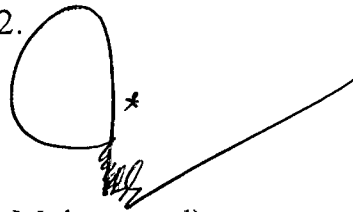


25.10.2022

Junior of learned counsel for the appellant present. Mr. Muhammad Riaz Khan Paindakhel, Assistant Advocate General for the respondents present.

On perusal of case file, it transpired that the appeal in hand has not yet been admitted for regular hearing and has been inadvertently placed for arguments before the D.B. The appeal in hand is, therefore, sent to S.B for preliminary hearing on 01.12.2022.

A handwritten signature consisting of a large, stylized 'M' with a small asterisk to its right, followed by a long horizontal line.

(Mian Muhammad)
Member (E)


A handwritten signature in a cursive style, appearing to be 'Salah-Ud-Din'.

(Salah-Ud-Din)
Member (J)

20th June, 2022

Counsel for the appellant present. Mr. Muhammad Riaz Khan Paindakhel, Asstt. AG for the respondents present.


Learned counsel for the appellant seeks adjournment in order to prepare the brief. Last chance is given, failing which the case will be decided on the basis of available record without the arguments. To come up for arguments on 08.07.2022 before the D.B.


(Fareeha Paul)
Member(E)


(Kalim Arshad Khan)
Chairman

6-7-2022

Due to Holidays of Eid Ul Azha
the case is adjourned to 25-10-2022


Reader

31.01.2022

Junior of learned counsel for the appellant present.

Former requests for adjournment on the ground that learned senior counsel is busy before the Peshawar High Court, Peshawar. Adjourned but as a last chance. To come up for preliminary hearing on ~~10.03~~ 10.03.2022 before S.B.


(Mian Muhammad)
Member(E)

10.03.2022

Due to retirement of the Worthy Chairman, the Tribunal is defunct, therefore, case is adjourned to 13.06.2022 for the same as before.


Reader.

13th June, 2022

Clerk to counsel for the appellant present.

Counsel are on strike. To come up for preliminary hearing on 20.06.2022 before S.B.


(Kalim Arshad Khan)
Chairman

18.11.2021

Learned counsel for the appellant present.

Learned counsel for the appellant seeks adjournment on the ground that he has not prepared the brief. Adjourned. To come up for preliminary hearing before the S.B on 02.12.2021.


(MIAN MUHAMMAD)
MEMBER (E)

02.12.2021

Junior of learned counsel for the appellant present.

Former requests for adjournment on the ground that learned senior counsel is busy before the Peshawar High Court, Peshawar. Adjourned. To come up for preliminary hearing on 31.01.2022 before S.B.


(MIAN MUHAMMAD)
MEMBER (E)

31.01.2022

Junior of learned counsel for the appellant present.

Junior of learned counsel for the appellant seeks adjournment as learned senior counsel is busy before the Peshawar High Court, Peshawar. Adjourned. To come up for preliminary hearing on 31.03.2022 before S.B.

(Mian Muhammad)
Member(E)

18.02.2021

The learned Member Judicial Mr. Muhammad Jamal Khan is under transfer, therefore, the case is adjourned. To come up for the same before S.B on 30.06.2021.


Reader

30.06.2021

Counsel for appellant present.

He made a request for adjournment. Adjourned by way of last chance. To come up for preliminary hearing on 28.09.2021 before S.B.


(Rozina Rehman)
Member(J)

28.09.2021

Junior of counsel for the appellant present.

Junior of learned counsel for the appellant submitted cause list of august Supreme Court of Pakistan wherein learned counsel for the appellant is engaged in some other cases and requested for adjournment. Adjourned. To come up for preliminary hearing before the S.B on 18.11.2021.


(MIAN MUHAMMAD)
MEMBER (E)

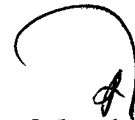
07.04.2020

Due to public holiday on account of COVID-19, the case is adjourned to 01.07.2020 for the same. To come up for the same as before S.B.


Reader

01.07.2020

Counsel for appellant present and seeks adjournment. Adjourned to 23.09.2020 before S.B in order to avail the outcome of cases pending before the Larger Bench of this Tribunal, regarding retrospective punishment.


Member (J)

23.09.2020

Counsel for the appellant present.

On the last date of hearing instant matter was adjourned to avail the outcome of cases pending before the Larger Bench and having similar nature. The Larger Bench has not yet concluded the proceedings before it, therefore, instant matter is adjourned to 03.12.2020 before S.B.


Chairman

03.12.2020

Counsel for the appellant present.

The proposition regarding retrospectivity of penalty has not been decided by the Larger Bench as yet. Instant case is, therefore, adjourned to 18.02.2021 before S.B.


Chairman

11.09.2019

Mr. Wali Khan Advocate on behalf of learned counsel for the appellant present.

Request for adjournment is made on the ground that learned counsel is not available due to his engagement before the Apex Court.

Adjourned to 25.11.2019 before S.B.


Chairman

25.11.2019

Appellant present in person.

Requests for adjournment on account of general strike of the Bar. Adjourned to 22.01.2020 before S.B.


Chairman

22.01.2020

Appellant present in person.

Requests for adjournment due to general strike of the Bar. Adjourned to 21.02.2020 before S.B.


Chairman

21.02.2020

Appellant present. Junior to counsel for the appellant present and seeks adjournment as senior learned counsel is not available. Adjourn. To come up for preliminary hearing on 07.04.2020 before S.B.


Member

30.04.2019

Junior to counsel for the appellant present.

Learned senior counsel for the appellant is stated to be unavailable due to his appearance before Darul Qaza at Swat today. Adjourned to 18.06.2019 before S.B.


Chairman

18.06.2019

Counsel for the appellant present and requested for adjournment. Adjourned to 05.08.2019 for preliminary hearing before S.B.


(Muhammad Amin Khan Kundi)
Member

05.08.2019

Counsel for the appellant present.

Learned counsel states that on 26.08.2019, other cases involving the proposition regarding retrospective effect of penalty awarded to a civil servant are fixed. Instant matter ~~is~~, therefore, shall be adjourned to a date thereafter.

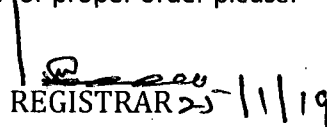



Adjourned to 11.09.2019 before the S.B.


Chairman

Form- A
FORM OF ORDER SHEET

Court of _____

Case No. 116/2019

S.No.	Date of order proceedings	Order or other proceedings with signature of judge
1	2	3
1-	25/1/2019	<p>The appeal of Mr. Muhammad Ghaffar resubmitted today by Mr. Fazal Shah Mohmand Advocate may be entered in the Institution Register and put up to the Worthy Chairman for proper order please.</p> <p style="text-align: right;"> REGISTRAR 25-1/19</p>
2-		<p>This case is entrusted to S. Bench for preliminary hearing to be put up there on <u>11-3-19</u>.</p> <p style="text-align: right;"> CHAIRMAN</p>
11.03.2019		<p>Clerk to counsel for the appellant present and seeks adjournment on the ground that learned counsel for the appellant is not available. Adjourn. To come up for preliminary hearing on 16.04.2019 before S.B</p> <p style="text-align: right;"> Member</p>
16.04.2019		<p>Appellant in person present and seeks adjournment as his counsel is not in attendance. Adjourn. To come up for preliminary hearing on 30.04.2019 before S.B.</p> <p style="text-align: right;"> Member</p>

The appeal of Mr. Muhammad Ghafar son of Gul Aziz Ex-Constable no. 606 District Police Swat received today i.e. on 11.01.2019 is incomplete on the following score which is returned to the counsel for the appellant for completion and resubmission within 15 days.

- 1- Copy of impugned dismissal order mentioned in the memo of appeal is not attached with the appeal which may be placed on it.
- 2- Annexure-B of the appeal is illegible which may be replaced by legible/better one.


No. 87 /S.T,

Dt. 11/01 /2019.


REGISTRAR
SERVICE TRIBUNAL
KHYBER PAKHTUNKHWA
PESHAWAR.

Mr. Fazal Shah Mohmand Adv. Pesh.

Sir; Resubmitted please, after necessary completion, Furthermore copy of impugned dismissal order is available at Page 7 of the appeal, however the same is in the form of Agreed dated 18-6-2011, however there is no final separate order and the same was also challenged in departmental appeal; hence the case may please be placed before the honorable Tribunal


Adv
21/1-19

BEFORE THE SERVICE TRIBUNAL KPK PESHAWAR

Service Appeal No 116 /2019

Muhammad Ghaffar.....Appellant



V E R S U S

DPO & others.....Respondents

I N D E X

S.No	Description of Documents	Annexure	Pages
1.	Service appeal with affidavit		1-3
2.	Application for condonation of delay with affidavit		4
3.	Copy of FIR	A	5
4.	Copy of Notification dated 14-04-2008	B	6
5.	Copy of Order dated 18-06-2011	C	7
6.	Cop of Departmental Appeal	D	8
7.	Wakalat Namas		9

Dated-11-01-2019


Appellant
Through 

**Fazal Shah Mohmand
Advocate Peshawar.**

OFFICE:- Cantonment Plaza Flat 3/B Khyber Bazar Peshawar Cell# 0301 8804841
Email:- fazalshahmohmand@gmail.com

- 1 -

BEFORE THE SERVICE TRIBUNAL KPK PESHAWAR

Service Appeal No _____/2019

Muhammad Ghaffar S/O Gul Aziz Ex Constable No 606 District Police Swat.....**Appellant**

V E R S U S

1. District Police Officer Swat.
2. Reginald Police Officer Malakand, at Saidu Sharif Swat.
3. Provincial Police Officer KPK Peshawar.....**Respondents**

APPEAL U/S 4 OF THE KPK SERVICE TRIBUNAL ACT 1974 AGAINST THE ORDER DATED 18-06-2011 PASSED BY RESPONDENT NO 1 WHERE BY THE APPELLANT HAS BEEN DISMISSED FROM SERVICE AGAINST WHICH DEPARTMENTAL APPEAL OF THE APPELLANT HAS NOT BEEN RESPONDED SO FAR DESPITE THE LAPSE OF MORE THAN THE STATUTORY PERIOD OF NINETY DAYS.

PRAYER:-

On acceptance of this appeal the impugned order dated 18-06-2011 of respondent No 1 may kindly be set aside and the appellant may kindly be ordered to be reinstated in service with all back benefits **OR** the order of dismissal from service may kindly be converted into compulsory retirement.

Respectfully Submitted:-

1. That the appellant joined the respondent Department as constable on 01-01-1991 remained posted to various Police Stations and since then he performed his duties with honesty and full devotion.
2. That in the year 2007 when militancy in Swat was at its peak, the appellant was threatened by the local terrorists and was also threatened by the local commander of terrorists to vacate his house for their commander namely Abdu Rehman, but even then the appellant was performing his duties.
3. That the 28-12-2007, the appellant along with others while on duty was targeted by the terrorists and got seriously injured to which effect FIR No 1487 was registered at Police Station Mingora. **(Copy of FIR is enclosed as Annexure A).**
4. That the appellant was again threatened where after he requested for three years Ex Pakistan leave i.e till 22-04-2011, which was accordingly granted vide Notification dated 14-04-2008. **(Copy of Notification dated 14-04-2008 is enclosed as Annexure B).**

- 2 -
5. That the appellant after availing leave when came his village, he was consistently threatened, thus was unable to have performed his duties and was accordingly dismissed from service by respondent No 1 vide order dated 18-06-2011. **(Copy of Order dated 18-0-2011 is enclosed as Annexure C).**
 6. That the appellant filed departmental appeal before respondent No 2 on 28-06-2018 which has not been responded so far despite the lapse of more than the statutory period of ninety days. **(Copy of Departmental appeal is enclosed as Annexure D).**
 7. That the impugned order dated 18-06-2011 of respondent No 1 is against the law, facts and principles of justice on grounds inter alia as follows:-

GROUNDS:-

- A. That the impugned order is illegal and void ab-initio.
- B. That mandatory provisions of law and rules have badly been violated by the respondents and the appellant has not been treated according to law and rules and the appellant did nothing that amounts to misconduct.
- C. That no charge sheet and show cause notice were communicated to the appellant.
- D. That exparte action has been taken against the appellant and he has been condemned unheard.
- E. That no inquiry was conducted to find out the true facts and circumstances.
- F. That the impugned order is void and not maintainable being passed with retrospective effect.
- G. That even otherwise the absence from duty was neither willful nor deliberate rather the same was because of circumstances compelling in nature and were beyond the control of the appellant as well.
- H. That the impugned order is not speaking order and thus not tenable in the eyes of law as per the numerous judgments of the Apex Court and as per Section 24 of the General Clauses Act.
- I. That the appellant was not provided the opportunity of personal hearing and the impugned order is defective as well.
- J. That the appellant did nothing that would amount to misconduct.

- 3 <

- K. That the appellant has more than 20 years of service with unblemished service record and is jobless since his illegal dismissal from service.
- L. That the appellant seeks the permission of this honorable tribunal for further/additional grounds at the time of arguments.

It is therefore prayed that appeal of the appellant may kindly be accepted as prayed for in the heading of the appeal.

Dated:-11-01-2019.

Through


Appellant


**Fazal Shah Mohmand
Advocate, Peshawar**

AFFIDAVIT

I, Muhammad Ghaffar S/O Gul Aziz Ex Constable No 606 District Police Swat, do hereby solemnly affirm and declare on oath that the contents of this **Appeal** are true and correct to the best of my knowledge and belief and nothing has been concealed from this honorable Tribunal.

Identified by


**Fazal Shah Mohmand
Advocate Peshawar**


DEPONENT

-4-

BEFORE THE SERVICE TRIBUNAL KPK PESHAWAR

Service Appeal No _____/2019

Muhammad Ghaffar.....Appellant

V E R S U S

DPO & others.....Respondents

Application for the condonation of delay if any.

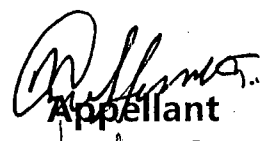
Respectfully submitted:-

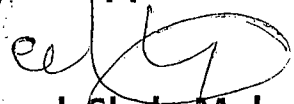
1. That the accompanying appeal is being filed today in which no date of hearing has been fixed so far.
2. That the grounds of appeal may be considered as integral Part of this application.
3. That the impugned order being passed with retrospective effect is void ab-initio, illegal and time factor becomes irrelevant in such cases and the appeal is as such within time.
4. That the law as well as the dictums of the superior Courts also favors decisions of cases on merit.

It is therefore prayed that on acceptance of this application, the delay if any in filing of appeal may kindly be condoned.

Dated:-11-01-2019.

Through

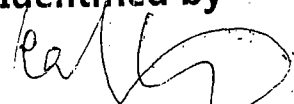

Appellant


Fazal Shah Mohmand,
Advocate, Peshawar

A F F I D A V I T

I, Muhammad Ghaffar S/O Gul Aziz Ex Constable No 606 District Police Swat, do hereby solemnly affirm and declare on oath that the contents of this **Application** are true and correct to the best of my knowledge and belief and nothing has been concealed from this honorable Tribunal.

Identified by


Fazal Shah Mohmand


DEPONENT

ابتدائی احداث نسبت جرم پیش دست اندازی پولیس رپورٹ شدہ زیر دفعہ 151 جو مضابطہ نوحداری

نمبر

ضلع

1487 تاریخ 28/12/25 وقت 15:25

رٹ	28/12/25 وقت 16:25	1165
عہدہ مستغنیث	محمد عمار 606	28/12/25
رٹ نامہ (حال اگر کچھ لیا گیا ہو۔)	353 - 324	
یقانہ سے اور دست	بازار سنگرن نو مدرین ڈوڈ بزد گرن چور	صاحبہ امجد علی
عہدہ مستغنیث	محمد عمار 606	
رٹ نامہ (حال اگر کچھ لیا گیا ہو۔)	353 - 324	
یقانہ سے اور دست	بازار سنگرن نو مدرین ڈوڈ بزد گرن چور	صاحبہ امجد علی
عہدہ مستغنیث	محمد عمار 606	
رٹ نامہ (حال اگر کچھ لیا گیا ہو۔)	353 - 324	
یقانہ سے اور دست	بازار سنگرن نو مدرین ڈوڈ بزد گرن چور	صاحبہ امجد علی

ابتدائی اطلاع نیچے درج کروں فرمایا گیا ہے جس سے حافل شاہ ایس پورہ
 پولیس سٹیشن سٹیٹو امینال 646 کو جون بکروڑیل کے مدد سے احمد احمادی صاحبہ
 ڈاکٹر کوی ریلوے سٹیشن آیا۔ سید سید کون محمد عمار 606 حقیقہ کو پر تا کو
 قریبیت بنا کر ڈیپٹ کر رہا ہے۔ سید سید کے گھر سے 837 - عمار ڈاکٹر ایس
 1223 حسب حکم والا حکام گرن چور کو لکھا ہے۔ اور کہہ چوٹے لکھا ہے
 نہ یہ انداز کرنے سے سلسلے میں تعویذ بھی ساتھ ساتھ بخش اسم، مسکن، مضمون، ڈاکٹر
 کی سبکی گالی سے باز رہیں لعل آر سید کے بارے میں مذکورہ کو یہ لکھی گئی گئی
 خود یہ مذکورہ نے اذکار اور شہادت کیا صحابہ کا لفظ "نہذرت" جو زور
 ہے نہ ان کے قتل وار کیا۔ جس سے میں اس کے بارے میں سہرنگ در میں رہ گیا
 ہوا ہے اور رہت گری کہ ہے والا نظام میں سے کے گرن چور کے جو وقت اختیار
 سے سب مذکورہ شخص برٹانڈ کو اس کے ساتھ ساتھ چاہے چاہے شخص ضمانت میں
 کہ کو یوٹیوٹا کے جاری قتل کے اس لیے میں نے اپنے حوالے سے ضمانت میں
 لیا ہے اور یہ سب چیزیں عمار کے پاس ہیں اور وہ سب لکھی اور گئی ہے
 رہ گیا کہے کا یہ خلاف میں ضررہ اسم، مسکن، مضمون، ڈاکٹر
 رکوہ، عمار کے ساتھ ایس پورہ کو جی عمار کے پاس سے جو عمار کے پاس
 سے لکھی ہے۔ جس کے بارے میں عمار کے پاس سے جو عمار کے پاس سے جو عمار کے پاس سے

Office No. 139 of
Date 14/4/08
Malakand Range Swat

FOR PUBLICATION IN THE NWFP. POLICE GAZETTE PART-II
ORDERS BY THE PROVINCIAL POLICE OFFICER NWFP, PESHAWAR.

NOTIFICATION.

Dated: 14/4/2008.

No. 7782 /E-II LEAVE EX-PAKISTAN: - LHC Ghaffar No. 606 of Swat
Police is hereby granted 1095 days leave Ex-Pakistan with the following format
from the date of availing under the Civil Servant Revised Leave Rules 1981.

i.	On full pay	=	120 days
ii.	on half pay	=	975 days
	Total	=	1095 days.

He is allowed to proceed abroad.

MALIK NAVEED KHAN
Provincial Police Officer,
NWFP, Peshawar.

No. 7783-85 /E-II Dated Peshawar the 14/4/2008.

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

Add: IGP/Investigation NWFP Peshawar with 2 spare copies for publication in
the NWFP Gazette part-II.

Deputy Inspector General of Police, Malakand Region Swat with reference to his
memo No. 1345/E dated: 03.04.2008. His Service Roll is returned herewith for
record in your office.

DPO/Swat

Attested
e/c

Khurshid Alam Khan
(KHURSHID ALAM KHAN)
Add: IGP/HQs.
For Provincial Police Officer,
NWFP, Peshawar.

Wt 1710 1506 21/4/08.

Copy along with Service
Roll of the same named
official is sent to DPT Swat

For M/A action
Encl: SR Roll

Khurshid Alam Khan
Deputy Inspector General of Police

Encl SR Roll

**FOR PUBLICATION; IN THE NWFP, POLICE GAZETTE PART-II
ORDERS BY THE PROVINCIAL POLICE OFFICER NWFP
PESHAWAR**

NOTIFICATION

Dated 14/4/2008

No. 7782/E-IT LEAVE EX-PAKISTAN – LHC Ghaffar No. 60b of Swat District Police is hereby granted 1095 days leave Ex-Pakistan with the following format from the date of availing the Civil Servant Revised Leave Rules, 1981

i.	On full pay	=	120 days
ii.	On bail pay	=	975 days
	<u>Total</u>	=	1095 days

He is allowed in proceed abroad.

MALIK NAVEED KHAN
Provincial Police Officer
NWFP Peshawar

No. 7783-85 / E-II/ Dated Peshawar the 14/4/2008.

Copy forwarded for information and necessary action to the: -

1. Addl: JGP/Investigation NWFP Peshawar with 2 spare copies for publication in the NWFP Gazette part-II.
2. Deputy Inspector General of Police, Malakand Region Swat with reference to his memo No. 1345/E dated: 03.04.2008. His service roll is returned herewith for record in your office.

DPO/Swat

(KHURSHID ALAM KHAN)
Addl: IGP/HQRs
For Provincial Police Officer
NWFP, Peshawar

-7- "C"

OFFICE OF THE DISTRICT POLICE OFFICER, SWAT

ORDER SHEET IN CONNECTION WITH ENQUIRY AGAINST
CONSTABLE GHAFFAR No. 606

ALLEGATION:-

That the Constable Ghaffar No. 606 of JIS Police Lines, Swat while proceeded on 3 years Ex-Pakistan leave, his report of arrival back was due on 22/04/2011 but instead he absented himself from duty vide DD No. 85 dated 23/04/2011 till to date, as per report of R/I JIS Police Lines, Swat dated 23/04/2011. DSP/Hqrs: Swat was appointed as Enquiry Officer to conduct departmental enquiry against him. Charge Sheet No. 165/E dated 07/05/2011 was issued to him. Final show cause Notice No. 165/E dated 10/06/2011.

RECOMMENDATION OF

ENQUIRY COMMITTEE:-

The Enquiry Officer DSP/Hqrs: Swat in his finding report dated 07/06/2011 has intimated that after expiry of 3-years Ex-Pakistan leave, the above named Constable was due to report back on 23/04/2011, but instead he is remained absent till to date. Final show cause Notice No. 168/E dated 10/06/2011 was also issued to him. Hence the Enquiry Officer recommended for major punishment i-e dismissal from service w-e-f the date of his absence.

o/s

E.C
16/06/2011

FINAL DECISION

BY DPO SWAT:-

Attested
col [Signature]

Siv
Submitted for f/o Rimal
pursuant to order please.

W DPO/Hqrs
Agreed [Signature]
OB. No. 130
20.6.11
17/6/11
60611

عنوان: رحم درخواست

آداب:-

بذریعہ درخواست ہذا معروض خدمت ہوں کہ سائیل محکمہ پولیس سوات میونسپلٹی کنشیل مورخہ یکم جنوری 1991ء کو بھرتی ہو کر ہیڈ کنشیل کے عہدہ پر ترقی یاب ہوا تھا۔ سائیل دیہہ آغل تحصیل مٹہ سوات کا باہ ہے۔ جو دہشت گردی کے سخت لپیٹ میں تھا۔ سائیل کو 2007ء میں علاقہ کے طالبان کمانڈران سے سخت خطرات لاحق تھے۔ اور روز قسم قسم کی دھمکیاں مل رہے تھے۔ یہاں تک کہ سائیل کے گھر کو طالبان کمانڈر عبدالرحمن نامی کیلئے خالی کرنے پر زور دے دیا تھا۔ جب سائیل نے ان سارے خطرات کا خیال نہ کرتے ہوئے اپنی ڈیوٹی سرانجام دے رہا تھا۔ سائیل مورخہ 28 دسمبر 2007ء کو ہمراہ نفری بس معمول کے مطابق مینگورہ بازار میں کرایوں کے نفاذ کے سلسلے میں ڈیوٹی پر تعینات تھا۔ کہ اسی دوران ایک دہشت گرد اسم و سکن نامہ معاملی سے بازار میں نکلا سائیل نے کئی بار مذکورہ کو نہ آنے کی نسبت آواز دی جس پر مذکورہ شخص نے اللہ اکبر اور شریعت یا شہادت کا نعرہ بلند کر کے سائیل پر پتھر سے با آرادہ قتل وار کیا جس کے نتیجے میں سائیل سر پر لگ کر شدید زخمی ہوا۔ جبکہ دیگر ساتھیوں کے مدد سے حملہ آور مذکورہ کوئی موقع پر مار ڈالا اور اُسکے دیگر ساتھی فرار ہو گئے جسکے نقل FIR ہمراہ لف ہے۔

اسکے بعد سائل اور سائل کے اہل خانہ کیلئے علاقے میں رہنا مشکل ہو گیا۔ بدیں جب ترک سکونت اختیار کر کے ڈاون خلیع میں چلے گئے۔ من سائل کو اسی دوران موت کی دھمکیاں مل رہے تھے۔ کیونکہ سائل کا گھر بھی ایسی جگہ پر تھا کہ آس پاس کے زیادہ تر لوگ طالبان تھے بدیں وجہ سے سائل نے 14/04/2008 کو بحوالہ منسلکہ آرڈر، مجاریہ جناب PPO صاحب، 1095 یوم ایکس پاکستان لیولے کر جان بچانے کے خاطر سعودی عرب چلا گیا۔ چونکہ سائل بہت غریب ہے اور انتہائی مقروض ہوا تھا۔ قرضہ اتارنے اور بیمار والدین، بچوں کے پیٹ پالنے کیلئے وہاں پر محنت مزدوری شروع کر کے محکمہ پولیس سے مورخہ 18/06/2011 کو منسلکہ آرڈر پر جناب DPO صاحب سوات نے درخواست کیا۔

لہذا بذریعہ درخواست استدعا ہے کہ سائل کے حال پر رحم کر انسانی ہمدردی کے بنیاد پر محکمہ پولیس میں بحال کیا جائے تاحیات دعا گور ہونگا۔

العارض

سابقہ ہیڈ کنشیل محمد غفار نمبر 606 محمد غفار

ساکن آغل برتھانہ مٹہ سوات

موبائل نمبر 03473979929

مورخہ 28/06/2018

Attested
e

WAKALAT NAMA

IN THE COURT OF Service Tribunal KP Pesh

M. Ghaffar

VERSUS

DPO in others

Accused/
Petitioner/
Appellant/
Plaintiff.

Respondent/
Defendant/
Complainant

FIR No. Dated: Police Station:
Charge U/s.

KNOW ALL to whom these presents shall come that I the undersigned appoint:

Fazal Shah Mohmand Advocate Supreme Court of Pakistan,
(herein after called the advocate) to be the Advocate for the Appellant in the above mentioned case, to do all the following acts, deeds and things or any of them, that is to say:

- 1) To act and plead in the above mentioned case in this court or any other Court in which the same may be tried or heard in the first instance or in appeal or review or execution or in any other stage of its progress until its final decision.
- 2) To sign, verify and present pleadings, appeals, cross - objections, petitions for execution, review, revision, withdrawal, compromise or other petition or affidavits or other documents as shall be deemed necessary or advisable for the prosecution of said case in all its stages.
- 3) To withdraw or compromise in the said case or submit to arbitration any difference or dispute that shall arise touching or in any manner relating to the said case.
- 4) To receive money and grant receipts therefore and to do all other acts and things which may be necessary to be done for the progress and the course of the prosecution of the said case.
- 5) To engage any other Legal practitioner authorizing him to exercise the power and authorities hereby conferred on the Advocate whenever he may think fit to do so.


AND I hereby agree to ratify whatever the Advocate or his substitute shall do in the promises.

AND I hereby agree not to hold the Advocate or its substitute responsible for the result of the said case and in consequence of his absence from the court when the said case is called up for hearing

AND I hereby that in the event of the whole or any part of the fee agreed by me to be paid to the Advocate remaining unpaid, He shall be entitled to withdraw from the prosecution of the said case until the same is paid.

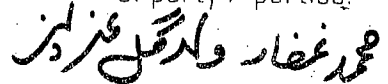
IN WITNESS WHEREOF I hereunto set my hand to these presents the contents of which have been explained to and understood by me, this _____ day of _____ 201__

Accepted By



Fazal Shah Mohmand,
Advocate Supreme Court of Pakistan

Signature / thumb impression
of party / parties.



محمد غفار ولد محمد عزیز

3
To

- 1) Superintendent of Police FRP, Malakand Range,
Malakand at Saidu Sharif Swat
- 2) Commandant FRP, KP Peshawar.
- 3) Inspector General of Police, KP, Peshawar

APPLICATION FOR IMPLEMENTATION
OF JUDGMENT OF THE HON'BLE
SERVICE TRIBUNAL, PESHAWAR
CAMP COURT SWAT DATED 07.12.2017
PASSED IN S.A.No.959/2016

Sir,

Please comply the order/ judgment dated 07.12.2017 passed by
Hon'ble Service Tribunal, Peshawar Camp Court Swat passed in
S.A.No.959/2016 in letter, spirit and obliged. (Certified copy attached).

That the instant application may kindly also be considered as my
arrival report.

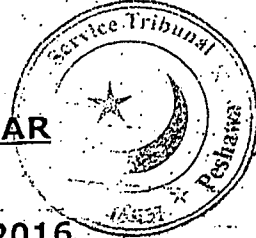
Applicant



Afzal Khan
S/O Mir Aslam Khan
R/o Islampur, Saidu Sharif Swat
Constable No.4767
Cell: 0348-0154647

Dated: 15.12.2017

BEFORE KPK SERVICE TRIBUNAL PESHAWAR



S.A No. 959 /2016

Afzal Khan S/o Mir Aslam Khan, R/o Islam Pur,
Saidu Sharif, Swat, Ex-Constable No. 4767, FRP
Platoon No. 83, PS Mingawar, Swat. Appellant

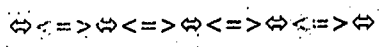
Khyber Pakhtukhwa
Service Tribunal

Versus

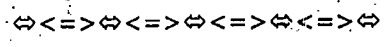
Diary No. 812

Dated 04-8-2016

1. Superintendent of Police FRP, Malakand Range, Malakand.
2. Commandant, FRP, KP, Peshawar.
3. Inspector General of Police, KP, Peshawar. Respondents



APPEAL U/S 4 OF SERVICE TRIBUNAL ACT, 1974 AGAINST
OB NO. 975/EC, DATED 28.08.2008 OF R. NO. 1, WHEREBY
APPELLANT WAS REMOVED FROM SERVICE FROM THE
DATE OF ABSENCE FROM DUTY OR OFFICE ORDER NO.
2359-60/EC, DATED 01.04.2013 OF R. NO. 2 WHEREBY
DEPARTMENTAL APPEAL OF APPELLANT WAS REJECTED
OR OFFICE ORDER NO. DATED 10.05.2016
OF R. NO. 3 WHEREBY REVISION/REVIEW/APPEAL WAS
REJECTED FOR NO LEGAL REASON.



Respectfully Sheweth:

ATTENDED
Khyber Pakhtukhwa
Service Tribunal,
Peshawar

1. That appellant was enlisted as Constable on 25.07.2007 and thereafter he was deputed to Baloch Regiment Centre, Abbottabad for training which was successfully completed and he was declared as passed.

That due to the deteriorated situation of the Swat valley, all most all Govt. functionaries were helpless, miscreants were ruling the area and the Govt. Servants were not only kidnapped but were also beheaded.

Filed to-day

Registrar

4/8/16

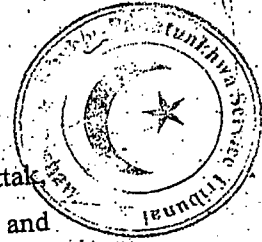
Re-submitted to -day
and filed.

[Signature]

959/2016

07.12.2017

Abzal Khan vs Govt



Counsel for the appellant and Mr. Kabeerullah Khattak
Addl. AG for respondents present. Arguments heard and
record perused.

This appeal is accepted as per our detailed judgment of
today in connected service appeal No. 957/2016 entitled
"Shoukat Ali Vs. Superintendent of Police, FRP Malakand
Region, Malakand and two others". Parties are left to bear
their own costs. File be consigned to the record room.

Announced
07.12.2017 *sd/- Chairman*
Comp Court Swat

sd/- Member

Certified to be true copy
[Signature]
K. M. ...
Sessions Judge,
Peshawar

Date of Presentation of *13-12-17*
Number of *800*
Copies *6*
Urgent *[initials]*
Total *[initials]*
Number *15-12-17*
Date of *15-12-17*
Date of *[initials]*

BEFORE THE KHYBER PAKHTUNKHWA SERVICE TRIBUNAL
CAMP COURT SWAT

Service Appeal No: 957/2016

Date of Institution... 04.08.2016

Date of decision... 07.12.2017



Shoukat Ali son of Muhammad Shafiq, R/O Kokari Mingora Swat Ex-Constable
No. 4741, FRP Platoon No. 83, P.S Mingora Swat. (Appellant)

Versus

1. Superintendent of Police, FRP Malakand Region, Malakand and two others.
..... (Respondents)

ARBAB SAIFUL KAMAL,
Advocate

For appellant.

MR. KABIRULLAH KHATTAK,
Addl-Advocate General

For respondents.

MR. NIAZ MUHAMMAD KHAN,
MR. MUHAMMAD HAMID MUGHAL,

CHAIRMAN
MEMBER

JUDGMENT

NIAZ MUHAMMAD KHAN, CHAIRMAN: - This judgment shall also
disposed of other connected appeals No. 697/2016 Muhammad Said, No.
958/2016 Fazal Yaseen, No. 959/2016 Afzal Khan, and No. 961/2016 Umar Ali
as in all the appeals common questions of law and facts are involved.

2. Arguments of the learned counsel for the parties heard and record perused.

FACTS

3. The appellant Shaukat Ali, Umar Ali and Afzal Khan were removed
from service on 28.08.2016, the appellant Fazal Yaseen was removed from

ATTESTED


EXAMINER

2

service on 02.02.2009 and the appellant Muhammad Saeed was removed from service on 21.09.2009. The appellants then filed departmental appeals belatedly which were rejected then the appellant also approached this Tribunal belatedly not within the stipulated time.

ARGUMENTS

4. The learned counsel for the appellants argued that the very orders of removal from service are void because all these orders have been given retrospective effect. That in view of judgment reported as 1985-SCMR-1178 no limitation shall run against void order.

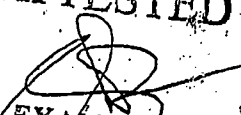
5. On the other hand the learned Addl. Advocate General argued that the departmental appeals are hopelessly time barred. That the revision within the meaning of Rule 11 -A of Khyber Pakhtunkhwa Police Rules, 1975 could not enlarge the period of limitation. That all the codal formalities were fulfilled by the department.

CONCLUSION

6. Regardless of other merits of the case it is an admitted position that all these orders have been given retrospective effect and in view of so many judgments delivered by this Tribunal on the basis of judgment reported in 1985-SCMR-1178 the retrospective order is a void order and no limitation shall run against void order.

7. Since no limitation runs against a void order, any successive appeals or revision would not curtail the rights of the appellants qua the limitation or in other

ATTESTED


EXAMINER
Khyber Pakhtunkhwa

ORDER

WHEREAS as per the approval of the Provincial Police Officer, Peshawar Pukhtunkhwa a Committee had been constituted vide this office No: 9871-77/E dated 16/11/2010, headed by DPO Swat to reconsider the cases of the personnel dismissed during militancy.

AND WHEREAS the Committee has, after thorough deliberations and scrutiny of the relevant record, submitted its findings vide No: 14732/E dated 29/11/2010 wherein 253 personnel have been recommended for reinstatement in service.

NOW THEREFORE as per the approval of the Provincial Police Officer, the following personnel recommended by the Committee are hereby reinstated in service with effect from the date of their dismissal. The period during which they remained out of service after dismissal and the period of their absence will be treated as leave without pay.

S.No.	Name and No.
1.	Ex-Constable Bahader Khan.No. 1322
2.	Ex-HC Mian Said Rehman.No.562
3.	Ex-Constable Muhammad Saeed No. 1543
4.	Ex-Constable Fida Hussain No. 751
5.	Ex-Constable Zia-u-din No.1581
6.	Ex-Constable Sami Ullah No. 103
7.	Ex-Constable Sadiq Akbar No. 340
8.	Ex-Constable Ayaz Ali No. 1482
9.	Ex-PASI Ijaz Ali No.315 (Shaheed Son)
10.	Ex-Constable Farman Ali No.757
11.	Ex-Constable Shafiullah No. 298
12.	Ex-Constable Sher Ali Khan No. 443
13.	Ex-Constable Sabir Hussain No. 1421
14.	Ex-Constable Sharafat Khan No. 776
15.	Ex-Constable Fazal Anwer No. 1091
16.	Ex-Constable Asmat Ali No. 1304
17.	Ex-Constable Niaz Muhd.No. 822
18.	Ex-Constable Abdul Wadod No. 151
19.	Ex-Constable Muhammad Shoaib No 112/RR
20.	Ex-Constable Shah Hussain No. 1257
21.	Ex-HC Abdul Wali Khan No. 378
22.	Ex-Constable Naseer-Un-din No.1415
23.	Ex-Constable Ajmal Khan No. 1524

24.	Ex-Constable Gul Faraz Khan No. 1512
25.	Ex-Constable Fazal Wadood No. 1238
26.	Ex-Constable Sultanat Khan No. 556
27.	Ex-Constable Fakht Nawab No. 141/RR
28.	Ex-Constable Faheed ullah No. 1043
29.	Ex-Constable Nasir Ali No. 1074
30.	Ex-Constable Zahoor Ahmad No. 1038
31.	Ex-Constable Saif Akbar No. 1118
32.	Ex-Constable Muhammad Ali No. 1850
33.	Ex-Constable Falak Zeb No. 887
34.	Ex-Constable Adalat Khan No. 1254
35.	Ex-Constable Malak Zada No. 953
36.	Ex-Constable Zahoor Ahmad No. 165/RR
37.	Ex-Constable Akhtar Ali No. 49
38.	Ex-Constable Shakir Hussain No. 290
39.	Ex-Constable Akbar Ali No. 1306
40.	Ex-Constable Akber Ali No. 1528
41.	Ex-Constable Zoor Muhammd Khan No. 549
42.	Ex-Constable Muhammad Alam No. 512
43.	Ex-Constable Amir Khatam No. 30
44.	Ex-Constable Naseer-ullah Khan No. 1428
45.	Ex-Constable Muhammad Zeb Khan No. 371
46.	Ex-Constable Hayat Muhd Khan No. 143
47.	Ex-Constable Subhan ullah No. 186/RR
48.	Ex-Constable Asad-ullah Jan No. 1226
49.	Ex-Constable Rasheed Khan No. 33/RR
50.	Ex-Constable Habib-ur- Rehman No. 205/RR
51.	Ex-Constable Abdullah No. 885
52.	Ex-Constable Niaz Ali Shah No. 130/RR
53.	Ex-Constable Sher Alam Khan No. 144/RR
54.	Ex-Constable Saif Mehmood Jan No. 615
55.	Ex-Constable Muhammad Shoaib No. 645
56.	Ex-Constable Ajab Khan No. 172
57.	Ex-Constable Tariq No. 1534
58.	Ex-Constable Karim Ullah Khan No. 608
59.	Ex-Constable Shafi Ullah No. 1506
60.	Ex-Constable Bashir Ahmad No. 1457
61.	Ex-Constable Izzat Mond No. 1244
62.	Ex-Constable Shehzada No. 364
63.	Ex-Constable Umar Zaib No. 1448
64.	Ex-Constable Majeed Khan No. 81

65.	Ex-Constable Shamsheer Khan No. 508
66.	Ex-Constable Sabz Ali Khan No. 1447
67.	Ex-Constable Baktawar Khan No. 1251
68.	Ex-Constable Bacha Wali No. 1434
69.	Ex-Constable Rasheed Ahmad No. 1791
70.	Ex-Constable Muhd Sher Ali Khan No. 463
71.	Ex-Constable Adalat Khan No. 275
72.	Ex-Constable Mian Said Parvez No. 752
73.	Ex-Constable Jahan Parvez No. 293
74.	Ex-Constable Rehmat Ali No. 927
75.	Ex-Constable Abdul Hameed No. 206
76.	Ex-Constable Bakht Ullah No. 92
77.	Ex-Constable Shokat Ali No. 1371
78.	Ex-Constable Zikriya No. 421
79.	Ex-Constable Zahir Ahmad No. 1450
80.	Ex-Constable Said Ahmad Khan No. 917
81.	Ex-Constable Bakht Zarin No. 1694
82.	Ex-Constable Riaz Muhammad No. 1467
83.	Ex-Constable Zahid Ullah No. 1394
84.	Ex-Constable Bakht Namroz No. 667
85.	Ex-Constable Mian Said Gul No. 344
86.	Ex-Constable Hidayat Ullah Khan No. 335
87.	Ex-Constable Umar Rehman No. 728
88.	Ex-Constable Gohar Ali No. 625
89.	Ex-Constable Said Azam No. 42/RR
90.	Ex-ASI Aman Khan
91.	Ex-Constable Najib Ullah No. 1481
92.	Ex-Constable Atta Ullah No. 1514
93.	Ex-Constable Feroz Khan No. 961
94.	Ex-Constable Ubaid Ullah No. 190
95.	Ex-Constable Akbar Bach No. 852
96.	Ex-Constable Sher Alam No. 996
97.	Ex-Constable Muhammad Ayaz No. 488
98.	Ex-Constable Anwar-ul-Haq No. 572
99.	Ex-Constable Muhammad Iqbal No. 369
100.	Ex-Constable Gohar Ali No. 642
101.	Ex-Constable Rizwan Ullah No. 1454
102.	Ex-Constable Yousaf Khan No. 350
103.	Ex-Constable Farooq No. 13
104.	Ex-Constable Muhammad Shoaib No. 1528
105.	Ex-Constable Ali Muhammad No. 1456

106.	Ex-Constable Mumtaz Ali No. 62
107.	Ex-Constable Shah Wali Khan No. 1502
108.	Ex-Constable Mian Khaliq Jan No. 383
109.	Ex-Constable Luqman Ali No. 95
110.	Ex-Constable Jehan Ali No. 195
111.	Ex-Constable Musharaf Khan No. 1113
112.	Ex-Constable Amir Muhammad No. 176/RR
113.	Ex-Constable Alam Khan No. 1078
114.	Ex-Constable Sher Shan No. 862
115.	Ex-Constable Amjid Ali No. 1044
116.	Ex-Constable Sher Ali Khan No. 1353
117.	Ex-Constable Iftikhar No. 564
118.	Ex-Constable Bakht Akbar No. 1288
119.	Ex-Constable Taj Muhd. No. 1111
120.	Ex-Constable Alam Badshah No. 1196
121.	Ex-Constable Liaqat Ali No. 225
122.	Ex-Constable Liaqat Ali No. 253
123.	Ex-Constable Azam Khan No. 1427
124.	Ex-Constable Habib Ullah No. 1446
125.	Ex-Constable Yar Badshah No. 933
126.	Ex-Constable Nadar Shah No. 468
127.	Ex-Constable Nazir Muhd No. 1379
128.	Ex-HC Asghar Khan No. 31
129.	Ex-Constable Ali Rasheed No. 1480
130.	Ex-Constable Fazal Rehman No. 784
131.	Ex-Constable Bakhtaj No. 1329
132.	Ex-Constable Ibrar Hussain No. 420
133.	Ex-Constable Zafar Alam No. 653
134.	Ex-Constable Muhd Rafiq No. 1633
135.	Ex-Constable Sajjad Khan No. 1518
136.	Ex-Constable Umar Khitab No. 1109
137.	Ex-Constable Ahmad Ali No. 1318
138.	Ex-Constable Rehmat Ali No. 175
139.	Ex-Constable Iqbal Hussain No. 1486
140.	Ex-Constable Rehmat Ullah No. 1466
141.	Ex-Constable Ayaz Ahmad No. 320
142.	Ex-Constable Sadiq No. 1470
143.	Ex-Constable Shafiq-ur-Rehman No. 851
144.	Ex-Constable Bashir Ahmad No. 1377
145.	Ex-Constable Liaqat Ali No. 1345
146.	Ex-Constable Aziz-ul-Hassan No. 1170

147.	Ex-Constable Zakir Hussain No. 308
148.	Ex-Constable Midrarullah No. 533
149.	Ex-Constable Muslim Khan No. 198/RR
150.	Ex-Constable Zafar Ali Shah No. 74
151.	Ex-Constable Najib Ullah Khan No. 1439
152.	Ex-Constable Rahim Khan No. 571
153.	Ex-Constable Azam Khan No. 45
154.	Ex-Constable Mian Said Bacha No. 1362
155.	Ex-Constable Hazrat Azam No. 1570
156.	Ex-Constable Irfan Ud Din No. 1549
157.	Ex-Constable Sher Hassan Khan No. 685
158.	Ex-Constable Muhd Rafiq No. 131/RR
159.	Ex-Constable Mian Said Farooq No. 333
160.	Ex-Constable Muhammad Tahir No. 1703
161.	Ex-Constable Bahadur Nawab Khan No. 1635
162.	Ex-Constable Amir Khan No. 1604
163.	Ex-Constable Sami Ullah No. 1588
164.	Ex-Constable Muhammad Qasim No. 1688
165.	Ex-Constable Muhd. Asif Khan No. 1393
166.	Ex-Constable Asmat Ali No. 1723
167.	Ex-Constable Farhad Ali No. 1761
168.	Ex-Constable Mian Said Ghani No. 1689
169.	Ex-Constable Inam Ullah No. 1145
170.	Ex-Constable Umar Farooq No. 1677
171.	Ex-Constable Israr Ahmad No. 1622
172.	Ex-Constable Amal Khan No. 1569
173.	Ex-Constable Rehmat Ali No. 496
174.	Ex-Constable Zara War No. 134
175.	Ex-Constable Anwar Ullah No. 1666
176.	Ex-Constable Bakht Karam No. 1800
177.	Ex-Constable Anwar Ali No. 1574
178.	Ex-Constable Aziz Ullah Khan No. 1591
179.	Ex-Constable Hazrat Bilal No. 1776
180.	Ex-Constable Farman Ali No. 217/RR
181.	Ex-Constable Muhd Alam Khan No. 1774
182.	Ex-Constable Asghar Mian No. 1720
183.	Ex-Constable Abdullah No. 1661
184.	Ex-Constable Mohammad Azim No. 971
185.	Ex-Constable Said Samiullah No. 1600
186.	Ex-Constable Samin Khan No. 1724
187.	Ex-Constable Salman Bashir No. 1575

188.	Ex-Constable Hayat Ali No. 1614
189.	Ex-Constable Liaqat Ali Khan No. 1414
190.	Ex-Constable Yaqub Khan No. 1601
191.	Ex-Constable Farman Ali No. 1069
192.	Ex-Constable Rehmat Zaib No. 1679
193.	Ex-Constable Fayaz Ali No. 914
194.	Ex-Constable Wali Ahmad No. 841
195.	Ex-Constable Barkat Ali Khan No. 190/RR
196.	Ex-Constable Nazir Mahmood No. 1771
197.	Ex-Constable Mohim Bacha No. 1608
198.	Ex-Constable Muhd. Kashif No. 1579
199.	Ex-Constable Nisar Ahmad No. 1565
200.	Ex-Constable Fazal Haq No. 1589
201.	Ex-Constable Ajab Khan No. 1553
202.	Ex-Constable Shah Ali Yar Khan No. 1645
203.	Ex-Constable Hazrat Ali No. 1797
204.	Ex-Constable Zia Ullah No. 104/RR
205.	Ex-Constable Naeem Iqbal No. 1716
206.	Ex-Constable Amjid Ali No. 1624
207.	Ex-Constable Farhad Ali No. 127
208.	Ex-Constable Hazrat Usman No. 1691
209.	Ex-Constable Umar Zaman No. 160/RR
210.	Ex-Constable Zafar Ali No. 159
211.	Ex-Constable Saeed Ullah No. 1513
212.	Ex-Constable Sher Bahadar Shah No. 211/RR
213.	Ex-Constable Arif Ali Shah No. 828
214.	Ex-Constable Fazal Ahad No. 1647
215.	Ex-Constable Abdur Rehman No. 1607
216.	Ex-Constable Muhammad Ikram No. 240
217.	Ex-Constable Inayat Ullah No. 1665
218.	Ex-Constable Sajid Ullah No. 1672
219.	Ex-Constable Karim Ullah No. 1788
220.	Ex-Constable Umar Muhammad No. 1361
221.	Ex-Constable Nawab Rehman No. 1664
222.	Ex-Constable Zai Ullah Khan No. 9/RR
223.	Ex-Constable Qayum Khan No. 1586
224.	Ex-Constable Imran Ali No. 531
225.	Ex-Constable Nasir Ali No. 1623
226.	Ex-Constable Riaz Ali No. 1559
227.	Ex-Constable Haider Ali No. 1667
228.	Ex-Constable Badshah Muhammad No. 142/RR

ORDER

WHEREAS as per the approval of the Provincial Police Officer, Khyber Pukhtoonkhwa, Peshawar, a committee had been constituted vide this No.9871-77/E, dated 16/11/2010, headed by DPO, Swat to reconsider the cases of the personnel dismissed during militancy.

AND WHEREAS the committee has, after thorough deliberations and scrutiny of the relevant record, submitted its findings Memo: No.267/E, dated 06/01/2011 wherein 20 personnel have been recommended for re-instatement in service.

NOW THEREFORE as per the approval of the Provincial Police Officer, Khyber Pukhtoonkhwa, Peshawar the following personnel recommended by the committee are hereby reinstated in service with effect from the date of their dismissal. The period during which they remained out of service after dismissal and the period of their absence will be treated as leave without pay:-

S/No	Name and No.	
1.	Ex-Constable Mohammad Ilyas No.1259	
2.	Ex-Constable Shamsur Rehman No.1781	2159
3.	Ex-Constable Opaidullah No.1662	
4.	Ex-Constable Asadullah No.91/RR.	
5.	Ex-Constable Rehmat Khan No.1768	
6.	Ex-Constable Gher Zada No.1695	1500
7.	Ex-Constable Wahidur Rehman No.1309	3015
8. ✓	Ex-Constable Mohib Shah No.693	4376
9. ✓	Ex-Constable Muhammad Jamal No.139/RR.	317
10.	Ex-Constable Bakht Baidar No.34/RR.	
11.	Ex-Constable Mohammad Zakria No.1518	
12.	Ex-Constable Liaqat Ali No.1536	
13.	Ex-Constable Mohammad Rehman No.56	21
14.	Ex-Head Constable Mohammad No.407	3176
15. ✓	Ex-Constable Mir Hassan Khan No.1171	33
16.	Ex-Constable Sahib Kamal No.117	
17. ✓	Ex-Constable Ikromuddin No.1195	317
18.	Ex-Constable Hazrat Ali No.321	3170
19.	Ex-Constable Faizullah No.1253	
20.	Ex-Constable Abdul Samad No.478	3022

(QAZI JAMILUR RAHMAN)
 Deputy Inspector General of Police,
 Malakand Region, Saidu Sharif, Swat.

No. 605-6 /E, Dated 18/01/2011.

Copy for information and necessary action with reference to this order sent to:-

1. Provincial Police Officer, Khyber Pukhtoonkhwa, Peshawar.
2. District Police Officer, Swat with reference to his office Memo: No.267/E, dated 06/01/2011

DR No. 1A
 21.1.11

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Monday, 24 Oct 2022**BENCH - IV****MR. JUSTICE IJAZ UL AHSAN
MR. JUSTICE MUNIB AKHTAR
MR. JUSTICE SAYYED MAZAHAR ALI AKBAR NAQVI****Monday, 24-Oct-2022**

1	C.P.13-Q/2020 (Suit for Declaration / Permanent Injunction) (T.B) (S.J.) (Video Link)	Abdur Rehman and others v. Khair Muhammad and others	Mr. Gohar Yaqoob Yousof Zai, AOR(Qta) (Ear#2118) Mr. S. Mumtaz H. Baqvi, ASC (Ear#2116)	(Qta)
2	C.P.63-Q/2020 (Suit for Declaration / Permanent Injunction) (T.B) (S.J.) (Video Link)	Muhammad Hashim and others v. Laif and others	Mr. Gohar Yaqoob Yousof Zai, AOR(Qta) (Ear#2118) Mr. Muhammad Mahmood Nadiq, ASC (Ear#3648)	(Qta)
3	C.P.92-Q/2020 (Suit for Declaration / Permanent Injunction) (S.J.) (Video Link) (T.B)	Jahangir Khan and others v. Baland Khan and others	Mr. Gohar Yaqoob Yousof Zai, AOR(Qta) (Ear#2118) Mr. Abdulrah Khan Najar, ASC (Ear#2843)	(Qta)
4	C.R.P.111/2020 in C.P.1324/2015 (Writ Petition / Others) [1] Jaz ul Ahsan, J+2 [2] Yasin Afridi, J [3] Qazi Faiz Ess, J (D.B.) (C.O.)	Haji Aman Ullah v. Tehsil Municipal Administration thr. T.M.C. Hanga & others	Haji Muhammad Zahir Shah, AOR (Pesh) (Ear#186) Mr. Abdul Latif, ASC (Ear#1855) Mr. Mir Adam Khan, AOR (Ear#185) Mr. Afshar Khan, ASC (Ear#3496)	(Pesh)
5	C.A.1065/2013 (Writ Petition/Others) (Against Interim Order) (D.B.)	Secretary Govt. of Khyber Pakhtunkhwa Home & Tribal Affairs, Department, Peshawar & another v. Sh. Riffat Hina, Probation Officer, DI Khan & others	Addl. Advocate General Khyber Pakhtunkhwa Shim Saadullah Jandali, AOR (Ear#241) R - In Person R - Notice Syed Rifaqat Hussain Shah, AOR (Ear#239) Mr. Shahid Mahmood Khokhar, AS(Dtd) (Ear#4858)	(Pesh)
6	C.P.204-P/2018 (Suit for Declaration / Ownership) (S.J.) (C.O.) and(2) C.P.1122/2018 (Suit for Declaration) (S.J.) and(3) C.P.1223/2018 (Suit for Declaration) (S.J.) and(4) C.P.1229/2018 (Suit for Declaration) (S.J.)	Sher Zaman and others v. Muhammad Aizal (decd) through L.Rs. and others Muhammad Aizal (decd) thr. L.Rs v. Taleezar (decd) thr. L.RS & others Muhammad Aizal decd. thr. L.Rs v. Sher Zaman and others Muhammad Aizal (decd) thr. L.Rs v. Sher Aslam (decd) thr. L.Rs & others	Haji Muhammad Zahir Shah, AOR (Pesh) (Ear#186) Mr. Muhammad Arshad Yousof Zai, (Pesh) ASC (Ear#3939) R - Notice Syed Rifaqat Hussain Shah, AOR (Ear#239) Mr. Ziaur Rehman Khan, ASC (Ear#2699) R - Notice Syed Rifaqat Hussain Shah, AOR (Ear#239) Mr. Ziaur Rehman Khan, ASC (Ear#2699) R - Notice Syed Rifaqat Hussain Shah, AOR (Ear#239) Mr. Ziaur Rehman Khan, ASC (Ear#2699) R - Notice	(Pesh) (Pesh) (Rwp) (Pesh) (Rwp) (Pesh) (Rwp) (Pesh)

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7	C.P.3853/2021 (Suit for Possession) (S.J.) (E.H)	Gul Sherero and others v. Syed Bahadar and others	Mr. Muhammad Sharif Janjua, AOR(Rwp) (Ear#254) Mr. Shm Iqbal Hussain, ASC (Ear#3785)	(Rwp)
8	Cy.P.1246/2021			

(D.B.)
(C.O.)

Mr. M. S. Khattak, AOR (Ear#1178) (Rwp)
Mr. Khurram Mumtaz Hashmi, ASQ (Ihd)
(Ear#4278)
Mr. Anwar Kamal Sr. ASC (Lhr)
(Ear#333)

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and(2) C.A.2615/2016 (Soli for Declaration) (D.B.)	Abdul Jawad Qureshi & another v. Maghreb Development Corporation (Pvt) Ltd & others	Choudhry Akhtar AU, AOR (Rwp) (Ear#954) Mr. Haroon-ur-Rashid, ASC (Lhr) (Ear#3148) Syed Ali Zafar, ASC (Ear#5144) (Lhr) Majid Muhammad Qayyum, Sr. ASQ(Lhr) (Ear#265) R Ex-Parte Miss Ghulam Hussain, AOR (Lhr) (Ear#228) Mr. M. S. Khattak, AOR (Ear#1178) (Rwp) Mr. Tariq Aziz, AOR (Ear#248) (Rwp) Mr. Asim Hafeez, ASC (Ear#4873) (Lhr) Mr. Khurram Mumtaz Hashmi, ASQ(Ihd) (Ear#4278) Mr. Majid AU Wajid, ASC (Lhr) (Ear#4614) Mr. Muhammad Asad Manzoor But(Lhr) ASC (Ear#3469) Mr. Anwar Kamal Sr. ASC (Lhr) (Ear#333)
and(3) C.M.A.3764/2018 in C.A.2615/2016 (Settling Aside Ex-Parte Order)	Abdul Jawad Qureshi & another v. Maghreb Development Corporation (Pvt) Ltd & others	Mr. M. S. Khattak, AOR (Ear#1178) (Rwp) Mr. Anwar Kamal Sr. ASC (Lhr) (Ear#333) R Ex-Parte Miss Ghulam Hussain, AOR (Lhr) (Ear#228) Mr. Tariq Aziz, AOR (Ear#248) (Rwp) Syed Rifaqat Hussain Shah, AOR (Rwp) (Ear#237) Mr. Khurram Mumtaz Hashmi, ASQ(Ihd) (Ear#4278) Mr. Majid AU Wajid, ASC (Lhr) (Ear#4614) Mr. Muhammad Asad Manzoor But(Lhr) ASC (Ear#3469)

6 C.A.48-P/2020 (Service/Appointments) (D.B.) (C.O.) [Mr. Justice Yahya Afridi]	Govt of Khyber Pakhtunkhwa through Secretary Elementary & Secondary Education Peshawar & another v. Miss Tanzeela Nisar & others	Advocate General, Khyber Pakhtunkhwa Miss Saadullah Jandali, AOR (Pesh) (Ear#241) R - In Person R - Notice Mr. Muhammad Tariq Khan, AOR (Pesh) (Ear#279) Mr. Shah Nohud, ASC (Pesh) (Ear#455)
and(2) C.A.49-P/2020 (Service/Appointments) (D.B.) [Mr. Justice Yahya Afridi]	Govt of Khyber Pakhtunkhwa through Secretary Elementary & Secondary Education Peshawar & others v. Md. Ghulam Sabina & others	Advocate General, Khyber Pakhtunkhwa Miss Saadullah Jandali, AOR (Pesh) (Ear#241) R - Notice
and(3) C.A.50-P/2020 (Service/Appointments) (D.B.) [Mr. Justice Yahya Afridi]	Govt of Khyber Pakhtunkhwa through Secretary Elementary & Secondary Education Peshawar & others v. Arshad Khan & another	Advocate General, Khyber Pakhtunkhwa Miss Saadullah Jandali, AOR (Pesh) (Ear#241) R - Notice
and(4) C.A.51-P/2020 (Service/Appointments) (D.B.) [Mr. Justice Yahya Afridi]	Govt of Khyber Pakhtunkhwa through Secretary Elementary & Secondary Education Peshawar & others v. Irfan Ahmad & another	Advocate General, Khyber Pakhtunkhwa Miss Saadullah Jandali, AOR (Pesh) (Ear#241) R - Notice
and(5) C.A.52-P/2020 (Service/Appointments) (D.B.) [Mr. Justice Yahya Afridi]	Director Elementary & Secondary Education, K.P. Peshawar & another v. Miss Miraj Bibi and others	Advocate General, Khyber Pakhtunkhwa Miss Saadullah Jandali, AOR (Pesh) (Ear#241) R - Notice Haji Muhammad Zahid Shah, AOR (Pesh) (Ear#184) Mr. Nishkintu AR, ASC (Ear#4817) (Pesh)

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and(6) C.P.182-P/2017 (Service/Appointments) (D.B.)	Govt. of K.P. through Secretary (E & S) Education, Peshawar & others v. Shah Muhammad Siddiq & others	Advocate General, Khyber Pakhtunkhwa Miss Saadullah Jandali, AOR (Pesh)
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