

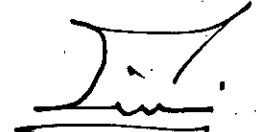
07.06.2022

Clerk of learned counsel for the appellant present. Mr. Suleman, Law Officer alongwith Mr. Riaz Ahmad Paindakhel, Assistant Advocate General for the respondents present.

Clerk of learned counsel for the appellant requested for adjournment on the ground that learned counsel for the appellant is not available today due to strike of lawyers. Adjourned. To come up for arguments on 13.07.2022 before the D.B.



(Fareeha Paul)
Member (E)



(Salah-ud-Din)
Member (J)

13th July, 2022

Learned counsel for the appellant present. Mr. Muhammad Adeel Butt, Addl. AG for the respondents present.

Learned counsel for the appellant seeks time to further prepare the brief. Adjourned. Last chance is given. To come up for arguments on 19.07.2022 before the D.B.



(Fareeha Paul)
Member(E)



(Kalim Arshad Khan)
Chairman

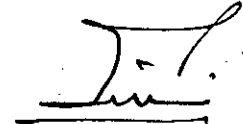
26.01.2022

Learned counsel for the appellant present. Mr. Muhammad Adeel Butt, Additional Advocate General for the respondents present.

Learned counsel for the appellant requested for adjournment on the ground that he has not made preparation for arguments. Adjourned. To come up for arguments on 11.04.2022 before the D.B.



(Rozina Rehman)
Member (J)



(Salah-ud-Din)
Member (J)

11.04.2022

Learned counsel for the appellant present. Mr. Kabirullah Khattak learned Addl. AG for the respondents present.

Learned counsel for the appellant requested for adjournment. Last opportunity is granted. To come up for arguments before the D.B on 07.06.2022.



(Rozina Rehman)
Member (J)

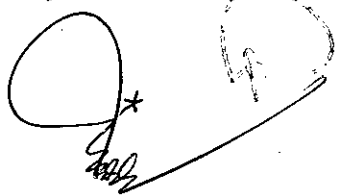


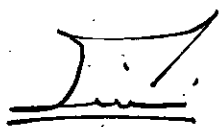
Chairman

24.08.2021

Mr. Aslam Khan Khattak, Advocate for the appellant present.
Mr. Muhammad Rasheed, DDA alongwith Mr. Suleman, Law Officer
for the respondents present.


Copy of written reply is handed over to the learned counsel
for the appellant. Learned counsel for the appellant requested that
he wants to submit rejoinder, therefore, time may be granted to
him for submission of rejoinder. Adjourned. To come up for
submission of rejoinder as well as argument before the D.B on
16.11.2021.


(MIAN MUHAMMAD)
MEMBER (EXECUTIVE)


(SALAH-UD-DIN)
MEMBER (JUDICIAL)

16.11.2021

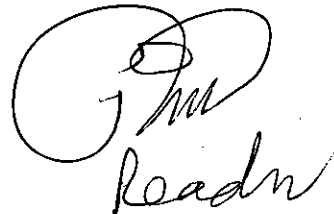
Learned counsel for the appellant present. Mr.
Kabirullah Khattak, Additional Advocate General alongwith
Mr. Suleman, Senior Instructor for the respondents
present.

 Learned counsel for the appellant submitted
rejoinder, which is placed on file.

Learned Member Judicial Mr. Salah-ud-Din is on
leave, therefore, arguments could not be heard.
Adjourned. To come up for arguments on 27.12.2021
before the D.B.


(Mian Muhammad)
Member (E)

*Due to winter vacations the case
is adjourned to 26/1/22 for the same as
before*


Roadn


SA No. 864/19

13.07.2021

Appellant present in person. Mr. Muhammad Adeel Butt, Addl. AG alongwith Mr. Suleman, Instructor for the respondents present. Preliminary arguments heard.

Vide order dated 14.11.2019, notice was required to be issued to respondent No. 2 for production of record pertaining to the departmental proceedings against the appellant followed by order dated 04.11.2015. On the next date, the respondent No. 2 produced the copies of the requisite record through representative which was placed on file. It appears from the record so produced by respondent No.02 that the appellant was issued statement of allegations dated 03.06.2015 without formal charge sheet. According to statement of allegations, the appellant in view of his transfer was relieved of his duty from Sub Jail Battagram on 27.01.2015 AN, with the direction to report to Superintendent District Jail Mansehra by allowing minimum days joining time but instead of resuming duties on due date i.e. 01.02.2015 he had resumed duties on 16.3.2015, thus he remained absent from duties with effect from 01.02.2015 to 15.03.2015 (43 days) without any intimation, hence he had committed grave misconduct on his part.

It is mentioned there in the statement of allegations that Mr. Sikandar Khan, Senior Assistant Superintendent



Appellant Deposited
Security & Process Fee

In-charge Sub Jail Battaram was appointed as enquiry officer. The copy of enquiry report is also available on file as part of the record as produced by respondent No. 2. According to the facts noted by him, written statement was submitted to him by the accused official now appellant, wherein he disclosed his involvement in a criminal case registered in P.S Mughalpura Lahore and after confirmation of his BBA on 10.03.2015 in the said case, he assumed duty on 16.03.2015. The fact as noted by the enquiry officer in the given style followed by his finding/recommendations. Accordingly, he found reply of the accused not satisfactory being absented himself from duty from 01.02.2015 to 15.03.2015 (43 days) without any intimation, if so, it was recommended that his absence period may be treated as leave without pay and also he may be warned to be careful in future. However, the competent authority in pursuance to the said enquiry report when issued show cause notice had tentatively decided to impose minor penalty of withholding of two years annual increments under Rule 4 of the Khyber Pakhtunkhwa Government Servants (E&D) Rules, 2011. However, in the impugned order, the competent authority deviated from his own tentative decision and imposed minor penalty of reduction to a lower stage in a time scale for a period of five years. Apart from the said major penalty, the period of

absence of 43 days was also treated as leave without pay. The impugned order on its face, for the reasons of absence of formal charge sheet at the time of commencement of enquiry proceedings, and on account of deviation of the competent authority from its tentative decision of imposition of minor penalty indicated in the show cause notice, is likely to suffer from voidness, if not rebutted by sufficient material and justification by the respondents. Thus, there is uncertainty as to whether the question of limitation will have any bearing or not. Therefore, this appeal is admitted for regular hearing. The appellant is directed to deposit security and process fee within 10 days. Thereafter, notices be issued to the respondents for submission of written reply/comments in office within 10 days after receipt of notices, positively. If the written reply/comments are not submitted within the stipulated time, or extension of time is not sought through written application with sufficient cause, the office shall submit the file with a report of non-compliance. File to come up for arguments on 24.08.2021 before the D.B.


Chairman

27.10.2020

Appellant in person present.

Lawyers are on general strike, therefore, case is adjourned to 06.01.2021 for preliminary hearing, before S.B.



(Rozina Rehman)
Member (J)

06.01.2021

Mr. Aslam Khan Khattak, Advocate, for appellant is present. He requests for adjournment for preparation of the brief. The request is acceded to, the appeal is adjourned to 06.04.2021 on which date file to come up for preliminary hearing before S.B.



(MUHAMMAD JAMAL KHAN)
MEMBER (JUDICIAL)

06.04.2021

Due to demise of the learned Chairman, the Tribunal is non-functional, therefore, case is adjourned to 13.07.2021 for the same as before.



Reader

16.03.2020

Clerk to counsel for the appellant present and seeks adjournment as lawyers community is on strike on the call of Peshawar Bar Association. Adjourn. To come up for preliminary hearing on 28.04.2020 before S.B.

Member

28.04.2020

Due to COVID-19, the case is adjourned to 04.08.2020 for the same, before S.B.

Reader

04.08.2020

Appellant alongwith his counsel Mr. Aslam Khan Khattak, Advocate present. On the last date, the case was adjourned on the strength of Reader's note due to COVID-19.

Learned Additional AG is not available before the Tribunal today, therefore, notice be issued to learned Additional AG for 27.10.2020. To come up for preliminary hearing before S.B.

(MIAN MUHAMMAD)
MEMBER (E)

14.11.2019

Counsel for the appellant present.

Issue notice to respondent No. 2 for production of record pertaining to the departmental proceedings against the appellant followed by order dated 04.11.2015.

Copy of requisite complete record shall be made available on the next date. Adjourned to 17.12.2019 before S.B.

Chairman



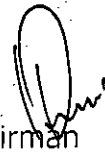
17.12.2019

Petitioner in person and Addl. AG alongwith Sher Yar, Assistant Superintendent Jail for the respondents present.

The requisite record has been produced by representative of respondents which is placed on record. The appellant, on the other hand, requests for adjournment due to non-availability of his learned counsel owing to general strike of the Bar.

Adjourned to 28.01.2020 before S.B.

Chairman



28.01.2020

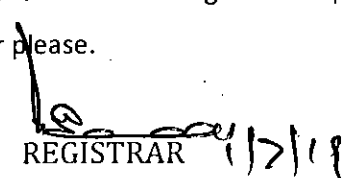



Appellant in person present and seeks adjournment as his counsel is not in attendance. Adjourn. To come up for preliminary hearing on 16.03.2020 before S.B.

Member



Form- A
FORM OF ORDER SHEET

Court of _____
Case No.- 864/2019

S.No.	Date of order proceedings	Order or other proceedings with signature of judge
1	2	3
1-	01/07/2019	<p>The appeal of Mr. Zeeshan Ahmad presented today by Mr. Aslam Khan Khattak 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 1/7/19</p>
2-	0	<p>This case is entrusted to S. Bench for preliminary hearing to be put up there on <u>08/08/2019</u>.</p> <p style="text-align: right;"> CHAIRMAN</p>
	08.08.2019	<p>Counsel for the appellant present.</p> <p>Learned counsel states that he is not feeling well today, therefore, requests for adjournment. Adjourned to 26.09.2019 for preliminary hearing before S.B.</p> <p style="text-align: right;"> Chairman</p>
	26.09.2019	<p>Counsel for the appellant present.</p> <p>Learned counsel once again requests for adjournment due to non-availability of appellant today. Adjourned to 14.11.2019 before S.B.</p> <p style="text-align: right;"> Chairman</p>

*P. K. Khan
Advocate*

24.08 .2021

Mr. Aslam Khan Khattak, Advocate for the appellant present.
Mr. Muhammad Rasheed, DDA alongwith Mr. Suleman, Law Officer
for the respondents present.

Copy of written reply is handed over to the learned counsel
for the appellant. Learned counsel for the appellant requested that
he wants to submit rejoinder, therefore, time may be granted to
him for submission of rejoinder. Adjourned. To come up for
submission of rejoinder as well as argument before the D.B on
16.11.2021.

(MIAN MUHAMMAD)
MEMBER (EXECUTIVE)

(SALAH-UD-DIN)
MEMBER (JUDICIAL)

**BEFORE THE KHYBER PAKHTUNKHWA SERVICE
TRIBUNAL PESHAWAR**

Appeal No: 864 /2019

Zeeshan Ahmed

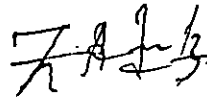
Versus

Secretary Home & Tribal Affairs Department, KPK & Others

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2	Application for Condonation of delay if any with affidavit	-	4-5
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4	Nikah Nama	"B"	7-8
5	Affidavit	"C"	9
6	Statement of Nikah Registrar	"D"	10
7	FIR dated 05/11/2014	"E"	11
8	Acquittal of Appellant dated 19/02/2019	"F"	12-13
9	Departmental Appeal	"G"	14
10	Wakalat Nama	-	15

Dated: 01 /07/2019



Appellant

Through



Aslam Khan Khattak
Advocate, Peshawar.

BEFORE THE KHYBER PAKHTUNKHWA SERVICE TRIBUNAL
PESHAWAR

Appeal No: ____/2019

Zeeshan Ahmed, Junior Clerk, Sub Jail, Dassu, Kohistan

.....Appellant

Versus

1. The Secretary Home & Tribal Affairs Department, Khyber Pakhtunkhwa, Peshawar.
2. Inspector General of Prisons, KPK, Peshawar.
3. The Superintendent Sub Jail, Dassu, Kohistan.

.....Respondents

APPEAL UNDER SECTION 4 OF KPK SERVICE TRIBUNAL ACT 1974 AGAINST THE IMPUGNED ORDER DATED 04-11-2015 VIDE ANNEXURE 'A' WHEREBY, THE MAJOR PENALTY OF REDUCTION TO A LOWER STAGE IN A TIME SCALE FOR A PERIOD OF FIVE YEARS HAS BEEN IMPOSED UPON THE APPELLANT AND THE PERIOD OF HIS ABSENCE FROM 1-2-2015 TO 15-3-2015 (43 DAYS) HAS BEEN TREATED AS LEAVE WITHOUT PAY.

PRAYER:

ON ACCEPTANCE OF APPEAL, THE ABOVE REFERRED IMPUGNED ORDER DATED 04-11-2015 VIDE ANNEXURE "A" MAY BE SET ASIDE, SO THAT THE APPELLANT'S ORIGINAL PAY SCALE IS RESTORED INCLUDING ALL BACK BENEFITS.

Respectfully Sheweth:-

Brief facts leading to the instant appeal are as under:-


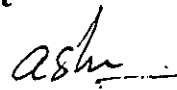
1. That the appellant is a regular civil servant in BPS-11 in the cadre of Junior Clerk in Prison Department and is presently serving in Sub Jail Dassu, Kohistan.
2. That the appellant has married with Sadaf Jehan D/o Ghulam Nabi R/o House No. 488, Street No.2, Janat Nigar Garh, Mughal Pura, Lahore. (Copy is at Annexure "B") and an affidavit by Sadaf Jehan is at Annexure "C") that she has married with the appellant with her wish and free will and the statement of Nikah Registrar is also at Annexure "D".
3. That Ghulam Nabi S/o Qasim Ali (father of Sadaf Jehan) has lodged FIR No: 905 dated 05/11/2014 U/S 365/376 PPC, P.S Mughal Pura, Lahore vide Annexure "E" that the appellant has snatched his daughter Sadaf Jehan from him and has illegally married with her.
4. That the appellant due to involvement in a bogus case has remained absent from duty for 43 days and on its basis, the major penalty of "Reduction to a Lower stage in time scale for a period of five years" has been awarded to the appellant attached to Sub-Jail Dassu, Kohistan for his absence from duty. The period from 01/02/2015 to 15/03/2015 (43 days) is hereby treated as leave without pay vide impugned order dated 04/11/2015 vide annexure "A".
5. That the appellant has been acquitted from charge by Additional Session Judge Lahore on 19/02/2019 vide Annexure "F".
6. That the appellant has filed departmental appeal to respondent No.2 vide Annexure "G" and 90 days have been elapsed and no response has been received so far and hence this appeal inter-alia on the following grounds:-

GROUND:

- A. That Sadaf Jehan D/o Ghulam Nabi, Caste Gujjar R/o House No. 488, Street No.1, Kachi Abadi, Mughal Pura, Lahore has married with the appellant by her free will as revealed from Nikah Nama and her affidavit vide Annexure "B & C" respectively, but her father on malafide contention has lodged an FIR vide annexure "E" against the appellant that he has illegally married with his daughter Sadaf Jehan and the trial was conducted and the appellant has been acquitted as revealed from annexure "F". So the impugned order dated 24/11/2015 vide annexure "A" is illegal and is liable to be set aside because all acquittals are honourable and there can be no acquittal which may be treated as dishonourable.
- B. That the appellant has illegally been kept away from duty for 43 days for attending the Court in Lahore and so he is entitled to all back benefits.
- C. That the appellant's absence period has been treated as leave without pay and so he cannot be punished under the law.
- D. That the impugned order dated 04/11/2015 vide annexure "A" is illegal, malafide, without jurisdiction and without lawful authority and is liable to be set aside.
- E. That the appellant seeks leave to rely on additional grounds at the time of arguments.

It is, therefore, prayed that on acceptance of appeal, the impugned order dated 04/11/2015 at annexure "A" may be set aside and the appellant's original pay scale may be restored and the pay for the period from 01/02/2015 to 15/03/2015 may also be paid to him.

Dated: 01/07/2019


Appellant
Through 
Aslam Khan Khattak
Advocate, Peshawar.

**BEFORE THE KHYBER PAKHTUNKHWA SERVICE
TRIBUNAL PESHAWAR**

Appeal No: ____/2019

Zeeshan Ahmed

Versus

Secretary Home & Tribal Affairs Department, KPK, Peshawar &
Others

**APPLICATION FOR CONDONATION OF
DELAY IF ANY.**

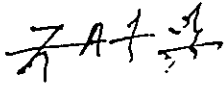
RESPECTFULLY SHEWETH

That the Petitioner requests for Condonation of Delay if any on the following grounds:-

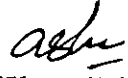
- A. That the Petitioner was falsely evolved in criminal case which took a long time in its decision and the Petitioner was unable to file his appeal earlier without any decision in his case.
- B. That the delay if any if occurred was not his fault and as per judgment of August Supreme Court of Pakistan, that all cases be decided on merits and not on technicalities, such as limitations.
- C. That the delay if any if it is not condoned the Petitioner will suffer irreparable loss.

It is, therefore, prayed that on acceptance of this application, the delay (if any) shall be condoned to meet the ends of justice.

Dated: 21/07/2019


Petitioner

Through


Aslam Khan Khattak
Advocate, Peshawar.

**BEFORE THE KHYBER PAKHTUNKHWA SERVICE
TRIBUNAL PESHAWAR**

Appeal No: ___/2019

Zeeshan Ahmed

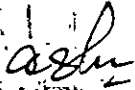
Versus

Secretary Home & Tribal Affairs Department, KPK, Peshawar &
Others

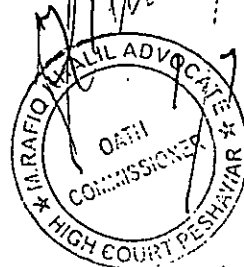
AFFIDAVIT

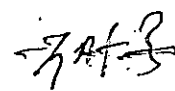
I, Zeeshan Ahmed, Junior Clerk, Sub Jail, Dassu,
Kohistan, do hereby solemnly affirm and state on oath that
all contents of application for condonation of delay if any are
true and correct to the best of my knowledge and belief and
nothing wrong has been stated by me in the matter.

Identified By:


Aslam Khan Khattak
Advocate, Peshawar.

ATTESTED




Deponent



OFFICE OF THE
INSPECTOR GENERAL OF PRISONS
KHYBER PAKHTUNKHWA PESHAWAR.

Annexure A
⑥

091-9210334, 9210406 091-9213445

No.Estb/Ward-/Orders/ 31775 1-

Dated 04-11-2015 1-

ORDER

WHEREAS, the accused official Mr.Zeeshan Ahmad Junior Clerk attached to Central District Jail Mansehra was proceeded against under Rule-3 of Khyber Pakhtunkhwa Government Servants(Efficiency & Discipline) Rules, 2011 for the charges mentioned in the charge sheet/Show Cause Notice served upon him.

AND WHEREAS, the accused official was granted opportunity of personal hearing on 29-10-2015 as provided for under rules ibid.

AND WHEREAS, the accused official explained his case thoroughly but failed to defend the charges leveled against him and admitted his guilt in reply as well as during the course of personal hearing.

NOW THEREFORE, in exercise of powers conferred under Rule-14(5) of Khyber Pakhtunkhwa Government Servants(Efficiency & Discipline) Rules 2011, having considered the charges, evidence on record, the explanation of the accused official as well as recommendation of the Inquiry Officer, the undersigned being competent authority, hereby award major penalty of "Reduction to a lower stage in a time scale for a period of five years" to Mr.Zeeshan Ahmad, Junior Clerk presently attached to Sub Jail Dasso for his willful absence. The period from 01-2-2015 to 15-3-2015 (43 days) is hereby treated as leave without pay.

INSPECTOR GENERAL OF PRISONS,
KHYBER PAKHTUNKHWA, PESHAWAR.

ENDST:NO. 31776 — 80 1.

Copy of the above is forwarded to :-

1. The Superintendent, District Jail Mansehra, for information and necessary action.
2. Mr.Sikandar Khan, Senior Assistant Superintendent I/C Sub Jail Battagram for information with reference to his letter No.549 -WE dated 03-7-2015.
- ✓ 3. The Superintendent, Sub Jail Dasso for information and necessary action. Necessary entry may be made in his Service Book under proper attestation under intimation to this office.
4. The District Accounts Officers Mansehra & Dasso for information.

ASSISTANT DIRECTOR(ADMN)
FOR INSPECTOR GENERAL OF PRISONS,
KHYBER PAKHTUNKHWA PESHAWAR.

2

فارم نمبر 2
(دیکھئے قاعدہ نمبر 1008)

مسلم خاندانی قوانین کے آرڈی نٹس مجریہ 1971ء (اگست 1971ء) کے تحت وضع کئے ہوئے قواعد کے قاعدہ نمبر 18 اور نمبر 10 کے تحت مجوزہ فارم

نکاح نامہ

1۔ وارڈ امور صبح وارڈ سولہ سالہ ناؤن ایمن ولدہ بی بی سیدہ حفصہ تحصیل اٹھانہ ڈسٹرکٹ کراچی 11

اور صبح وارڈ سولہ سالہ جس میں شادی وقوع پذیر ہوئی اس کے آباؤ اجداد کے ناموں کے ساتھ ساتھ والدین کے ناموں کے ساتھ ساتھ

3-3-3-2-0-3-3-3-1-8-3-0-3-1

2۔ ڈولہا اور اس کے والد کا نام مع ان کی سکونت بالترتیب قومی شناختی کارڈ نمبر

3-3-3-2-0-3-3-3-1-8-3-0-3-1

3۔ ڈولہا کی عمر یا تاریخ پیدائش (1106-1985) ڈولہن اور اس کے والد کا نام مع ان کی سکونت بالترتیب قومی شناختی کارڈ نمبر

3-3-3-2-0-3-3-3-1-8-3-0-3-1

5۔ آیا دہن کنواری ہے یا بیوہ یا مطلقہ 5۔ (الف) اگر دہن بیوہ یا مطلقہ ہے اور اس کے بچے ہیں تو ان کی تعداد اور نام

3-3-3-2-0-3-3-3-1-8-3-0-3-1

6۔ ڈولہن کی عمر یا تاریخ پیدائش (23-3-1989) 7۔ اگر ڈولہن کی طرف سے کوئی وکیل مقرر کیا گیا ہے تو اس کا نام مع ولدیت و سکونت قومی شناختی کارڈ نمبر

3-3-3-2-0-3-3-3-1-8-3-0-3-1

8۔ ڈولہن کے وکیل کے تقرر کے بارے میں گواہوں کے نام مع ولدیت و سکونت اور ان کی ڈولہن کے ساتھ رشتہ داری

3-3-3-2-0-3-3-3-1-8-3-0-3-1

9۔ اگر ڈولہا کی طرف سے کوئی وکیل مقرر کیا گیا ہے تو اس کا نام مع ولدیت و سکونت 10۔ ڈولہا کے وکیل کے تقرر کے بارے میں گواہوں کے نام مع ولدیت و سکونت

3-3-3-2-0-3-3-3-1-8-3-0-3-1

11۔ شادی کے گواہوں کے نام مع ولدیت و سکونت

3-3-3-2-0-3-3-3-1-8-3-0-3-1

12۔ شادی سزا انجام پانے کی تاریخ 6-11-2014

3-3-3-2-0-3-3-3-1-8-3-0-3-1

13۔ مہر کی رقم

3-3-3-2-0-3-3-3-1-8-3-0-3-1

14۔ مہر کی کتنی رقم منجیل ہے کتنی غیر منجیل

3-3-3-2-0-3-3-3-1-8-3-0-3-1

15۔ آیا مہر کا کچھ حصہ شادی کے موقع پر ادا کیا گیا اگر کیا گیا ہے تو کس قدر

3-3-3-2-0-3-3-3-1-8-3-0-3-1

16۔ آیا پورے مہر یا اس کے کسی حصہ کے عوض میں کوئی جائیداد دی گئی ہے اگر دی گئی ہے تو اس جائیداد کی صراحت اور اس کی قیمت جو فریقین کے مابین طے پائی ہے۔

3-3-3-2-0-3-3-3-1-8-3-0-3-1

- ۱۷۔ خاص شرائط اگر کوئی ہوں
- ۱۸۔ آیا شوہر نے طلاق کا حق بیوی کو تفویض کر دیا ہے
- اگر کر دیا ہے تو کونسی شرائط کے تحت؟
- ۱۹۔ آیا شوہر کے طلاق کے حق پر کسی قسم کی پابندی لگائی گئی ہے؟
- ۲۰۔ آیا شادی کے سو فیصد پر مہر و نان نفقہ وغیرہ سے متعلق کوئی دستاویز تیار کی گئی ہے۔ اگر کی گئی ہے تو اس کے مختصر مندرجات۔
- ۲۱۔ آیا دولہا کے یہاں پہلے سے کوئی بیوی موجود ہے اگر ہے تو آیا اس نے دوسری شادی کرنے کے لئے مسلم خاندانی قوانین کے آرڈیننس ۱۹۷۱ء کے تحت جیڑین ٹائپی کونسل سے اجازت نامہ حاصل کر لیا ہے۔
- ۲۱۔ (الف) آیا دولہا رنڈوا ہے یا طلاق یافتہ؟
- ۲۱۔ (ب) آیا دولہا کے ہاں پہلے سے بیوی یا بیویاں موجود ہیں؟
- اگر دولہا رنڈوا یا طلاق یافتہ ہے تو اس کے بچوں کی تعداد اور نام
- ۲۲۔ نمبر و تاریخ مراسم جس کے ذریعے ٹائپی کونسل نے دولہا کو دوسری شادی کرنے کی اجازت دی ہے۔
- ۲۳۔ نکاح خواں کا نام اور ولدیت منہ پتہ۔

نہایتی ناگوارت میں / اس وقت / ہجرت / اور /

حیدرآباد / گوانا /

۲۰۱۱ / ۰۷ / ۰۱

۲۴۔ شادی کو درج رجسٹر کرانے کی تاریخ

۲۵۔ فیس رجسٹریشن جو ادا کی گئی ہے

دولہا کے وکیل کے تقرر کے گواہان کے دستخط

دولہا یا اس کے وکیل کے دستخط

دولہا کے دستخط

دولہا کے وکیل کے دستخط

شادی کے گواہان کے دستخط

نکاح خواں کے دستخط

نکاح رجسٹرار کے دستخط اور مہر

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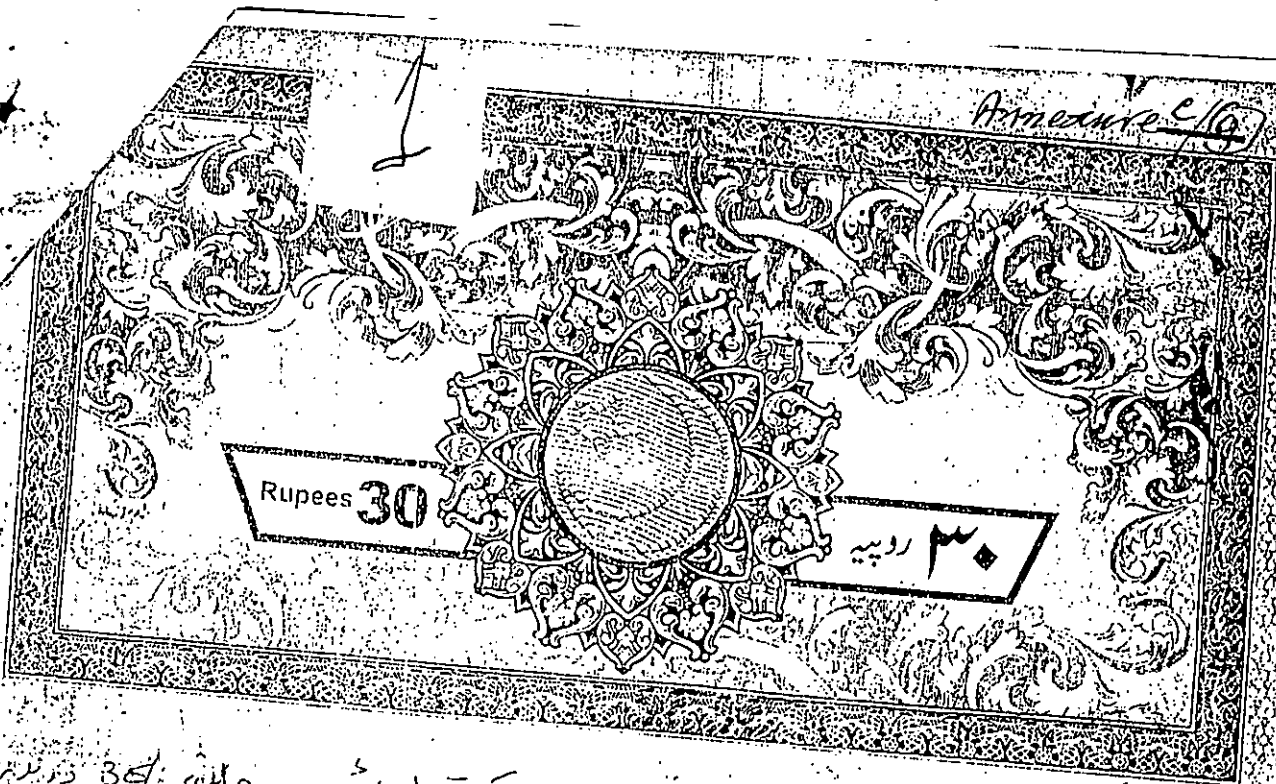
۱ 3 1 0 1 - 0 8 8 8 2 5 2 - 7



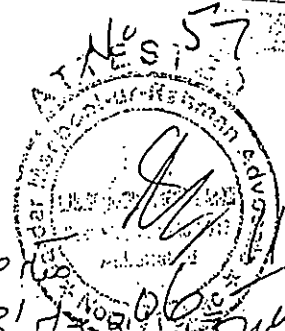
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ملحق حکومت پنجاب لاہور

Amnour el...



دک وطم اسناد مالکیت 30 روپیہ



بیان حلیہ

۴۸۸

بیان حلیہ

حضرت عسکرم بن قوم کچھ سکھ لہجہ آبادی ایل دی۔ ۱۷ قحطان ۱۸۸۸

میں صرف حیان حضرت عسکرم بن قوم کچھ سکھ لہجہ آبادی ایل دی۔ ۱۷ قحطان ۱۸۸۸

طفاً بیان ہوں کہ میں شادی ہالہ ازہر لکھنؤ ہوں۔ اور

ایسے لفظ لکھنؤ کو جو لکھنؤ میں ہے۔ اور میں نے لکھنؤ میں لکھنؤ اور لکھنؤ میں

کائنات میں ہے۔ طفاً بیان ہوں کہ میں نے لکھنؤ میں لکھنؤ اور لکھنؤ میں

مستوب ہوں۔ مذہب طفاً بیان ہوں کہ میں نے لکھنؤ میں لکھنؤ اور لکھنؤ میں

نہ ہوا گیا ہے۔ میں اپنے حقوق خود اپنے استعمال کرتے ہوئے عیسوی

ولینڈن ولد عبدالرحمان قوم کچھ سکھ لہجہ آبادی ایل دی۔ ۱۷ قحطان ۱۸۸۸

میں نے اپنے مال کے بارے میں اور میں نے اپنے مال کے بارے میں

اور میں نے والدین خود کے گھر سے ۳۰ روپیہ لکھنؤ میں لکھنؤ اور لکھنؤ میں

صبر یا لکھنؤ میں لکھنؤ میں لکھنؤ میں لکھنؤ میں لکھنؤ میں

وعدہ لکھنؤ میں لکھنؤ میں لکھنؤ میں لکھنؤ میں لکھنؤ میں

مافیہ میں لکھنؤ میں لکھنؤ میں لکھنؤ میں لکھنؤ میں لکھنؤ میں

رضامندی فوراً لکھنؤ میں لکھنؤ میں لکھنؤ میں لکھنؤ میں لکھنؤ میں

کلیڈا بیان لکھنؤ میں لکھنؤ میں لکھنؤ میں لکھنؤ میں لکھنؤ میں

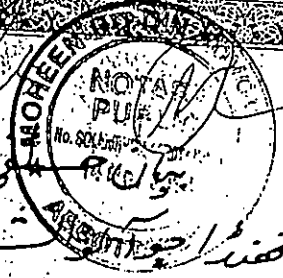
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Sandhyan

گواہی

میں نے اپنے مال کے بارے میں اور میں نے اپنے مال کے بارے میں

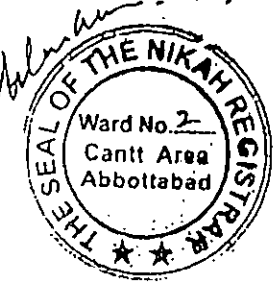
۱۳۱۴-۹۸۶۶۱۳-۳



یک قطعہ اٹھ سو مالیتی ۳۰ روپیہ
 مسکد اسم خان ولد لعل خان کائنات کنڈھنڈا جو کہ شمالی
 تحصیل و ضلع ایبٹ آباد خطیب جامع مسجد فاروقیہ کنڈھنڈا چو
 لوالشہ ایبٹ آباد وکھاج رحیدار وارڈ کے کنڈھنڈا ایبٹ آباد
 حلقہ بیانی بیوں کہ من حلقہ نے مورخہ ۱۱/۱۴ کو فسی زبان احمد
 ولد عبدالرحمن کائنات کنڈھنڈا تحصیل و ضلع مالیرہ مال نزد پتیل بیوں
 محلہ ڈب کے مالیرہ کھانچا پٹرا اور کھانچا درج رحیدار اندراج
 رحیدار کھانچا کیا جو کہ مسماہ صرف جہان دختر عدم نبی قوم گجر کائن
 کچی آبادی اپیل ڈی اے مکان ۴۸۸ مٹی کے محلہ اچنڈ ٹرہو بد پور کے پٹرا
 تھا جس میں مسماہ مذکورہ کا بیان حلفی موجود تھی جو کہ مسماہ مذکورہ نے
 درست تسلیم کرتے ہوئے بوقت کھانچا تمام لوازمات کھانچا نام از خود درج
 کروائے اور من حلقہ نے اسکی زبانی خانہ کھانچا نام میں درج کئے۔ بوقت
 کھانچا معاملہ و پالنگ گواہان بھی موجود تھے جن کا موجودگی میں من حلقہ نے
 تمام شرعی و قانونی لوازمات پورے کرتے ہوئے کھانچا پٹرا - منیرہ ایبٹ
 بیان ہے جو کہ روبر و عداوت بھی بیان دینے کو تیار بیوں کوئی
 بھی اور حلقہ یا پوسٹہ نہ رکھا گیا ہے۔ لکھا بیان حلقہ سند
 المرقوم ۱۵/۱۵

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۱۳۱۰۱-۰۸۸۸۲۵۲-۷
 اسم خان کھانچا فوایاں و کھانچا رحیدار
 مذکورہ



The State Vs. Rizwan Ahmad etc

ORDER

Present:

Accused Rizwan on bail with his learned counsel.
PW Ghulam Nabi and Khurshid Jahan alongwith their counsel.
Iftikhar Ahmad, learned ADPP for the State.

The accused Zeshan Ahmad is not in attendance and on his behalf application for dispensation of his personal attendance has been filed on the ground mentioned therein, which is plausible. The attendance of above accused is dispensed with only for today. Cross-examination on Ghulam Nabi/PW-2 and Khurshid Jahan/PW-3 has been completed today. Let other PWs Muhammad Hamid Younis, Muhammad Akram ASI, Zulfiqar Ali S.I, Samar Abbas 11617/HC, Majid Ali/Complainant, Ashiq Ali 11526/HC, Muhammad Akram 417/HC and Suhail Shahzad S.I be also summoned through non-bailable warrants of arrest for 19.02.2019. The arguments on application u/s 265-K Cr.P.C. shall also be heard on the date fixed.

Announced:
09.02.2019

M. Naeem
Muhammad Naeem Sheikh,
Addl. Sessions Judge,
Lahore.

ORDER

Present:

Accused Zeshan Ahmad on bail alongwith his learned counsel
Muhammad Safeen Adv.
Complainant in person alongwith his learned counsel Muhammad
Zafar Sultan Adv.
Iftikhar Ahmad, learned ADPP for the State.

The accused Rizwan Ahmad is absent and on his behalf application for dispensation has been filed on the ground that he is ill. The ground mentioned in the application is plausible. The application is allowed and attendance of accused Rizwan Ahmad is dispensed with only for today.

2. Through this order, I intend to decide application U/s. 265-K Cr.P.C filed by the accused.

3. Learned counsel for petitioners argued that the first application U/s.265-K Cr.P.C. was dismissed vide order dated 24.03.2018 on the ground that it was premature and evidence was yet to be recorded; now the statements of three PWs have been recorded and the fact of filing of suit for jactitation of marriage and its dismissal has been admitted by the PW-1; prior to filing suit for jactitation of marriage Sadaf Jahan (alleged victim), filed suit for dissolution of marriage on the basis of Khula, which suit was withdrawn vide order dated 08.04.2015; the factum of Nikah was proved by leading evidence before the learned Family Court, as statements of private PWs have been recorded and even if the statements of state officials are recorded, there is no probability of conviction of the accused persons.

4. On the other hand, learned prosecutor assisted by learned counsel for the complainant opposed the contentions raised by learned counsel for the petitioner while arguing that the charge was framed in two heads and the

[Handwritten signature]

01/02/2019

5. Arguments heard and record perused.

6. Record reveals that the criminal law was set into motion on the written application (Ex.PA) of Ghulam Nabi/PW-2. The investigation was carried out and all the accused were declared innocent by the investigating agency. However, the accused were summoned to face trial and having delivered the copies U/s.265-C Cr.P.C., the charge was framed and prosecution evidence was summoned.

7. The victim Sadaf Jahan appeared as PW-1 and during cross-examination PW admitted that she filed suit for dissolution of marriage on the basis of Khula and she withdrew the said suit. PW also admitted that she also filed suit for jactitation of marriage in the Family Court, Lahore and evidence was also recorded in the said suit. It was also admitted by the PW-1 that her suit for jactitation of marriage was dismissed. PW also admitted the factum of recording of evidence of Nikah Khawan/Nikah Registrar before the learned Family Court. The certified copy of the judgment dated 05.12.2016 passed by learned Judge Family Court, Lahore in suit for jactitation of marriage is also available on record, which clearly reveals that the said suit instituted by Sadaf Jahan was dismissed. Prior to the filing of suit for jactitation of marriage, the filing of suit for dissolution of marriage on the basis of Khula was also admitted by PW-1, which suggests that the marriage is existing between Sadaf Jahan and Zeshan Ahmad alias Shan. Besides, the statement of Sadaf Jahan /PW-1, PW-3/Khurshid Jahan, the mother of victim also admitted regarding institution of suit for jactitation of marriage and recording of evidence therein. PW-3 also admits regarding dismissal of suit for jactitation of marriage, as such it is established that Sadaf Jahan was married with accused Zeshan Ahmad. When Sadaf Jahan (PW-1) was married with accused Zeshan Ahmed, there remains no question of abduction and rape. The private witnesses have been recorded in the case in hand and the remaining witnesses are state officials and recording of remaining witnesses will not change the complexion of the case. The presumption of truth is attached to the judicial record, as such this court is of the view that there is no probability of conviction of accused Rizwan Ahmad and Zeshan Ahmad... Resultantly, the application under Section 265-K Cr.P.C. is accepted and accused Rizwan Ahmad and Zeshan Ahmad are acquitted from the case FIR No.905 dated 05.11.2014, Offence U/s. 365/376 PPC, P.S Mughalpura, Lahore. Accused persons are on bail, their bail bonds are discharged and sureties are relieved of their obligations. Hassan Ali, Ahmad is directed to consign the file to the record room after its due completion.

Announced
18.02.2019

Muhammad Naeem Sheikh
Addl. Sessions Judge
Lahore

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Hassan

Muhammad Naeem Sheikh
Addl. Sessions Judge
Lahore

Signature

محفوظ صاحب انسپکٹر جنرل صاحب محکمہ جلیانہ جات دہلی ضلع

درخواست برائے خاتمہ محکمہ جلیانہ سنرا

صاحب عالی

مودہ ماہہ گزارش ہے کہ سائل محکمہ جلیانہ جات میں بطور جو سپر
کلرک فراغت سرانجام دیا گیا ہے۔ سال 2014 میں سائل کو ایک جمعے
مقدمے/کیس میں برائے FIR نمبر 905 مورخہ 2014.11.5 نمٹانہ مفلورہ لاہور
زبردفعہ 365/376 PPC نامزد کیا گیا جسکی وجہ سے سائل 43 مہینہ حاضر
رہا۔ اور محکمہ جلیانہ جات نے کارروائی کرتے ہوئے سائل کو مہینہ حاضر
پر سنرا دیکر جھلے سیچ میں ڈال دیا۔ یہ سنرا برائے حکم نمبر 31775
مورخہ 2015.11.4 دیا گیا۔ کاپی لف ہے۔

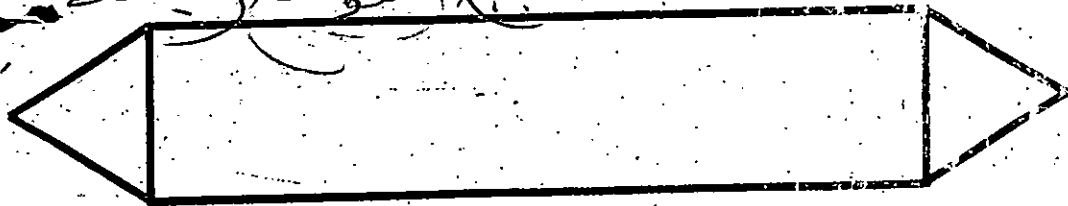
صاحب عالی

سائل کے دوران ایڈیشنل سیشن جج صاحب لاہور نے
دلائل سننے کے بعد سائل کو بے گناہ قرار دیکر سائل کو حرم
19.2.2019 کو بری کر دیا۔ نتیجے کی کاپی لف ہے
چونکہ سائل اس کیس میں بے گناہ ثابت ہو چکا ہے
اور اس کیس میں مہینہ حاضر پر سائل کو سنرا (جلیانہ) دی
گئی ہے۔ جو کہ بے گناہی ثابت ہونے پر بلا جوار ہے اور
اس مہینہ حاضر کو چھٹی میں شمار کیا جاسکتا ہے۔

لہذا بذریعہ درخواست خاتمہ سنرا ہے کہ سائل کی
سنرا ختم کی جاتی اور حکم نمبر 31775 مورخہ 2015.11.4
والیسی کی جاتی اور سائل کی مہینہ حاضر کو چھٹی میں شمار کیا جا

ذیشان احمد ولد عبدالرحمان جو سپر کلرک
حال سب جیل داسر کوٹھسان

بعدالت مناجات



2022 مناجات السلام

بنام
Prison Department

مزارع

نقد

یونی

جرم

باعث تحریر آنکے

مقدمہ مندرجہ عنوان پر اپنی طرف سے واسطے پیروی و جواب دہی وکل کاروائی متعلقہ

ان مقام کے لئے روٹیشن کے لئے

مقررہ کے اقرار پر جائے۔ کہ صاحب موصوف کو مقدمہ کی کل کاروائی کا کمال اختیار ہوگا۔ نیز
مقررہ صاحب کو ایسی نمانہ کرنے ق تقرر ثالث و فیصلہ پر حلف دیئے جواب دہی اور اقبال دعویٰ اور
دوربین ڈگری کے لئے جراء اور وصولی چیک و روپیہ ارضی دعویٰ اور درخواست ہر قسم کی تصدیق
و تصدیق دستخط کرانے کا اختیار ہوگا۔ نیز صورت عدم پیروی یا ڈگری یکطرفہ یا اپیل کی برآمدگی
اور مقررہ نیز واپس اپیل نگرانی و نظر ثانی و پیروی کرنے کا محتاج ہوگا۔ از بصورت ضرورت
مقررہ ماوراء کے لئے مقررہ کاروائی کے واسطے اور وکیل یا مختار قانونی کو اپنے ہمراہ یا اپنے بجائے
مقررہ کا اختیار ہوگا۔ اور صاحب مقرر شدہ کو بھی وہی جملہ مذکورہ اختیارات حاصل ہوں گے
اور مقررہ پر مقررہ طور و قبول ہوگا دوران مقدمہ میں جو خرچہ ہر جانہ التوائے مقدمہ ہوں گے
مقررہ سے دہوں گے۔ وکی تارقی پیشی مقام دورہ پر ہو یا حد سے باہر ہو تو وکیل صاحب پابند ہوں گے۔
مقررہ کی فیکورٹ میں۔ لیز و نکالت نامہ لکھ دیا کہ سند ہے۔

2022

ماہ جولائی

13

واہ العبد

Accept
BY

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"B"

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

No.

Appeal No. 864 of 20 19

Zee Shan Ahmed Appellant/Petitioner

Versus

The Secy Home Peshawar Respondent
Respondent No.

Notice to: -

Additional Advocate General
Service Tribunal Peshawar

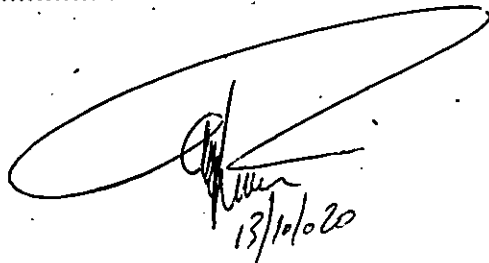
WHEREAS an appeal/petition under the provision of the North-West Frontier Province Service Tribunal Act, 1974, has been presented/registered for consideration, in the above case by the petitioner in this Court and notice has been ordered to issue. You are hereby informed that the said appeal/petition is fixed for hearing before the Tribunal *on 27/10/2020 at 8.00 A.M. If you wish to urge anything against the appellent/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 6/11/20

Day of Oct 20 20


13/10/20



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.