays.  
2. Always quote Case No. While making any correspondence.

**"B"**

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

No.

Appeal No. 870 of 2018

Mr. Amirullah Appellant/Petitioner

Versus  
Advt. I. S. of Police, CTD, KP, Peshawar Respondent  
Respondent No. 4

Notice to:

Commandant FRP, Hqr,  
K.P. Peshawar

WHEREAS an appeal/petition under the provision of the North-West Frontier Province Service Tribunal Act, 1974, has been presented/registered for consideration, in the above case by the petitioner in this Court and notice has been ordered to issue. You are hereby informed that the said appeal/petition is fixed for hearing before the Tribunal \*on 17-8-2018 at 8.00 A.M. If you wish to urge anything against the appellant/petitioner you are at liberty to do so on the date fixed, or any other day to which the case may be postponed either in person or by authorised representative or by any Advocate, duly supported by your power of Attorney. You are, therefore, required to file in this Court at least seven days before the date of hearing 4 copies of written statement alongwith any other documents upon which you rely. Please also take notice that in default of your appearance on the date fixed and in the manner aforementioned, the appeal/petition will be heard and decided in your absence.

Notice of any alteration in the date fixed for hearing of this appeal/petition will be given to you by registered post. You should inform the Registrar of any change in your address. If you fail to furnish such address your address contained in this notice which the address given in the appeal/petition will be deemed to be your correct address, and further notice posted to this address by registered post will be deemed sufficient for the purpose of this appeal/petition.

Copy of appeal is attached. ~~Copy of appeal has already been sent to you vide this office Notice No.....dated.....~~

Given under my hand and the seal of this Court, at Peshawar this 17th

Day of July 20 18

3  
[Signature]

[Signature]  
Registrar,  
Khyber Pakhtunkhwa Service Tribunal,  
Peshawar.

10-7-18

Note: 1. The hours of attendance in the court are the same that of the High Court except Sunday and Gazetted Holidays.  
2. Always quote Case No. While making any correspondence.