

20.07.2022

Appellant in person present. Mr. Shamraiz Khan, ASI alongwith Mr. Naseer-ud-Din Shah, Assistant Advocate General for the respondents present.

Para-wise comments on behalf of respondents submitted, copy of which handed over to the appellant. Adjourned. To come up for rejoinder, if any, as well as arguments on 21.09.2022 before the D.B at Camp Court Abbottabad.



(Salah-Ud-Din)  
Member (J)

Camp Court Abbottabad

21<sup>st</sup> Sept 2022

Counsel for the appellant present. Mr. Muhammad Jan, District Attorney for the respondents present.

Learned counsel for the appellant seeks adjournment on the ground that similar nature of appeal has been fixed for arguments on 15.11.2022, therefore, the same may also be clubbed with the said appeal. To come up for arguments on 15.11.2022 before D.B at camp court Abbottabad alongwith the connected appeal.



(Fareeha Paul)  
Member (Executive)



(Kalim Arshad Khan)  
Chairman  
Camp Court Abbottabad

02.12.2021

Mr. Zulfiqar Ahmed, Advocate, for the appellant present.  
Preliminary arguments heard.

Appellant Deposited  
Security & Process Fee

*[Handwritten signature]*  
8/12/21

Points raised need consideration, therefore, the appeal is admitted to regular hearing subject to all legal objections. The appellant is directed to deposit security and process fee within 10 days, where-after notices be issued to the respondents for submission of written reply/comments before the S.B on 20.01.2022 at Camp Court Abbottabad.

*[Handwritten signature]*

(Salah-Ud-Din)  
Member (J)  
Camp Court Abbottabad

20.01.2022

Appellant in person present. Mr. Shamraiz, ASI alongwith Mr. Kabirullah Khattak, Additional Advocate General for the respondents present and sought time for submission of written reply/comments. Adjourned. To come up for written reply/comments on 16.02.2022 before the S.B at Camp Court Abbottabad.

*[Handwritten signature]*

(Salah-ud-Din)  
Member (J)  
Camp Court A/Abad

16.2.22

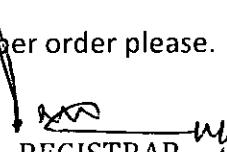
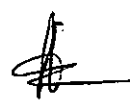
Due to Retirement of worthy chair-man the Tribunal Non Functional to come up for the same on Dated. 20-7-22 at camp court A.Abad

*[Handwritten signature]*  
Reader

Form- A  
FORM OF ORDER SHEET

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


Case No. 7620 /2021

S.No.	Date of order Proceedings	Order or other proceedings with signature of judge or Magistrate
1	2	3
1	20.10.2021	<p>The present appeal was submitted on 03/06/2020 by Mr. Zulfiqar Ahmed Advocate. So many times the appeal was returned to the learned counsel for its completion but every time appeal was resubmitted incomplete, lastly the same was returned on 08.12.2020 giving 15 days time for completion of the appeal which was required to be resubmitted on 23.12.2020. But today i.e on 20.10.2021 counsel for the appellant resubmitted the same by registered post late by 301 days. The same 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</p> <p>This case is entrusted to Touring S. Bench at Abbottabad. Notices be issued to appellant/counsel for preliminary hearing to be put up there on <u>02/12/21</u>.</p> <p style="text-align: right;"> CHAIRMAN</p>

Objections no. 4&5 are still stand and all the annexures of the appeal are unattested therefore, the appeal in hand is returned again to the counsel for the appellant for completion and resubmission within 15 days

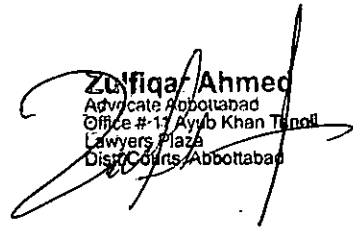
No. 4007 /S.T,

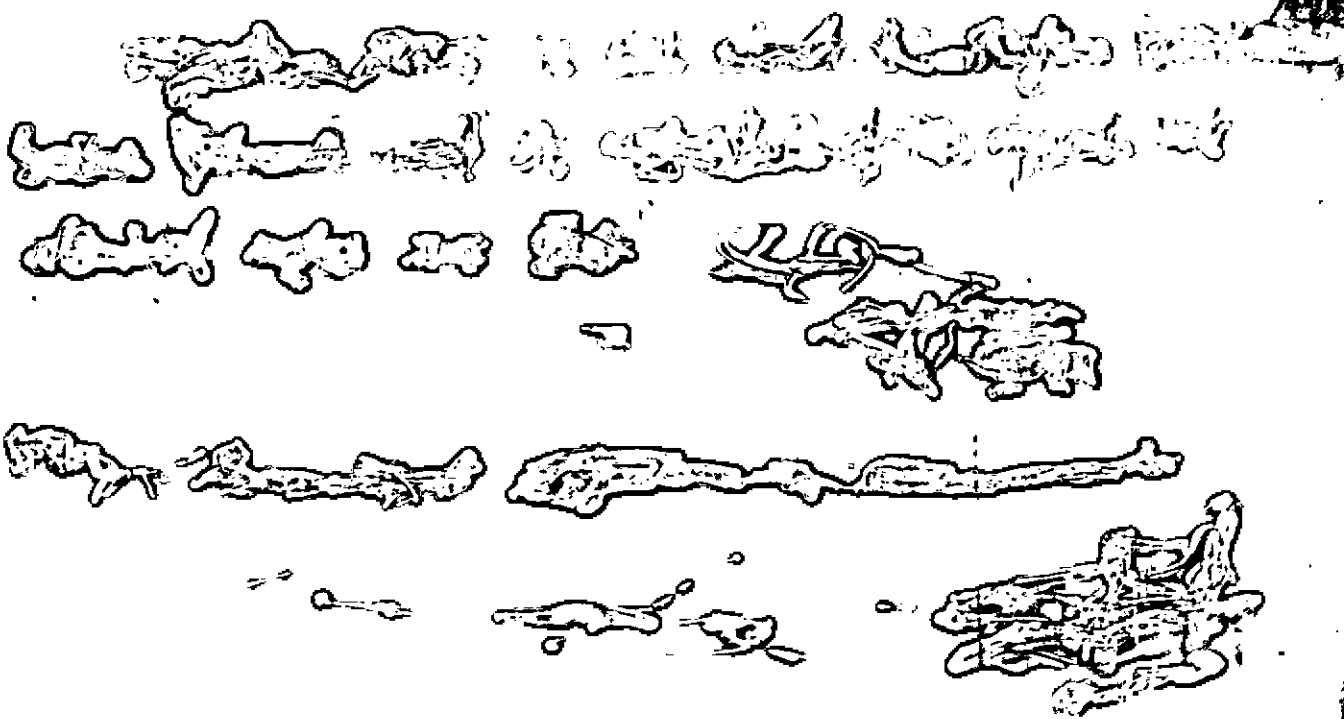
Dt. 08/12/2020

  
REGISTRAR  
SERVICE TRIBUNAL  
KHYBER PAKHTUNKHWA  
PESHAWAR.

Mr. Zulfiqar Ahmad Adv.  
High Court A.Abad.

Sir i received the file on 9-10-2021  
The objection is removed today submitted  
file.

  
Zulfiqar Ahmed  
Advocate Abbottabad  
Office #-17 Ayub Khan Tinnol  
Lawyers Plaza  
Distt Courts, Abbottabad




The appeal of Mr. Ahmad Waqas ex-constable no. 1061 district police A.Abad received today i.e. on 03.06.2020 is incomplete on the following score which is returned to the counsel for the appellant for completion and resubmission within 15 days.

- 1- Memorandum of appeal is unsigned which may be got signed.
- 2- Documents referred to in the memo of appeal annexures-A to S are not attached with the appeal which may be placed on it.
- 3- Appeal may be page marked according to the index.
- 4- Wakalat nama in favor of appellant with contact number be placed on file.
- 5- Six more copies/sets of the appeal along with annexures i.e complete in all respect may also be submitted with the appeal in file covers.

No. 1199 /S.T.

Dt. 03-06 /2020.


  
REGISTRAR  
SERVICE TRIBUNAL  
KHYBER PAKHTUNKHWA  
PESHAWAR.

Mr.Zulfiqar Ahmad Adv. A.Abad.  
High Court Abbottabad.

Sir  
Filing Time may be allowed

~~To be seen~~ objection Filing time may be allowed  
objection no. 1 to 5 are still stand. The appeal is returned again to the counsel for the appellant for completion & re-submission within 15 day.

Sir,  
As per direction all the objection above mentioned have removed.

  
Adv  
H/C

3/9/2020

7620/2021

**BEFORE THE SERVICE TRIBUNAL KHYBER PUKHTUNKHWA**  
**PESHAWAR**

Ahmed Waqas S/O Muhammad Siddique R/O Mohallah Muhammad Zai,  
Nawanshehr Teshsil and District Abbottabad Ex. Constable # 1061  
District Abbottabad.

... APPELLANT

VERSUS

1. Government of KPK through Secretary home and TAs Department Peshawar.
2. Regional Police Officer, Hazara Region, Abbottabad.
3. District Police Officer Abbottabad.
4. Additional SP/ Inquiry Officer Police Lines Abbottabad.

...RESPONDENTS

**SERVICE APPEAL**  
**INDEX**

S. No.	Description	Annexure	Pages
1	Service Appeal with affidavit		1 To 9
2	Copy of service Card	"A"	10
3	Copy of report serial No. 18 in DD dated 22/04/201	"B"	11
4	Copy of report of Nawanshehr Police sent to high ups	"C"	12 To 13
5	Copy of the document excoriating the police officer	"D"	14
6	Copy of disciplinary action and charge sheet	"E" & "F"	15 to 16
7	Copy of reply the charge sheet and statement of allegation	"G"	17
8	Copy of inquiry report of respondent No. 4 and order on it of respondent No. 2	"H"	18 To 19
9	Copy of final show cause notice	"I"	20 To 21
10	Copy of reply of final show cause notice	"J"	22
11	Copy of impugned order dated 29/08/2014	"K"	23 To 25
12	Copy of order of respondent NO. 2 dated 26/11/2014	"L"	26
13	Attested copy of service appeal and order dated 17/09/2019	"M"	27 To 34
14	Copy of reinstated order, afresh final show cause notice and reply there to	"N", "O" & "P"	35 To 39
15	Copy of impugned order dated 20/12/2019	"Q"	40
16	Copy of departmental appeal and order of respondent No. 3 dated 19/03/2020	"R" & "S"	41 To 42
17	Wakalatnama	"T"	43

Dated 4/ 05/ 2020

..... APPELLANT  
Through

(ZULFIQAR AHMED)  
Advocate High Court Abbottabad

**BEFORE THE SERVICE TRIBUNAL KHYBER PUKHTUNKHWA**  
**PESHAWAR**

Khyber Pakhtunkhwa  
Service Tribunal

7620/2021

Diary No. 4652

Dated 03/06/2020

Ahmed Waqas S/O Muhammad Siddique R/O Mohallah Muhammad  
Zai, Nawanshehr Teshsil and District Abbottabad Ex. Constable #  
1061 District Abbottabad.

... APPELLANT

VERSUS

1. Government of KPK through Secretary home and TAs  
Department Peshawar.
2. Regional Police Officer, Hazara Region, Abbottabad.
3. District Police Officer Abbottabad.
4. Additional SP/ Inquiry Officer Police Lines Abbottabad.

...RESPONDENTS

Filed to-day

Registrar

03/06/2020

=====

APPEAL UNDER SECTION 4 OF KPK SERVICE  
TRIBUNAL ACT 1974 AGAINST THE ORDER OF  
RESPONDENT # 3 DATED 20/12/2019 WHEREBY THE  
PETITIONER WAS REMOVED FROM THE SERVICE AND  
THE ORDER PASSED BY RESPONDENT # 2 ON  
REPRESENTATION AGAINST THE ORDER OF  
RESPONDENT # 3 REJECTING THE SAME IS WITHOUT  
ANY PLAUSABLE EXPLANATION ILLEGAL, VOID  
WITHOUT LAWFUL AUTHORITY, WITHOUT  
JURISDICTION AND SAME IS NOT TENABLE IN THE  
EYES OF LAW AND ARE LIABLE TO BE SET ASIDE.

-----

**PRAYER:-** ON ACCEPTANCE OF INSTANT APPEAL THE  
ORDERS OF RESPONDENTS NO 2 AND 3 MAY KINDLY  
BE SET ASIDE AND THE PENALTY IMPOSED UPON  
THE APPELLANT MAY ALSO BE SET ASIDE AND ANY  
FURTHER PROCEEDINGS IN CONSEQUENCE OF  
IMPUGNED ORDERS MAY ALSO BE SET ASIDE BEING  
UNLAWFUL AND AGAINST THE SETTLED NORMS OF  
JUSTICE.

-----

Respectfully Sheweth; -

The facts giving rise to the instant appeal are arrayed as under.

FACTS:-

1. That the appellant was appointed in the police department as constable on 21/01/2008, and has unblemished service record. (Copy of service card is attached as annexure "A").
2. That on the eventful day the appellant was detailed for petrol duty at Illyasi Mosque from the incharge Guard duty.
3. That the three army men came into the tent of the guard and informed us that a boy and a girl are busy in objectionable acts and they desired that they should be asked and interrogated.
4. That we the petrol duty members found that person in a hidden place behind a big stone and asked for his identity. He discloses his name as Arslan S/O Javaid R/O Kunj Jadeed Abbottabad and became annoyed over such query and treating the police party for dire consequences and went away.
5. That later on we were informed that he had lodged some report in P.S Nawanshehr vide serial # 18 of daily diary dated 22/4/2014 stating there in that he was on a visit to Illaysi Mosque along with his fiancé, when stopped by a uniform constable along with two others whom he could identify, searched him, beaten him and took a sum of rupees 2000/- from him as well as twenty two hundred and golden ring from his fiancé, also his mobile QX6 along with SIM # 0311-1632282 was also taken by them. (Copy of his report is attached as annexure "B").
6. That copy of the above report was sent by the Nawanshehr Police



- compromised between the complainant Arslan and the delinquent police officers. It was how over recommended departmental action against the appellant and other two constables. (Copy of the report of Nawanshehr Police is attached as annexure "C").
7. That the complainant Arslan in the presence of witness Zaheer Khan S/O Khushal Khan had given written statement given to the police at Nawanshehr that he has lodged the report on the basis of some misunderstanding and that he requested not to take any action against the police officers. He further clarified that the police constables had not taken from them any money, Mobile or ring, therefore he requested to file his report. As the token of his correctness he signed it giving his mobile numbers besides it was also attested by witness Zaheer Khan S/O Khushal Khan. (Copy of the document excoriating the police officer from any offence is attached as annexure "D").
8. That on the basis of annexure "C", the Respondent # 2 initiated disciplinary action under Police Rule 1975, against the appellant by issuing him statement of allegation and charge sheet and also appointed Shams ul Rehman Additional SP Respondent # 4 as inquiry officer. (Copy of disciplinary action and charge sheet is attached as annexure "E" and "F").
9. That the appellant replied the charge sheet and the statement of allegation explaining every corner of the case and requested that it be filed having no substance. (Copy of reply is attached as annexure "G").
10. That the inquiry officer Respondent # 4 submitted his findings to the Respondent # 2, where upon it was ordered to issue Final Show Cause notice. (Copy of inquiry report of Respondent # 4

and order on it of Respondent # 2 is attached as annexure "H").

11. Consequent upon the above Final Show Cause notice was served on the appellant along with the grounds of action which was replied properly. (Copy of Final Show cause notice is attached as annexure "I").
12. That in the reply to final show cause notice that the appellant had clearly negated the report lodged by Arslan, the complainant and he also admitted during former inquiry by the SHO his charges were proved false and on the basis of which he gave his written statement to withdraw the charges mentioning that on the basis of some misunderstanding he had made the report. At that moment witness Zaheer Khan S/O Khushal Khan was also present who signed his deed written to this effect in presence of Raja Mumtaz SI, Mohammad Ilyas Madad Muharrar and Mr. Nazak Muharrar. In the reply the appellant prayed to withdraw the show cause notice. (Copy of reply to final show cause notice is attached to as annexure "J").
13. That on 29/8/2014 Respondent # 3 passed the impugned order vide OB # 228 dated 29/8/2014 under Police E & D Rules 1975 and awarded major punishment from dismissal from service with immediate effect. (Attested copy of the impugned order is attached as annexure "K").
14. That against the order of Respondent # 3, the appellant preferred departmental appeal. Which was not considered by Respondent # 2 and filed it on 26/11/2014 but the copy of same was handed over to the appellant on 16/3/2015. (Copy of the order of Respondent # 2 is attached as annexure "L").

15. That after that appellant filed an service appeal before this Honorable tribunal which was disposed off with direction issued to the respondents to provide a copy of inquiry report to the appellant while issuing the final show cause afresh within a period not longer than sixty days after the copy of receipt of judgment in the office. (Copy of service appeal and order dated 17/09/2019 are attached as annexure "M").
16. That as per direction of this Honourable tribunal the respondent's department reinstated the appellant on service and during proceedings respondent No. 3 issued a final show cause notice to the appellant which was properly replied, In reply the appellant prayed to withdraw the final show cause notice explaining certain reasons. (Copy of reinstated order, final show cause notice and reply thereto are attached as annexure "N", "O" & "P").
17. That on 20/12/2019 Respondent # 2 again passed the impugned order vide OB # 284 dated 20/12/2019 under Police Disciplinary Rules 1975 and again awarded major punishment of removal from service with immediate effect and the copy of same was handed over to appellant on 02/01/2020. (Copy of the impugned order dated 20/12/2019 is attached as annexure "Q").
18. That against the order of Respondent # 2, the appellant preferred departmental appeal. Which was not considered by Respondent # 3 and rejected it on 19/03/2020 by filing it and the copy of same was handed over to the appellant on 30/04/2020. (Copy of the departmental appeal and order of Respondent # 3 is attached as annexure "R" & "S").
- That the impugned orders of respondent # 2 & 3 are liable to be

GROUNDS:

- a) That the the action of respondents is based on mala fide intention from the very beginning as they intentionally converted and almost finalized matter in the shape of compromise into that of dismissal of the appellant from service as the then inquiry officer intentionally had overlooked the statement of so called complainant of the case who had failed to substantiate his allegations before any forum. The order earlier passed was mala fide based which was challenged in this Honourable tribunal and the Honourable tribunal was pleased to reinstate the appellant in service after providing copy of inquiry report as well as show cause notice.
- b) That the mala fide of the respondents is still not ended up as the very order of the provisionary reinstatement in service dated 19/11/2019 itself depicts violation of the relevant portion of judgment of this Honourable Tribunal dated 17/09/2019 at page No. 5 whereby it was specifically ordered that copy of inquiry report be provided while issuing final show cause notice afresh but the order of the DPO, Abbottabad on the other hand relates to the issuing of final show cause notice only which amounts to depriving the appellant from offering his defense as compared to the findings given in the inquiry report.
- c) That had any impartial inquiry conducted; the matter would not have been resulted into dismissal of the appellant as the complainant himself had admitted in his early statement that the report was lodged on some mis understanding.
- b) That the District Police Officer Respondent # 2 while awarding

major punishment has failed to appreciate the fact that I was not involved in the case but was arrayed in the matter which initially was cleared when the Police at Nawanshehr initially probed the matter where the complainant clarified that it was a misunderstanding based report and that nothing valuable was taken by any of the police constables by him. Therefore any such order based on misreading and no reading of the facts and evidence clearly suggest it to be an order against law, facts and circumstances of the case hence not tenable under the law and needs to be reversed.

- d) That the RPO Respondent # 3 also did not take in to consideration the true facts and relied on the controversial inquiry report and order based on surmises and conjectures, therefore the dismissal of appeal also amounts an order passed illegally without jurisdiction and tenable under the law.
- c) That the charge of involvement in the case made basis for dismissal of the appellant has already been denied by the complainant at initial stage that no occurrence of taking money, mobile Or gold ring had taken place and all what happened was due to misunderstanding. But the Respondents did not consider the same which was the very base of the impugned inquiry and orders passed in the matter which itself carries no justification in the eyes of law.
- d) That the orders of respondent No 2 and 3 are illegal arbitrary, void, without lawful authority and also without jurisdiction and hence liable to be set aside.
- e) That much importance has been given to the inquiry report

- factual flaws hence the orders based on such a shaky inquiry report may not be order to stand and set aside.*
- f) *That patently orders of Removal from service are illegal without lawful authority and result of misreading and non reading, hence liable to be set aside.*
- g) *That the illegal and without jurisdiction orders of respondent # 2 and 3 have resulted in mis-carriage of justice and amounted to abuse of process of law which has adversely effected the appellant by the un fair partial, un reasonable and discriminatory inquiry, orders of respondent # 2 and 3 as the bias departmental inquiry findings have been submitted against the appellant and based for removal of the appellant.*
- h) *That respondent # 2 and 3 did not take into consideration the fact that the allegations leveled in the Roznamcha did not gets support from the clarification of the complainant who with drew the charges while effecting compromise in the matter.*
- i) *That further points will be submitted at the time of arguments.*

**PRAYER:**

*It is therefore most humbly prayed that on acceptance of instant appeal impugned orders of respondent # 2 and 3 may kindly be set aside and appellant reinstated in service from the date of his suspension with all back benefits under the law.*

...APPELLANT

Through

  
(ZULFIQAR AHMAD)  
Advocate High Court  
Abbottabad

Dated: 04/05/2020

**BEFORE THE SERVICE TRIBUNAL KHYBER PUKHTUNKHWA**  
**PESHAWAR**

*Ahmed Waqas S/O Muhammad Siddique R/O Mohallah Muhammad Zai, Nawanshehr Teshsil and District Abbottabad Ex.Constable # 1061 District Abbottabad.*

... APPELLANT

VERSUS

1. Government of KPK through Secretary home and TAs Department Peshawar.
2. Regional Police Officer, Hazara Region, Abbottabad.
3. District Police Officer Abbottabad.
4. Additional SP/ Inquiry Officer Police Lines Abbottabad.

...RESPONDENTS

=====

**APPEAL AGAINST REMOVAL**


**AFFIDAVIT**

*I, Ahmed Waqas S/O Muhammad Siddique R/O Mohallah Muhammad Zai, Nawanshehr Teshsil and District Abbottabad Ex.Constable # 1061 District Abbottabad, do hereby solemnly affirm and declare on oath that the contents of foregoing appeal are true and correct to the best of my knowledge and belief and nothing has been concealed therein. No such appeal is pending in any other court.*

...DEPONENT 

Dated 4/05/2020

Identified by:

  
**(ZULFIQAR AHMAD)**  
Advocate High Court  
Abbottabad



IC F B R  
**POLICE**  
SERVICE CARD

S. No. 451

**ANWAR WAQAS**

1421



ABOTTABAD  
Police Authority

10

*Handwritten scribble*

A

Mark: Nil.

Date of Birth: 22-11-1987 Blood Group: B+ve

Date of Appointment: <sup>21-11-2008</sup> 22-11-1987 Height: 5-10 inches

Address: Moh; Muhammad Zai, Nawanshehr,  
Tehsil & District Abbottabad.

N.I.C. No. 

1	3	1	0	1	-	0	0	6	9	2	1	6	-	9
---	---	---	---	---	---	---	---	---	---	---	---	---	---	---

Emerg. Contact No.: 0992-9310033 Valid upto: 10-10-2015



*Mirza*

Inspector  
Police Station  
M. Bar Abbottabad



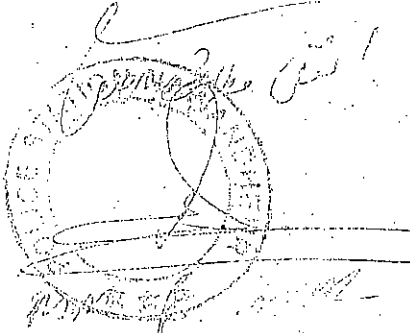
ملتان

قائم فرانس

B

نمبر دستاویز 18/10/2009

18/10/2009 تاریخ میں ایف ایم ایف ڈی ڈی سے 24/25/2009 کے تعلق سے ایک نوٹس جاری کیا گیا۔ اس نوٹس میں ایف ایم ایف ڈی ڈی کے پاس موجود تمام چیزوں کی جانچ کر کے پتہ چلا کہ وہ سب سرفیس اور انڈر گراؤنڈ چیزیں ہیں۔ یہ چیزیں انڈر گراؤنڈ چیزیں ہیں جو کہ انڈر گراؤنڈ چیزیں ہیں۔ ان چیزوں کی جانچ کر کے پتہ چلا کہ وہ سب سرفیس اور انڈر گراؤنڈ چیزیں ہیں۔ ان چیزوں کی جانچ کر کے پتہ چلا کہ وہ سب سرفیس اور انڈر گراؤنڈ چیزیں ہیں۔ ان چیزوں کی جانچ کر کے پتہ چلا کہ وہ سب سرفیس اور انڈر گراؤنڈ چیزیں ہیں۔



Atticus

14-11-19

Director  
 Educational  
 Deptt  
 Govt. Sec. School

ان

خط ایس آئی آر

1571-1571  
Gato Nazam  
Shahzad 509  
Bahini 1921  
130 marks  
50-52 marks  
1311

22/4

18

دہلی کے اساتذہ کرام کو یہ رقم بٹکان بہر کمزوری حال کے پہنچانے کے لئے ضروری ہے۔  
1301-2404537

پتہ: 1311-9846856  
مقامی طور پر یہ رقم بٹکان بہر کمزوری حال کے پہنچانے کے لئے ضروری ہے۔  
1301-2404537

(3)

مقامی طور پر یہ رقم بٹکان بہر کمزوری حال کے پہنچانے کے لئے ضروری ہے۔  
1301-2404537

~~Handwritten notes in Urdu script, possibly a list or account.~~

~~Handwritten notes in Urdu script.~~

~~Handwritten notes in Urdu script.~~

Handwritten notes in Urdu script, including the word "میں" (me).

Handwritten notes in Urdu script.

Handwritten notes in Urdu script.

میں نے جو رپورٹ محکمہ سے 13 دسمبر 1974ء کو ملازما  
 کے نام پر جمع کی تھی اس کے بارے میں آپ کو اطلاع  
 دی جا رہی ہے۔ اس کے علاوہ اس کے خلاف ایک اور  
 رپورٹ بھی جمع کی ہے جس کے خلاف ایک اور رپورٹ  
 جمع کی ہے۔ اس کے علاوہ اس کے خلاف ایک اور  
 رپورٹ بھی جمع کی ہے۔ اس کے علاوہ اس کے خلاف  
 ایک اور رپورٹ بھی جمع کی ہے۔ اس کے علاوہ  
 اس کے خلاف ایک اور رپورٹ بھی جمع کی ہے۔

الو ایڈیشنل ڈپٹی سیکریٹری جنرل  
 0311-9846850  
 22/4/74

الو ایڈیشنل ڈپٹی سیکریٹری جنرل  
 13101-9666123-1  
 0315 727725  
 22/4/74

ذرا

ذرا

4-5-75

(15)

**DISCIPLINARY ACTION.**

I, **Muhammad Ali Khan** District Police Officer Abbottabad, as Competent Authority of the opinion that you FC Ahmed Waqas No. 1421 have rendered yourself liable to be proceeded against as you committed the following act/omission within the meaning of Police Disciplinary Rules 1975.

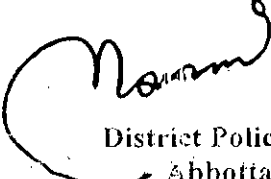
**STATEMENT OF THE ALLEGATION.**

As per DD No. 18 dated 22.04.2014 of PS Nawansher, you FC Ahmed Waqas No. 1421 alongwith FC Shakeel No. 1071 and FC Mubashir Ali No. 509, have beaten one Arsalan and his family and also taken a sum of Rs: 4200/-, one golden ring and one Mobile (Qx6) from them, which is a gross misconduct on your part.

For the purpose of scrutinizing the conduct of the said accused official with reference to the above allegations, Mr. Shamsur Rehman, Adcl. SP is deputed to conduct formal Departmental Enquiry against you.

The Enquiry Officer shall in accordance with the provision of ordinance, provide reasonable opportunity of hearing the defaulter, furnish findings within 30 days of the receipt of this order, recommendation as to punishment or other appropriate action against the accused.


The accused and a well conversant representation of the departmental shall in the proceedings on the date, time and place fixed by the Enquiry Officer.

  
District Police Officer,  
Abbottabad.

No 1214-16/PA, Dated Abbottabad, the 30-4 /2014.

Copy of above is forwarded to:-

1. Mr. Shamsur Rehman Adcl. SP (Enquiry Officer) for initiating proceedings against the defaulter officer under provisions of the Police Disciplinary Rules 1975.
2. FC Ahmed Waqas No. 1421 through RI Lines with the direction to submit his defense within 7 days of the receipt of this statement of allegations and also to appear before the Enquiry Officer on the date, time and place fixed for the purpose of departmental proceedings.
3. RI P/Lines Abbottabad with the directions that the duplicate copy of the same be returned to this office after taking signature of official concerned as a token of receipt.

  
District Police Officer,  
Abbottabad.

(16)

F

CHARGE SHEET.

I, **Muhammad Ali Khan** District Police Officer Abbottabad, as competent authority, is hereby charge you FC Ahmed Waqas No.1421 as explained in the attached statement of allegations.

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

Your written defense, if any should 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.

Intimate whether you desire to be heard in person.

A statement of allegation is enclosed

05  
07  
2014  
دیوبند



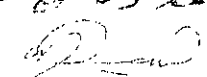
District Police Officer,  
Abbottabad.

### خواب عالی

بکار مشورہ چارج شیٹہ و ڈیپلومی اکیڈمی شیٹہ  
 1984/18-1214 مورخہ 30 مئی 2014ء کو بدوران قصباتی پولیس ٹھکانہ عقیقہ الیاس ٹاپ گارڈ  
 کے ٹینٹ میں خوبی ملازمت جرتعداد میں تھیں تھے۔ جو دروی  
 میں ملبوس تھے۔ نے آکر سمیع ٹھکانہ ملازمین سے جو جو وہ ٹینٹ کو  
 کیا کہ ممنوعہ ایریا میں ایک ٹرک اور لڑکی بیٹھے ہیں جو  
 ٹرک اور مشین میں انہیں پکڑیں اور ٹھکانہ لائی کریں  
 جرم نے اس جوڑے کو آواز دیکر اپنے پاس ٹینٹ کے  
 پاس بلا دیا۔ جو ہم سے بلا نے پر دو ٹرکوں اور لڑکی  
 ٹینٹ کے آگے آگے۔ ان سے ہم نے ٹینٹ کے باہر  
 ان کی شناخت پوچھی اور شناختی کارڈ طلب کیے  
 جو لڑکی کے پاس شناختی کارڈ نہ تھا۔ جو لڑکی سے  
 پوچھنے پر اس نے کہا کہ یہ میرا سہوکار ہے۔ جس  
 پر ہم نے لڑکے کا نام پتہ نوٹ کر کے انہیں چلے  
 جانے کا کہا۔ چونکہ دوران پوچھ گچھ خذ کوہ لڑکے  
 اسی ارسلان جو خواہ چوک میں رہیں گئے ان کا  
 کہتا تھا۔ ہماری پوچھ گچھ کا براہ راست ہمیں لڑکی  
 دعا تھی کہ میں تمہارے ساعتہ دیکھوں گا۔ چونکہ  
 ہم نے نہ تو اس کے ساعتہ کوئی زیادتی کی تھی نہ نہیں  
 سرکاری ڈیوٹی کے علاوہ ان کے ساتھ کوئی خالتو  
 بات کرنیکا اختیار تھا۔ نہ ہمارا کوئی حضور تھا۔  
 اس کے نے اسکی بات کا کوئی نوٹس نہ لیا۔ جو  
 دوسرے دن ہمیں تھانہ لوہاں شہر میں حور صاحب  
 نے بلایا۔ ہمارے تھانہ لوہاں شہر میں پہنچنے پر خذ کوہ

اور سہلان جو تھا نہ میں موجود تھا۔ کے متعلق مکرر صاحب  
 کیا کہ اس نے تمہارے خلاف درخواست دی ہے۔  
 جو میرے جواب پر اور اسے حلف انہی درخواست  
 میں لگائے گئے الزامات ثابت کرنے کے لئے پرمغز  
 نے غلط فہمی کیا بنا میر درخواست دینے اور رقم  
 انگلی اور موبائل کے سہارے ان سے منگنے کا لکھ  
 دیا۔ کیونکہ ارسال نے ہمیشہ کما جھوٹ لکھوایا ہے  
 اس وقت ایسا ثابت ہو گیا تھا۔  
 اسے عاصیہ چارج شیٹ اور ڈیپلومی ایکشن  
 شیٹ داخلہ دفتر فرمائی جاوے۔

المصطفیٰ  
 07/05/2014

احمد و قاضی کنیل 1421 جو بیسی درمن ایبٹ آباد  




RE

From:

Add: Superintendent of Police,

To:

District Police Officer,

Abbottabad.

No. 461

/dated Abbottabad the

06/08/2014.

Subject:

FINDINGS OF DEPARTMENTAL ENQUIRY CONDUCTED  
AGAINST FC WAQAS AHMAD No. 1421.

Memo:

Kindly refer to your office diary No. 1214-16/P/A dated 30-04-2014.

Arslan S/O Javid R/O Kuni Jaded made a report in Police Station

Navansher that on 22-04-2014, at 16:00 hours he and her fiancée, namely Mst.

Nadia D/O Dilwar were on picnic at Alyasi top, one uniformed and two plane

clothes Police Jawans came there, searched them and get an amount of RS. 4200/-

One golden ring and one mobile from them. Police officials also dispraced them

beaten them and let them to run from spot. The report was entered vide DD NO. 18

dated 22-04-2014. (Copy attached)

Respondent official who were identified as FC Shakel No. 1071, FC

Mubashir Ali No 509, FC Waqas Ahmed No 1421 were called up by SHO Zakir

Khan probed the matter and comments that these officials are completely involved

in this illegal activity and they earned by a had name for police.

All these constables were charge sheeted by worthy DPO Abbottabad

and I was appointed as enquiry officer.

I collected all relevant record, recorded the statement of complainant

witness, respondents and also give a chance of cross examination to respondent

upon applicant.

During the course of enquiry, it found that these constables who were

deputed on of Alyasi Hill top guard will on 22-04-2014 they apprehended these two

people, get an amount of RS 4200/-, one golden ring, one mobile, and later on they

returned these articles to complainant and get a compromise written by the

complainant but as I observed this compromise was effected under pressure. I also

heard respondent one by one and also gave them chance for cross examination upon

complainant and complainant frequently prove his allegations against the defaulters.

I also heard complainant individually and I felt his tears in his eyes.

This is fact that all these constables courted the applicant, get his

properly by force which were later on returned by the fear of departmental action

I observed that official compelled the complainant for compromise and

this compromise was just under pressure.

(19)

Such like black sheep's have been damaged the honor of department.  
id honorable department has no respect for such like people and no place for such  
ugly mind and cheep active peoples.

h  
Add: Superintendent of Police,  
Abbottabad.

Issue in FSC Notice

Channu B  
DP/ALP  
6/8

I  
=

**FINAL SHOW CAUSE NOTICE**

(Unit Rule (3) KPK Police Rules, 1975)

1. That you FC Ahmed Waqas No: 1421 while posted at Police Lines, Abbottabad rendered yourself liable to be proceeded under Rule 5 (3) of the Khyber Pakhtunkhwa Police Rules 1975 for following misconduct:
  - i. As per D.D No: 18, dated 22-04-2014 of Police Station Nawanshehr, you FC Ahmed Waqas No: 1421 alongwith FC Shakeel No: 1071 and FC Mubashir Ali No: 509, have <sup>beaten</sup> ~~been~~ one Arsalan and his family and also taken a sum of Rs. 4200/- one golden ring and one Mobile (Qx6) from them, which is a gross misconduct on your part.
  - ii. During proper departmental enquiry the allegation <sup>have</sup> ~~has~~ been proved against you.
2. That by reason of above, as sufficient material is placed before the undersigned therefore it is decided to proceed against you in general Police proceeding without aid of enquiry officer;
3. That the misconduct on your part is prejudicial to good order of discipline in the Police force.
4. That your retention in the police force will amount to encourage in efficient and unbecoming of good Police officers;
5. That by taking cognizance of the matter under enquiry, the undersigned as competent authority under the said rules, proposes stern action against you by awarding one or more of the kind punishments as provided in the rules.
6. You are, therefore, called upon to Final Show Cause as to why you should not be dealt strictly in accordance with the Khyber Pakhtunkhwa Police Rules, 1975 for the misconduct referred to above.
7. You should submit reply to this Final Show Cause Notice within 07 days of the receipt of the notice failing which an ex parte action shall be taken against you.
8. You are further directed to inform the undersigned that you wish to be heard in person or not.
9. Grounds of action are also enclosed with this notice.

District Police Officer,  
Abbottabad.

Received by \_\_\_\_\_

Dated \_\_\_\_\_/2014

Dated \_\_\_\_\_/2014

(21)

**OFFICE OF THE DISTRICT POLICE OFFICER, ABBOTTABAD**

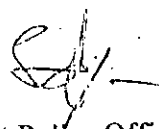
NO 45 /PA, Dated Abbottabad, the 11-8 /2014

**GROUNDS OF ACTION**

That you FC Ahmed Waqas No: 1421 while posted at Police Lines, Abbottabad committed following misconduct:-

- i. As per D.D No: 18, dated 22-04-2014 of Police Station Nawansheri, you FC Ahmed Waqas No: 1421 alongwith FC Shakeel No: 1071 and FC Mutashir Ali No: 509, have been one Arsalan and his family and also taken a sum of Rs. 4200/- one golden ring and one Mobile (Qx5) from them, which is a gross misconduct on your part.
- ii. During proper departmental enquiry the allegation have been proved against you.

By reasons of above you have rendered yourself liable to be proceeded under Khyber Pakhtunkhwa Police Rules, 1975, hence these grounds of action.

  
District Police Officer,  
Abbottabad.  
Dated            /2014

No.                      /PA Dated                      /2014.

Copy of above in duplicate is forwarded to RI Lines with the direction that the duplicate copy of the same be returned to this office duly signed by the official concerned as a token of receipt.

J  
=

The Honourable District Police Officer  
Abbottabad

Subject: Final Show Cause Notice

Respected Sir,

This is in reference with Final Show Cause Notice bearing No. 45/PA dated 11/08/2014.

As regards S No. 1 (i & ii) of the letter, it is submitted that:

1. I, Ahmed Waqas No. 1421 was on duty at Tiyasi Top alongwith Mr. Shakeel No. 1071 on, while Mr. Mubashir Ali No. 509 was not with us on duty on that day.
2. We neither beat Mr. Arsalan and his so-called family nor we took away an amount (Rs: 4200) and Mobile (Qx6) from him. Rather seeing them (Mr. Arsalan & a woman with him) in suspicious activities, we just inquired about their identity and in response the girl told that boy with her was her cousin (not her husband) while the Mr. Arsalan said that the girl was his wife.

We just noted the name and address of Mr. Arsalan and let them go.

3. Later on we were informed that application had been lodged by Mr. Arsalan against us in Police Station Nawanshehr and were called for inquiry. During inquiry, the charges leveled by applicant (Mr. Arsalan) were proved wrong and Mr. Arsalan withdrew his application after his written statement signed by a witness Mr. Zaheer Khan s/o Khushal Khan R/o Kunj Qadeem Atd (Flag-A).
4. The application was withdrawn and statement was written/submitted by Mr. Arsalan in Police Station Nawanshehr in the presence and in front of Mr. Raja Munitaz SI and Mr. Hyas Madad Muharrar, Mr. Nazak Moharrar.

In view of the above, it is implored that the application may be considered/treated as baseless and the above show cause notice may be withdrawn please.

Ahmed Waqas Constable (No. 1421)

(23)

K

ORDER

This order would disposes off departmental enquiry conducted against Constable Ahmed Waqas No.1421 who while posted at Police guard of Ilyasi Top along-with Constable Shakeel No.1071 & Constable Mubshir No.509 beaten one Arslan & his family, also taken cash of Rs. 4200/-, one golden ring & one Mobile (Q6) from them as a gratification by harassing them. Consequent upon a complaint, in this regard, made by victim at Police Station Nawansher, The SHO PS Nawansher testified the genuineness of the grievances of the complainant followed by suspension of the mentioned officials and initiation of departmental proceedings.

Subsequently Charge sheet/summary of allegation was issued and served upon him. Addl: Superintendent of Police Abbottabad conducted formal departmental enquiry. Allegations as incorporated in charge sheet were proved against him.

Final Show Cause Notice was issued & served upon him and he was heard in person in Orderly Room held on 27-08-2014 but he failed to submit any convincing defense.

In the light of the gravity of the allegations, the gross misconduct which has been subsequently proved during the course of departmental proceedings and as per the findings & recommendation of the inquiry officer, it is evident that Constable Ahmed Waqas No.1421 does not deserve to remain in Police Department. By doing so he along-with his other accomplices those has acted as robber in Police uniform have tarnished the image of Police force. Therefore, in exercise of powers vested in me under Police E&D rules 1975, I award him major punishment of dismissal from service with immediate effect.

Order announced.

*(Signature)*

District Police Officer,  
Abbottabad.

OB No - 228

27-08-14

*(Signature)*  
Office Superintendent  
Office of District Police Officer  
Abbottabad

خدمت جناب DCA صاحب، پیادہ پولیس، یزارہ، زمین کنٹریل و ضلع سب ڈسٹرکٹ آباد

درخواست برادر رحمانہ اپیل برائے بحالی سروس کنٹریل ڈیپارٹمنٹ  
اعدو تامل - حکم صدرن بحوالہ آرڈر نمبر 228  
مورخہ 29-8-2014 مجازیم از دفتر جناب DPO  
صاحب سب ڈسٹرکٹ آباد جنھنے درجیے موصوف کو بھی  
مدد خدمت سے ڈسٹنس فرما دیا۔

الستماس حقیرہ رسیل رحمانہ منظور فرمائی جا کر  
سائل کو مدد خدمت پہر بحال فرمایا جاوے۔  
جناب صاحب اور خواست ذیل عین ہے۔

1. جناب صاحب امن سائل مورخہ 29-8-2014 کو فیکہ پولیس ضلع ایسٹ آباد میں بطور کنٹریل بحوثی  
یوکر کبڈ پاس کرنے تجویزہ کورس پاس پاسے پولیس لائن ایسٹ آباد، چوکیات، تھانہ  
جات میں فوٹو اسٹوڈیو اہلیق اصن از مہ داری سے خدمات سر انجام دیتا رہا ہے۔  
2. میں سائل کو مورخہ 29-9-2014 کو آرڈر نمبر 228 کے تحت ڈس میں کما کیا ہے۔ موجودات ڈس میں بہروران

ایسا میں ٹاپ ڈیوٹی پر موجود تھا۔ دریں اثناء دوسرے ساتھیوں نے حساس ایئر یا / منظور ایئر یا  
میں ایک کپیل (مرد و عورت) کو بل کر پوچھ گچھ کی کہ سنا فنی کارڈ چیک کے بعد اس

کپیل کو منظور ایئر یا سے باہر بھیج دیا۔ اس دوران اس کپیل کے مرد نے بہت غلط انداز  
میں سائل کو گھونج کر بدتمیزی میں سائل کے ساتھ کی پھر میں میں سائل نے ان کو بطریق  
اصن / اچھے اخلاق کے ساتھ تہہ ایڈریس پوچھا / کھو کر جانے دیا۔

3. میں سائل نے ان کپیل سے کوئی لین دین نہ کیا ہے۔ اپنی ڈیوٹی کرتے ہوئے اپنے کارڈ  
گھنڈر چھب کے حکم کی تفصیل کی۔

4. بعد ازاں دوسرے دن بہ اطلاع تھانہ معلوم ہوا کہ اس کپیل نے تھانہ میں جھوٹی  
من گھڑت رپورٹ درازی کی۔ جو بعد ازاں تھانہ میں ہی موجودی راجہ مختار

5. روبرو محترم تھانہ راجہ نام سے یوکر کرائی کپیل نے اپنی رپورٹ والپس کروائی۔  
من سائل نے نہ تو موقع ڈیوٹی اور نہ ہی تھانہ میں کسی قسم کا لین دین کیا ہے۔

6. حالانکہ دوران راجہ نام تھانہ میں موجود کپیل میں سے ارسلان راجہ صاحب دوست  
ظہیر حروف نے راجہ نام لکھوئی خود گیا بند کسی قسم کے لین دین کا کوئی

ذکر واسطہ نہ ہوا ہے۔  
جاری P.T.O

7. جہاں گمانہ میں جو جو ڈیوٹی حاضر رہا ممتاز اکی موقع پر موجود تھے۔  
 رافی نامہ گمانہ کی کتولت لٹ ہذا درخواست اپیل میں۔

8. ان تمام صحبتہ حالات کے باوجود من سٹی کو نوکری سے بے گناہ / بوجہ ہر فاسدیت  
 کیا گیا ہے۔

1۔ استدعا ہے کہ من سٹی کو اس جھوٹے اہل گناہ قلم سے  
 سے برہ فرمایا گیا ہے اور من مظہر کو بحال نوکری کرنے کے حدود احکامات  
 صواب فرمائیں۔ من سٹی آپ اور آپ کے اہل و عیال کے لئے نام  
 زندگی دعا گو رہے گا۔

جناب کے اقبال بند بندوں۔

المعظم  
 11/9/2014

ایڈیس آباد

13101-0869216-9

احمد و تامل ہر فاسدیت کینٹنمنٹ 1421  
 شہرہ

سٹی۔



26

ORDER

This is an order on the representation of *Ex-FC Ahmed Waqas No.1421* of Abbottabad District against the order of major punishment i.e. dismissal from service by the District Police Officer, Abbottabad vide his OB No.228 dated 29-08-2014.

Facts leading to his punishment are that he while posted at Police Guard of Ilyasi Top along-with Constable Shakeel No.1071 & Constable Mubshir No.509 beaten one Arslan & his family alos taken case of Rs.4200/-, one gold ring and one Mobile (Q6) form them as a gratification by harassing them. Consequent upon a complaint, in this regard, made by victim at Police Station Nawanshehr, the SHO PS Nawanshehr testified the genuineness of the grievances of the complainant followed by suspension of the mentioned officials and initiation of departmental proceedings.

Proper departmental enquiry was conducted by Addl: SP Abbottabad. After conducting a detailed enquiry, the E.O proved him guilty. On the recommendation of E.O, the District Police Officer Abbottabad awarded him major punishment dismissal from service.

He preferred an appeal to the undersigned upon which the comments of the DPO Abbottabad were obtained. He was heard in OR where he forwarded no cogent reason in his defence to prove him innocent. After thorough probe into the enquiry report and the comments of the DPO Abbottabad, the punishment given to him by the DPO Abbottabad i.e. dismissal from service is genuine. Therefore, appeal is dismissed & filed.

*[Signature]*  
REGIONAL POLICE OFFICER  
Hazara Region Abbottabad

No. 10334 /PA Dated Abbottabad the 26/11

2014.

Copy of above is forwarded to the District Police Officer, Abbottabad for information and necessary action with reference to his Memo: No.2949 dated 02-10-2014. The Service Roll & Fauji Missal containing enquiry file of the appellant are returned herewith.

*Ottic / Pol / SRL*  
*For m a*  
*27/11*

*[Signature]*  
REGIONAL POLICE OFFICER  
Hazara Region Abbottabad

District Police Officer Hazara Region  
Confidential  
By No. 4583  
Date 28/11/14

27

M



BEFORE THE KHYBER PAKHTUNKHAWA  
SERVICE TRIBUNAL PESHAWAR.

Service Appeal No. 603 /2015

Ahmed Waqas son of Muhammad Siddique, resident of Mohallah Muhammad Zai, Nawansheri, Tehsil & District, Abbottabad, Ex-Foot Constable, No. 1421, Police Line, Abbottabad.

...APPELLANT

K.W.P. Province  
Service Tribunal  
Diary No. 547  
dated 26-5-2015

VERSUS

1. Govt. of Khyber Pakhtunkhwa through Secretary Home & TAs, Department, Peshawar;
2. IG Police, Khyber Pakhtunkhwa, Peshawar.
3. District Police Officer, Abbottabad.
4. DIG/ Regional Police Officer, Abbottabad.
5. Additional SP/ Inquiry Officer, Police Lines, Abbottabad.

EX-PARTE  
14-12-2015

⑥

Mr. Arslan son of Muhammad Javed, resident of ~~Kunj Jaded~~,  
Abbottabad. House No. 372 Ward No. 11 Near Bilal Masjid,  
Kunj Qadcom, Abbottabad

...RESPONDENTS

Filed to-day  
Registrar  
24/5/15

re-submitted to-day  
and filed.  
Registrar  
4/6/15

APPEAL UNDER SECTION 4 OF THE KPK  
SERVICE TRIBUNAL ACT, 1974 AGAINST THE  
ORDER OF RESPONDENT NO. 3 DATED 29/08/2014,  
WHEREBY THE PETITIONER WAS DISMISSED  
AND THE ORDER PASSED BY RESPONDENT NO. 2  
DATED 17/04/2015. RECEIVED BY THE

**ATTESTED**

*[Signature]*  
EXAMINER  
Khyber Pakhtunkhwa  
Service Tribunal  
Peshawar



16:09:2019

Appellant alongwith his counsel and Bilal Khan, Deputy District Attorney alongwith Mr. Shamraiz Khan, ASI for the respondents present. Arguments heard. Case to come up for order on 17.09.2019 before D.B at Camp Court Abbottabad.

*(Signature)*  
(Hussain Shah)  
Member  
Camp Court Abbottabad

(Muhammad Amin Khan Kundi)  
Member  
Camp Court Abbottabad

17.09.2019 Learned counsel for the appellant and Mr. Muhammad Bilal Khan learned Deputy District Attorney alongwith Shamraiz Khan ASI for the respondents present. Vide our detail judgment of today of this Tribunal placed on file, of service appeal No. 116/2015, filed by Mr. Mubashir Ali vs Government of Kyber Pakhtunkhwa, that we are of the considered view that the disciplinary proceedings are retained to the extent of completion of inquiry and the responding authorities are directed to provide a copy of the inquiry report to the appellant while issuing the final show cause afresh within a period not longer than sixty (60) days after the copy of receipt of this judgment. The appeal is disposed off in the above terms. Parties are left to bear their own costs. File be consigned to the record room.

*(Signature)*  
(Muhammad Amin Khan Kundi)  
Member  
Camp Court Abbottabad

*(Signature)*  
(Hussain Shah)  
Member  
Camp Court Abbottabad

Certified to be true copy  
*(Signature)*  
Khyber Pakhtunkhwa  
Service Tribunal,  
Peshawar

ANNOUNCED  
17.09.2019

Date of Presentation of Application: 14-10-19  
 Number of Words: 800  
 Copying Fee: 10-00  
 Urgent:       
 Total: 10-00  
 Name of Copyist: *(Signature)*  
 Date of Completion of Copy: 30-10-19  
 Date of Delivery of Copy: 30-10-19

(29)



BEFORE SERVICES TRIBUNAL PESHAWAR

*Appeal no 116/2015*

Mubashir Ali Ex (FC) No. 509 Police Station Nawansher S/o Liaqat Ali resident of Namli Maira Tehsil and District Abbottabad.

... APPELLANT

VERSUS

Khyber Pakhtunkhwa  
Service Tribunal  
Diary No 115  
Dated 16-2-2015

1. Inspector General of Police KPK Peshawar.
2. Additional Inspector General of Police (Legal) KPK Peshawar.
3. Divisional Inspector General of Police Hazara Range, Abbottabad (RPO) Abbottabad.
4. District Police Officer Abbottabad.
5. Station Head Officer Police Station Nawansher, Abbottabad.
6. Arslan S/o Muhammad Javed, Caste Pathan resident of Kunj Jadeed Abbottabad.
7. Shamas-ur-Rehman Additional S.P Abbottabad.
8. Ex Constable Shakeel No. 1071 Police Station Nawansher Abbottabad.
9. Ex Constable Ahmad Waqas No. 1421 Police Station Nawansher Abbottabad.

... RESPONDENTS

Respondent No. 6, 8 & 9  
deleted vide order sheet  
No. 3 dt: 17-3-15.

APPEAL AGAINST THE IMPUGNED ORDER DATED 24/12/14 PASSED BY RESPONDENT NO. 3 VIDE WHICH THE ORDER OF DISMISSAL FROM SERVICE OF PETITIONER PASS BY RESPONDENT NO. 4 WAS ORDERED TO BE RETAINED DATED 29/08/14. AND THEREBY DISMISSED THE DEPARTMENTAL APPEAL / REPRESENTATION OF THE APPELLANT.

Filed to-day  
*[Signature]*  
16/2/15

ATTESTED

*[Signature]*  
EXAMINER  
Khyber Pakhtunkhwa  
Service Tribunal,  
Peshawar.



Sr. No	Date of order/proceedings	Order or other proceedings with signature of Judge or Magistrate
1	2	3

**BEFORE THE KHYBER PAKHTUNKHWA SERVICE TRIBUNAL  
AT CAMP COURT ABBOTTABAD**

Appeal No. 116/2015

Date of Institution: 16.02.2019  
Date of Decision: 17.09.2019

Mubashir Ali Ex (FC) No. 509, Police Station Nawansher S/o Liaqat Ali resident of Namli Maira Tehsil and District Abbottabad  
----- Appellant

Versus

Inspector General of Police Khyber Pakhtunkhwa Peshawar and others  
----- Respondents

Mr. Muhammad Amin Khan Kundi.....Member (J)  
Mr. Hussain Shah.....Member (E)

17.09.2019

JUDGMENT

Mr. HUSSAIN SHAH:- Learned counsel for the appellant and Mr. Muhammad Bilal Khan learned Deputy District Attorney alongwith Mr. Shamraiz Khan ASI for the respondents present.

2. Our this judgment shall also disposed of the instant service appeal as well as Service Appeal No. 603/2015 titled "Ahmed Waqas Vs Government of Khyber Pakhtunkhwa Police Department having the same facts and grounds.

3. The appellant preferred the service appeal against the impugned order of respondent No.3, passed on 24.12.2014 wherein the order of respondent No.4 dated 29.08.2014 was retained and prayer that on acceptance of the instant service appeals both the impugned order be set aside in case of both the appellants and may direct the respondent authorities to reinstate the appellants in the service w.e.f the date of dismissal from service with all back benefits and any other relief as deemed appropriate by this Tribunal.

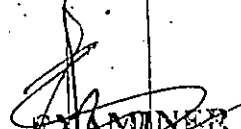
*(Handwritten signature)*

**ATTESTED**

*(Handwritten signature)*  
**EXAMINER**  
Khyber Pakhtunkhwa  
Service Tribunal,  
Peshawar

4. According to the fact of the case as mentioned in the appeal the appellants were serving in the Police department as foot constables and rendered services in different stations with entire satisfactions of their controlling officer. Disciplinary proceedings were initiated against the appellant on a complaint lodged by one Mr. Arsalan against the appellants with the allegations that both the constable beaten him and snatched Rs. 4200/- alongwith one golden ring and one Q-6 Mobile at the top of Ilyasi Masjid Nowa Shair where he was visiting that place of recreation alongwith his fiancé. The complainant Mr. Arsalan S/o Muhammad Javed was a raid as Private respondent No.6 however as per order sheet of this Tribunal dated 17.03.2015 he alongwith the respondent No.8 & 9 were deleted on the basis of application submitted by the learned counsel for the appellant. Taking notice of the complaint the respondent No.4 served charge sheet/statement of allegations dated 30.04.2014 wherein an inquiry officer was appointed to scrutinize the conduct of the appellants. The appellants submitted reply to the charge sheet on 07.05.2014 wherein he requested for withdrawal of disciplinary proceedings against him. The respondent No.4 issued the impugned order after the completion of the formal departmental inquiry and issuing final show cause notice and imposed the major penalty of dismissal from service with immediate effect. The departmental appeal was also rejected by the respondent No.3. The learned counsel for the appellants argued that both the impugned orders passed by the respondents are illegal, perverse, unilateral and are against the circumstance of the case. Further argued that inquiry

ATTESTED

  
EXAMINER  
Khyber Pakhtunkhwa  
Service Tribunal,  
Peshawar

conducted in the case is not based on facts and conclusion have been drawn on false imagination. Moreover the version of the explanation of the appellant regarding the occurrence at Ilyasi Masjid Top were ignored. Similarly no opportunity is given to the appellants with regard to his innocence because the copy of the inquiry report was not provided to the appellant along with the final show cause notice so that the appellant could have properly defended in the written reply to the show cause and subsequent personal hearing. The learned counsel for the appellant pleaded this Tribunal that on the acceptance of the appeal an appropriate order may be issued in favor of appellant against the respondents.

*[Handwritten signature]*

5. The learned Deputy District Attorney contested the facts, grounds of the appeal and argument of the learned counsel for the appellant and contended that impugned orders were passed by respondents after observing all codal formalities at each stage of the case and provision of law, rules, policy was <sup>not</sup> violated. Further contended that the appellants violated the conduct of service being the member of a disciplined force while contrary to the mandate of their service conduct the appellants snatched Rs. 4200/- along with one golden ring and Q-Mobile from the complainant Arsalan and his fiancé, resulting into tarnishing the image of the police force in the area. The disciplinary proceedings were initiated in exercise of powers vested in the competent authority under Police Rules 1975 and all codal formalities were fulfilled by issuing charge sheet/statement of allegations asking them to submit written reply in their defense, formal inquiry was conducted through senior officer

**ATTESTED**

*[Handwritten signature]*  
**EXAMINED**  
 Khyber Pakhtunkhwa  
 Service Tribunal,  
 Peshawar

and during the inquiry proceedings the appellants were given the opportunities to defend themselves against the charges. The competent authority issued final show cause notice to the appellants which was duly replied by the appellants and opportunity of personal hearing were also granted whereafter the competent authority issued the impugned order. The appellants were also given proper opportunities of defense at the appeal stage. The learned Deputy District Attorney pleaded this Tribunal that as the charges/allegations had been proved against the appellant as a result of the disciplinary proceedings as prescribed in the relevant law, and as regarding enclosing of the copy of the enquiry report with the final show cause the learned Deputy District Attorney explained that no such provision exists in the relevant police rules hence the instant appeal may be dismissed.

*[Handwritten signature]*

5. Arguments heard. File perused.

6. After the detailed scrutiny of the documents on record, arguments and counter arguments of the learned counsel of the appellant and the learned Deputy District Attorney this Tribunal observed that the appellants and their learned counsel could not pointed out any violation of the prescribed procedure by the responding authorities nor they could established any point on the merit of the case. The conduct of both the appellants, being the member of a disciplined force has been proved in violation of the prescribed conduct of law abiding member of the police force. However this Tribunal feels that the copy of the inquiry report should have provided to the appellant alongwith the final show

**ATTESTED**

*[Signature]*  
**EXAMINER**  
 Khyber Pakhtunkhwa  
 Service Tribunal,  
 Peshawar



cause notice so that the appellant could have availed the final opportunity of defense to fulfill the pre-requisite in reaching to a judicious decision. Hence we are of the view that the disciplinary proceedings are retained to the extent of completion of inquiry and the responding authorities are directed to provide a copy of the inquiry report to the appellant while issuing the final show cause afresh within a period not longer than sixty (60) days after the copy of the receipt of this judgment.

7. In view of the above discussion the appeal is disposed off in the above terms. Parties are left to bear their own costs. File be consigned to the record room after its completion.

*Muhammad Amin*  
 (Muhammad Amin Khan Kundi)  
 Member  
 Camp Court Abbottabad

*Hussain Shah*  
 (Hussain Shah)  
 Member  
 Camp Court Abbottabad

ANNOUNCED  
 17.09.2019

Date of Presentation of Application 14-10-19  
 Number of Words 2400  
 Copying Fee 28-00  
 Urgent ✓  
 Total 28-00  
 Name of Complainant [Signature]  
 Date of Completion of Copy 30-10-19  
 Date of Delivery of Copy 30-10-19

**Certified to be true copy**

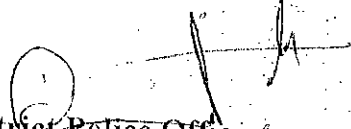
*[Signature]*  
 Khwaja Bahadur Khan  
 Service Tribunal,  
 Peshawar

35

N  
=

ORDER

In compliance with the judgment passed by Honourable Service Tribunal Camp Court, Abbottabad dated 17-09-2019 in Service Appeal No.115/2015 and approval of Inspector General of Police, Khyber Pakhtunkhwa vide his office letter No. 5361/Legal, dated 04-11-2019, appellant Ex-Constable Ahmed Waqas No. 1421 is hereby provisionally reinstated in service for the purpose of issuing the Final Show Cause Notice afresh.

  
District Police Officer,  
Abbottabad

No. 6457/PA, 19-11-2019  
Copy to the:-

1. Office Superintendent DPO Office, Abbottabad.
2. Pay Officer, DPO Office, Abbottabad.
3. SRC, DPO Office, Abbottabad.
4. OHC DPO Office Abbottabad

\*\*\*\*\*

18-11-19

(36)

0 11

**OFFICE OF THE DISTRICT POLICE OFFICER, ABBOTTABAD**

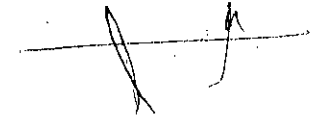
No: 268/PA, Dated Abbottabad, the 27/11/2019.

**FINAL SHOW CAUSE NOTICE**  
**(Unit Rule (3) KPK Police Rules, 1975)**

1. That you FC Ahmed Waqas No. 1061/1421 Police Lines Abbottabad rendered yourself liable to be proceeded under Rule 5 (3) of the Khyber Pakhtunkhwa Police Rules 1975 for following misconduct:

- I. In compliance with the judgment passed by Honorable Service Tribunal Camp Court Abbottabad dated 17-09-2019 in Service Appeal No. 115/2015 and directives of the Inspector General of Police Khyber Pakhtunkhwa Peshawar, you are hereby issued Final Show Cause Notice afresh on the allegation that as per D.D No. 18, dated 22-04-2014 of Police Station Nawanshehr, you FC Ahmed Waqas No. 1421 alongwith FC Shakeel No. 1071 and FC Mubashir Ali No. 509, had beaten one Arsalan and his family and also taken a sum of Rs. 4200/-, one golden ring and one Mobile (Qx6) from them as a gratification by harassing them, which is a gross misconduct on your part.
- II. During proper departmental enquiry conducted by the then Addl: SP Abbottabad, the allegations were proved against you.

2. That by reason of above, as sufficient material is placed before the undersigned therefore it is decided to proceed against you in general Police proceedings without aid of enquiry officer;
3. That the misconduct on your part is prejudicial to good order of discipline in the Police force.
4. That your retention in the police force will amount to encouragement of inefficient Police officers;
5. That by taking cognizance of the matter under enquiry, the undersigned as competent authority under the said rules, proposes stern action against you by awarding one or more of the kind punishments as provided in the Rules.
6. You are, therefore, called upon to Final Show Cause as to why you should not be dealt strictly in accordance with the Khyber Pakhtunkhwa Police Rules, 1975 for the misconduct referred to above.
7. You should submit reply to this Final Show Cause Notice within 07 days of the receipt of the notice failing which an ex parte action shall be taken against you.
8. You are further directed to inform the undersigned that you wish to be heard in person or not.
9. Grounds of action alongwith copy of the findings of departmental enquiry report are also enclosed with this notice

  
(JAVED IQBAL, PSP)  
District Police Officer  
Abbottabad

Received by \_\_\_\_\_  
Dated . / /2019

OFFICE OF THE DISTRICT POLICE OFFICER, ABBOTTABAD

No: 268/PA, Dated Abbottabad, the 23/11/2019.

GROUNDS OF ACTION

That you FC Ahmed Waqas No. 1061/1421 Police Lines Abbottabad, committed following misconduct:-

- I. In compliance with the judgment passed by Honorable Service Tribunal Camp Court Abbottabad dated 17-09-2019 in Service Appeal No. 115/2015 and directives of the Inspector General of Police Khyber Pakhtunkhwa Peshawar, you are hereby issued Final Show Cause Notice afresh on the allegation that as per D.D No. 18, dated 22-04-2014 of Police Station Nawanshehr, you FC Ahmed Waqas No. 1421 alongwith FC Shakeel No. 1071 and FC Mubashir Ali No. 509, had beaten one Arsalan and his family and also taken a sum of Rs. 4200/-, one golden ring and one Mobile (Qx6) from them as a gratification by harassing them, which is a gross misconduct on your part.
- II. During proper departmental enquiry conducted by the then Addl: SP Abbottabad, the allegations were proved against you.

By reasons of above you have rendered yourself liable to be proceeded under Khyber Pakhtunkhwa Police Rules, 1975, hence these grounds of action.

(JAVED IQBAL, PSP)  
District Police Officer  
Abbottabad

حیات عوامی

بحوالہ فائنل شیڈول نوٹس 268/PA مورخہ 22/11/2019 معروف خدمت ہونے پر

میں مورخہ 2008ء کو جھلم پور ٹینس میں بھرتی ہوا۔ دوران تعیناتی پولیسنگ ٹارڈ ایسا سی ٹاپ  
 مورخہ 2014ء کو ارسال نامی سٹیٹس کے ساتھ شہر آقا مارڈی (طوبی) جی کے جیسے ٹون ٹنگارے  
 بعد دوسرے دن ارسال کے بعد راولاں شہر میں میرا بے خلاف درخواست دی۔ اور ارسال  
 نے اپنی درخواست میں قہر، اذیت اور اذیت کے چھیننے کے الزامات لگائے۔ ہمیں محروم قرار  
 نے عمل آگے بٹھانے میں آئے گا لولا۔ میں اور شکلیں 1071 خود بخود سپورٹس ٹھکانہ مندیجے کو ارسال  
 ہمراہ دو اشخاص قہرانہ میں دفتر (H) صاحب موجود تھے۔ وہاں پر محروم قرار نہ مانا جس میں اور  
 آئی تھا کہ ہمدارنگی موجودگی میں بیماری بار، جیت شروع ہوئی۔ جب میں اور شکلیں نے  
 ارسال کو رپورٹ کروانے اور اذیت شروع ہو کر اور شہرت کے نتیجے میں اشیا کے الزامات لگائے گئے اور  
 پوچھی اور رپورٹ میں لکھی گئی تھی کہ ہماری اذیت شروع ہوئی اور ہمیں پوچھا اور ہمیں بھانڈے میں لانے  
 کا لولا کو ارسال کے فوراً ہٹانے میں کسی کو نہیں بلاؤں گا۔ اور آئیں مائیں سٹیشن گھر نہ لگا  
 دوران ہیات جیت کچھ دیگر افراد ارسال کے لولا میں آئیں رپورٹ و ایسٹ لیا ہوں۔ اور ایس  
 رپورٹ کو غلط سمجھی گئی تھا پھر گروانے اور ہمارے اس سے کسی قسم کی رنج نہ ہو سکتا اور  
 قہر، اذیت کا نہ لیا اور کوئی قانونی کارروائی نہ کرنے کا حکم دے دیا۔

حیات عالی انکوائری اجسٹری نے اپنی رپورٹ میں راجھی نامہ مزید کو غیر بشری  
 بنا پر سہونا اور ہونٹل، رنج اور اذیت کے ساتھ ساتھ پورا کرنا (غیر کسی) شہرت کے لگتا ہے۔  
 کیونکہ ارسال کو درخواست و ایسٹ کی رپورٹ میں ان تمام باتوں کا کوئی ذکر نہیں اور  
 مذہبی ہمارے علاوہ کسی اور نے ارسال کے ساتھ کوئی بات جیت کی نہ دیا ڈالا۔ جس سے  
 کو ان راجھی نامہ کے دفتر کو جو پولیس افسر (ان) ہیں۔ راجھی نامہ کی (قدیم) شہرت نقل  
 جواب کے ہمراہ لگا ہے۔

حیات عوامی دوران انکوائری جب مجھے انکوائری اجسٹری کی سادہ سے اپنے دفتر طلب  
 کرنا لگا۔ بیان پر ارسال نے ایک نیا اور نیک مختلف بیان دیا سہوا تھا۔ جس میں بیان میں ارسال  
 نے جہاں رپورٹ کروانے سے پہلے یہی سبب و ایسٹ کرنے کا لگتا ہوا تھا۔ کیونکہ ایسا سی ٹاپ کے  
 واقعے کے بعد میری سلاو قرار ارسال سے عائد ٹون شہر میں بیوی بچے اور آئیں وقت ارسال  
 رپورٹ لکھا گیا تھا۔

جناب عالی، ارسال سے آپ کی بار بار مختلف بیان دے کر اس پر جھوٹ ثابت ہو گیا ہے اور ارسال کے  
 دو عدالت میں طلب کرنے پر بھی وہاں پتہ نہ ہوا۔  
 وزارت عالی اٹلواتر (اس سے بدلہ ہم اٹلواتر) اور ہمارے حقوق کو برقی نظر انداز کیا۔ ایک جھوٹی  
 رپورٹ جو کہ بیماری کے حکم سے درخواست کا نام لیت ہے۔ اور اٹلواتر اس سے سنا ہے سوال جو اس کے دوران  
 میں صحت سے ہیں سے سوالوں کو نظر انداز کیا گیا۔ اور اٹلواتر اس سے رپورٹ میں بھی ان سوالوں کا  
 کوئی ذکر نہیں۔

جناب عالی ارسال سے پوچھ لکھ کے دوران میں اور تشکیل اور دو فوجی جوان ایسا ہی بنا کر  
 پورے کوئی نہ موجود تھے۔ اور جسٹس 1086 وہاں پر موجود نہیں تھا اور نہ ہی کوئی تھی۔

جناب عالی ہم نے رٹ کوئی، رٹ چھٹی اور نہ ہی کوئی (پتہ) جنرل کی۔ بلکہ اپنے گھر کا پتہ  
 مناصب کے حکم کے مطابق ارسال کا سنا ہے، کارڈ طلب کرنے کے لئے نوٹس لکھا اور اس سے جاننا دیا۔

جناب عالی ہمارے ساتھ ہیں بڑا نا انصافی کر رہی ہے۔ عمر و توفیق پانچ سال ہیں، ہمیں  
 حکم سے درخواست ہونے کے بعد 19/11/2019 کو عارضی جوائنٹ ہوئے۔

گزشتہ دنوں کے حکم پر تمام لے جانے اور حکم پورس میں مسئلہ طور پر بحال کیا جائے اور  
 چارج شیٹ اور ڈسپنڈری ایکٹیشن شیٹ کو داخل دفتر فرمایا جائے۔

احمد وقار منبر 1061

28/11/2019

(40)

Received on 28.12.19

Q

ORDER

This office order will dispose of the departmental *action* against Constable Ahmed Waqas No. 1061. In compliance with the judgment passed by Honorable Service Tribunal Camp Court Abbottabad dated 17-09-2019 in Service Appeal No. 603/2015 and directives of the Inspector General of Police Khyber Pakhtunkhwa Peshawar, he was issued Final Show Cause Notice afresh on the allegation that as per D.D No. 18, dated 22-04-2014 of Police Station Nawanshehr, he FC Ahmed Waqas No. 1421 alongwith FC Shakeel No. 1071 and FC Mubashir Ali No. 509, had beaten one Arsalan and his family and also taken a sum of Rs: 4200/-, one golden ring and one Mobile (Qx6) from them as a gratification by harassing them, which is a gross misconduct on his part.

He was issued Final Show Notice afresh vide No. 268/PA dated 22-11-2019. He submitted reply of Final Show Cause Notice which was found unsatisfactory. He was summoned to appear in Orderly Room on 12-12-2019. He was awarded ample opportunity but he had nothing plausible to state in his defence.

Therefore, in exercise of the powers vested in the undersigned under Police Disciplinary Rules-1975 (amended 2014), I, Javed Iqbal, PSP, District Police Officer, Abbottabad as a competent authority, am constrained to award him the punishment of Removal from Service with immediate effect

Order announced.

OB No. 284  
Dated 20-12-19

(JAVED IQBAL, PSP)  
District Police Officer  
Abbottabad

Copy to the:-

1. Inspector General of Police, Khyber Pakhtunkhwa Peshawar with reference to his office Memo: No. 5361/Legal dated 04-11-2019 please
2. Pay Officer, DPO Office Abbottabad.
3. Establishment Clerk.
4. OHC alongwith complete Enquiry File containing 19 pages for completion of record.

ARRESTED  
Superintendent of  
Police Abbottabad  
(02/01/2020)

District Police Officer  
Abbottabad

جناب ڈپٹی انسپکٹر جنرل آف پولیس پٹنہ ایس ڈی ایچ

ایس ڈی ایچ

درخواست / اپیل جالی سروس سائل کے سائل جناب جناب جناب  
کے ماتحت قلم پولیس میں عرصہ جو سائل ڈیوٹی سرانجام دینا سائل  
کو ایک انوائس میں جناب DPPO صاحب نے دفعہ 29 کو نوٹری سے  
خارج کر دیا ہے سائل نے اپیل سروس ٹریبونل میں دائری عدالت سے  
سائل کو دفعہ 2019-9-17 کو حال کیا گیا لیکن سائل کو دوبارہ عارضی طور پر  
حال کر کے انوائس میں شوکار نوٹس دیا جائے جو اب طلب کیا گیا ہے جو اب  
سائل نے نوٹری کو نوٹ دیا لیکن سائل کو دوبارہ DPPO صاحب نے نوٹری سے خارج  
کر دیا ہے۔ جو کہ سائل کے ساتھ نا انصافی ہوئی ہے سائل نے نوٹری سے  
سائل کو نوٹری سے ڈیوٹی کر کے نوٹری پر مبنی ہے اس کے ساتھ ساتھ

کاروبار

جناب عالی

گزارش قلم سائل ایک سرکاری نوٹری سے سائل جناب سے

ماتحت قلم پولیس میں سائل کے سائل 1061 / 1421 دفعہ 21 / 2008  
کو نوٹری ہوا اور انتظامی الامتداد سے ڈیوٹی سرانجام دینا سائل

یہ سائل کو چند وجوہات کی بنا پر انوائس سے خارج کر کے نوٹری سے  
خارج کر دیا گیا سائل نے جالی سروس ٹریبونل میں دائری عدالت سے

اپیل دائری جس میں سائل نے سروس ٹریبونل سے دفعہ 29 کو نوٹری سے  
سائل کو حکم عارضی طور پر حال کر کے انوائس میں شوکار نوٹس دیا گیا ہے جو اب

جناب DPPO صاحب نے سائل کو دوبارہ نوٹری سے برخاست کر دیا ہے جو کہ دفعہ 20  
کو Dismiss کیا گیا ہے جس کے ساتھ ساتھ

یہ سائل عرصہ سے بہتر طریقے سے ڈیوٹی کر رہا ہے سائل کو نوٹری سے خارج کر کے  
کے ساتھ ساتھ سائل کو نوٹری سے خارج کر کے نوٹری سے خارج کر کے نوٹری سے خارج کر کے

درخواست استعفاء اپیل کر کے سائل کو نوٹری سے خارج کر کے نوٹری سے خارج کر کے  
دوبارہ نوٹری سے خارج کر کے سائل کو نوٹری سے خارج کر کے نوٹری سے خارج کر کے

27 / 01 / 2020

سائل اور واقعات اور حوالہ دینے کے لئے سائل کو نوٹری سے خارج کر کے  
13101-0869216-9  
0323-9834511-  
نسب





OFFICE OF THE REGIONAL POLICE OFFICER  
HAZARA REGION, ABBOTTABAD

0992-9310021-22

0992-9310023

r.rpohazara@gmail.com

0345-9560687

NO: 8699 /PA DATED 19/03/2020

ORDER


This order will dispose off departmental appeal under Rule 11-A of Khyber Pakhtunkhwa Police Rules, 1975 submitted by Ex. Constable Ahmed Waqas No. 1061 of District Abbottabad against the punishment order i.e. **Removal from Service** awarded by District Police Officer, Abbottabad vide OB No.284 dated 20.12.2019.

Brief facts leading to the punishment are that the appellant while posted at PS Nawansher alongwith constable Mubashir No. 509 and constable Shakeel No. 1071 beaten one Arsalan and his family and took cash amounting 4200/-, one gold ring and mobile phone as gratification by harassing them. SHO Nawansher testified the genuineness of the complaint.

The appellant was issued charge sheet alongwith summary of allegations and Addl: SP Abbottabad was deputed to conduct departmental enquiry. The EO recommended him for suitable punishment. Keeping in view the above DPO Abbottabad awarded him major punishment of dismissal from service vide OB No. 228 dated 29-08-2014. The appellant preferred an appeal before RPO Hazara, which was filed by Appellate Authority vide Order No. 10334/PA dated 26-11-2014. The appellant also submitted an appeal before W/Inspector General of Police which was rejected vide Order No. 4877-81/E-IV dated 17-04-2015.

Subsequently the appellant instituted Service Appeal No. 603/2015 before Honorable Service Tribunal KPK, Peshawar which was decided on 17-09-2019. Service Tribunal directed the department to provide copy of the enquiry report to the appellant while issuing the final show cause notice afresh within period not longer than sixty (60) days after the receipt of the copy of the judgment. In compliance of the judgment the appellant was provisionally reinstated vide order No. 6957/PA dated 19-11-2019, issued Final Show Cause Notice, heard in OR, however he failed to advance any plausible reason in his defence. Consequently the appellant was removed from service vide OB No. 284 dated 20-12-2019.

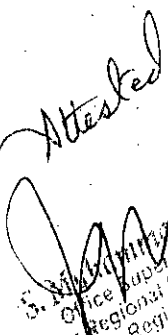
After receiving his appeal, comments of DPO Abbottabad were sought and examined/perused. The undersigned called the official in OR and heard him in person. However the appellant failed to advance any plausible justification in his defence. Last but not the least the appellant being part of disciplined force committed misconduct which <sup>furnished</sup> defaced the image of police in general public. Therefore in exercise of the powers conferred upon the undersigned under Rule 11-4 (a) of Khyber Pakhtunkhwa Police Rules, 1975 appeal of the official is hereby *filed* with immediate effect.

  
Qazi Jamil ur Rehman (PSP)  
Regional Police Officer  
Hazara Region, Abbottabad

No. 8700 /PA, dated Abbottabad the 19/03 /2020.

CC.

1. The District Police Officer, Abbottabad for information and necessary action with reference to his office Memo No 873/Legal dated 11-03-2020. Service Roll and Fuji Missal containing enquiry file of the appellant is returned herewith for record.

Attested  
  
S. M. Anwar  
Office Superintendent  
For Regional Police Officer,  
Hazara Region Abbottabad  
30/04/2020

# وکالت نامہ

کورٹ فیس

بعد ازاں ہذا سے سروس سٹریٹ میونسپل سٹیٹس اور ریسٹ ہاؤس

عنوان: انجمن خیرات بنام حکومت

منجانب: ایسٹریٹ

نوعیت مقدمہ: سروس سٹریٹ

## باعث تحریر آنکہ

مقدمہ مندرجہ میں اپنی طرف سے اسے پیروی و جواب دہی کل کاروائی متعلقہ آں مقام در النہار لہور لکھ 1 70 6 54 50-333 0

کو وکیل مقرر کر کے اقرار کرتا ہوں کہ صاحب موصوف کو مقدمہ کی کل کاروائی کا کامل اختیار ہوگا نیز وکیل صاحب موصوف کو کرنے راضی نامہ و تقرر ثالث و فیصلہ برحلف و دینے اقبال دعویٰ اور بصورت دیگر ڈگری کرانے اجراء وصولی چیک روپیہ و عرضی دعویٰ کی تصدیق اور اس پر دستخط کرنے کا اختیار ہوگا اور بصورت ضرورت مقدمہ مذکور کی کل یا کسی جزوی کاروائی کے لئے کسی اور وکیل یا مختار صاحب قانونی کو اپنے ہمراہ اپنی بجائے تقرر کا اختیار بھی ہوگا اور صاحب مقرر شدہ کو بھی وہی اور ویسے ہی اختیارات ہوں گے اور اس کا ساختہ پر داختمہ مجھ کو منظور و قبول ہوگا۔ دوران مقدمہ جو خرچہ و ہرجانہ التوائے مقدمہ کے سبب ہوگا اس کے مستحق وکیل صاحب ہوں گے۔ نیز بقایا رقم وصول کرنے کا بھی اختیار ہوگا۔ اگر کوئی پیشی مقام دورہ پر ہو یا حد سے باہر ہو تو وکیل صاحب موصوف پابند ہوں گے کہ پیروی مقدمہ مذکورہ کریں اور اگر مختار مقرر کردہ میں کوئی جزو بقایا ہو تو وکیل صاحب موصوف مقدمہ کی پیروی کے پابند نہ ہوں گے۔ نیز درخواست برآمد تجارت ناش بصیغہ مفلسی کے دائرہ کرنے اور اس کے پیروی کا بھی صاحب موصوف کو اختیار ہوگا۔

لہذا وکالت نامہ تحریر کر دیا تاکہ سند رہے۔

المرقوم: صاحبہ 1/18

بمقام:

سید اہمر

الکاتب: لکھنؤ

0311-5131690  
فونڈیشن

انجمن خیرات  
Lahore

**"B"**

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

No.

Appeal No. 7620 of 20

Ahmed Waqas Appellant/Petitioner

Versus

Through Secy: Home Dept Pesh: Respondent

Respondent No. 4

Notice to: Additional SP/Inquiry officer  
Police Line Peshawar

WHEREAS an appeal/petition under the provision of the Khyber Pakhtunkhwa Province Service Tribunal Act, 1974, has been presented/registered for consideration, in the above case by the petitioner in this Court and notice has been ordered to issue. You are hereby informed that the said appeal/petition is fixed for hearing before the Tribunal \*on 20-1-2022 at 8.00 A.M. If you wish to urge anything against the appellant/petitioner you are at liberty to do so on the date fixed, or any other day to which the case may be postponed either in person or by authorised representative or by any Advocate, duly supported by your power of Attorney. You are, therefore, required to file in this Court at least seven days before the date of hearing 4 copies of written statement alongwith any other documents upon which you rely. Please also take notice that in default of your appearance on the date fixed and in the manner aforementioned, the appeal/petition will be heard and decided in your absence.

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

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

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

Day of Dec 20 2021

at Camp Court Peshawar

Registrar,  
Khyber Pakhtunkhwa Service Tribunal,  
Peshawar.

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

**“B”**

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

TB

No.

Appeal No. 7620 of 20 21

Ahmed Waqar Appellant/Petitioner

Versus

Through Secy. Home Dept. Pesh. Respondent

Respondent No. 3

Notice to:

Distt. Public Officer, Abbottabad

WHEREAS an appeal/petition under the provision of the Khyber Pakhtunkhwa Province Service Tribunal Act, 1974, has been presented/registered for consideration, in the above case by the petitioner in this Court and notice has been ordered to issue. You are hereby informed that the said appeal/petition is fixed for hearing before the Tribunal \*on 20-1-2022 at 8.00 A.M. If you wish to urge anything against the appellant/petitioner you are at liberty to do so on the date fixed, or any other day to which the case may be postponed either in person or by authorised representative or by any Advocate, duly supported by your power of Attorney. You are, therefore, required to file in this Court at least seven days before the date of hearing 4 copies of written statement alongwith any other documents upon which you rely. Please also take notice that in default of your appearance on the date fixed and in the manner aforementioned, the appeal/petition will be heard and decided in your absence.

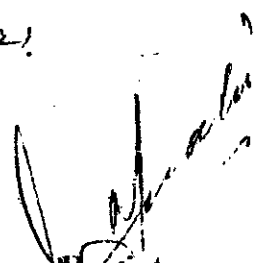
Notice of any alteration in the date fixed for hearing of this appeal/petition will be given to you by registered post. You should inform the Registrar of any change in your address. If you fail to furnish such address your address contained in this notice which the address given in the appeal/petition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

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

Given under my hand and the seal of this Court, at Peshawar this 10/12/21

Day of Decr 20 21

at Camp Court A. Asad



Registrar,  
Khyber Pakhtunkhwa Service Tribunal,  
Peshawar.

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

**"B"**

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

No.

7B

Appeal No. 7620 of 2021

Ahmad Waqas Appellant/Petitioner

Versus

Through Secy: Home Dept Pesh. Respondent

Respondent No. 2

Regional Public Officer Hazara Region  
Abul Kalam

Notice to: —

WHEREAS an appeal/petition under the provision of the Khyber Pakhtunkhwa Province Service Tribunal Act, 1974, has been presented/registered for consideration, in the above case by the petitioner in this Court and notice has been ordered to issue. You are hereby informed that the said appeal/petition is fixed for hearing before the Tribunal \*on 20/12/21 at 8.00 A.M. If you wish to urge anything against the appellant/petitioner you are at liberty to do so on the date fixed, or any other day to which the case may be postponed either in person or by authorised representative or by any Advocate, duly supported by your power of Attorney. You are, therefore, required to file in this Court at least seven days before the date of hearing 4 copies of written statement alongwith any other documents upon which you rely. Please also take notice that in default of your appearance on the date fixed and in the manner aforementioned, the appeal/petition will be heard and decided in your absence.

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

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

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

Day of ..... 20 <sup>21</sup>

at Camp Court A. A. Bad

Registrar,  
Khyber Pakhtunkhwa Service Tribunal,  
Peshawar.

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

**"B"**

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

No.

7B

Appeal No. 7620 of 2022

Ahmed Waqas Appellant/Petitioner  
Versus

Through Sajid Hameed Respondent  
Respondent No. I

Notice to: —

Govt. of KPK through Sajid Hameed  
TA, Deptt. Peshawar

WHEREAS an appeal/petition under the provision of the Khyber Pakhtunkhwa Province Service Tribunal Act, 1974, has been presented/registered for consideration, in the above case by the petitioner in this Court and notice has been ordered to issue. You are hereby informed that the said appeal/petition is fixed for hearing before the Tribunal \*on 20-1-2022 at 8.00 A.M. If you wish to urge anything against the appellant/petitioner you are at liberty to do so on the date fixed, or any other day to which the case may be postponed either in person or by authorised representative or by any Advocate, duly supported by your power of Attorney. You are, therefore, required to file in this Court at least seven days before the date of hearing 4 copies of written statement alongwith any other documents upon which you rely. Please also take notice that in default of your appearance on the date fixed and in the manner aforementioned, the appeal/petition will be heard and decided in your absence.

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

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

Given under my hand and the seal of this Court, at Peshawar this 10/12

Day of Dec 2021

at Camp Court A. Ahmad  
10-1-2022

Registrar,  
Khyber Pakhtunkhwa Service Tribunal,  
Peshawar.

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