

20th Sept 2022

None for the appellant.

Notices be issued to the appellant and his counsel.
To come up for preliminary hearing on 15.11.2022
before S.B at camp court Abbottabad.






(Kalim Arshad Khan)
Chairman
Camp Court Abbottabad

Form-A
FORM OF ORDER SHEET

Court of _____

Case No. 954/2022

S.No.	Date of order Proceedings	Order or other proceedings with signature of judge
1	2	3
1	24/06/2022	<p>The present appellant initially went in Writ Petition before the Hon'ble Peshawar High Court A.Abad Bench and the Hon'ble High Court vide its order dated 22.06.2022 treated the Writ Petition into an appeal and sent the same to this Tribunal for decision in accordance with law. The same may be entered in the Institution Register and put up to the worthy Chairman for further order please.</p> <p style="text-align: right;"> REGISTRAR</p>
2-	<u>14-7-22</u>	<p>This case is entrusted to touring S. Bench at A.Abad for preliminary hearing to be put up there on <u>19.7.22</u>. Notices shall be issued to appellants and his counsel for the date fixed.</p> <p style="text-align: right;"> CHAIRMAN</p>
	19.07.2022	<p>Nemo for the appellant. Vide previous order, directions were issued that notices be issued to the appellant as well as his counsel for today, however on perusal of the case file, it transpired that Muharrar has not issued notices, therefore, explanation be called from him. Notices be issued to appellant as well as his counsel and to come up for preliminary arguments on 20.09.2022 before the S.B at Camp Court Abbottabad.</p> <p style="text-align: right;"> (Salah-Ud-Din) Member (J) Camp Court Abbottabad</p>



THE
PESHAWAR HIGH COURT
ABBOTTABAD BENCH.

PH: 0992-921058
FAX: 0992-921055

No: 987

Dated Abbottabad 23/06/2022

From

The Additional Registrar,
Peshawar High Court,
Abbottabad Bench.

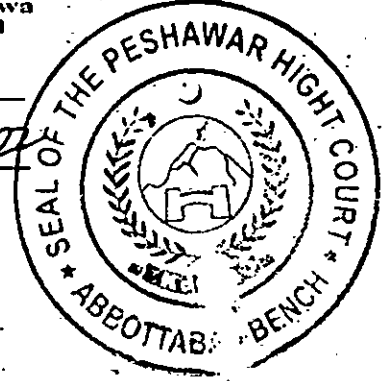
Khyber Pakhtunkhwa
Service Tribunal

Diary No. 528

Dated 24/6/2022

To

The Worthy Chairman,
Service Tribunal Khyber Pakhtunkhwa, Peshawar.



Subject: WP NO. 218-A of 2022.

Wajid Constable

.....Petitioner

VERSUS

Inspector General of Police etc

.....Respondents

Sir,

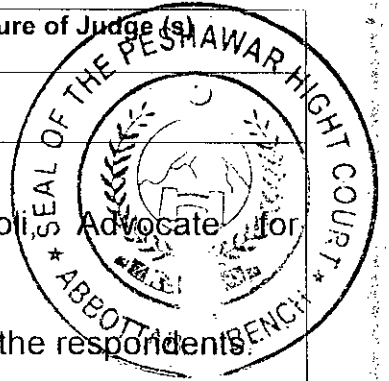
I am directed to forward herewith Writ Petition (in original) bearing No. 218-A/2022 titled "Wajid Constable Vs Inspector General of Police Khyber Pakhtunkhwa Peshawar etc" alongwith copy of order sheet dated 22.06.2022 passed by the Honourable Court D.B for further **necessary action** please.

Additional Registrar

PESHAWAR HIGH COURT, ABBOTTABAD BENCH.

FORM OF ORDER SHEET

Date of Order of Proceedings	Order or other Proceedings with Signature of Judge (s)
1 22.06.2022	2 <u>W.P.No. 218-A/2022.</u> Present: Ms. Kiran Ayub Tanoli, Advocate for petitioner. Sardar Ali Raza, AAG for the respondents. *** <u>KAMRAN HAYAT MIANKHEL, J.-</u> Through this petition filed under Article 199 of the Constitution of Islamic Republic of Pakistan, 1973, the petitioner seeks the following relief:- <p>“It is therefore humbly prayed that on acceptance of the instant writ petition, the impugned order/Notification bearing No.18258/PA dated 03.08.2020 and order/ Notification bearing No.6073/PA dated 26.03.2021 by the Regional Police Officer, Hazara Region, without lawful authority, without jurisdiction and beyond jurisdiction may graciously be set-aside and the petitioner be treated in accordance with law by associating him with the entire inquiry process. Any other relief which this Honourable Court deems fit and proper in the circumstances of the case may also be granted to the petitioner.”</p> <p>2. Admittedly, the petitioner is a civil servant and the dispute relates to the terms and conditions of service, therefore, in view of embargo placed by Article 212 (2) of the Constitution of Islamic Republic of Pakistan, 1973, this court lacks jurisdiction to adjudicate upon the matter.</p> <p>3. In view of the above, we deem it appropriate to</p>



Kamran Hayat Miankhel

SCANNED

send this case in original to the Khyber Pakhtunkhwa Services Tribunal for adjudication in accordance with law and subject to all just and legal objections such as limitation etc, after retaining its photocopy for record.

JUDGE


JUDGE

01/11/22
AC
23/10/22

Aftab PS/

Hon'ble Mr. Justice Syed Arshad Ali
Hon'ble Mr. Justice Kamran Hayat Miankhel

IN THE PESHAWAR HIGH COURT,
ABBOTTABAD BENCH
OPENING SHEET FOR WRIT BRANCH

Case No. _____

Date of Filing: _____

District: _____

Case Type: **WRIT PETITION**

Category Code:

Nature of Original Proceedings:

(Categories & Sub Categories are given at the back of the opening sheet)

Review/ Contempt of Court in respect of

Writ of: Heabus Corpus Prohibition Mandamus Quo Warranto Certiorari

If Certiorari;

Forum	Date	Interlocutory /Final Order	Caste Pertains to
			<input type="checkbox"/> SB
			<input type="checkbox"/> DB

Petitioner Name	Wajid
Mobile No.	
Address	Constable No. 1388, Abbottabad District Police, Tehsil & District Abbottabad.
CNIC No.	
Email Address	

Counsel for Petitioner(s)	Kiran Ayub Tanoli
Mobile No.	0300-0551117
Address	Office at District Courts, Abbottabad
CNIC No.	13101-0902304-0
Email Address	kiranayubtanoli@yahoo.com

FILED TODAY
ADDITIONAL REGISTRAR
PESHAWAR HIGH COURT
ABBOTTABAD BENCH
4/7/22

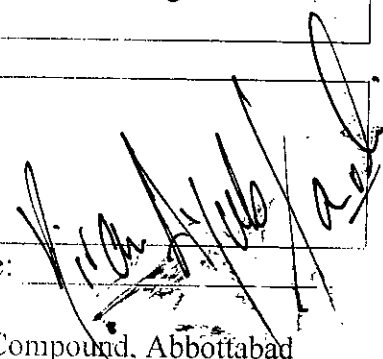
Respondent(s)	Inspector General of Police, Khyber Pakhtunkhwa, Peshawar & others.
Address	Correctly given in the heading of writ petition.

Original Order/ Action/ Inaction Complained of;
Writ Petition under Article 199 of the Constitution of Islamic Republic of Pakistan, 1973.

Prayer;
On acceptance of the instant writ petition, the impugned order/ Notification bearing No. 18258/PA, dated 03.08.2020 and order/ Notification bearing No. 6073/PA, dated 26.03.2021 by the Regional Police Officer, Hazara Region, Abbottabad/ respondent No. 6 being illegal, unlawful, without lawful authority, without jurisdiction and beyond jurisdiction may graciously be set-aside and the petitioner be treated in accordance with law by associating him with the entire inquiry process. Any other relief which this Honourable Court deems fit and proper in the circumstances of the case may also be granted to the petitioner.

Law/Rules/Governing the original proceedings/action/Inaction

1. Constitution of Islamic Republic of Pakistan, 1973
- 2.
3. Other relevant case law will be cited at the bar.

Signature: 

BEFORE THE PESHAWAR HIGH COURT,
ABBOTTABAD BENCH

Appeal no. 54/2022

W.P No. 218 -A/2022

Wajid Constable No. 1388, Abbottabad District Police, Tehsil & District Abbottabad.

...PETITIONER

VERSUS

Inspector General of Police, Khyber Pakhtunkhwa, Peshawar & others.

...RESPONDENTS

WRIT PETITION

INDEX

18 FEB 2022

S. No.	Description	Page No's	Annexure
1	Writ Petition along with affidavit & certificates	1 to 11	
2	List of books	12 -13	
3	Copy of the impugned notification dated 03.08.2020 and 26.03.2021	14 -15	"A" & "B"
4	Copy of the relevant record	16 -26	"C"
8	Copy of notice and postal receipts	27 -28	"D"
9	Court fee stamp paper worth Rs. 500/-	29.	
10	Wakalatnama	30 - 32	

Dated 14/02 /2021

Through;

.... PETITIONER

FILED
ADDITIONAL REGISTRAR
PESHAWAR HIGH COURT
ABBOTTABAD BENCH
14/2/22

Kiran Ayub Tanoli
(KIRAN AYUB TANOLI)
Advocate High Court Abbottabad

BEFORE THE PESHAWAR HIGH COURT,
ABBOTTABAD BENCH

Appeal no. 954/2022

W.P No. 218 -A/2022

Wajid Constable No. 1388, Abbottabad District Police, Tehsil & District Abbottabad.

...PETITIONER

VERSUS

1. Inspector General of Police, Khyber Pakhtunkhwa, Peshawar.
2. DIG, Hazara Region, office at Abbottabad.
3. District Police Officer, Abbottabad.
4. Deputy Superintendent of Police, Cantt. Abbottabad.
5. Additional Superintendent of Police, Abbottabad.
6. Regional Police Officer Hazara, Region, Abbottabad.
7. SDPO, Cantt. District Abbottabad.
8. SDPO, Mirpur, District Abbottabad.

...RESPONDENTS

WRIT PETITION UNDER ARTICLE 199 OF THE
CONSTITUTION OF ISLAMIC REPUBLIC OF
PAKISTAN, 1973 FOR ISSUANCE OF DIRECTIONS/
DECLARATION TO THE EFFECT THAT, THE
ISSUANCE OF THE IMPUGNED ORDER/
NOTIFICATION BEARING No. 18258/PA, DATED
03.08.2020 AND ORDER/ NOTIFICATION BEARING

No. 930
14-02-22
ETHEB AHMAD
ADDITIONAL REGISTRAR
PESHAWAR HIGH COURT
ABBOTTABAD BENCH
14/2/22

No. 6073/PA, DATED 26.03.2021 BY THE REGIONAL POLICE OFFICER, HAZARA REGION, ABBOTTABAD/ RESPONDENT NO. 6 PERTAINING TO THE PUNISHMENT OF STOPPAGE OF TWO YEARS INCREMENTS WITH CUMULATIVE EFFECT AWARDED BY DPO, ABBOTTABAD/ RESPONDENT NO. 3 VIDE ORDER NO. 178 DATED 18.06.2013 AND VIDE OB NO. 295 DATED 18.11.2020 BASED ON FRIVOLOUS , CONCOCTED AND BASELESS ALLEGATIONS WHATSOEVER, WITHOUT ASSOCIATING THE PETITIONER WITH THE ENTIRE INQUIRY PROCESS SURPASSING THE DUE PROCESS OF LAW, AGAINST THE MAXIM OF AUDI-ALTERM-PATERUM, BEING ILLEGAL, UNLAWFUL, WITHOUT LAWFUL AUTHORITY, WITHOUT JURISDICTION AND BEYOND JURISDICTION, HENCE LIABLE TO BE SET-ASIDE.

PRAYER: - ON ACCEPTANCE OF THE INSTANT WRIT PETITION, THE IMPUGNED ORDER/ NOTIFICATION BEARING No. 18258/PA, DATED 03.08.2020 AND ORDER/ NOTIFICATION BEARING No. 6073/PA, DATED 26.03.2021 BY THE REGIONAL POLICE OFFICER, HAZARA REGION,

FILED
 ADDITIONAL REGISTRAR
 PESHAWAR HIGH COURT
 ABBOTTABAD BENCH
 14/11/21

ABBOTTABAD/ RESPONDENT NO. 6 BEING ILLEGAL, UNLAWFUL, WITHOUT LAWFUL AUTHORITY, WITHOUT JURISDICTION AND BEYOND JURISDICTION MAY GRACIOUSLY BE SET-ASIDE AND THE PETITIONER BE TREATED IN ACCORDANCE WITH LAW BY ASSOCIATING HIM WITH THE ENTIRE INQUIRY PROCESS. ANY OTHER RELIEF WHICH THIS HONOURABLE COURT DEEMS FIT AND PROPER IN THE CIRCUMSTANCES OF THE CASE MAY ALSO BE GRANTED TO THE PETITIONER.

Respectfully Sheweth: -

Brief facts giving rise to the instant writ petition are arrayed as under: -

FACTS:

1. That, the petitioner is a law abiding citizen and a Constable (No. 1388) in the District Police, Abbottabad.

FILED
ADDITIONAL REGISTRAR
PESHAWAR HIGH COURT
ABBOTTABAD BENCH
2/2/20

2. That the petitioner has been diligently performing his duties throughout his career and remained a custodian of the department *ibid*.
3. That the respondent No. 6 issued two impugned letters one impugned order/ Notification bearing No. 18258/PA, dated 03.08.2020 and the other order/ Notification bearing No. 6073/PA, dated 26.03.2021 by the Regional Police Officer, Hazara Region, Abbottabad/ respondent No. 6 pertaining to the stoppage of increment of two years with cumulative effect awarded by DPO, Abbottabad/ respondent No. 3 vide order No. 178 dated 18.06.2013 and vide Order No. 295 dated 18.11.2020. Copy of the impugned notification dated 03.08.2020 and 26.03.2021 are annexed as Annexure "A" & "B".
4. That the petitioner while posted at Police Lines, Abbottabad was deputed with under trial prisoners from Police Lines to Mansehra Jail but on the way he allegedly slipped and absented himself from his lawful duty, resultantly which one under trial prisoner made his escape from the prisoner van.

FILED
ABBOTTABAD
ADDITIONAL REGISTRAR
PESHAWAR HIGH COURT
ABBOTTABAD BENCH
14/2/21

5. That thereafter, the petitioner was issued charge sheet alongwith summary of allegations and the SDPO/ respondent No. 7 cantt was deputed to conduct a departmental inquiry, to which the petitioner was never been associated in accordance with law.

6. That the second so-called allegations against the petitioner was that while he was posted at Police Station Nawanshehr, Abbottabad remained allegedly involved in numerous indisciplined activities and there were suspicions of his so-called relations with the Drug Mafia.

7. That thereafter again the petitioner was issued charge sheet alongwith summary of allegations and SDPO Mirpur/ respondent No. 8 was deputed to conduct departmental inquiry against the petitioner, however, the petitioner was again not associated with any inquiry whatsoever in accordance with law. Copy of the relevant record is annexed as Annexure "C".

FILED TODAY
ADDITIONAL REGISTRAR
PESHAWAR HIGH COURT
ABBOTTABAD BENCH

8. That feeling aggrieved of the afore-stated genuine facts and figures, the petitioner has come to this Honourable Court for invoking its Constitutional jurisdiction, inter-alia amongst many others;-

GROUND: -

- a. That a number of frivolous, concocted and baseless allegations have been imposed upon the petitioner without giving any chance to him for his defence.
- b. That petitioner has been treated purely against the maxim of "AUDI ALTERM PARTERM" as he has been condemned unheard.
- c. That the petitioner has been diligently performing his duties throughout his career and cannot even think of any negligence in his duties whatsoever.

~~FILED~~
ADDITIONAL REGISTRAR
PESHAWAR HIGH COURT
ABBOTTABAD BENCH

- 7
- d. That by not associating the petitioner in the inquiry procedure and by imposing stoppage of his increments amounts to violation of his fundamental rights guaranteed by the constitution which further needs interference of this Honourable Court.
- e. That every citizen of Pakistan should be treated with equality and in accordance with law and the due process of law is mandatory to be followed in its true spirits and right of fair trial Article 10-A is the right which has been duly violated in the presence scenario, hence liable to be redressed.
- f. That notice of the filing of writ petition has been sent to the respondents through registered mail. Copy of notice and postal receipts are annexed as Annexure "D".
- g. That there is no efficacious remedy available to the petitioner, hence, the instant writ petition.

FILED
ADDITIONAL REGISTRAR
PESHAWAR HIGH COURT
ABBOTTABAD BENCH
4/1/22

- h. That court fee stamp paper of appropriate value is attached herewith.
- i. That addresses of the parties have been correctly given at the heading of the petition.

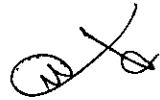
PRAYER:

It is therefore, humbly prayed that on acceptance of the instant writ petition, the impugned order/ Notification bearing No. 18258/PA, dated 03.08.2020 and order/ Notification bearing No. 6073/PA, dated 26.03.2021 by the Regional Police Officer, Hazara Region, Abbottabad/ respondent No. 6 being illegal, unlawful, without lawful authority, without jurisdiction and beyond jurisdiction may graciously be set-aside and the petitioner be treated in accordance with law by associating him with the entire inquiry process. Any other relief which this Honourable Court deems fit and proper in the circumstances of the case may also be granted to the petitioner.

FILED TODAY
ADDITIONAL REGISTRAR
PESHAWAR HIGH COURT
ABBOTTABAD BENCH
[Signature]

INTERIM RELIEF:-

In the meanwhile, no adverse action be taken against the petitioner till the disposal of the titled writ petition.



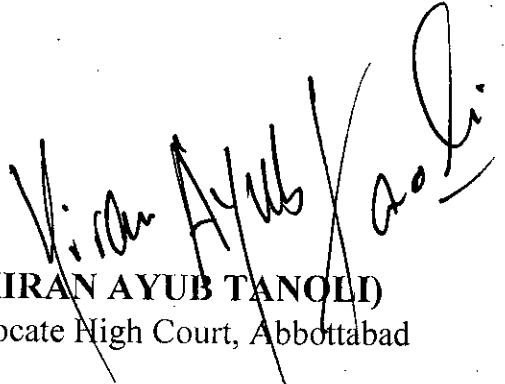
.... PETITIONER

Dated 14/02 /2021

Through;



TIPU MUHAMMAD SULTAN)
Advocate High Court Abbottabad



(KIRAN AYUB TANOLD)
Advocate High Court, Abbottabad

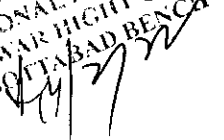


(MUHAMMAD BABAR SHAFI)
Advocate High Court Abbottabad

VERIFICATION: -

Verified on oath that the contents of foregoing writ petition are true and correct to the best of my knowledge and belief and nothing has been concealed from this Honorable Court.

...PETITIONER 

**ADDITIONAL REGISTRAR
PESHAWAR HIGH COURT
ABBOTTABAD BENCH**


BEFORE THE PESHAWAR HIGH COURT,
ABBOTTABAD BENCH

W.P No. 218 -A/2022

Wajid Constable No. 1388, Abbottabad District Police, Tehsil & District Abbottabad.

...PETITIONER

VERSUS

Inspector General of Police, Khyber Pakhtunkhwa, Peshawar & others.

...RESPONDENTS

WRIT PETITION

AFFIDAVIT

I, *Wajid Constable No. 1388, Abbottabad District Police, Tehsil & District Abbottabad*, do hereby affirm and declare on oath that the contents of foregoing writ petition are true and correct to the best of my knowledge and belief and nothing has been suppressed from this Honorable Court.

13101-772328-1

AFFIDAVIT

S.No: 868/287 Receipt No: 287

Certified that the above was verified on Solemn affirmation Wajid before me on this

14 day of Feb 2022

at Wajid Constable No. 1388
Abbottabad District Police

Who is personally known to me

DEPONENT

Oath Commissioner
(Peshawar Bench)
Peshawar High Court Abbottabad Bench

14-2
22

FILED TODAY
ADDITIONAL REGISTRAR
PESHAWAR HIGH COURT
ABBOTTABAD BENCH
14/2/22

BEFORE THE PESHAWAR HIGH COURT,
ABBOTTABAD BENCH

W.P No. 218 -A/2022

Wajid Constable No. 1388, Abbottabad District Police, Tehsil & District
Abbottabad.

...PETITIONER

VERSUS

Inspector General of Police, Khyber Pakhtunkhwa, Peshawar & others.

...RESPONDENTS

WRIT PETITION


CERTIFICATE

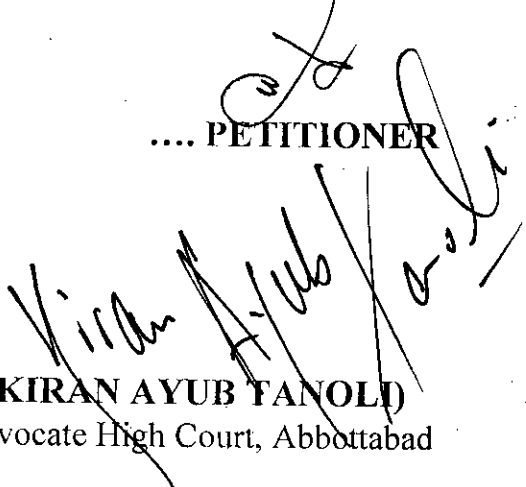
*Certified that, no writ petition on the subject has earlier been
filed by the petitioner in any other court.*

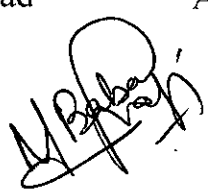
.... PETITIONER

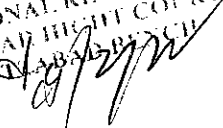
Dated 14/02 /2022

Through;


TIPU MUHAMMAD SULTAN)
Advocate High Court Abbottabad


(KIRAN AYUB TANOLD)
Advocate High Court, Abbottabad


(MUHAMMAD BABAR SHAFI)
Advocate High Court Abbottabad

FILED TODAY
ADDITIONAL REGISTRAR
PESHAWAR HIGH COURT
ABBOTTABAD BENCH


BEFORE THE PESHAWAR HIGH COURT,
ABBOTTABAD BENCH

W.P No. 218 -A/2022

Wajid Constable No. 1388, Abbottabad District Police, Tehsil & District Abbottabad.

...PETITIONER

VERSUS

Inspector General of Police, Khyber Pakhtunkhwa, Peshawar & others.

...RESPONDENTS

WRIT PETITION


LIST OF BOOKS

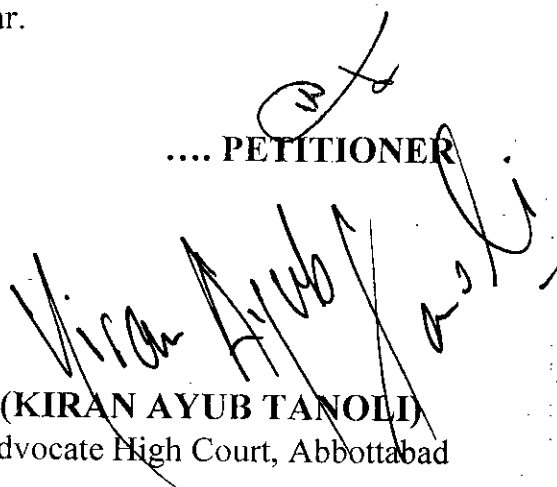
1. Constitution of Islamic Republic of Pakistan, 1973.
2. Relevant case law will be cited at the Bar.

.... PETITIONER


Dated 14/02/2022

Through;


TIPU MUHAMMAD SULTAN)
Advocate High Court Abbottabad


(KIRAN AYUB TANOLI)
Advocate High Court, Abbottabad


(MUHAMMAD BABAR SHAFI)
Advocate High Court Abbottabad

FILED TODAY
ADDITIONAL REGISTRAR
PESHAWAR HIGH COURT
ABBOTTABAD BENCH


BEFORE THE PESHAWAR HIGH COURT,
ABBOTTABAD BENCH

W.P No. 218 -A/2022

Wajid Constable No. 1388, Abbottabad District Police, Tehsil & District Abbottabad.

...PETITIONER

VERSUS

Inspector General of Police, Khyber Pakhtunkhwa, Peshawar & others.

...RESPONDENTS

WRIT PETITION

ADDRESSES OF THE PARTIES

Respectfully Sheweth; -

Addresses of the parties are as under; -

Addresses of the parties are correctly been mentioned in the heading of writ petition.

.... PETITIONER

Dated 14/02 /2022

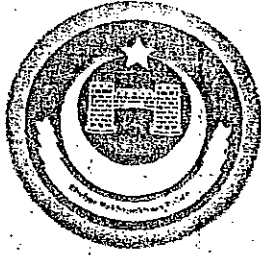
Through;

TIPU MUHAMMAD SULTAN)
Advocate High Court Abbottabad

(KIRAN AYUB TANOLI)
Advocate High Court, Abbottabad

(MUHAMMAD BABAR SHAFI)
Advocate High Court Abbottabad

RECEIVED TODAY
ADDITIONAL REGISTRAR
PESHAWAR HIGH COURT
ABBOTTABAD BENCH



ANNEX A (14)

OFFICE OF THE REGIONAL POLICE OFFICER
HAZARA REGION, ABBOTTABAD

0992-9310021-22

0992-9310023

r.pohazara@gmail.com

0345-9560687

NO: 18258 /PA DATED 03 / 08 /2020

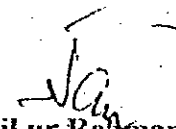
ORDER

This order will dispose off departmental appeal under Rule 11-A of Khyber Pakhtunkhwa Police Rules, 1975 submitted by Constable Wajid No.1388 of District Abbottabad against the punishment order i.e. *Stoppage of two years increment with cumulative effect* awarded by DPO Abbottabad vide order No.178 dated 18.06.2013.

Brief facts leading to the punishment are that the appellant while posted at Police Lines, Abbottabad was deputed with the under trial prisoners from Police Lines to Manshra Jail but on the way he slipped and absented himself from his lawful duty. Resultantly one under trial prisoner Noor Zada made his escape from the prisoner van.

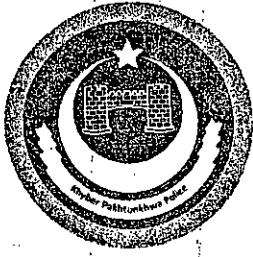
The appellant was issued charge sheet alongwith summary of allegations and SDPO Cantt was deputed to conduct departmental enquiry. During the course of enquiry allegations leveled against the appellant were proved and EO recommended him for major punishment. He was issued firal show cause notice and heard in person. however he failed to advance any cogent reason in his defence. Consequently, DPO Abbottabad awarded him minor punishment of stoppage of two years increments with cumulative effect.

After receiving his appeal, comments of DPO Abbottabad were sought and examined/perused. The undersigned called the appellant in OR and heard him in person. However, he failed to advance any plausible justification in his defence. Moreover, the appeal is badly time barred as the appellant preferred the appeal after lapse of 06 years, 03 months and 24 days. Therefore, in exercise of the powers conferred upon the undersigned under Rule 11-4 (a) of Khyber Pakhtunkhwa Police Rules, 1975 the instant appeal is hereby *filed* with immediate effect.


Qazi Jamil ur Rehman (PSP)
REGIONAL POLICE OFFICER
HAZARA REGION, ABBOTTABAD

No. 18259 /PA, dated Abbottabad the 03-08-2020.
CC.

The District Police Officer, Abbottabad for information and necessary action with reference to his office Memo No.6711/Legal dated 05-11-2019. Service Roll and Fuji Missal containing enquiry file of the appellant has already been sent to your office vide this office Memo No. 11184/PA dated 07-05-2020.



ANNEX B (15)

OFFICE OF THE REGIONAL POLICE OFFICER
HAZARA REGION, ABBOTTABAD
☎ 0992-9310021-22
☎ 0992-9310023
✉ r.rpohazara@gmail.com
☎ 0345-9560687
NO: 6073 /PA DATED 26/03/2021

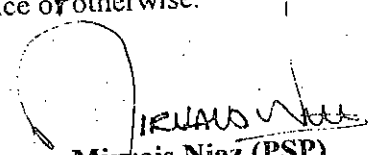
ORDER

This order will dispose off departmental appeal under Rule 11-A of Khyber Pakhtunkhwa Police Rules, 1975 submitted by constable Wajid No.1388 of District Abbottabad against the punishment order i.e. **Stoppage of 01 year increment with cumulative effect** awarded by DPO Abbottabad vide OB No. 295 dated 18.11.2020.

Brief facts leading to the punishment are that the appellant while posted at Police Station Nawanshehr, Abbottabad remained involved in numerous indisciplined activities, had bad behavior and relations with drug mafia.

The appellant was issued charge sheet alongwith summary of allegations and SDPO Mirpur was deputed to conduct departmental enquiry. The EO held the appellant responsible of misconduct. The appellant was also heard in person, however he failed to advance any cogent reason in his defence. Consequently, DPO Abbottabad awarded him minor punishment of stoppage of one year increment with cumulative effect. Hence, the appellant submitted this present appeal.

After receiving his appeal, comments of DPO Abbottabad were sought and examined/perused. The official was called in OR and heard him in person. However, he failed to advance any convincing reason in his defence. The punishment awarded by the competent authority seems genuine while appeal being meritless is liable to be dismissed. Therefore, in exercise of the powers conferred upon the undersigned under Rule 11-4 (a) of Khyber Pakhtunkhwa Police Rules, 1975 the instant appeal is hereby **filed** with immediate effect. In addition to this, the appellant seems to have behavioral issues. He may be examined through a psychologist and if found to have issues a request for medical board may be sent whether he is fit for service or otherwise.


Mirvais Niaz (PSP)
REGIONAL POLICE OFFICER
HAZARA REGION, ABBOTTABAD

No. 6074 /PA, dated Abbottabad the 26/03/2020.
CC.

1. The District Police Officer, Abbottabad for information and necessary action with reference to his office Memo No.530/Legal dated 26-02-2021. Service Roll and Fuji Missal containing enquiry file of the appellant is returned herewith for record.

16
ANNEX C

ORDER

This office order will dispose of the departmental enquiry against Constable Wajid No.1388. It has observed with great concern that you are found involved in numerous undisciplined activity, having behavior and relationship with drug Mafia which leads to gross miss-conduct on your part.

He was issued Charge Sheet along with statement of allegations and Mr. Sabir Khan SDPO Mirpur, Abbottabad was appointed as Enquiry Officer He conducted proper departmental enquiry against the delinquent official and recorded statements of all concerned. After conducting proper departmental enquiry, the Enquiry Officer submitted his findings wherein allegations have been proved against delinquent official. He was summoned to appear in Orderly Room on 05-11-2020. He was given a patient hearing but he had nothing plausible to state in his defense.

Therefore, in exercise of the powers vested in the undersigned Police Disciplinary Rules-1975 (Amended 2014), I, Yasir Khan Afridi, (PSP) District Police Officer, Abbotabad as a competent authority, am constrained to award him minor punishment of 01 year increment Stop with accumulative effect with immediate effect.

Order announced.

29
District Police Officer
Abbottabad
o/c

No. 9244-48 / dated 18/11/2020.

Copy to:

1. Pay Officer
2. EC
3. OB

Total page (81)

08-NO 295

18-11-20

DISCIPLINARY ACTION

17

I Avasi Shafiq, Addl: Superintendent of Police Abbottabad as Competent Authority of the opinion that you Constable Wajid No.1388, PS Nawansher, rendered yourself liable to be proceeded against as you committed the following act/omission within the meaning of Police Disciplinary Rules 1975:

STATEMENT OF THE ALLEGATIONS

- 1). It has observed with grave concern that you are found involved in numerous undisciplined activity, having bad behavior and Relationship with drug Mafia which leads to gross mis-conduct on your part.
- 2). For the purpose of scrutinizing your conduct with reference to the above allegations, Mr. Sahir Khan, SDPO Mirpur appointed as Enquiry Officer.
- 3). The Enquiry Officer shall in accordance with the provision of this ordinance, provide reasonable opportunity of hearing to the accused, record finding and make within 25 days of the receipt of this order, recommendation as to punishment or the appropriate action the accused.
- 4). The accused a well conversant representative of departmental shall in the proceedings on the date, time and place fixed by the Enquiry Officer.

(AVAIS SHAFIQ PSP)
Addl: Superintendent of Police
Abbottabad

No: 254 /PA, Dated Abbottabad the 01/07/2020.

CC:

1. Delinquent official, with the direction to submit his defense within 07 days of the receipt of this statement of allegations and also to appear before the Enquiry Officer of the date, time and place fixed for the purpose of departmental proceedings.
2. Enquiry officer to complete departmental enquiry with in stipulated period.

میا کالی
مقتول جواب کر دیو
1388

CHARGE SHEET

18

1. Avais Shafiq, Addl: Superintendent of Police Abbottabad as competent authority hereby charge you Constable Wajid No.1388, PS Nawansher as explained in the attached statement of allegations.

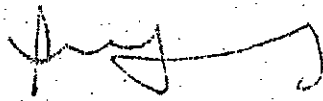
2). You appear to be guilty of misconduct under Police Disciplinary Rules 1975, and have rendered yourself liable to all or any of the penalties specified in the said Police Disciplinary Rules.

3). You are therefore, directed to submit your written defense within seven days on the receipt of this Charge Sheet in the Enquiry Officer.

4). Your written defense, if any shall reach the Enquiry Officer within the specified period, failing which it shall be presumed that you have no defense to put in and in that case ex-parte action shall follow against you.

5). Intimate whether you desire to be heard in person or otherwise.

6). A statement of allegations is enclosed.



(AVAIS SHAFIQ^{PSP})
Addl: Superintendent of Police
Abbottabad

جواب چارٹرسٹ

کون چارٹرسٹ ہے 254 فرغ آہ

جواب ~~SP~~ ماہیہ اس کے بارے

جواب عالی ہو مل خدمت 2005 سے 06 تا 07

جانب کو الٹا ہے یہاں رائٹر کی لکھی گئی ہیں اور ان کے
مذمت کے دوران مل کے منشیات فروشیوں

کے خلاف طلبہ نے اس کا معاہدہ کیا ہے۔ پھر لوہ
کا روٹیاں لیں۔ مل کے منشیات فروشیوں
کے خلاف پھر لوہ کا روٹیاں لیں۔ مل کے منشیات

(48) FIR خیرم 90 سے جو حرمت ہے

ماہیہ کے دہریہ ہے مل کے لوگوں کو مل کے

کے رازدار کے خلاف لایا گیا ہے اور مل کے
ISAA کے بین مل کے مل کے مل کے

گرفتار کے خلاف لایا گیا ہے مل کے
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ہائل پر لقاے کے الزامات سے بنیاد
 اور حد تک سے حد
 اندھا کی جاتی ہے اور حد تک کی طرف سے
 کہ خائل سے جاؤں، فوجات میں
 ہی فوجی ہے اور جواب لے لے

1388
 1/11

1388

[Stamp]

[Signature]

In the light of
Seriousness of offence
and findings of enquiry
Mubashar SO9,

absented themselves and did not carry out their duty due to
which this bad incident happened. Therefore they are
recommended for major punishment while Constable Gul
Fraz No. 1346 did not bother to reply of his Charge Sheet
and statement of allegations deliberately, willfully
knowingly. Therefore, he is recommended to be dismissed
from service as he did not bother to response the charge
sheet and statement of allegations and also not join the
enquiry.

Gulfraz (346)
Wajid 1388 and
9 of Jan 186 are
awarded punishment
of stoppage of 02 years
with curtailment of
02 years with cumulative effect.

Submitted please.

(RAJA ABDUS SABOOR KHAN)
Dy: Superintendent of Police,
Cantt Abbottabad.

37-10-178
18-6-13

Issue their Final
Show Cause Notices.

Sc/Hc
Constable Fraz 1224
Proves guilty, hence
awarded punishment of stoppage
of curtailment of 02 years
with curtailment of
cumulative effect.

[Signature]
DISTRICT OFFICER
ABBOTTABAD

3/4/17

1270/1/17
[Signature]
18-06-13



22

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

No. S/ 1099 /21, dated Peshawar the 11/03 /2021.

To: The Regional Police Officer,
Hazara at Abbottabad.

Subject: REVISION PETITION CONSTABLE WAJID NO. 1388.

Memo:

Please refer to your office Memo: No. 456-57/PA, dated 23.02.2021.

The Competent Authority has examined and filed the revision petition submitted by Constable Wajid No. 1388 of Abbottabad district Police against the punishment of stoppage of two years increments with cumulative effect awarded by District Police officer, Abbottabad vide OB No. 178, dated 18.06.2013, being time barred.

The applicant may please be informed accordingly.

Regional Officer

11

In my compliance

13
No-51967 Pa
dt-16-3-21

1
16/3

FINAL SHOW CAUSE NOTICE.

23

I. MUHAMMAD KARIM KHAN, District Police Officer
Abbottabad, as competent authority charge you Constable Wajid 248 as follows:-

That on 26.9.2012 at morning you were deputed with the under trial prisoners from Police Lines to Manshra Jail but according to the report of ASP/II.Qrs Abbottabad you although departed from Police Lines for the duty but in the way you slipped away and absented yourself. In the way one under trail prisoner Nour Zada was escaped and run away. You deliberately failed to attend enquiry proceedings and in spite of repeated summoning by E.O you did not appear before him.

This act on your part tantamount to gross misconduct which obviously is source of tarnishing of good images of Police force.

During departmental enquiry the allegations have been proved against you.

Keeping in view the above said allegation on your part, you are hereby called upon to show cause finally with in seven days of the receipt of this final show cause notice as to why you should not be awarded punishment under the Police disciplinary Rules 1975. If your written reply is not received with in the stipulated period it shall be presumed that you have no defense to offer. You are also allowed to appear before the undersigned if you so desire.

Your written defense, if any should reach the undersigned with in seven days failing which it shall be presumed that you have no defense to put in and in the case ex-parte action shall follow against you.

521
21-3-13

DISTRICT POLICE OFFICER,
ABBOTTABAD.

CHARGE SHEET.

24

I, Muhammad Karim Khan District Police Officer Abbottabad, as Competent authority, hereby charge you Constable Wajid No: 248 as follows:-

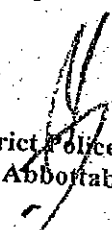
That on 26.9.2012 at morning you were deputed with the under trial prisoners from Police Lines to Mansehra Jail but according to the report of ASP/H.Qrs Abbottabad you although departed from Police Lines for the duty but in the way you slipped and absented yourself. In the way one under trail prisoner Noor Zada was escaped and ran away.

This act on your part tantamount to gross misconduct which obviously is source of tarnishing of good images of Police force.

By the reasons of above, you appear to be guilty of misconduct under Police disciplinary Rules 1975 and have rendered yourself liable for major punishment. You are therefore directed to submit your written defense within seven days of the receipt of the Charge Sheet.

Your written defense, if any should reach this office with in 7 days failing which it shall be presumed that you have no defense to put in and in that case ex-prate action shall follow against you.

Intimate whether you desire to be heard in person. A statement of allegation is enclosed


District Police Officer,
Abbottabad.

DISCIPLINARY ACTION

I. Muhammad Karim Khan District Police Officer Abbottabad,, as Competent authority charge you Constable Wajid No: 248 for cretin omissions and commission as elaborated below which render you liable to be proceeded against departmentally.

25

STATEMENT OF THE ALLEGATION

Taat on 26.9.2012 at morning you were deputed with the under trial prisoners from Police Lines to Mansehra Jail but according to the report of ASP/H.Qrs Abbottabad you although departed from Police Lines for the duty but in the way you slipped and absented yourself. In the way one under trail prisoner Noor Zada was escaped and ran away.

For the purpose of scrutinizing the behavior/ conduct of said accused official with reference to the above allegations, Mr. Abdul Saboor Khan DSP Cantt: is appointed as Enquiry Officer who will conduct regular departmental enquiry fairly, judiciously and impartially. The findings should reach this office within 15 days positively.

District Police Officer,
Abbottabad.

جنا بیالی

مقوم فائل شوہار نوٹس جوان فائل ڈسٹرکٹ
 ڈیپٹی آفیسر صاحب آباد جوائنڈ ڈسٹرکٹ 2013ء کو 21
 فروری 2012ء کو تمام سٹیٹس میں سے
 فائل جوائنڈ کو زبانی تبادلہ میں آیا تو وہ علاقہ
 جوائنڈ سے بلا ہوا ہے میں پتھال جانا جاتیا ہوں مگر اس میں
 نہ ہی میں مندرجہ ذیل رقم سے غیر جانبدار ہو کر دوسری علاقہ صاحب
 کروا تار یا فائل شوہار نوٹس کو 2012ء کو مقرر خانہ میں میں
 روانگی کی ہے اور عدالت کو زیادہ کے ضرار ہوتے ہیں غیر جانبداری
 ہے حکم میں 2012ء کی دفعہ کی سٹیٹس میں نہیں آتا تھا۔ سائل
 علاقہ میں مندرجہ ذیل رقم سے فائل جوائنڈ پتھال روانگی میں
 کی رقم سے جوائنڈ غیر جانبدار ہوا ہے مذکورہ ملزم کے ساتھ
 سوائے ذیل سٹیٹس میں سوائے آمد میں عدالت میں کی کارڈ
 ساتھ ساتھ جوائنڈ کی کارڈ گواہ ہے۔ جوائنڈ شوہار نوٹس
 میں 2012ء میں 500 روپے کے ساتھ جوائنڈ دیار تھا۔ اس کے بعد
 میرا تبادلہ میں حکم استعفیٰ والا قلعہ ایبٹ آباد سے 2012ء میں
 ہوا اور میں نے فورم 2012ء کو ایبٹ آباد سے روانگی کی اور
 دفتر 2012ء میں جانبداری کے بعد بلا ٹوٹن نمبر 104 میں جانبداری
 کرنے والی ہے کو سٹیٹس میں جوائنڈ اور سٹیٹس شوہار نوٹس کو سٹیٹس
 جانبداری اور ذیل سٹیٹس سر انجام دینا رہا۔

مجھے آؤا شہری استعفیٰ کے لیے کوئی نوٹس اس میں ہوا؟ طلبی ہو سکتی ہے
 جوان فائل میں آؤا شہری استعفیٰ میں سٹیٹس ہوتا۔
 خانہ آمد جوائنڈ سائل فائل شوہار نوٹس داخل دفتر تمام ڈسٹرکٹ
 2012-3-21
 2012-3-21
 104 خانہ آمد جوائنڈ سائل فائل شوہار نوٹس داخل دفتر تمام ڈسٹرکٹ

OFFICE OF KIRAN AYUB TANOLI

Advocate High Court, office at Abbottabad

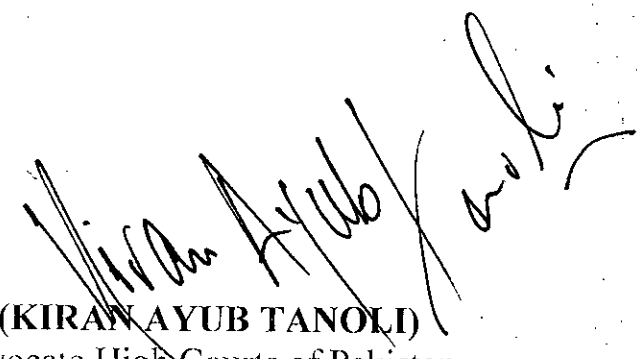
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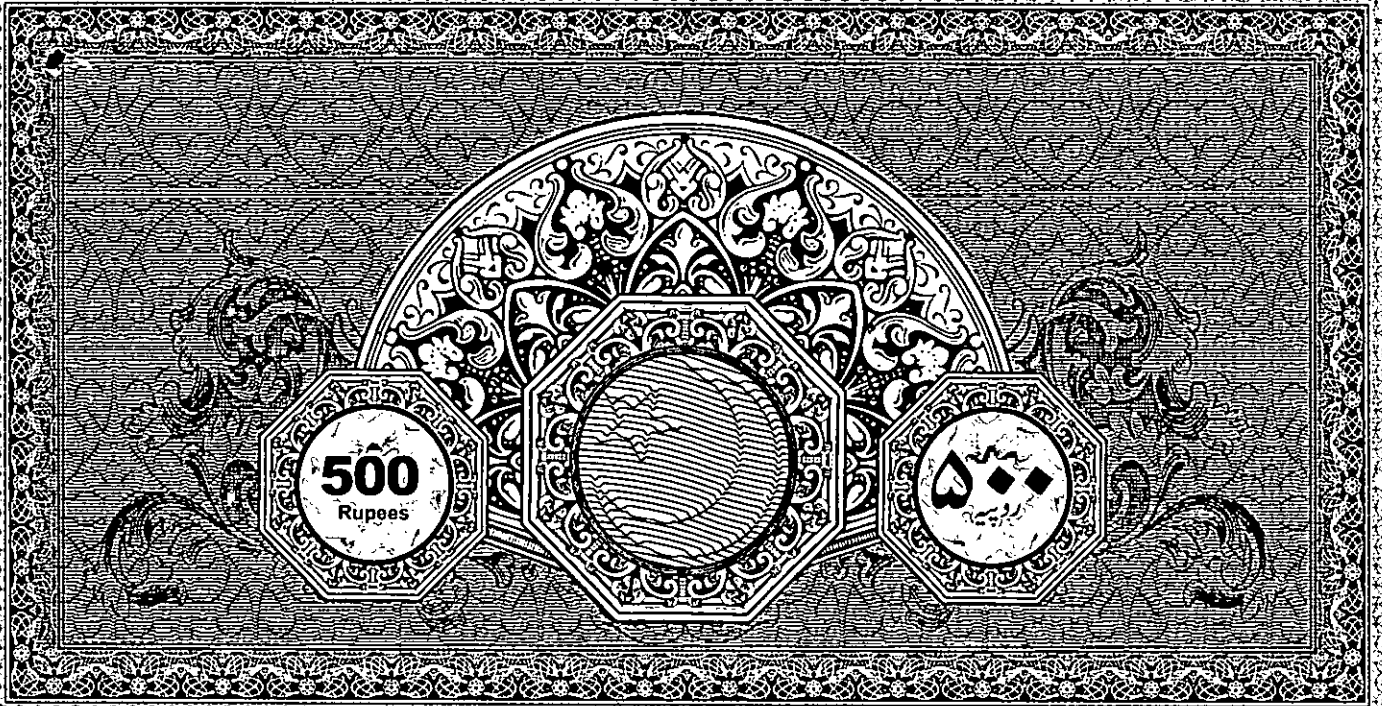
1. Inspector General of Police, Khyber Pakhtunkhwa, Peshawar.
2. DIG, Hazara Region, office at Abbottabad.
3. District Police Officer, Abbottabad.
4. Deputy Superintendent of Police, Cantt. Abbottabad.
5. Additional Superintendent of Police, Abbottabad.
6. Regional Police Officer Hazara, Region, Abbottabad.
7. SDPO, Cantt. District Abbottabad.
8. SDPO, Mirpur, District Abbottabad

Subject: **NOTICE OF FILING OF WRIT PETITION.**

On the advice of my clients *Wajid Constable No. 1388, Abbottabad District Police, Tehsil & District Abbottabad*, a writ petition is being filed before the Honourable Peshawar High Court, Abbottabad Bench. A notice/ intimation of the same is being sent to you for information/ necessary action under the law.

Dated: 14/02/2022


(KIRAN AYUB TANOLI)
Advocate High Courts of Pakistan,
Office at Abbottabad



500
Rupees

PAKISTAN COURT FEE

لعدالت قضاہ فیصلہ کیلئے اسٹامپ لگانا ہے

واحد ن

فی

CANCELLED

I.G.P. KPK etc.

CANCELLED

CANCELLED

FILED TODAY
ADDITIONAL REGISTRAR
PESHAWAR HIGH COURT
APOTIABAD BENCH
4/19/22

سید علی
ایبٹ آباد

500 روپے کی رقم واپس لینے کے لئے

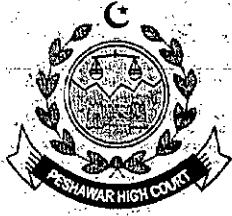
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علی

64
14/02/2022

Stamp: 11/11/22
Mulla Hussain Saad
Lic No 58
Kutchery Abbottabad

Stamp: 14/02/2022



THE
PESHAWAR HIGH COURT
ABBOTTABAD BENCH.

PH: 0992-921058
FAX: 0992-921055

No: 972-1-979

Dated Abbottabad 28/2 /2022

From

The Additional Registrar,
Peshawar High Court,
Abbottabad Bench.

To

1. DIG, Hazara Region, Office at Abbottabad.
2. District Police Officer, Abbottabad.
3. Deputy Superintendent of Police, Cantt. Abbottabad.
4. Additional Superintendent of Police, Region, Abbottabad.
5. Regional Police Officer Hazara, Region, Abbottabad.
6. SDPO, Cantt. District Abbottabad.
7. SDPO, Mirpur, District Abbottabad.

Subject: WRIT PETITION NO. 218-A/2022.

Wajid Constable No. 1388

Petitioner

VERSUS

IGP & others

Respondents

Memo,

Reproduce order of the Honourable Division Bench dated 22.02.2022 passed by the subject writ petition for compliance.

“Comments be called from the respondents No. 2 to 6, so as to reach this court within a fortnight. Adjourned to a date in office”

INTERIM RELIEF

Notice for a short date in office. As the Service Tribunal is not functioning, therefore, no adverse action shall be taken against the petitioner till next date.

In the light of above order you are directed to submit your comments in quadruplicate duly supported by an attested affidavit within a fortnight positively, failing which the petition will be placed before Honourable Division Bench for appropriate order.

(Copy of writ petition has already been sent by petitioner/Counsel vide Registered Receipt dated 14.02.2022. The same has also received by Additional Advocate General, from where the same can be obtained.)

(Additional Registrar)

HCBA Reg No. -

BC No. 1 0 - 2 0 3 7

Place of Practice ایسٹ ارباد

Name of Advocate سید محمد سلطان



S. No. 23872

وکالت نامہ

بعدالت: لعدالت حسب وکالت سید محمد سلطان ایسٹ ارباد

عنوان: واحد کاشین

منجانب: سید محمد سلطان

نوعیت مقدمہ: W.P.

باعث تحریر آئندہ:

مقدمہ مندرجہ عنوان بالا میں اپنی طرف سے واسطے پیروی و جہاد ہی برائے پیشی یا تصفیہ مقدمہ بمقام ایسٹ ارباد کے لیے

سید محمد سلطان ایسٹ ارباد

کو حسب ذیل شرائط پر وکیل مقرر کیا ہے کہ میں ہر پیشی پر خود یا بذریعہ مختار خاص رو برو عدالت حاضر ہوتا رہوں گا اور بروقت پکارے جانے مقدمہ وکیل صاحب موصوف کو اطلاع دے کر حاضر عدالت کروں گا۔ اگر پیشی پر مظہر حاضر نہ ہو اور مقدمہ میری غیر حاضری کی وجہ سے کسی طور پر میرے خلاف ہو گیا تو صاحب موصوف اس کے کسی طور پر ذمہ دار نہ ہوئے گا نیز وکیل صاحب موصوف صدر مقام پکھری کے علاوہ کسی جگہ یا پکھری کے اوقات سے پہلے یا چھپے یا بروز تعطیل یا پیروی کرنے کے ذمہ دار نہ ہوئے اور مقدمہ پکھری کے علاوہ کسی اور جگہ سماعت ہونے یا بروز تعطیل یا پکھری کے اوقات میں آگے پیچھے پیش ہونے پر مظہر کو کوئی نقصان پہنچے تو اس کے ذمہ دار یا اس کے واسطے کسی معاوضہ کے ادا کرنے یا مٹانے کے واپس کرنے میں صاحب موصوف ذمہ دار نہ ہوئے گا۔ مجھ کو کل ساختہ پر وکالت صاحب موصوف مش کردہ ذات منظور و مقبول ہوگا اور صاحب موصوف کو عرض دعویٰ یا جواب دعویٰ اور درخواست اجراءے ڈگری و نظر ثانی اپیل وغیرہ درخواست پر دستخط و تصدیق کرنے کا بھی اختیار ہوگا اور کسی حکم یا ڈگری کرنے اور ہر قسم کاروبار قبول کرنے اور سید دینے اور داخل کرنے اور ہر قسم کے بیان دینے اور اس پر ناشی و راضی نامہ و فیصلہ بر حلف کرنے اقبال دعویٰ دینے کا بھی اختیار ہوگا اور بصورت جانے پیر و نجات از پکھری صدر اپیل و برآمدگی مقدمہ یا منسوخی ڈگری یا کطرفہ درخواست حکم اتنا ہی یا ترقی یا گرفتاری قلع از گرفتاری و اجراءے ڈگری بھی صاحب موصوف کو بشرط ادا نگلی علیحدہ محتانہ پیروی کا اختیار ہوگا اور بصورت ضرورت صاحب موصوف کو یہ بھی اختیار حاصل ہوگا کہ مقدمہ مذکور یا اس کے کسی جزوی کاروائی کے یا بصورت اپیل کسی دوسرے وکیل کو اپنے بجائے بنا سنے ہمراہ مقرر کریں اور ایسے وکیل کو بھی ہر امر میں وہی اور ویسے اختیارات حاصل ہونگے جیسے صاحب موصوف کو حاصل ہیں اور دوران مقدمہ جو کچھ ہر جانہ لیتا پڑے گا وہ صاحب موصوف کا حق ہوگا۔ اگر وکیل صاحب موصوف کو پوری فیس تاریخ پیشی سے پہلے ادا نہ کروں گا تو صاحب موصوف کو پورا اختیار ہوگا کہ وہ مقدمہ کی پیروی نہ کریں اور ایسی صورت میں میرا کوئی مطالبہ کسی قسم کا صاحب موصوف کے برخلاف نہیں ہوگا۔

مورخہ: 2022/02/14

دن مہینہ سال

نوٹ: اس وکالت نامہ کی فوٹو کاپی کا تامل قبول ہوگی۔

لہذا وکالت نامہ لکھ دیا ہے کہ سندر ہے۔

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

Accepted
علی

واحد کاشین

HCBA Reg No. - - -

BC No. 10 - 2260

Place of Practice ابٹ آباد

Name of Advocate کرنل ایوب سہیل

S. No. 23873



وکالت نامہ

بعدالت: ضد شاہد مالک ٹورٹ ایشن اسیسٹنٹ ایڈووکیٹ

عنوان: ریجنل جج

مخانب: ایڈووکیٹ

نوعیت مقدمہ: W.P

باعث تحریر آئندہ:

مقدمہ مندرجہ عنوان بالا میں اپنی طرف سے واسطے پیروی و جوابدہی برائے پیشی ما تصفیہ مقدمہ بمقام ایڈووکیٹ کے لینے

کرنل ایوب سہیل ایڈووکیٹ

کو حسب ذیل شرائط پر وکیل مقرر کیا ہے کہ میں ہر پیشی پر خود یا بذریعہ مختار خاص رو برو عدالت حاضر ہوتا رہوں گا اور بروقت پکارے جانے مقدمہ وکیل صاحب موصوف کو اطلاع دے کر حاضر عدالت کروں گا۔ اگر پیشی پر مظہر حاضر نہ ہو اور مقدمہ میری غیر حاضری کی وجہ سے کسی طور پر میرے خلاف ہو گیا تو صاحب موصوف اس کے کسی طور پر ذمہ دار نہ ہوئے گا نیز وکیل صاحب موصوف صدر مقام پکھری کے علاوہ کسی جگہ یا پکھری کے اوقات سے پہلے یا پچھلے یا بروز تعطیل پیروی کرنے کے ذمہ دار نہ ہوئے گا اور مقدمہ پکھری کے علاوہ کسی اور جگہ سماعت ہونے یا بروز تعطیل یا پکھری کے اوقات میں آگے پیچھے پیش ہونے پر مظہر کو کوئی نقصان پہنچے تو اس کے ذمہ دار یا اس کے واسطے کسی معاوضہ کے ادا کرنے یا مختانہ کے واپس کرنے میں صاحب موصوف ذمہ دار نہ ہوئے گا۔ مجھ کو کل ساختہ پر داخستہ صاحب موصوف مش کردہ ذات منظور و مقبول ہوگا اور صاحب موصوف کو عرض دعویٰ یا جواب دعویٰ اور درخواست اجراءے ڈگری و نظر ثانی اپیل ٹرانس و ہر قسم درخواست پر دستخط و تصدیق کرنے کا بھی اختیار ہوگا اور کسی حکم یا ڈگری کرانے اور ہر قسم کارروائی وصول کرنے اور رجسٹر دینے اور ڈگری کرانے اور ہر قسم کے بیان دینے اور اس پر ثانی و راضی نامہ درج ذیل بر حلف کرنے اقبال دعویٰ دینے کا بھی اختیار ہوگا اور بصورت جانے پیر و نجات از پکھری صدر اپیل و برآمدگی مقدمہ یا منسوخی ڈگری یا کٹ طرفہ درخواست حکم استغاثی یا ترقی یا گرفتاری قبل از گرفتاری و اجراءے ڈگری بھی صاحب موصوف کو بشرط ادا کی علیحدہ مختانہ پیروی کا اختیار ہوگا اور بصورت ضرورت صاحب موصوف کو یہ بھی اختیار حاصل ہوگا کہ مقدمہ مذکور یا اس کے کسی جزوی کارروائی کے یا بصورت اپیل کسی دوسرے وکیل کو اپنے بجائے بنائے ہمراہ مقرر کریں اور ایسے وکیل کو بھی ہر امر میں وہی اور ویسے اختیارات حاصل ہونگے جیسے صاحب موصوف کو حاصل ہیں اور دوران مقدمہ جو کچھ ہر جانب سے پڑے گا وہ صاحب موصوف کا حق ہوگا۔ اگر وکیل صاحب موصوف کو پوری فیس تاریخ پیشی سے پہلے ادا نہ کروں گا تو صاحب موصوف کو پورا اختیار ہوگا کہ وہ مقدمہ کی پیروی نہ کریں اور ایسی صورت میں میرا کوئی مطالبہ کسی قسم کا صاحب موصوف کے برخلاف نہیں ہوگا۔

2022-02-14 مورخہ: 14-02-2022

دن مہینہ سال

کرنل ایوب سہیل

لہذا وکالت نامہ لکھ دیا ہے کہ سندر ہے

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

واحد کاپی طلبہ اسٹیفن احمد

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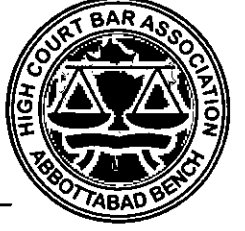
HCBA Reg No. 4 - 1 - 3 - A

BC No. 1 - 0 - 2 - 5 - 6 - 3

Place of Practice ABBOTTABAD

Name of Advocate Muhammad Babar Shafi

S. No. 23871



وکالت نامہ

بعدالت: بعدالت جناب لیٹنٹ جج ہائی کورٹ آف اہمڈ آباد پنج
 عنوان: واجد کالینڈر نام: آئی۔ بی۔ پی کے پی کے وغیرہ
 منجانب: پبلشر نوعیت مقدمہ: و. پ
 باعث تحریر آئیکہ:

مقدمہ مندرجہ عنوان بالا میں اپنی طرف سے واسطے پیروی و جوابدہی برائے پیشی یا تصفیہ مقدمہ بمقام ایسٹ ایبل کے لیے
 محمد بابر شافی ایڈووکیٹ ہائی کورٹ

کو حسب ذیل شرائط پر وکیل مقرر کیا ہے کہ میں ہر پیشی پر خود یا بذریعہ مختار خاص رو برو عدالت حاضر ہوتا رہوں گا اور بروقت پکارے جانے
 مقدمہ وکیل صاحب موصوف کو اطلاع دے کر حاضر عدالت کروں گا۔ اگر پیشی پر مظہر حاضر نہ ہو اور مقدمہ میری غیر حاضری کی وجہ سے کسی
 طور پر میرے خلاف ہو گیا تو صاحب موصوف اس کے کسی طور پر ذمہ دار نہ ہوئے گا نیز وکیل صاحب موصوف صدر مقام پکھری کے علاوہ کسی
 جگہ یا پکھری کے اوقات سے پہلے یا پچھلے یا بروز تعطیل بیرون کرنے کے ذمہ دار نہ ہوئے گا اور مقدمہ پکھری کے علاوہ کسی اور جگہ ساعت
 ہونے یا بروز تعطیل یا پکھری کے اوقات کے آگے پچھلے پیش ہونے پر مظہر کو کوئی نقصان پہنچے تو اس کے ذمہ دار یا اس کے واسطے کسی معاوضہ
 کے ادا کرنے یا بخاندہ کے واپس کرنے کے لیے صاحب موصوف ذمہ دار نہ ہوئے گا۔ مجھ کو کل ساختہ پر دلختہ صاحب موصوف مثل کردہ ذات
 منظور و مقبول ہوگا اور صاحب موصوف کو عرض دعویٰ یا جواب دعویٰ اور درخواست اجراءے ڈگری و نظر ثانی اپیل گزارانی و ہر قسم درخواست پر دستخط
 و تصدیق کرنے کا بھی اختیار ہوگا اور کسی حکم یا ڈگری کرانے اور ہر قسم کارروائی وصول کرنے اور رسید دینے اور قائل کرنے اور ہر قسم کے بیان
 دینے اور اس پر تاشی و راضی نامہ و فیصلہ بر حلف کرنے اقبال دعویٰ دینے کا بھی اختیار ہوگا اور بصورت جانے ہر صورت نجات از پکھری صدر اپیل و
 برآمدگی مقدمہ یا منسوخی ڈگری یا کٹ طرفہ درخواست حکم امتناعی یا ترقی یا اگر قاری قلم از گرفتاری و اجراءے ڈگری بھی صاحب موصوف کو بشرط
 ادا کی علیحدہ مختانہ پیروی کا اختیار ہوگا اور بصورت ضرورت صاحب موصوف کو یہ بھی اختیار حاصل ہوگا کہ مقدمہ مذکور یا اس کے کسی جزوی
 کاروائی کے یا بصورت اپیل کسی دوسرے وکیل کو اپنے بجائے بنائے بہرہ مقرر کریں اور ایسے وکیل کو بھی ہر امر میں وہی اور ویسے اختیارات
 حاصل ہونگے جیسے صاحب موصوف کو حاصل ہیں اور دوران مقدمہ جو کچھ ہر جانب التوا پڑے گا وہ صاحب موصوف کا حق ہوگا۔ اگر وکیل
 صاحب موصوف کو پوری فیس تاریخ پیشی سے پہلے ادا نہ کروں گا تو صاحب موصوف کو پورا اختیار ہوگا کہ وہ مقدمہ کی پیروی نہ کریں اور ایسی
 صورت میں میرا کوئی مطالبہ کسی قسم کا صاحب موصوف کے برخلاف نہیں ہوگا۔

مورخہ: 2022-2-14

دن مہینہ سال

لہذا وکالت نامہ لکھ دیا ہے کہ سندر ہے۔

نوٹ: اس وکالت نامہ کی نوٹ کو کاپی نام قابل قبول ہوگی۔

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

Accepted
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