

18th July 2022 Counsel for the appellant present. Mr. Noor Zaman Khattak, District Attorney alongwith Mr. Gul Shahzad, SI(Legal) for respondents present.

The order dated 18.11.2021 was not complied with, therefore, to come up for arguments on 19.09.2022 before D.B at camp court Abbottabad.



(Kalim Arshad Khan)
Chairman
Camp Court Abbottabad

19.09.2022

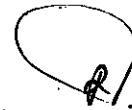
Appellant present through counsel.

Kabir Ullah Khattak, Additional Advocate General for respondents present.

Former requested for adjournment as he has not made preparation of the brief. Adjourned. To come up for arguments on 14.11.2022 before D.B at Camp Court, Abbottabad.



(Fareeha Paul)
Member (E)
Camp Court, A/Abad



(Rozina Rehman)
Member (J)
Camp Court, A/Abad

18.11.2021

Counsel for the appellant and Mr. Muhammad Rasheed, DDA for the respondents present.

The appeal was fixed for written reply of the respondents. Mr. Shamraiz Khan, ASI (Legal) on behalf of D.P.O Abbottabad present has pointed out that the impugned order actually was passed by D.P.O Mansehra which is available at page 11 at Annexure-C with the Memorandum of Appeal. The point raised by aforesaid representative is well-placed. It would result in delay of proceedings to get application for correction of the address of respondent No. 3, while this Tribunal has got the power of Civil Court within the meaning of sub-section (2) of Section 7 of the Khyber Pakhtunkhwa Service Tribunals Rules, 1974 besides inherent powers under Rule 27 of the Khyber Pakhtunkhwa Service Tribunal Rules, 1974 to pass orders to meet with ends of justice. Therefore, office is directed to delete the word "Abbottabad" and insert the word "Mansehra" against designation of respondent No. 3. Thereafter, notice be issued to D.P.O Mansehra (respondent No. 3) for submission of written reply/comments in office at Peshawar within 10 days after receipt of notice, 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 before the D.B on 14.02.2022 at Camp court, Abbottabad.



Chairman
Camp Court, A/Abad

19-2-22:-

Due to retirement of worthy chairman the Tribunal is now functional. To come up for the same on 18-7-22, at camp court Abbottabad.

1
Deorder

14.06.2021

Due to cancellation of tour, Bench is not available. Therefore, case to come up for the same as before on 29.09.2021.



Reader

29.09.2021

Junior to counsel for the appellant and Mr. Muhammad Riaz Khan Paindakhel, Asstt. AG alongwith Shamraiz Khan, ASI (Legal) for the respondents present.

Representative of the respondents seeks further time to furnish reply/comments. Respondents are directed to submit written reply/comments on the next date, failing which their right for submission of written reply/comments shall be deemed as struck off and the appeal will be heard on the basis of available record without reply of the respondents. Case to come up on 18.11.2021 before S.B at camp court, Abbottabad.



Chairman
Camp Court, A/Abad

18.01.2021

Due to COVID-19, the case is adjourned for the same on 17.02.2021 before D.B.



READER

17.02.2021

Appellant present through counsel.

Noor Zaman Khattak learned District Attorney alongwith Shamrez Khan A.S.I for respondents present.

Written reply was not submitted. Representative of respondents requested for time to furnish reply/comments; granted. To come up for written reply/comments on 14.06.2021 before S.B at Camp Court, Abbottabad.


(Atiq ur Rehman Wazir)
Member (E)
Camp Court, A/Abad

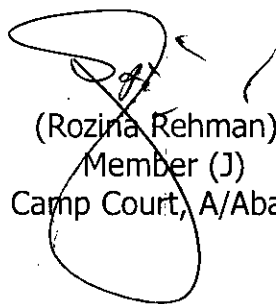
23.10.2020

Counsel for appellant present. Preliminary arguments heard. File perused.

Points raised need consideration. Admitted to regular hearing subject to all legal objections. The appellant is directed to deposit security and process fee within 10 days. Thereafter notices be issued to respondents for written reply/comments. To come up for written reply/comments on 18.01.2021 before S.B at Camp Court, Abbottabad.

Appellant Deposited
Security & Process Fee

27/10



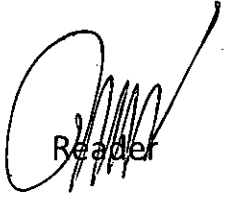

(Rozina Rehman)
Member (J)
Camp Court, A/Abad

Form- A

FORM OF ORDER SHEET

Court of _____

Case No.- 892 /2020

S.No.	Date of order proceedings	Order or other proceedings with signature of judge
1	2	3
1-	10/02/2020	<p>The appeal of Mr. Adil Ali received today by post through Muhammad Arshad Khan Tanoli Advocate may be entered in the Institution Register and put up to the Worthy Chairman for proper order please. decrease</p> <p style="text-align: right;"> REGISTRAR</p> <p>This case is entrusted to touring S. Bench at A.Abad for preliminary hearing to be put up there on <u>17-04-2020</u></p> <p style="text-align: right;"> CHAIRMAN</p> <p>Due to covid ,19 case to come up for the same on / / at camp court abbottabad.</p> <p style="text-align: right;">Reader</p> <p>Due to summer vacation case to come up for the same on <u>23 / 10 / 20</u> at camp court abbottabad.</p> <p style="text-align: right;"> Reader</p>

7

**BEFORE THE SERVICE TRIBUNAL, KHYBER
PAKHTUNKHWA PESHAWAR**

Service Appeal No. 892/2020

Adil Ali son of Ali Azhar, Ex-Constable No.626, (District Mansehra)
resident of Kehal Khola Tehsil and District Abbottabad.

...APPELLANT

VERSUS

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

....RESPONDENTS

SERVICE APPEAL

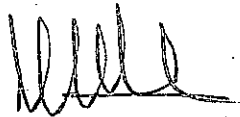
INDEX

<i>S. #</i>	<i>Description</i>	<i>Page #</i>	<i>Annexures</i>
1.	Service appeal alongwith affidavit	1 to 6	
2.	Copy of FIR	7	"A"
3.	Copy of judgment dated 09/03/2019 passed by Judicial Magistrate-I Mansehra and compromised deed dated 04/03/2019	8-10	"B"
4.	Copy of dismissal order dated 28/12/2017	11 to 15	"C"
5.	Wakalatnama	16	


...APPELLANT

Dated: 7/02/2020

Through


(Muhammad Arshad Khan Tanoli)
Advocate High Court, Abbottabad

Muhammad Arshad Khan Tanoli
Advocate High Court
Office No. 13 Adjacent to
Court for Abbottabad

1

BEFORE THE SERVICE TRIBUNAL, KHYBER
PAKHTUNKHWA PESHAWAR

Service Appeal No. 892/2020

Adil Ali son of Ali Azhar, Ex-Constable No.626, (District Mansehra)
resident of Kehal Khola Tehsil and District Abbottabad.

...APPELLANT

VERSUS

1. Inspector General of Police, Khyber Pakhtunkhwa, Peshawar.
2. Regional Police Officer, Hazara Region, Abbottabad.
3. District Police Officer, Abbottabad.

....RESPONDENTS

SERVICE APPEAL UNDER SECTION 4 OF
SERVICE TRIBUNAL ACT, 1974, FOR
DECLARATION TO THE EFFECT THAT THE
APPELLANT WAS IMPLICATED IN FIR NO.
1063 UNDER SECTION 381 PPC DATED
16/10/2017, POLICE STATION CITY
MANSEHRA, THE CASE WAS
COMPROMISED ON 04/03/2019 AND WAS
ACQUITTED ON 09/03/2019. THE
APPELLANT WAS DISMISSED FROM

SERVICE ON 28/12/2017 WITHOUT PROPER ENQUIRY AND SHOW CAUSE NOTICE AND STATEMENT OF ALLEGATION THE APPEAL OF THE APPELLANT WAS REJECTED BY RESPONDENT NO. 3 ON 31/05/2019 AS WELL AS REVIEW PETITION WAS ALSO REGISTERED BY RESPONDENT NO. 1 ON 09/01/2020 AND THE SAID IMPUGNED LETTERS ARE LIABLE TO BE SET ASIDE.

PRAYER: ON ACCEPTANCE OF THE INSTANT SERVICE APPEAL, THE IMPUGNED DISMISSAL ORDER DATED 28/12/2017 IS LIABLE TO BE SET ASIDE AND RESPONDENTS MAY GRACIOUSLY BE DIRECTED TO RE-INSTATE THE APPELLANT WITH ALL BACK BENEFITS.

Respectfully Sheweth:-

The facts forming the background of service appeal are arrayed as under:-

1. That the appellant was serving in the respondent department as constable. The application was implicated in case FIR No. 1063 under section 381 PPC dated 16/10/2020 Police Station City Mansehra. Copy of FIR is attached as Annexure "A".
2. That the complainant party has compromised in the case FIR No. 1063 on 04/03/2019 and the appellant was acquitted on 09/03/2019 accordingly. Copy of judgment dated 09/03/2019 passed by Judicial Magistrate-I Mansehra and compromised deed dated 04/03/2019 are attached as Annexure "B".
3. That respondent No. 3 without conducting an inquiry, without issuing show cause notice and statement of allegation dismissed the appellant on 28/12/2017. Copy of dismissal order dated 28/12/2017 is attached as Annexure "C".
4. That departmental appeal of the appellant was dismissed by respondent No. 3.

5. That departmental appeal of the appellant has been rejected by respondent No. 2 on 31/05/2019 and review petition application has also been rejected by respondent No. 1 on 09/01/2020. Hence, the instant service appeal is filed, inter-alia on the following grounds:-

GROUND:-

- a) That the appellant has been dismissed without show cause notice, statement of allegation, proper inquiry. Hence the same is liable to be set aside.
- b) That once a matter has been compromised with the appellant, the appellant has been acquitted honorably. The appellant is eligible to be re-instated in service with back benefit.
- c) That dismissal order is a void order because opportunity of defending has been provided to the appellant by the competent authority, hence the impugned dismissal order is liable to be set aside.


- d) That there is no other prompt, efficacious remedy, available to the appellant except the instant appeal.

It is, therefore, humbly prayed that on acceptance of the instant service appeal, the impugned dismissal order dated 28/12/2017 is liable to be set aside and respondents may graciously be directed to re-instate the appellant with all back benefits.


...APPELLANT

Through

Dated: 7/02 /2020


(Muhammad Arshad Khan Tanoli)
Advocate High Court, Abbottabad
Advocate High Court
Office No. 33 Adjacent to
District Office Abbottabad

VERIFICATION:-

Verified on oath that the contents of foregoing service appeal are true and correct to the best of our knowledge and belief and nothing has been concealed therein from this Honourable tribunal.


...APPELLANT

**BEFORE THE SERVICE TRIBUNAL, KHYBER
PAKHTUNKHWA PESHAWAR**

Service Appeal No. _____/2020

Adil Ali son of Ali Azhar, Ex-Constable No.626, (District Mansehra)
resident of Gairwal Kehal Khola Tehsil and District Abbottabad.

...APPELLANT

VERSUS

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

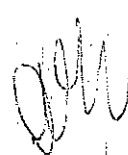
....RESPONDENTS

SERVICE APPEAL

AFFIDAVIT

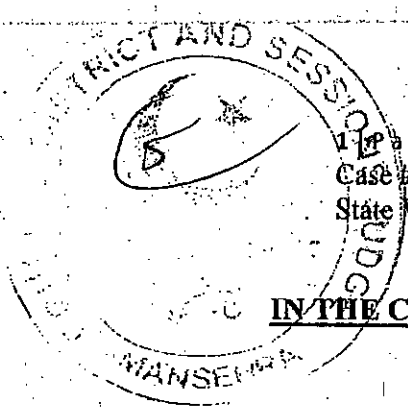
I, Adil Ali son of Ali Azhar, Ex-Constable No.626, (District Mansehra)
resident of Gairwal Kehal Khola Tehsil and District Abbottabad, do hereby
solemnly affirm and declare that the contents of foregoing service appeal are
true and correct to the best of my knowledge and belief and nothing has been
concealed therein from this Honourable Court.


DEPONENT


9/2/2020

Annex - B

P-8



Page
Case # 50/2 of 2017
State Vs Adil and others

**IN THE COURT OF JUDICIAL MAGISTRATE-I,
MANSEHRA**

Order # 13:
09.03.2019

APP Miss Syeda Aleena Ayaz for state present. All the accused except accused Khizran on bail present with counsel present and filed *Wakalatnama* on behalf of accused Mst. Rozeena Siddique. Complainant Muhammad Sajjad in person present.

As per record, the accused namely Adil Ali s/o Ali Azhar, Feroz Ahmed s/o Muhammad Humayun, Khizran Ali s/o Misal Khan and Mst. Rozeena Siddique d/o Muhammad Siddique have been charged in case FIR No.1063 dated 02.11.2017 u/s 381-A PPC P.S City, Mansehra.

At the very outset complainant Muhammad Sajjad stated before the court that through the intervention of elders of locality he had patched up the matter with the accused facing trial named above and had got no objection on acquittal of the accused. Statement of complainant recorded in respect of compromise wherein, he confirmed the factum of compromise. Photocopy of the CNIC of complainant is Ex-PA (Original returned after perusal).

After the statement of complainant wherein he had affected compromise with the accused and patched up matter with them and withdrawn from prosecution of case, the notice u/s 249-A Cr.PC was served upon prosecution.

Arguments heard and record perused.

Perusal of record shows that present case was registered on the application of complainant against unknown accused. Thereafter complainant recorded his statement u/s 164 Cr.PC and charged the accused facing trial for commission of offence. Complainant has appeared before the court and recorded his statement in which he has withdrawn from prosecution of the accused and expressed no objection on the acquittal of the accused. Although offence for which accused facing trial have been charged is non-compoundable. As per the judgment of Hon'ble Peshawar High Court Peshawar reported in PLD 2016 page 26, "*compromise in non-compoundable case*

ATTESTED

Muhammad Arif
Advocate High Court
Office No 33 Adjacent to
Dist Bar Abbottabad

SYED WAHID ALI SHAH
JUDICIAL MAGISTRATE-I
MANSEHRA

ATTESTED
Examiner of Sessions Court Mansehra
12 MAR 2019
Signature

P-9

6

2 | Page
Case # 50/2 of 2017
State Vs Adil and others

can be considered when the parties had earnestly decided to live in peace by forgetting all their differences then it would be a need to acquit the accused on the basis of compromise."

Since the complainant being star witness of the case has patched up the matter with the accused and does not want to prosecute the accused anymore and also shown his no objection over acquittal of the accused, therefore, in these circumstances when complainant does not charge the accused, the charge against the accused has become groundless. There exists no probability of conviction of accused even accused kept on trial, therefore, accused facing trial are acquitted u/s 249-A Cr.PC. Accused are on bail, their sureties are discharged from the liabilities of bail bonds. Case property (if any) be dealt in accordance with law. File be consigned to record room after necessary completion and compilation.

Announced:
09.03.2019

[Signature]
SYED WAHAT ALI SHAH
JUDICIAL MAGISTRATE-I,
MANSEHRA

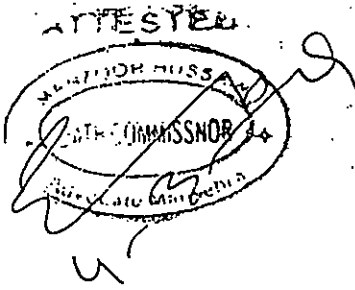
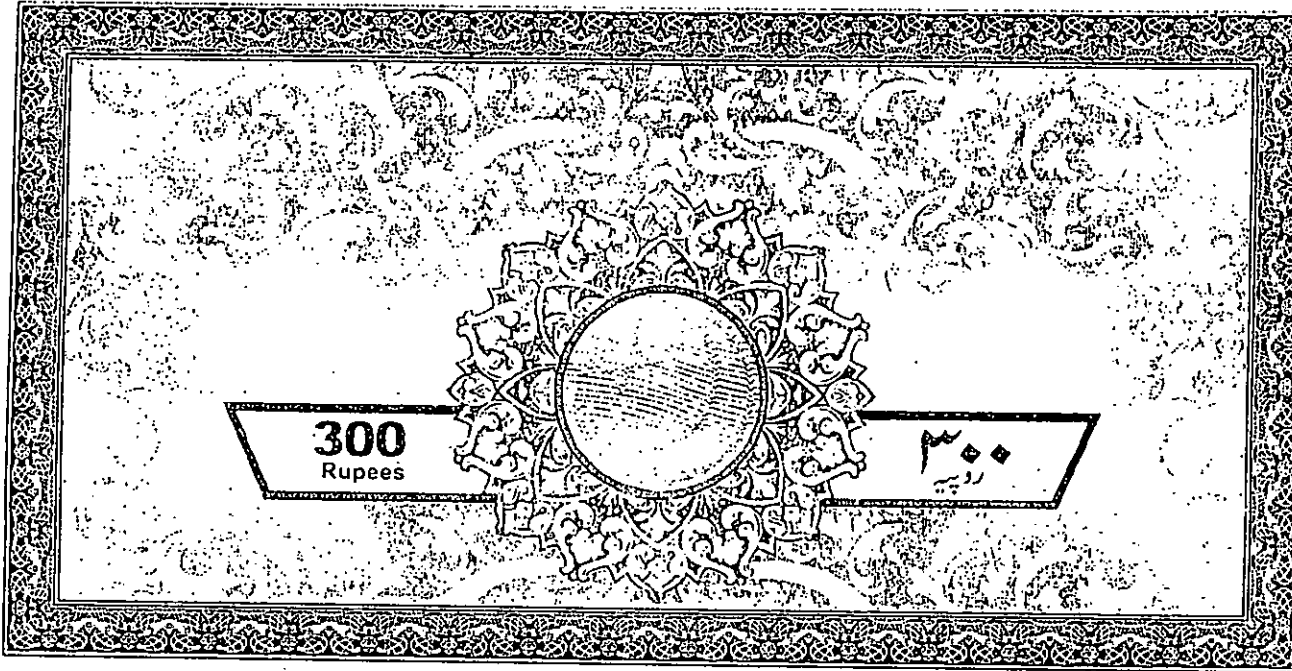
ATTESTED

[Signature]
Muhammad Arshad
Advocate High Court
Office No 33 Adjacent to
Distt Bar Abbottabad

[Signature]
ATTESTED
Examiner Sessions Court Mansehra
12 MAR 2019
Signature



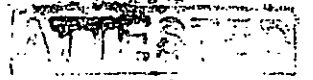
Cd No: 2638
Date: 12-mar-19
Court Fee: *[Signature]*
Urgent: *[Signature]*
Total Fee: *[Signature]*
Name of: *[Signature]*
Date of Court: 12-3-18
cc: *[Signature]*
12-3-18



بعدالت جناب جوڈیشل مجسٹریٹ صاحب ماسہرہ
عادل علی نام سرکار

مقدمہ علت نمبر 1063 مورخہ 02.11.2017
جرم زبردفعہ 381-A PPC تھانہ شی ماسہرہ

راضی نامہ!



(Signature)

شفیق ساکنہ نواں شہر ڈھوڑیاں تحصیل ضلع ایبٹ آباد بحوالہ شناختی کارڈ
13101-7669681-1 کاہوں خانگیا بی بی ہوں کہ من مقرر کی رپورٹ پر مقدمہ عنوان بالا برخلاف ملزم عادل
علی ولد علی اطہر قوم سواتی ساکنہ گیر وال کھال تحصیل ضلع ایبٹ آباد بحوالہ شناختی کارڈ
نمبر: 1-13101-0443065-1 قائم ہوا تھا جس میں من مقرر نے ملزم کو بروئے جرم برادری کی سبیل اللہ معاف کر
دیا ہے۔ اور اب من مقرر ملزم کے خلاف مزید کارروائی کا خواہاں نہ ہے۔ ملزم کو فاضل عدالت بری کرے تو اسے پرم
مقرر کو کوئی عذر اعتراض نہیں ہوگا۔ راضی نامہ فریقین کے بہتر مفاد میں ہے۔ لہذا بیان حلفی بشکل راضی نامہ رو برو گواہان
حاشیہ سنداً تحریر ہے اس میں کوئی امر خفی یا متروک نہ ہے۔

الم رقوم 04 مارچ 2019ء

محمد سجاد ولد محمد شفیق ساکنہ نواں شہر ڈھوڑیاں تحصیل ضلع ایبٹ آباد

شناختی کارڈ نمبر: 13101-7669681-1

محمد سجاد

گواہ شہد گواہ شہد

شعیب ولد نور خان

سجاد احمد ولد غلام ربانی

ساکنہ رفقہ دور لاڈا کھانہ بھڈ ڈھوڑیاں تحصیل ضلع ماسہرہ

ساکنہ پربھڑی نیو سٹریٹ ہاؤس تحصیل ضلع ماسہرہ

شناختی کارڈ نمبر: 13503-5613355-5

شناختی کارڈ نمبر: 13503-0636620-5

(Signature)

(Signature)

Annex D

P-11

ORDER

This order is hereby passed to dispose off departmental appeal under Rule 11-A of Khyber Pakhtunkhwa Police Rules 1975 submitted by Ex-Constable Adil No:626 District Mansehra against the order of punishment i.e. *Dismissal from service* awarded to him by the District Police Officer, Mansehra vide his OB No: 214, dated 28-12-2017.

Facts leading to punishment awarded to him are that he while posted at PS Lissan Nawab was found involved in case FIR No: 1063 dated 16.10.2017 u/s 381-A PPC PS City. The accused official was summoned time and again by the EO but he neither appears before the EO nor submit to his written statement. Moreover the accused official was arrested in the FIR on the pointation of complainant and motorcycle, mobile phone were recovered from the room of accused official.

After receiving his appeal, comments of DPO Mansehra were obtained which were examined/perused. The undersigned called him in O.R on 29.05.2019, heard him in person where he failed to explain any plausible reason in his defence. Therefore the punishment awarded to him by DPO Mansehra i.e. *Dismissal from service* is genuine, hence his appeal is *filed*.

REGIONAL POLICE OFFICER
Hazara Region Abbottabad

No. 1845 /PA, dated Abbottabad the 31-5-2019.

Copy of above is forwarded to the District Police Officer, Mansehra w/r to his office letter No: 11392/GB dated 06-09-2018 for necessary action. Service Roll & Fauji Missal containing enquiry file is returned herewith for office record.

REGIONAL POLICE OFFICER
Hazara Region Abbottabad

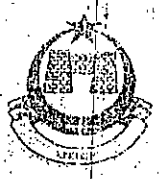
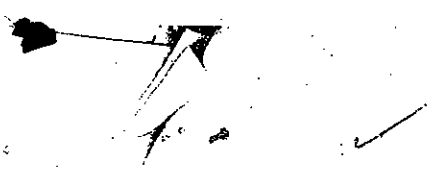
ATTESTED

ATTESTED

Muhammad Arshad Khan
Advocate High Court
Office No 33 Adjacent to
District Court Abbottabad

Annex 'C'

P-12



DEPARTMENT

MANSEHRA DISTRICT

ORDER

This office order will dispose off the departmental enquiry proceeding against Constable Adil No. 626 who was proceeded against departmentally with the allegation that he while posted at PS Lissan Nawab was found involved in case FIR No. 1063 dated 16.10.2017 u/s 381 A PPC PS City.

The Enquiry Officer i.e. Mr. Shamriaz Khan DSP Oghi after conducting proper departmental enquiry has submitted his report stating therein that accused official was summoned time again but he neither appear before the enquiry officer nor submit his written statement. Hence the enquiry officer recommended ex parte action against the accused official. Moreover the accused official was arrested in the FIR on the pointation of complainant, and a motorcycle, mobile phone was also recovered from the room of accused official Constable Adil No. 626. Its shows that he is stigma for the Police department and his retention in the Police Force may create any embarrassment situation at any time.

I, the District Police Officer, Mansehra, therefore award him major punishment of "Dismissal from service" to the delinquent Constable Adil No. 626 under Khyber Pakhtunkhwa Police, Disciplinary Rules 1975 (amended in 2014) from the date of absence.

Ordered announced.

OB-214
28-12-17

District Police Officer
Mansehra

Attested



Muhammad Arshad
Advocate High Court
Office No. 33 Adjacent to
Post Office Abbottabad

District Police Officer
Mansehra



OFFICE OF THE
INSPECTOR GENERAL OF POLICE
KHYBER PAKHTUNKHWA
PESHAWAR.

P-13

No. S/ 503

/20, dated Peshawar the 09/01/2020.

ORDER

This order is hereby passed to dispose of Revision Petition under Rule 11-A of Khyber Pakhtunkhwa Police Rule-1975 (amended 2014) submitted by Ex-FC Adil Ali No. 626. The petitioner was dismissed from service by District Police Officer, Mansehra vide OB No. 214, dated 28.12.2017 on the allegations of involvement in case FIR No. 1063, dated 16.10.2017 u/s 381-A PPC Police Station City. His appeal was filed by Regional Police Officer, Hazara vide order Endst: No. 1945/PA, dated 31.05.2019.

Meeting of Appellate Board was held on 29.08.2019 wherein petitioner was heard in person. During hearing petitioner contended that he was not aware that the said motorcycle was a stolen property and he was acquitted from the charges on compromise basis by the court of Judicial Magistrate-I, Mansehra.

Perusal of enquiry file reveals that the petitioner was arrested in the FIR on the pointation of complainant and motorcycle, mobile phone were recovered from the room of Petitioner. Petitioner was acquitted from the charges on compromise basis with the complainant by the court of Judicial Magistrate-I, Mansehra vide judgment dated 09.03.2019. The acquittal from the court does not absolve the petitioner from the liability. Therefore, the Board decided that his petition is hereby rejected.

This order is issued with the approval by the Competent Authority.

(ZAIB ULLAH KHAN)

AIG/Establishment,

For Inspector General of Police,
Khyber Pakhtunkhwa, Peshawar.

No. S/ 504-10/20,

Copy of the above is forwarded to the:

1. Regional Police Officer, Hazara at Abbottabad. One Service Roll and one Fauji Missal containing enquiry file of the above named Ex-FC received vide your office Memo: No. 2727/PA, dated 16.08.2019 is returned herewith for your office record.
2. District Police Officer, Mansehra
3. PSO to IGP/Khyber Pakhtunkhwa, CPO Peshawar.
4. PA to Addl:IGP/HQrs: Khyber Pakhtunkhwa, Peshawar.
5. PA to DIG/HQrs: Khyber Pakhtunkhwa, Peshawar.
6. PA to AIG/Legal, Khyber Pakhtunkhwa, Peshawar.
7. Office Supdt: E-IV CPO Peshawar.

Muhammad Arshad Khan, Advocate High Court
Office No. 33 Adjacent to
Dist. Court Abbottabad

P-14

To The Regional Police Officer,
Hazara Region, Abbottabad.

Through:- Proper Channel

Subject: APPEAL

Respected Sir:-

It is to bring into your kind notice that I have been awarded major punishment of Dismissal from Service by DPO Mansehra vide OB No. 214 dated 28.12.2017 on the following allegations:-

"That while I posted in Police station Lissan Nawab was found involved in Case FIR No. 1063 dated 16.10.2017 u/s 381-A/PPC Police Station City Mansehra."

In this connection my humble submissions are furnished as under:-

1. I was appointed as Constable on 11/2011.
2. At the time of dismissal I was posted in Lissan Nawab.
3. So far its relates to the allegation that I was involved in Case Fir No. 1063 dated 16.10.2017 u/s 381-A/PPC PS City Mansehra that I have purchased a Motorcycle from One Sajjad r/o Dhodial Nawanshehr and the said Motorcycle was the property of another person whose name was also Sajjad r/o Dhodial Nawanshehr. I was not aware of the said Motorcycle as to whether it was a stolen property. The seller was my closed friend and I depending upon him I purchased the same from him at a cost of Rs. 16000/- being an old model of 1987.
4. The transaction was made unwarily and not intentionally.
5. Later on I was acquitted from the court of Judicial Magistrate-1 Mansehra due to compromise between me and the owner of the Motorcycle i.e Mr. Sajjad r/o Dhodial Nawanshehr.

I solemnly affirm and declare that the transaction was made unwarily and not intentionally and I was not aware of the factual position.

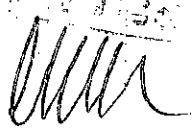
In the light of above it is humbly requested that I may kindly be reinstated in service keeping in view my above mentioned humble submissions. I belong to poor family and have to support my widow mother and two young sisters. And prior to this my record is unblemished.

With best wishes and record please.

Yours obediently,


(Adil Ali)

Ex-Constable No. 626,
District Mansehra,
r/o Khola Kehal, Abbottabad


Muhammad Arshad
Advocate High Court
Office No. 33 Adjacent to
Distt Bar Abbottabad.

P-15

To The Inspector General Police
K.P.K, Peshawar

Through:- Proper Channel

Subject:- APPEAL

Respected Sir:-

It is to bring in to your kind notice that I have been awarded major punishment of Dismissal from Service by DPO Mansehra vide OB No. 214 dated 28.12.2017 on the following allegations:-

"That while I posted in Police station Lassan Nawab was found involved in Case FIR No. 1063 dated 16.10.2017 u/s 381-A/PPC Police Station City Mansehra"

In this connection my humble submission are furnished as under:-

1. I was appointed as Constable on 11/2011.
2. At the time of dismissal I was posted in Lassan Nawab.
3. So far its relates to the allegation that I was involved in Case Fir No. 1063 dated 16.10.2017 u/s 381-A/PPC PS City Mansehra that I have purchased a Motorcycle from One Sajjad r/o Dhodial Nawanshehr and the said Motorcycle was the property of another person whose name was also Sajjad r/o Dhodial Nawanshehr. I was not aware of the said Motorcycle as to whether it was a stolen property. The seller was my close friend and I depending upon him. I purchased the same from him at the cost of Rs: 16000/- being an old model of 1987.
4. The transaction was made unwarily and not intentionally.
5. Later on I was acquitted from the court of Judicial Magistrate-I Mansehra due to compromise between me and the owner of the Motorcycle i.e. Mr. Sajjad r/o Dhodial Nawanshehr.

I solemnly affirm and declare that the transaction was made unwarily and not intentionally and I was not aware of the factual position.

In the light of above it is humbly requested that I may kindly be reinstated in service keeping in view my above mentioned humble submissions. I belong to poor family and have to support my widow mother and two younger sisters. And prior to this my record is unblemished.

Yours Obediently



(Adil Ali)

Ex-Constable No. 626,
District Mansehra

Muhammad
Advocate High Court
Office No 33 Adjacent to
District Abbottabad

وکالت نامہ

کورٹ میں

Service Tribunal KPIC Peshawar

Adil Ali IGP etc

Appellant

نوٹیت مقدمہ

باعث تحریر نامہ

مقدمہ دستدرجہ میں اپنی طرف سے اسے پیروی و جواب دہی کی کارروائی متعلق اس مقام

Muhammad Arshad Khan
Advocate High Court
Office No. 33 Adjacent to
Dell Bar Abbottabad

کو وکیل مقرر کر کے اقرار کرتا ہوں کہ صاحب موصوف کو مقدمہ کی کل کارروائی کا کمال اختیار ہوگا اور وکیل صاحب موصوف کو کرنے راضی نامہ و تقریر ثالث و فیصلہ و حلفہ و سپنے اقبال و کوئی اور ضرورت دیگر ڈگری کرنے ابراہ و صوبائی چیک روپیہ دعویٰ کی تصدیق اور اس پر دستخط کرنے کا اختیار ہوگا اور یہ وہی ضرورت متاثرہ مذکورہ کی کل یا کسی جزوی کارروائی کے لئے کسی اور وکیل یا مختار صاحب قانونی کو اپنے ہمراہ اپنی بجائے تقریر کا اختیار بھی ہوگا اور صاحب مقرر شدہ کا بھی وہی اور ویسے ہی اختیارات ہوں گے اور اس کا ساتھ پر دائرہ مقرر ہوگا منظور قبول ہوگا۔ دوران مقدمہ جو خرچہ و ہر جان و نوائے مقدمہ کے سبب ہوگا اس کے مستحق وکیل صاحب ہوں گے۔ نیز بتایا تم وصول کرنے کا بھی اختیار ہوگا۔ اگر کوئی پیشی مقام ذریعہ پر ہو یا عدت 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 ہر اور تجارت ناش بھینہ منظمی کے دائرہ کرنے اور اس کے پیروی کا بھی صاحب موصوف کو اختیار ہوگا۔

لہذا وکالت نامہ تحریر کر دیا تاکہ مسترد ہے۔

الرقوم 7 فرس 2010

Abdullah

Muhammad Arshad Khan
Advocate High Court
Office No. 33 Adjacent to
Dell Bar Abbottabad

"B"

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

No.

892

TB

Appeal No. of 20²⁰

Adul Ali

Appellant/Petitioner

19P, 14 P/O Pesh.

Versus

Respondent

Respondent No.

3

Notice to: —

Distt. Police office, Abbottabad

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.....at 8.00 A.M. If you wish to urge anything against the appellants/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.....^{29/11}.....

Day of.....^{oct.}.....²⁰

at Camp Court Abbottabad

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.

TB

Appeal No. 892 of 20 20

Adil Ali Appellant/Petitioner

Versus

16 P. 14/11/2020 Respondent

Respondent No. I

R today
[Signature]
12/11/2020

Notice to: -

*Inspector General of Police
Quart. of P.S. 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.....18 Oct 2021.....at 8.00 A.M. If you wish to urge anything against the appellang 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.....29/10.....

Day of.....Oct.....2020

at Camp Court A-Abad

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.