

21st 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 he has not prepared the case. Last chance is given to argue the case. To come up for arguments on 16.11.2022 before D.B at camp court Abbottabad.



(Fareeha Paul)
Member (Executive)




(Kalim Arshad Khan)
Chairman
Camp Court Abbottabad

18.11.2021

Counsel for appellant present.

Muhammad Riaz Khan Paindakheil learned Assistant Advocate General alongwith Gul Shehzad S.I (Legal) for respondents present.


Reply of respondents was submitted. To come up for arguments on 20.01.2022 before D.B at Camp Court, Abbottabad.

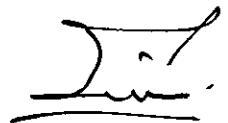

Chairman
Camp Court, A/Abad

20.01.2022

Clerk of counsel for the appellant present. Mr. Gul Shehzad S.I (Legal) alongwith Mr. Kabir Ullah Khattak, Additional Advocate General for the respondents present.

Clerk of counsel for the appellant stated that learned counsel for the appellant is unable to attend the Tribunal today due to strike of Lawyers. Adjourned. To come up for arguments before the D.B on 17.03.2022 at Camp Court, Abbottabad.


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


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


17-3-22.

The Bench is incomplete therefore
case is adjourned to 21-9-22 D.B.


Reader

16.06.2021 Due to cancellation of tour, Bench is not available. Therefore, case to come up for the same as before on 01.10.2021.


Reader

01.10.2021 Appellant in person and  Mr. Muhammad Adeel Butt, Addl. AG alongwith Muhammad Nazir, Assistant for the respondents present.

Written reply of the respondents is still awaited. Respondents are directed to furnish reply/comments on the next date positively, 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 the S.B at camp court, Abbottabad.


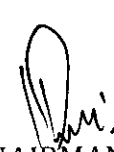
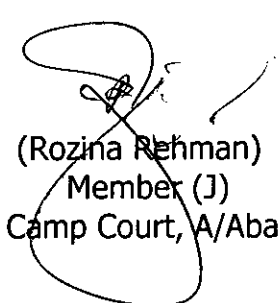

Chairman
Camp Court, A/Abad

Form- A

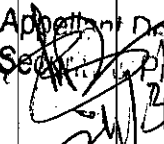
FORM OF ORDER SHEET

Court of _____

Case No.- 13290 /2020

S.No.	Date of order proceedings	Order or other proceedings with signature of judge
1	2	3
1-	29/10/2020	<p>The appeal presented today by Mr. Muhammad Aslam Tanoli 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</p>
2-	15.03.2021	<p>This case is entrusted to touring S. Bench at A.Abad for preliminary hearing to be put up there on <u>15-03-2021</u></p> <p style="text-align: right;"> CHAIRMAN</p> <p>Appellant present through counsel. Preliminary arguments heard. File perused.</p> <p>Points raised need consideration. Appeal is admitted to regular hearing subject to all legal objections. Appellant is directed to deposit security and process fee within 10 days. Thereafter, notices be issued to respondents for reply/comments. To come up for written reply/comments on <u>16/06/2021</u> before S.B at Camp Court, Abbottabad.</p> <p style="text-align: right;"> (Rozina Rehman) Member (J) Camp Court, A/Abad</p>

Appellant Deposited
Security Process Fee



**BEFORE HONOURABLE KHYBER PAKHTUNKHWA SERVICE
TRIBUNAL PESHAWAR**

Appeal No. 13290

Nasir Mehmood, Ex Constable No. 989 District Police Mansehra.

Appellant

VERSUS

1. Provincial Police Officer, Khyber Paktunkhwa, Peshawar.
2. Regional Police Officer, Hazara Region, Abbottabad.
3. District Police Officer, Mansehra.

Respondents

SERVICE APPEAL

INDEX

S/No	Description of Document	Ann- exure	Page No.
1.	Appeal & Condonation Application.		01-09
2.	Show Cause Notice dated 09-08-2019 and its reply dated 23-08-2019	"A" "B"	10-11
3.	Dismissal Order dated 23-08-2019	"C"	12
4.	Departmental Appeal dated 14-09-2019	"D"	13-14
5.	Appellate Order dated 12-10-2020	"E"	15
6.	Wakalatnama		

Through

N O
Appellant


(Mohammad Aslam Tanoli)
Advocate High Court
at Haripur

Dated: 29-10-2020

①

**BEFORE HONOURABLE KHYBER PAKHTUNKHWA SERVICE
TRIBUNAL PESHAWAR**

Appeal No.....

Nasir Mehmood, Ex Constable No. 989 District Police Mansehra.

Appellant

VERSUS

1. Provincial Police Officer, Khyber Paktunkhwa, Peshawar.
2. Regional Police Officer, Hazara Region, Abbottabad.
3. District Police Officer, Mansehra.

Respondents

**SERVICE APPEAL UNDER SECTION-4 OF KPK SERVICE TRIBUNAL
ACT 1974 AGAINST ORDER DATED 23-08-2019 OF DISTRICT
POLICE OFFICER MANSEHRA VIDE WHICH THE APPELLANT WAS
DISMISSED FROM SERVICE AND ORDER DATED 12-10-2020 OF THE
REGIONAL POLICE OFFICER HAZARA REGION ABBOTTABAD
WHEREBY APPELLANT'S DEPARTMENTAL APPEAL HAS BEEN FILED.**

**PRAYER: ON ACCEPTANCE OF INSTANT SERVICE APPEAL BOTH
THE ORDERS DATED 23-08-2029 AND 12-10-2020 MAY
GRACIOUSLY BE SET ASIDE AND THE APPELLANT BE REINSTATED IN
HIS SERVICE FROM THE DATE OF DISMISSAL WITH GRANT ALL
CONSEQUENTIAL SERVICE BACK BENEFITS.**

Respectfully Sheweth:

1. That appellant has served the police department for about 11 years in the capacity of constable. He always performed his assigned with devotion and honesty to the entire satisfaction of his superiors and on occasions he was awarded with commendation certificates and cash reward by police High-ups. He has meritorious service record at his credit.

2

2. That appellant while serving in police lines Mansehra, a false and fabricated complaint was filed against him that he had illicit relations with one Mst. Atiya Khan and that her photographs were taken and huge amount was also taken from her by way of blackmailing.
3. That an FIR was registered against the appellant and he was behind the bars since 08-07-2019, when a show cause notice dated 09-08-2019 was delivered to him in Jail on 20-08-2019 which was responded on 23-08-2019 by him but not with concentration of mind as he was very much perturbed due his implication in a false and fabricated case on the basis of enmity. **(Copies of Show Cause Notice dated 09-08-2019 and its reply dated 23-08-2019 are attached as Annexure-"A & B")**.
4. That without any proper departmental inquiry the appellant was dismissed from service by the District Police Officer Mansehra vide order dated 23-08-2019 and that too without taking into consideration the version he adduced in shape of his reply to the show cause notice. **(Copy of Dismissal Order dated 23-08-2019 is attached as Annexure-C")**.
5. That though the inquiry officer did not associate the appellant with the proceedings yet he has failed to prove anything wrong against the appellant. He has mentioned in his enquiry report, as is evident from dismissal order dated 23-08-2019 passed by the District Police Officer Mansehra that **"there is no independent and direct evidence to prove beyond doubt the**

3

constable extracted valuable property. Nevertheless, the previous conduct of the constable depicts that he might possibly has extracted money or had tried to do so". Had the appellant been provided an opportunity to cross examine the witnesses, the matter could have been thrashed out but the appellant stood deprived of his fundamental and constitutional rights. The inquiry officer was under an obligation to have conducted the inquiry in accordance with service laws and the constitution of Pakistan. The appellant's version had never been taken nor it was verified rather the inquiry officer passed the order in a summarily manner.

6. That as the appellant has been exonerated so far as the amount is concerned. When she had not been bedeviled to the extent of amount then how she could be believed to the extent of remaining allegations against the appellant. The remaining statement or evidence had to be seen with a pinch of salt. The entire case has been built against the appellant on the basis of surmises which is quite alien to law. There must be solid, concrete evidence and there must have been a right afforded to the appellant for cross-examination.
7. That the departmental authorities were under obligation as envisaged by the law, departmental rules and regulations to have waited the decision of criminal court with regards as to whether the appellant was guilty or otherwise. But in haste and in violation of rules and regulations governing the terms and conditions of

4

service of the appellant they dismissed the appellant without any reason, justification and proof.

8. That appellant aggrieved of the dismissal order of the DPO Mansehra lodged a departmental appeal dated 14-09-2019 before the Regional Police Officer, Hazara Region, Abbottabad which was rejected vide order dated 12-10-2020 without giving any heed to the grounds taken in the memo of departmental appeal. **(Copies of departmental appeal dated 14-09-2019 and appeal rejection order dated 12-10-2020 are attached as Annexure-"D & E")**. Hence instant service appeal, inter alia, on the following:-

GROUND:

- a) That impugned orders dated 23-08-2019 and 12-10-2020 of the respondents are illegal, unlawful against the facts, departmental rules and regulations and principle of natural justice hence are liable to be set aside.
- b) That no proper departmental inquiry was conducted. Copy of inquiry report, if any, was never provided to appellant. Even opportunity of personal hearing was not afforded to the appellant rather he was condemned unheard.
- c) That respondents have not treated the appellant in accordance with law, departmental rules & regulations and policy on the subject and have acted in violation of Article-4 of constitution of Islamic Republic of Pakistan

5

1973 and unlawfully issued the impugned orders, which are unjust, unfair hence not sustainable in the eyes of law.

- d) That appellate authority has also failed to abide by the law and even did not take into consideration the grounds taken by appellant in the memo of appeal and rejected the same. Thus act of respondents is contrary to the law as laid down in the KPK Police Rules 1934 read with section 24-A of General Clause Act 1897 and Article 10-A of Constitution of Islamic Republic of Pakistan 1973.
- e) That appellant was totally innocent and had been involved in criminal case by the inimical persons just to cause him harm in his service career and the allegation could never be proved against him during enquiry.
- f) That the respondents were legally bound to have waited the fate of criminal case lodged against the appellant but they in haste and cursory have dismissed the appellant from service in violation of departmental rules and regulations governing the terms and conditions of his service.
- h) That since his dismissal from service the appellant is jobless and has suffered manifold physical, mental and financial problems and has become under the load of heavy loans obtained from his relatives to cope with his daily expenditure of routine life. Appellant has 11 years service at his credit with unblemished record.

6


- i) That instant appeal is well within time and this honorable Service Tribunal has got every jurisdiction to entertain and adjudication upon the same.

PRAYER:

It is, therefore, humbly prayed that on acceptance of instant Service Appeal order dated 23-08-2019 and 12-10-2020 of respondents may graciously be set aside and the appellant be reinstated in service from the date of dismissal with grant of all consequential service back benefits. Any other relief which this Honorable Service Tribunal deems fit and proper in circumstances of the case may also be granted.


Appellant

Through:

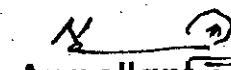

(Mohammad Aslam Tanoli)
Advocate High Court
At Haripur

Dated 29-10-2020

VERIFICATION

It is verified that the contents of instant Service Appeal are true and correct to the best of my knowledge and belief and nothing has been concealed thereof.

Dated 29-10-2020


Appellant

7

**BEFORE HONOURABLE KHYBER PAKHTUNKHWA SERVICE
TRIBUNAL PESHAWAR**

Nasir Mehmood, Ex Constable No. 989 District Police Mansehra.

Appellant

VERSUS

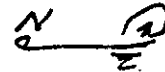
1. Provincial Police Officer, Khyber Paktunkhwa, Peshawar.
2. Regional Police Officer, Hazara Region, Abbotabad.
3. District Police Officer, Mansehra.

Respondents

SERVICE APPEAL

AFFIDAVIT:

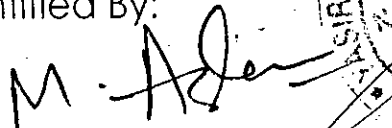
I, Nasir Mehmood appellant do hereby solemnly declare and affirm on oath that the contents of the instant Service Appeal are true and correct to the best of my knowledge and belief and nothing has been suppressed from this Honorable Service Tribunal.



Deponent/Appellant

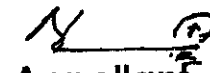
Dated: 29-10-2020

Identified By:



Mohammad Aslam Tanoli
Advocate High Court
At Haripur





Appellant

8

**BEFORE HONOURABLE KHYBER PAKHTUNKHWA SERVICE
TRIBUNAL PESHAWAR**

Nasir Mehmood, Ex Constable No. 989 District Police Mansehra.

Appellant

VERSUS

1. Provincial Police Officer, Khyber Paktunkhwa, Peshawar.
2. Regional Police Officer, Hazara Region, Abbottabad.
3. District Police Officer, Mansehra.

Respondents

SERVICE APPEAL

CERTIFICATE

It is certified that no such Appeal on the subject has ever been filed in this Honorable Service Tribunal or any other court prior to instant one.

N
APPELLANT

Dated: 29/10-2020

9

BEFORE HONOURABLE KHYBER PAKHTUNKHWA SERVICE TRIBUNAL
PESHAWAR

Nasir Mehmood, Ex Constable No. 989 District Police Mansehra.

Appellant

VERSUS

1. Provincial Police Officer, Khyber Paktunkhwa, Peshawar.
2. Regional Police Officer, Hazara Region, Abbottabad.
3. District Police Officer, Mansehra.

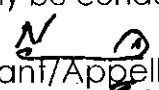

Respondents

APPLICATION FOR CONDONATION OF DELAY IN FILING SERVICE
APPEAL BEFORE THIS HONOURABLE SERVICE TRIBUNAL.

Respectfully Sheweth:

1. That applicant/appellant has filed today a Service Appeal, which may be considered as part and parcel of this application, against order dated 23-08-2019 and 12-10-2020 passed by respondents, whereby appellant has been dismissed from service and his department appeal has also been rejected without jurisdiction, and abiding by procedure.
2. That as the orders of departmental authorities have been passed in violation and derogation of the statutory provisions governing the terms and condition of service of the appellant and facts of the case, therefore, causing a recurring cause of action to the applicant/appellant can be challenged and questioned irrespective of a time frame.
3. That though the appellant on receipt of order of DPO Mansehra had filed departmental appeal but was rejected. That appellant has rigorously been pursuing his case. Therefore, the delay, if any, in filing instant service appeal is due to the forgoing reasons.
4. That instant application is being filed as an abundant caution for the condonation of delay, if any. The impugned orders are liable to be set aside in the interest of justice.

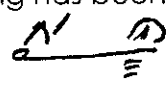
It is, therefore, respectfully prayed that on acceptance of the instant application the delay, if any, in filing of titled appeal may graciously be condoned.

Through: 
Applicant/Appellant

(Mohammad Aslam Tanoli)
Advocate High Court
Haripur

Dated: 29-10-2020

Affidavit:

It is verified that the contents of the instant application/ appeal are true and correct to the best of my knowledge & belief & nothing has been suppressed.

Dated: 29-10-2020 
Applicant/Deponent



10

Annex-A

OFFICE OF THE DISTRICT POLICE OFFICER MANSEHRA

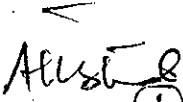
FINAL SHOW CAUSE NOTICE

You Constable Nasir Mehmood No. 989 were proceeded against departmentally with the allegation that one Mst: Atiya Khan w/o Bilal Ahmad r/o Dhariyal Batang PS Shinkiari has submitted an application against you to worthy Regional Police Officer, Hazara Region Abbottabad and alleged for sexual harassment as well as extracting Rs. 25 lac and 10 tolas gold from her fraudently. On the order of worthy Regional Police Officer, Hazara Region Abbottabad preliminary enquiry was conducted by Addl: SP Abbottabad. From the perusal of preliminary enquiry it transpired that you had illicit relation with the complainant. The complainant has further blamed you that you forced her to get divorce/ fasiq e nikah from her husband. From the above alleged act on your part, it transpired that you are of loose character and a black stigma for the entire police force. It amounts to gross misconduct.

In this connection you were proceeded against departmentally. Mr. Muhammad Qais Khan Assistant Superintendent of Police, Circle Saddar Haripur Enquiry officer after conducting proper departmental enquiry has submitted his report and recommended you for major punishment. I am agree with the report of Enquiry Officer and therefore, hereby finally call upon you Constable Nasir Mehmood No. 989 to show cause as to why you should not award major punishment under the Khyber Pakhtunkhawa Police Disciplinary Rules 1975. In case your written reply is not received within 07 days after the receipt of this final show cause notice it shall be presumed that you have no defense to offer. You are also allowed to appear before the undersigned, if you so desire. (Copy of the finding of the Enquiry Officer is also enclosed).


District Police Officer,
Mansehra

No. 3623 /PA dated Mansehra 09/08/2019


N

POLICE DEPARTMENT

ORDER

MANSEHRA DISTRICT

This office order will dispose off the departmental enquiry proceeding against Constable Nasir Mehmood No. 989 who was proceeded against departmentally with the allegation that one Mst: Atiya Khan w/o Bilal Ahmad r/o Dhariyal Batang PS Shinkhari has submitted an application against him to worthy Regional Police Officer, Hazara Region Abbottabad and alleged for sexual harassment as well as extracting Rs. 25 lac and 10 tolas gold from her fraudently. On the order of worthy Regional Police Officer, Hazara Region Abbottabad preliminary enquiry was conducted by Addl: SP Abbottabad. From the perusal of preliminary enquiry it transpired that he has illicit relation with the complainant. The complainant has further blamed him that he forced her to get divorce/ fasiq-e-nikah from her husband. From the above alleged act on his part, it transpired that he is loose character and a black stigma for the entire police force.


The Enquiry Officer i.e. Mr. Muhammad Qais Khan (PSP), Assistant Superintendent of Police, Circle Saddar Haripur after conducting proper departmental enquiry has submitted his report stating therein that he based his findings by mostly relying upon documentary and technical evidence and relevant facts. As far as the question of leaking of objectionable pictures with criminal intent is concerned, the self-explanatory contents of shared images as well as texts are self-evident. Besides it an FIR No. 04/2019 has also been registered by FIA in this regard. The accused constable could have used the objectionable contents to continue illicit relations with the complaint through blackmailing. However the complainant has enough opportunity to pre-empt and break her silence in time by disclosing the fact and having recourse to law enforcement authorities in due time. There is no independent and direct evidence to prove beyond doubt the constable extracted valuable property. Nevertheless, the previous conduct of the constable depicts that he might possibly has extracted money or had tried to do so. Keeping in view the above facts, the delinquent constable be awarded exemplary and major punishment. A final show cause notice was also issued to the delinquent Constable Nasir Mehmood No. 989 but his reply was found unsatisfactory.

I, the District Police Officer, Mansehra, therefore award him punishment of "dismissal from service" to the delinquent Constable Nasir Mehmood No. 989 under Khyber Pakhtunkhwa Police, Disciplinary Rules 1975 (amended in 2014).


District Police Officer
Mansehra

OB No. 147
Dated 23 / 08 / 2019





13

Annex-D

BEFORE THE D.I.G. HAZARA RANGE,
ABBOTTABAD

APPEAL AGAINST THE ORDER OF DPO
MANSEHRA DATED 23.08.2019 VIDE
WHICH THE APPELLANT HAS BEEN
DISMISSED FROM SERVICE

PRAYER: -


On acceptance of appeal the order of dismissal may kindly be set aside and appellant be reinstated in service.

Respected Sir,

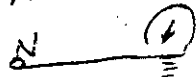
Brief facts leading to the instant appeal are arrayed as follows: -

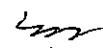
- 1) That, the appellant has been indicted to have illicit relations with Mst. Atiya Khan and that her photographs were taken and that huge amount was also taken from her by way of blackmailing.
- 2) That, the appellant has been falsely roped in this case as is evident from the photographs available on record. The photographs would show that the same have been taken by the lady at different times. The inquiry officer did not associate the appellant with the proceedings and falsely ordered which is quite alien to law. Had the appellant been provided an opportunity to cross examine the witnesses, the matter could have been thrashed but, the appellant stood deprived of his fundamental and constitutional rights. The inquiry officer was under an obligation to have conducted the inquiry in accordance with service

Received


A.P.A.
16/9/2019

Attested





14

laws and the constitution of Pakistan. The appellant's version had never been taken nor it was verified rather the inquiry officer passed the order in a summarily manner.

- 3) That, the appellant has been exonerated so far as the amount is concerned. When she had not been believed to the extent of amount then how she could be believed to the extent of remaining allegations against the appellant. The remaining statement or evidence had to be seen with a pinch of salt. The entire case has been built against the appellant on the basis of surmises which is quite alien to law. There must be solid, concrete evidence and there must have been a right afforded to the appellant for cross examination.

It is, therefore, most humbly prayed and requested that on acceptance of appeal the impugned order may kindly be set aside and the appellant may kindly be reinstated in service.

Dated 14.09.2019

Nasir Mehmood
Ex-Constable No. 989
(Appellant)

N (1)

Allesed
N (1)

15

Annex - E



OFFICE OF THE REGIONAL POLICE OFFICER
HAZARA REGION, ABBOTTABAD

0992-9310021-22

0992-9310023

r.rpohazara@gmail.com

0345-9560687

NO: 25995 /PA

DATED 12/10/2020

ORDER

This order will dispose off departmental appeal under Rule 11-A of Khyber Pakhtunkhwa Police Rules, 1975 submitted by Ex-Constable Nasir Mahmood No.989 of District Mansehra against the punishment order i.e. *Dismissal from Service* awarded by DPO Mansehra vide OB No.147 dated 23.08.2019.

Brief facts leading to the punishment are that one Mst: Atiya Khan w/o Bilal Ahmad r/o Dahriyal Batang, Shinkhari submitted an application against the appellant to Regional Police Officer, Hazara Region and alleged for sexual harassment as well as extracting Rs.25 Lacs and 10 tolas gold. A preliminary enquiry was conducted through Add:SP Abbottabad which transpired that the appellant has illicit relation with the complainant. The complainant further blamed that he forced her to get divorce/Fasiq-e-Nikah from her husband. The allegations show that the appellant is a loose character and a black stigma for the entire Police force.

The appellant was issued charge sheet alongwith summary of allegations and ASP Saddar, Haripur was deputed to conduct departmental enquiry. The EO held the appellant responsible of misconduct. The appellant was issued final show cause notice, however he failed to advance any cogent reason in his defence. Consequently, DPO Mansehra awarded him major punishment of dismissal from service. Hence, the appellant submitted this present appeal.

After receiving his appeal, comments of DPO Mansehra were sought and examined/perused. The undersigned called the official in OR and heard him in person. However, he failed to advance any convincing reason in his defence. In addition to this, documentary record transpires that the appellant established an immoral relation with a married woman. Such acts of moral turpitude are unacceptable in a discipline force and it tarnished the image of Police in the eyes of general public. Therefore, in exercise of the powers conferred upon the undersigned under Rule 11-4 (a) of Khyber Pakhtunkhwa Police Rules, 1975 the instant appeal is hereby *filed* with immediate effect.

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

No. 25996 /PA, dated Abbottabad the 12-10 /2020.
CC.

1. The District Police Officer, Mansehra for information and necessary action with reference to his office Memo No.23142/GB dated 25-10-2019. Service Roll and Fuji Missal containing enquiry file of the appellant is returned herewith for record.

Attested
N (1)



DBA.No: ۱۰۰
 BC No:

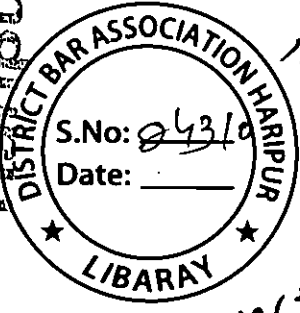
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 Name of Advocate: محمد اسلم تنوخی

S.No: 84310

وکالت نامہ

DISTRICT BAR ASSOCIATION HARIPUR



بعدالت: صاحب صدر من مہدی تنوخی کی سرپرستی میں سید منیر حسین شاہ
 عنوان: نامہ محمد
 منجانب: سروس اہل
 نوعیت مقدمہ: سروس اہل

باعث تحریر آئندہ:

مقدمہ مندرجہ بالا عنوان میں اپنی طرف سے واسطے پیروی و جوابدہی برائے پیشی یا تصدیقہ مقدمہ بمقام اسٹا۔ آباد کے کے کے کے لیے محمد اسلم تنوخی کی وکالت نامہ لکھی گئی ہے۔

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

لہذا وکالت نامہ لکھ دیا ہے کہ سندر ہے۔
 مضمون وکالت نامہ سن لیا ہے اور اچھی طرح سمجھ لیا ہے اور منظور ہے۔

مورخہ: 2020 سال 10 ماہ 20 دن



Accepted by
 M. Aslam

(نامہ محمد اسلم تنوخی)

"B"

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

No.

TB

Appeal No. 13290 of 2020

Nasir Mehmood Appellant/Petitioner

Versus

PPA, 15th Pesh. Respondent

Respondent No. 2

Notice to:

Regional Police officer Hazara Region
Abkottabad

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 18-6-2021 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 26th

Day of March 20 21

at Camp Court Abkottabad

[Signature]
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. Please quote Case No. While making any correspondence.

"B"

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

No.

Appeal No. 13295 of 20 20

TB

Nadir Ahmad Appellant/Petitioner

Versus

P. D. ...

[Faint handwritten notes and scribbles at the bottom of the page]