

28<sup>th</sup> September, 2022

Learned counsel for the appellant present and heard.

Against the impugned order dated 24.02.2020, the appellant filed departmental appeal on 04.03.2020, which was rejected on 10.06.2021 and the appellant filed this appeal on 08.11.2021, which is though barred by time but there is a condonation of delay application. Let it be admitted to full hearing subject to all just and legal objections by the other side. The appellant is directed to deposit security and process fee within 10 days. Out district respondents be summoned through TCS, the expenses of which be deposited by the appellant within three days. To come up for submission of written reply/comments on 27.10.2022 before the S.B at Camp Court D.I.Khan.

Rs 100/-  
Appellant Deposited  
Security & Process Fee  
4/10/22



(Kalim Arshad Khan)  
Chairman  
Camp Court D.I.Khan

27.10.2022

Junior to counsel for appellant present.

Kabir Ullah Khattak, learned Additional Advocate General alongwith Khalil Khan SI for respondents present.

Reply not submitted. Representative of respondents requested for time to submit reply/comments. Opportunity is granted. To come up for reply/comments on 21.11.2022 before S.B at Camp Court, D.I.Khan.



(Rozina Rehman)  
Member (J)  
Camp Court, D.I.Khan

27.01.2022

Tour to Camp Court D.I.Khan has been cancelled. To come up for the same on 27.06.2022 before S.B.



Reader

27<sup>th</sup> June 2022

Learned counsel for the appellant present and seeks time to prepare the case. To come up for preliminary hearing on 28.06.2022 before S.B at camp court D.I.Khan.



(Kalim Arshad Khan)  
Chairman  
Camp Court D.I.Khan

28<sup>th</sup> June 2022

Learned counsel for the appellant present and submitted an application for condonation of delay which is placed on file. To come up for preliminary hearing on 27.07.2022 before S.B at camp court D.I.Khan.



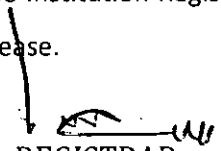


(Kalim Arshad Khan)  
Chairman  
Camp Court D.I.Khan

Form- A

# FORM OF ORDER SHEET

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

Case No.- 7737 /2021

S.No.	Date of order proceedings	Order or other proceedings with signature of judge
1	2	3
1-	08/11/2021	<p>The appeal of Mr. Malik Muhammad Arif presented today by Mr. Muhammad Idress 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-	16.12.2021	<p>This case is entrusted to touring S. Bench at D.I.Khan for preliminary hearing to be put up there on <u>13/12/21</u>.</p> <p style="text-align: right;"> CHAIRMAN</p> <p>Nemo for appellant.</p> <p>Notice be issued to appellant/counsel for 27.01.2022 for preliminary hearing before S.B at Camp Court, D.I.Khan.</p> <p style="text-align: right;"> (Rozina Rehman) Member (J) Camp Court, D.I.Khan</p>

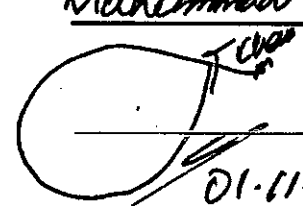
**BEFORE KHYBER PAKHTUNKHWA SERVICE TRIBUNAL, PESHAWAR  
CHECK LIST**

Case Title: Malik Muhammad Saig's Crave of KPK etc

S.#	Contents	Yes	No
1.	This appeal has been presented by: <u>Muhammad Idrees Advocate</u>	✓	
2.	Whether Counsel / Appellant / Respondent / Deponent have signed the requisite documents?	✓	
3.	Whether Appeal is within time?	✓	
4.	Whether the enactment under which the appeal is filed mentioned?	✓	
5.	Whether the enactment under which the appeal is filed is correct?	✓	
6.	Whether affidavit is appended?	✓	
7.	Whether affidavit is duly attested by competent oath commissioner?	✓	
8.	Whether appeal/annexures are properly paged?	✓	
9.	Whether certificate regarding filing any earlier appeal on the subject, furnished?	✓	
10.	Whether annexures are legible?	✓	
11.	Whether annexures are attested?	✓	
12.	Whether copies of annexures are readable/clear?	✓	
13.	Whether copy of appeal is delivered to A.G/D.A.G?	✓	
14.	Whether Power of Attorney of the Counsel engaged is attested and signed by petitioner/appellant/respondents?	✓	
15.	Whether numbers of referred cases given are correct?	✓	
16.	Whether appeal contains cuttings/overwriting?	✓	
17.	Whether list of books has been provided at the end of the appeal?	✓	
18.	Whether case relate to this Court?	✓	
19.	Whether requisite number of spare copies attached?	✓	
20.	Whether complete spare copy is filed in separate file cover?	✓	
21.	Whether addresses of parties given are complete?	✓	
22.	Whether index filed?	✓	
23.	Whether index is correct?	✓	
24.	Whether Security and Process Fee deposited? on _____	—	
25.	Whether in view of Khyber Pakhtunkhwa Service Tribunal Rules 1974 Rule 11, notice along with copy of appeal and annexures has been sent to respondents? on <u>01-11-21</u>	✓	
26.	Whether copies of comments/reply/rejoinder submitted? on _____	—	
27.	Whether copies of comments/reply/rejoinder provided to opposite party? on _____	—	

It is certified that formalities/documentation as required in the above table have been fulfilled.

Name: Muhammad Idrees Advocate

Signature: 

Dated: 01-11-21

**BEFORE THE HONOURABLE PESHAWAR HIGH COURT, BENCH  
DERA ISMAIL KHAN.**

In Service Appeal No. 7737 /2021

**Malik Muhammad Arif** .....(Appellant)

**VERSUS**


**Govt. of KPK etc.....(Respondents)**

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Dated: 01/11/2021

Your Humble Appellant

  
**Malik Muhammad Arif**  
Through Counsel  
**MUHAMMAD IDREES**  
Advocate High Court,  
Dera Ismail Khan.

**BEFORE THE CHAIRMAN SERVICES TRIBUNAL, KHYBER  
PAKHTUNKHWA, PEWSHAWAR.**

Service appeal No. 7737 / 2021

1

**Malik Muhammad Arif S/o Ghulam Rasool, Presently Junior  
Clerk, DPO Office Tank. Tank**

.....( Appellant) <sup>Khyber Pakhtunkhwa</sup>  
<sub>Service Tribunal</sub>

Diary No. 7861

Dated 08/11/2021

**VERSUS**

1. Government of Khyber Pakhtunkhwa, through Chief Secretary Government of Khyber Pakhtunkhwa, Peshawar.
2. Secretary Home & Tribal Affairs Department, Khyber Pakhtunkhwa, Peshawar.
3. Provincial Police Officer / Inspector General of Police, Khyber Pakhtunkhwa, Central Police Office Peshawar.
4. Additional Inspector General of Police Khyber Pakhtunkhwa Peshawar.
5. Regional Police Officer/DIG, Dera Ismail Khan Division, Police Range, Dera Ismail Khan.
6. District Police Officer, Dera Ismail Khan.

.....(Respondents)

**Filed to-day**

**Registrar**

8/11/2021

**PRAYER:-**

**SERVICE APPEAL UNDER SECTION 4 OF  
SERVICES TRIBUNAL ACT, 1974.**

- Through Service Appeal in hand, the appellant is beseeching to declare impugned Departmental proceedings by respondent no. 5 as well as respondent no.6 vide which impugned order no. 823/ES, dated. 24.02.2020 was passed by respondent no. 5, and appellant was reduced to lower grade prior to conclusion of trial in FIR no. 1267, dated. 13.12.2019, and later on the same was maintained and confirmed by respondent no. 3 vide order no. 1655-58/E-V, dated. 10.06.2021, after Acquittal of the appellant, , as null and void abinitio,

*[Handwritten signature]*  
*[Handwritten name]*

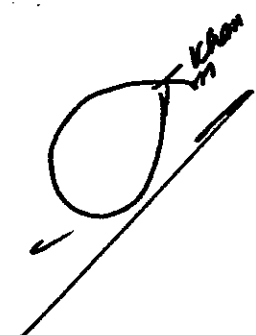
and without lawfull authority and with out lawfull jurisdiction and ineffective upon the rights of appellant.

- The respondents authorities may graciously be directed to deal the appellant as in accordance with law and by setting aside impugned proceeding and impugned orders mentioned above, appellant be reinstated at his original position with all back benefits and seniority as in accordance with law and statute.

Any other relief may graciously be granted with this Court deems fit and proper for the natural justice.

**Respectfully Sheweth:-**

- 1- That addresses of parties given above are correct and sufficient for the purpose of service.
- 2- That the appellant is permanent and bonafide resident of District Dera Ismail Khan having 33 years of Government service at his credit, CNIC and service card of the appellant are enclosed as **Annexure "A"**.
- 3- That the appellants while serving as senior clerk at the office of Respondent no. 06, was booked in FIR no. 1267, dated. 13.12.2019, alongwith two other co-officials namely Muhammad Sohail and saif ur rahman, and in consequence thereof was suspended from his duties by respondent no. 05, vide order. dated. 06.01.2020, upon proposed recommendation of respondent no. 06. Copies of FIR and orders of suspension are enclosed as **Annexure "B & C"**.
- 4- That trial for the FIR cited above was submitted before the Court of Learned Judicial Magistrate on 25.06. 2020, while respondent no. 05 and 06 have seperately proceeded against the appellant vide Statament of allegation and charge sheets dated. 06.01.2020, and 02.01.2020 respectively. Copy of Challans in FIR no. 1267, dated. 13.12.2019, alongwith copies of judgments on cited challan/FIR are enclosed as **Annexure "D & E"**, while copies of proceedings by the respondents no. 05 and 06 are annexed as **annexures F & G** to the appeal.
- 5- That appellant submitted his reply to the above stated proceedings, alongwith certain legal and factual answers, which were not given any heed



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and impugned order dated. 24.02.2020 was passed by respondent no. 05, against which appellant filed representation. Copies of impugned order and representation are annexed as **annexures H & I** to the appeal.

6- That trial against the appellant was concluded on 15.04.2021, and vide orders dated. 15.04.2021, Learned JMI, dera Ismail Khan **Acquitted** the petitioner from the charges levelled against him by the responent no. 05 and 06. Copies of the orders and challans under section 173 Crpc are already annexed to the appeal as **annexures D & E.**

7- That after acquittal from the competent court of law, appellant once again moved requisition/representation trough proper channel to the respondent no. 3, dated. 22.04.2021, who without touching the merits of the case, has maintained the impugned order passed by the respondent no. 05, vide impugned order no. 1655-58/E-V, dated. 10.06.2021. copies of the requisition alongwith impugned order dated. 10.06.2021 are annexed as **annecures J & K** to the appeal.

8- That having being aggrieved from the impugned proceedings, and orders of the respondent authorities, appellant deemed it proper to approach constitutional forum, and moved constitutional appeal before August Peshawar High Court, wherein after arguing the case at length, Honorable Peshawar High Court was please to permit the appellant to approach this learned forum on following grounds,

**GROUND:-**

a) That impugned proceedings vide which the appellant has been proceeded **Denovo**, by the respondent no. 05 as well as respondent no. 06 are without lawfull authority, and without Jurisidiction, being Void Abinitio, are liable to be set at naught.

b) That respondent no. 06 namely **Capt. Rtd, Wahid Mehmood** has proceeded against the appellant on his personal grudge, and prior to conclusion of trial of the offence cited in FIR, has proceeded against the appellant without jurisdiction and lawfull authority and without any lawfull proof of guilt, which was done as **Denovo** by the respondent no. 05, without keeping in view the right of Fair Trial Guaranteed to the the petitioner by the Worthy

A handwritten signature, possibly 'T. Khan', is written above a large, loopy scribble. A diagonal line is drawn across the scribble from the bottom left towards the top right.



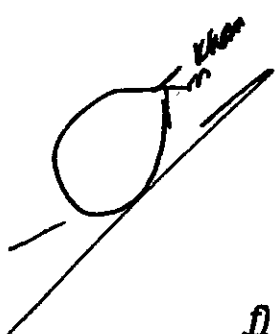
Constitution of the State. In this respect reference can be made not only to the Judgments of the Worthy APEX Courts in judgments reported as 2007 SCMR 537, 2012 SCMR 165, 1998 SCMR 1993, but respondent no. 06 has also acted in violation to his own departmental notification no. 4740-4850, dated. 29.08.2017, vide which he was not competent to proceed against the appellant and which is accountable in nature.

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c) That the respondents authorities were under obligation to deal the appellant as in accordance with law, and keep him under suspension as in accordance with the rules till the disposal of Trial, to give him an opportunity to prove his innocence ,but respondents authorities through impugned proceeding has acted malafidely and in ultra-vires to satisfy their self temptations and personal grudge, and has suffered the appellant by **Pre-Emptive Punishment** which is not warranted under the law. Reliance can be placed here on case of Waseem Yaqub reported as 2017 PLJ 476.

d) That respondent authorities were under obligation to act as in accordance with law and implement the statute in its letter and spirit in case of the appellant, but impugned malafide acts of the respondent authorities has unleashed their malafide and unsane temptative attitude towards the appellant, which has opened the gates of this Honorable Court for the appellant.

e) That Respondent Authorities has led the case of the appellant to the Dictim of Pre-emptive Punishment and afterwards to Dual Punishment by malafidely proceeding against him without lawfull authority and jurisdiction, and again by proceeding against him prior to Conclusion of Trial of allegations against him, while on the other side, when the respondent authorities had came to know that the appellant has been acquitted from the charges levelled against him by the Competent Court Of Law, and the order of acquittal had already become final, they kept their eyes closed and maintained the impugned orders and proceedings, which are equivalent to nullity after the acquittal of the appellant from the allegations and charges levelled against the appellant.



f) That appellant has also been tried to be technically knocked out from his lawfull rights of departmental as well as Service appeal through impugned proceedings and orders through double edge weapon of limitation, and as final order of dated.

10.06.2021, which may not fall under the ambit of section 4 of the Services Tribunal act 1973, which was an after thought of the respondent authorities, as this court has already given its established view of limitation in such like cases wherein it has already been held that in such like cases and orders the orders passed will truly fall under the ambit of section 4 of the Services Tribunal Act, 1974, as well as limitation will govern after the final order.

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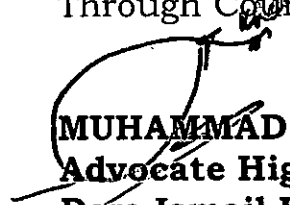
**g)** That the counsel for the Appellant may kindly be allowed to raise the additional grounds at the time of arguments.

***In view of the above submissions, appeal in hand be accepted as prayed for in the head of the appeal.***

Your Humble Appellant

Dated: 01/11/2021

  
**Malik Muhammad Arif**  
Through Counsel

  
**MUHAMMAD IDREES**  
Advocate High Court,  
Dera Ismail Khan.

**BOOKS REFERED:**

1. Constitution of Islamic Republic of Pakistan case law.
2. E&D Rules, 2011
3. Services Tribunal Act, 1973
4. Services Tribunal Rules, 1974
5. Civil Servants Appeal rules 1977
6. Police Act ,2017 as amended 2019
7. 7. Police Rules 1934

**CERTIFICATE:-**

I, **Malik Muhammad Arif Khan** S/o Ghulam Rasool Shadman Colony, Wanda Maochian Wala, Dera Ismail Khan, **The Appellant**, that it is first appeal and no such appeal has ever been preferred in this learned Court by the Appellant.

**DEPONENT**

  
**Malik Muhammad Arif**

**BEFORE THE HONOURABLE PESHAWAR HIGH COURT**  
**D.I.KHAN BENCH**

Service Appeal No.of 2021

**Malik Muhammad Arif** .....(Appellant)

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**VERSUS**

**Govt. of KPK etc.....(Respondents)**

**AFFIDAVIT:**

I, **Malik Muhammad Arif** S/o Ghulam rasool, R/O Shadman Colony, Wanda Maochian Wala, Dera Ismail Khan, **The Appellant**, do hereby solemnly affirm and declare on oath that the contents of above **Appeal** are true and correct to the best of my knowledge and belief and nothing has been concealed from this Honourable Court.

  
**DEPONENT**

CNIC No:-12101-0902506-7

**BEFORE THE HONOURABLE PESHAWAR HIGH COURT**  
**D.I.KHAN BENCH**

C.M No: \_\_\_\_\_ of 2021

In Service Appeal No. \_\_\_\_\_ of 2021

**Malik Muhammad Arif .....(Appellant)**

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**VERSUS**

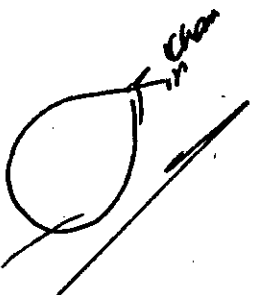
**Govt. of KPK etc**

**.....(Respondents)**

**CIVIL MISCELLANEOUS APPLICATION FOR INTERIM ORDER**  
**RESTRAINING THE RESPONDENTS AUTHORITIES FROM ANY**  
**OTHER ADVERSE ACTION TILL DISPOSAL OF TITLED APPEAL.**

**Respectfully Sheweth:-**

1. That the application in hand is being filed with main Service appeal, and be considered as part and parcel of each other.
2. That prima facie the appellant has got a very good case in his favour and the appellant is quite sanguine for the success of his Appeal which is based on very solid legal and factual grounds.
3. That if the respondents has already made the appellant suffered from their malafide acts of commission, and any other adverse action by the respondents will make the case of the appellant of no purpose.
4. That appellant has vested statutory right to be as in accordance with the law and statute the appellant has while the right of fair trial of the appellant has already be tried to usurped, and in case of any inconvenience from the respondents authorities in way of his service, the appellant may suffer from irreparable losses.



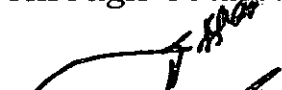
*It is, therefore, respectfully prayed that on acceptance of this application, the respondent*

authorities be restrained from any other adverse action till disposal of titled Service appeal.

Your Humble Appellant

Dated: 16 /06/2021

  
**Malik Muhammad Arif**  
Through Counsel

  
**MUHAMMAD IDREES**  
Advocate High Court,  
Dera Ismail Khan.

**AFFIDAVIT:**



I, **Malik Muhammad Arif** S/o Ghulam rasool Resident of wandah Mochian Wala, Dikhan, the appellant, do hereby solemnly affirm and declare on oath that the contents of above **Application** are true and correct to the best of my knowledge and belief and nothing has been concealed from this Honourable Court.

  
**DEPONENT**

Annex-I

**POLICE** **KPK POLICE** **POLICE**

**Service Card**



Date Issue 13/06/2019  
Date Expire 12/06/2022

Issuing Authority

A

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**KPK POLICE**

Sr. No. 3207

Name: MOHAMMAD ARIF KHAN Height: 5-7"  
F/Name: Ghulam Rasool B/Group A+ve  
Designation: Senior Clerk D/O App: 11.04.1988  
D.O.B. 15.02.1967  
Visible Mark A.Mole on face  
Address: Shadman Colony Wanda Mochian Wala DIKhan  
CNIC: 12101-0902506-7



## ابتدائی اطلاعی رپورٹ

ضلع DIK

تھانہ: Cantt

تاریخ و وقت وقوعہ مختلف اوقات دفتر قائم

نمبر 1267

۱۔ تاریخ و وقت رپورٹ 31/12/2019 وقت 16:00 بجے چاکیڈگی 31/12/2019 وقت 16:40 بجے۔

۲۔ نام و سکونت اطلاع دہندہ مستغیث: انسپکٹر محمد نواز خان SHO, Cantt

۳۔ مختصر کیفیت: نرم (معد دفعہ) 118/161-162-167 پولیس ایکٹ 2017 PPC

۴۔ جائے وقوعہ: فاصلہ تھانہ سے اور سمت: کمپیوٹر لائسنس برانچ دفتر DPO ڈیرہ اسماعیل خان جانب مشرق بقاعدہ 1/2 کلومیٹر

۵۔ نام و سکونت منزم: (1) سینئر کلرک محمد عارف (2) محمد سہیل (3) سیف الرحمن جو نیئر کلرک۔

۶۔ کارروائی جو تفتیش کے متعلق کی گئی ہو۔: برسیڈگی مراسلہ مقدمہ قائم ہو۔

۷۔ تھانہ سے روانگی کی تاریخ و وقت: نہ سہیل ڈاک۔

## ابتدائی اطلاع نیچے درج کرو

تحریری مراسلہ مخانب انسپکٹر محمد نواز خان SHO کینٹ بغرض قائمی مقدمہ بدست کانشیبل عابد 1625 موصول ہو کر ذیل سے نخر تھانہ کینٹ کمپیوٹر لائسنس برانچ دفتر DPO ڈیرہ اسماعیل خان کے سینئر کلرک محمد عارف۔ جو نیئر کلرک محمد سہیل۔ سیف الرحمن نے بحوالہ نوکن نمبر 32 نمبر 33 نمبر 34 نمبر 36 جس میں مختلف انواع اقسام کے لائسنس بذریعہ کمپیوٹر سکین کر کے مختلف لوگوں کو دیئے جو کہ بطور رشوت رقم وصول کر کے غیر قانونی کام شروع کئے ہوئے تھے کیونکہ بمطابق احکامات افسران بالا لائسنس سکین کرنے پر پابندی عائد ہے جو کہ متذکرہ بالا کلرک شاف جو رشوت لے کر حکم عدولی کے مرتکب پائے گئے کلرک محمد عارف کے قبضہ سے آئی فون موبائل نمبر (1) EMI353759101928224 (2) 353959101945970 (3) 35395910192822 موبائل نوکیا (1) EMI357733103045964 (2) EMI357733105045GJIAH 357733105045 محمد سہیل کے قبضہ سے Oppo موبائل (1) EMI868347022729376 (2) EMI868347022729368 سیف الرحمن کے قبضہ سے Vivo موبائل (1) EMI863691048383071 (2) EMI863691048383063 برآمد ہوئے متذکرہ کلرکس متذکرہ موبائلز سے متعلقہ اشخاص سے رابطہ کر کے غیر قانونی فعل سرانجام دیا کرتے تھے متذکرہ موبائلز بطور وجہ ثبوت بروئے فرد قبضہ پولیس ہو کر محمد عارف، محمد سہیل، سیف الرحمن کو ملوث جرائم بالا کا پا کر گرفتار کر کے مراسلہ بغرض قائمی مقدمہ بدست کانشیبل عابد 1625 ارسال تھانہ ہے مقدمہ درج رجسٹر کر کے نقل FIR بغرض تفتیش حوالے تفتیشی شاف کی جائے دستخط انگریزی مدعی بالا 31/12/2019 کارروائی تھانہ آمدہ مراسلہ درج بالا ہو پر چہ جرائم بالا چاک کر کے نقل FIR بغرض تفتیش حوالے INV شاف کی جاتی ہے پر چہ گزارش ہے۔





OFFICE OF THE  
REGIONAL POLICE OFFICER  
DERA ISMAIL KHAN  
REGION

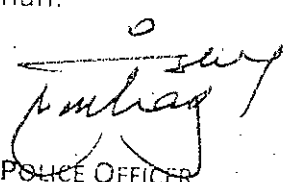
C  
C/12

No. 94 /ES, Dated 26 /01/2020  
DI Khan the

ORDER

As proposed by the District Police Officer, DIKhan, the following officials are hereby placed under suspension w.e. from 31.12.2019 and closed to RPO Office DIKhan with immediate effect:-

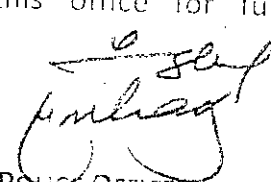
1. Senior Clerk Muhammad Arif, Traffic Clerk DIKhan.
2. Junior Clerk Muhammad Sohail, Traffic Branch DIKhan.
3. Junior Clerk Saif ur Rehman, Traffic Branch DIKhan.

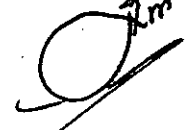
  
REGIONAL POLICE OFFICER  
DERA ISMAIL KHAN

No. 95-96 /ES

Copy of above submitted for favor of information to the:-

1. Inspector General of Police, Khyber Pakhtunkhwa Peshawar.
2. District Police Officer, DIKhan w.r.to his office Endst: No. 5710/EC dated 31.12.2019 with the directions to prepare charge sheet & statement of allegations and send to this office for further proceedings.

  
REGIONAL POLICE OFFICER  
DERA ISMAIL KHAN

*Attested*  
*Imman*  


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ORDER-14  
15/04/2021

SPP for the state present: All accused on bail present. PWs are absent:

Arguments on application u/s 249-A Cr.P.C. heard and record perused.

Through this order I intend to dispose of an application filed by the accused/petitioners for their acquittal u/s 249-A Cr.P.C in case FIR No. 1267 dated 31.12.2019 u/s 118 Police Act, 2017 PS Cantt D.I.Khan.

Facts of the case are that on 31.12.2019 complainant Inspector Muhammad Nawaz Khan, the then SHO PS Cantt, drafted a murasila at DPO office D.I.Khan at computer license branch, by stating that Senior Clerk Muhammad Arif, Junior Clerks namely Muhammad Sohail and Saif-ur- Rehman have issued different licenses to different people through computer scanning in lieu of gratification in connection with token No.32, 33, 34 & 36. The three staff members violated the orders of the competent authority regarding no scanning of the computer record. The staff members by disobeying the orders have received gratification. They were charged u/s 118 of the Police Act 2017. The murasila was sent to the PS for the registration of FIR and the three staff members were arrested on the spot and on their body search their mobile sets were taken into possession on the same date by the complainant. After receiving murasila instant case FIR No.1267 dated 31.12.2019 u/s 118 Police Act 2017 was registered at PS Cantt and investigation started. All three accused were released on bail.

After completion of investigation, complete challan was submitted on 02.10.2020 and copies u/s 241-A Cr.P.C, were delivered to the accused as they were present before the court. Formal charge was framed on 07.11.2020 to which accused pleaded not guilty and claimed trial, hence PWs. were summoned. So far, prosecution produced four PWs out of the eleven PWs cited in the calendar of witnesses. The four PWs produced are the material witnesses of the case, which includes complainant of the case, IO and witnesses of the recovery. Thereafter accused facing trial moved instant application u/s

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Signature of District Magistrate, D.I.Khan

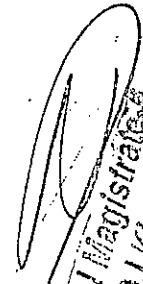
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249-A Cr.P.C for their acquittal in the instant case on different grounds.

Perusal of record shows that as per allegation, all present accused facing trial, being public servants posted at computer license branch in DPO Office D.I.Khan, prepared and issued fake/bogus computerized licenses to different persons through scanning process, being banned by the competent authority, after receiving gratification from different persons.

Record shows that there is no prior spy information nor any complaint nor any initial inquiry on record which brought the allegations, of receiving gratification and preparation and issuance of fake and bogus licenses by the present accused facing trial, into the knowledge of either the DPO or complainant. The murasila Ex.PW-1/3 shows that complainant all of a sudden came into the knowledge of the occurrence and drafted murasila, arrested accused and also affected recovery in the shape of mobile sets. This murasila resulted into FIR straight away without any verification or inquiry. The murasila also shows that after being drafted it was placed before some authority who marked the same to SHO for necessary action as per law. This shows that the complainant, whether on the directions of his highups, acted in the hasty manner as sanction was accorded after drafting of murasila and arrest of the accused in the instant case. The complainant of the case appeared as PW-1 and was subjected to cross examination which also cleared the attitude of complainant and his highups. The cross examination of PW-1 is full of contradictions as he was not in knowledge of what the scanning is and who has banned the scanning for the purpose of issuing license. In murasila the complainant referred to four tokens bearing No.32, 33, 34 & 36 but later on it was found that token No.32 is wrong and is infact it is token No.35. The complainant also admitted in his cross examination that all these tokens were having complete record which has been taken into possession by the IO. He also admitted that in the murasila Ex.PW-1/3 he has not mentioned the source of information of the occurrence or in whose presence same has occurred. This cross examination of PW-1 clearly makes the murasila and FIR highly doubtful as it appears that there is no actual occurrence in the instant case and there is only

  
Judicial Magistrate  
D.I.Khan

Examiner  
19/4/21

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suspicion which has not been verified or inquired into by the complainant before drafting murasila resulting into FIR.

IO of the case namely Inspector Kashif Sattar appeared as PW-4, and narrated the whole facts of his investigation and was subjected to cross examination in detail. He admitted that regarding token numbers which have been mentioned in the FIR, no complaint has been received regarding receiving of gratification by the accused facing trial. the cross examination of the IO also shows that he has not bothered to visit the concerned license branch of the DPO office during his investigation, in order to verify any process of scanning conducted by the accused facing trial for issuance of fake/bogus licenses. He has admitted that all the record regarding tokens mentioned in the FIR has been produced to him at the PS through clerks of the branch and he took into possession the same through recovery memo Ex.PW-2/1 & Ex.PW-2/2 in presence of marginal witnesses. He also admitted that he has not recorded the statement of any of the persons against whom the tokens were issued as they were not available to him. This stance of the IO is quite astonishing as he was duty bound to record the statements of these persons to conduct an impartial investigation in the instant case, in order to bring true facts on record. The IO of the case despite submitting an application to the highups for permission to visit their places of residence in Punjab, available on record, has failed to visit the place of residence of these persons and record their statements. The IO merely stated in his cross examination that from the record he found the record of license branch unsatisfactory and doubtful, which is never enough to bring guilt against the accused facing trial. IO also admitted that all the record produced to him was duly issued and signed by the motor licensing authority D.I.Khan but record is totally silent, whether IO has recorded the statement of the motor licensing authority or not. IO also admitted that DPO of the District is the motor licensing authority in District D.I.Khan. IO merely stated in his cross examination, regarding statement of licensing authority, that his highups have told him orally that licenses were issued and prepared fake and bogus. He discussed all these facts with his highups orally and not in writing. All these facts narrated by the IO during cross examination make the case of the prosecution highly

Judicial Magistrate  
D.I.Khan


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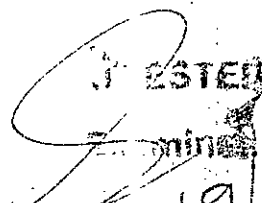
doubtful. Further at the conclusion of the investigation IO recommended for proceedings against accused facing trial under Anti Corruption Laws, which was also affirmed by learned District Public Prosecutor but despite that SP Investigation recommended for submission of challan in the instant case and left the question to be decided by the trial court.

The other two witnesses being marginal witnesses appeared as PW-2 & PW-3. PW-2 is Habib-ur-Rehman SI; who is the marginal witness of the recovery memo, whereby IO took into possession the record of the computer branch through recovery memo Ex.PW-2/1 & Ex.PW-2/2. The PW admitted in his cross examination that this record has been produced to the IO by the accused facing trial in support of their stance of innocence, while on the other hand IO (PW-4) submitted that he collected the record to prove the guilt of the accused. There is material contradiction in the stance of both the PWs which affect the case of prosecution. Complete documentary record duly signed and stamped by the competent authority regarding alleged tokens supports the stance of innocence of accused facing trial.

The allegations against the accused facing trial is of receiving gratification in lieu of issuing fake and bogus licenses through scanning process, however no recovery of any amount has been affected from the accused facing trial during the course of investigation. Nothing is on record that accused facing trial either received gratification or prepared official documents after receiving gratification from any person. Record is also silent to show that accused facing trial are living beyond their financial means.

Perusal of record reveals that in the instant case accused facing trial are charged under section 118 of Khyber Pakhtunkhwa Police Act 2017 for misconduct by allegedly issuing fake and bogus licenses through scanning process. Bare perusal of section 118 ibid shows that same provides 8 kinds of misconducts by any police officer entitling him for penalty under this section. Under clause (e) it provides that if a police officer is found in a state of intoxication while on duty he would be liable for penalty. As per stance of the prosecution, accused facing trial had committed this misconduct during their duty. The evidence produce by the prosecution so far is totally silent regarding direct

  
District Magistrate  
D.I. Khan

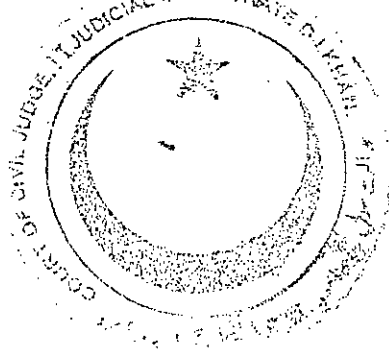
  
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involvement of accused facing trial for the commission of such like misconduct.

Though accused facing trial are charged in the instant case and prosecution evidence is yet to be concluded however, as discussed above, the material witnesses have already been examined, which shows material contradictions and lacunas in the case of prosecution against accused facing trial. In presence of these contradictions and lacunas there is no chance of conviction of the accused facing trial even if the remaining evidence is recorded. Therefore, keeping in view the above contradictions and lacunas in the evidence of the prosecution further proceedings in the instant case would be a futile exercise. Hence, instant application of the accused facing trial is allowed and all three accused facing trial namely Muhammad Arif, Muhammad Sohail and Saif-ur-Rehman charged in case FIR No. 1267 dated 13.12.2019 u/s 113 of Khyber Pakhtunkhwa Police Act 2017, are hereby acquitted u/s 249-A Cr.P.C of the charges leveled against them. Sureties are also discharged from the liabilities of bail bonds. Case property i.e. mobile phones are already returned to its lawful owner on superdari therefore, same order shall be treated as order u/s 517 Cr.P.C while rest of the case property be dealt as per law after the expiry period of appeal/revision.

File be consigned to record room after its completion and compilation.

Announced  
15.04.2021



*Saleem-ur-Rehman*  
15/4/21  
Saleem-ur-Rehman  
Judicial Magistrate-I, D.I. Khan

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*[Signature]*  
19/4/21



WASIT

Handwritten text in Urdu script, likely a letter or official communication.

25-6-20

Signature and stamp area containing the name 'SHA. QAM' and a circular official seal.

Handwritten signature and name 'Pind in Cerit Sir'.

Distric Public Prosecutor  
Dera Ismail Khan

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03.04.2021

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SPP for the State present. Accused present on bail. PWs not present, due to polio duty order on application u/s 249-A Cr.P.C not announced as some point need further consideration. Adjourned. Fresh process be issued to remaining PWs. File to come up for argument <sup>order</sup> on application/prosecution evidence on 15/4/21.

**SALEEM-UR-REHMAN**  
Judicial Magistrate-1, DIKhan

**ORDER-17**  
15/04/2021

SPP for the state present. All accused on bail present. PWs are absent.

Arguments on application u/s 249-A Cr.P.C. heard and record perused.

Through this order I intend to dispose of an application filed by the accused/petitioners for their acquittal u/s 249-A Cr.P.C in case FIR No. 1267 dated 31.12.2019 u/s 161-162-167 PPC PS Cantt D.I.Khan.

Facts of the case are that on 31.12.2019 complainant Inspector Muhammad Nawaz Khan, the then SHO PS Cantt, drafted a murasila at DPO office D.I.Khan at computer license branch, by stating that Senior Clerk Muhammad Arif, Junior Clerks namely Muhammad Sohail and Saif-ur- Rehman have issued different licenses to different people through computer scanning in lieu of gratification in connection with token No.32, 33, 34 & 36. The three staff members violated the orders of the competent authority regarding no scanning of the computer record. The staff members by disobeying the orders have received gratification. They were charged u/s 161, 162 & 167 PPC alongwith section 118 of the Police Act 2017. The murasila was sent to the PS for the registration of FIR and the three staff members were

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SPP صاحب نذران بیگم وکیل صاحب گواہ الیکٹرانکس

0-14  
17-3-2021

تاریخ 17-3-2021 صاحب گواہ الیکٹرانکس

کیس گویان میر صاحب احکا راجی زشتہ جلدیکن

کیس گویان عمران 1894، عمارت 1625 اور

سینل انچر 1458 صاحب بیگم شریک بیگم

گٹ بر درخواست نوٹ 27 <sup>03</sup>/<sub>21</sub> کو پیش ہو

SALEEM-U-REHMAN  
Judicial Magistrate-I  
Dera Ismail Khan

SPP صاحب نذران بیگم وکلا صاحب گٹ بر درخواست فریف

0-15  
27-3-2021

249-A صحت کمانڈر لکھنیا ملحق بیگم شریک

حکم بر درخواست صحت 03 <sup>04</sup>/<sub>21</sub> کو پیش ہو

کن گویان بی بی حاجی بیگم

SALEEM-U-REHMAN  
Judicial Magistrate-I  
Dera Ismail Khan

ADJUDICATOR  
Dera Ismail Khan

19/4/21

arrested on the spot and on their body search their mobile sets were taken into possession on the same date by the complainant. After receiving murasila instant case FIR No.1267 dated 31.12.2019 u/s 161, 162, 167 PPC/118 Police Act 2017 was registered at PS Cantt and investigation started. All three accused were released on bail.

After completion of investigation, complete challan was submitted on 02.10.2020 and copies u/s 241-A Cr.P.C, were delivered to the accused as they were present before the court. Formal charge was framed on 07.11.2020 to which accused pleaded not guilty and claimed trial, hence PWs were summoned. So far, prosecution produced four PWs out of the eleven PWs cited in the calendar of witnesses. The four PWs produced are the material witnesses of the case, which includes complainant of the case, IO and witnesses of the recovery. Thereafter accused facing trial moved instant application u/s 249-A Cr.P.C for their acquittal in the instant case on different grounds.

Perusal of record shows that as per allegation, all present accused facing trial, being public servants posted at computer license branch in DPO Office D.I.Khan, prepared and issued fake/bogus computerized licenses to different persons through scanning process, being banned by the competent authority, after receiving gratification from different persons.

Record shows that there is no prior spy information nor any complaint nor any initial inquiry on record which brought the allegations, of receiving gratification and preparation and issuance of fake and bogus licenses by the present accused facing trial, into the knowledge of either the DPO or complainant. The murasila Ex.PW-1/3 shows that complainant all of a sudden came into the knowledge of the occurrence and drafted murasila, arrested accused and also affected recovery in the shape of mobile sets. This murasila resulted into FIR straight away without any verification or inquiry. The murasila also shows that after being drafted it was placed before some authority who marked the same to SHO for necessary action as per law. This shows that the complainant, whether on the directions of his highups, acted in the hasty manner as sanction was accorded after drafting of murasila and arrest of the accused in the instant case. The

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Judicial Magistrate  
D.I.Khan

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complainant of the case appeared as PW-1 and was subjected to cross examination which also cleared the attitude of complainant and his highups. The cross examination of PW-1 is full of contradictions as he was not in knowledge of what the scanning is and who has banned the scanning for the purpose of issuing license. In murasila the complainant referred to four tokens bearing No.32, 33, 34 & 36 but lateron it was found that token No.32 is wrong and is infact it is token No.35. The complainant also admitted in his cross examination that all these tokens were having complete record which has been taken into possession by the IO. He also admitted that in the murasila Ex.PW-1/3 he has not mentioned the source of information of the occurrence or in whose presence same has occurred. This cross examination of PW-1 clearly makes the murasila and FIR highly doubtful as it appears that there is no actual occurrence in the instant case and there is only suspicion which has not been verified or inquired into by the complainant before drafting murasila resulting into FIR.

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IO of the case namely Inspector Kashif Sattar appeared as PW-4, and narrated the whole facts of his investigation and was subjected to cross examination in detail. He admitted that regarding token numbers which have been mentioned in the FIR, no complaint has been received regarding receiving of gratification by the accused facing trial. the cross examination of the IO also shows that he has not bothered to visit the concerned license branch of the DPO office during his investigation, in order to verify any process of scanning conducted by the accused facing trial for issuance of fake/bogus licenses. He has admitted that all the record regarding tokens mentioned in the FIR has been produced to him at the PS through clerks of the branch and he took into possession the same through recovery memo Ex.PW-2/1 & Ex.PW-2/2 in presence of marginal witnesses. He also admitted that he has not recorded the statement of any of the persons against whom the tokens were issued as they were not available to him. This stance of the IO is quite astonishing as he was duty bound to record the statements of these persons to conduct an impartial investigation in the instant case, in order to bring true facts on record. The IO of the case despite submitting an application to the highups for permission to visit their places of residence in Funjab, available on record, has

Judicial Magistrate  
 District  
 Faisalabad

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 19/4/21

failed to visit the place of residence of these persons and record their statements. The IO merely stated in his cross examination that from the record he found the record of license branch unsatisfactory and doubtful, which is never enough to bring guilt against the accused facing trial. IO also admitted that all the record produced to him was duly issued and signed by the motor licensing authority D.I.Khan but record is totally silent, whether IO has recorded the statement of the motor licensing authority or not. IO also admitted that DPO of the District is the motor licensing authority in District D.I.Khan. IO merely stated in his cross examination, regarding statement of licensing authority, that his highups have told him orally that licenses were issued and prepared fake and bogus. He discussed all these facts with his highups orally and not in writing. All these facts narrated by the IO during cross examination make the case of the prosecution highly doubtful. Further at the conclusion of the investigation IO recommended for proceedings against accused facing trial under Anti Corruption Laws, which was also affirmed by learned District Public Prosecutor, but despite that SP Investigation recommended for submission of challan in the instant case and left the question to be decided by the trial court.

*D.I.Khan*  
 District Magistrate

The allegations against the accused facing trial is of receiving gratification in lieu of issuing fake and bogus licenses through scanning process, however no recovery of any amount has been affected from the accused facing trial during the course of investigation. Nothing is on record that accused facing trial either received gratification or prepared official documents after receiving gratification from any person. Record is also silent to show that accused facing trial are living beyond their financial means.

The other two witnesses being marginal witnesses appeared as PW-2 & PW-3. PW-2 is Habib-ur-Rehman SI, who is the marginal witness of the recovery memo, whereby IO took into possession the record of the computer branch through recovery memo Ex.PW-2/1 & Ex.PW-2/2. The PW admitted in his cross examination that this record has been produced to the IO by the accused facing trial in support of their stance of innocence, while on the other hand IO (PW-4) submitted that he collected the record to prove the guilt of the accused. There is

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material contradiction in the stance of both the PWs which affect the case of prosecution. Complete documentary record duly signed and stamped by the competent authority regarding alleged tokens supports the stance of innocence of accused facing trial.

Though accused facing trial are charged in the instant case and prosecution evidence is yet to be concluded however, as discussed above, the material witnesses have already been examined, which shows material contradictions and lacunas in the case of prosecution against accused facing trial. In presence of these contradictions and lacunas there is no chance of conviction of the accused facing trial even if the remaining evidence is recorded. Therefore, keeping in view the above contradictions and lacunas in the evidence of the prosecution further proceedings in the instant case would be a futile exercise. Hence, instant application of the accused facing trial is allowed and all three accused facing trial namely **Muhammad Arif, Muhammad Sohail and Saif-ur-Rehman** charged in case FIR No. 1267 dated 13.12.2019 u/s 161-162-167 PPC, are hereby acquitted u/s 249-A Cr.P.C of the charges leveled against them. Sureties are also discharged from the liabilities of bail bonds. Case property i.e. mobile phones are already returned to its lawful owner on superdari therefore, same order shall be treated as order u/s 517 Cr.P.C while rest of the case property be dealt as per law after the expiry period of appeal/revision.

File be consigned to record room after its completion and compilation.

Announced  
15.04.2021



*Saleem-ur-Rehman*  
15/4/21  
Saleem-ur-Rehman

Judicial Magistrate-I, D.I.Khan

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Examiner

*[Signature]*  
19/4/21



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- 03467877119
- 0345-6909325
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- 03214604789
- 03409870170
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OFFICE OF THE  
REGIONAL POLICE OFFICER  
DERA ISMAIL KHAN  
REGION

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No. 311 /ES,

Dated

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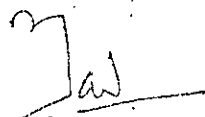
To The Superintendent of Police  
Investigation unit DIKhan

Subject DEPARTMENTAL ENQUIRY

Memo:

Charge Sheet & statement of allegations of the following Ministerial Staff duly served upon them, are enclosed herewith for conducting proper departmental enquiry within stipulated period and sent its findings to this office for further action.

1. Senior Clerk Muhammad Arif, the then Traffic Clerk DIKhan.
2. Junior Clerk Muhammad *Schajli*, Traffic Branch DIKhan.
3. Junior Clerk Saif ur Rehman, Traffic Branch DIKhan.

  
FOR REGIONAL POLICE OFFICER  
DERA ISMAIL KHAN

No. 312

/ES

Copy to District Police Officer, DIKhan for information with reference to

his office memo: No. 147/EC dated 13.01.2019.

  
FOR REGIONAL POLICE OFFICER  
DERA ISMAIL KHAN

*Attestd  
Khan*



Prd

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DISCIPLINARY ACTION

I, REGIONAL POLICE OFFICER, Dera Ismail Khan, am of the opinion that Senior Clerk Muhammad Arif while posted in District Police Office DIKhan, has rendered himself liable to be proceeded against departmentally, as he has committed the following acts/omissions within the meaning of Khyber Pakhtunkhwa, Govt: Civil Servants (Efficiency and Disciplinary) Rules-2011.

STATEMENT OF ALLEGATIONS

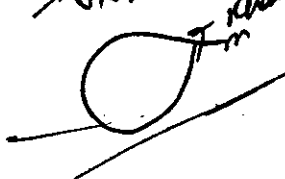
1. In-spite of orders of the DPO DIKhan, you were involved in getting illegal gratification from general public in connection with scanning of images for their driving license. It was clearly directed not to scan the documents and the people should come in person. A Case vide FIR No.1267 dated 31.12.2019 u/s 167, 162, 118/161 Police-Act 2017, PS Cantt DIKhan, has also been registered against you.
2. All this speaks highly adverse on your part warranting stern disciplinary action against you.

2. For the purpose of enquiry against the said accused with the reference to the above allegation Mr. Amanullah Khan SP/9

Dera Ismail Khan is appointed as Enquiry Officer to conduct proper departmental enquiry under the rule 10 (1) (a) of the ibid rules.

3. The Enquiry Officer shall, in accordance with the provision of the said Rules, provide reasonable opportunity of hearing to the accused, record & submit its findings and make within stipulated of the receipt of this order, recommendations as to punishment or other appropriate action against the accused officer.

4. The defaulter official and a well conversant representation of the departmental shall in the proceedings on the date, time and place fixed by the Enquiry Officer/Enquiry Committee.

Attested  


  
Regional Police Officer,  
Dera Ismail Khan

DISCIPLINARY ACTION

I, Capt @ Wahid Mehmood, PSP, DISTRICT POLICE OFFICER, Dera Ismail Khan, am of the opinion that Senior Clerk Muhammad Arif while posted in District Police Office DIKhan, has rendered himself liable to be proceeded against departmentally, as he has committed the following acts/omissions within the meaning of Khyber Pakhtunkhwa, Govt: Civil Servants (Efficiency and Disciplinary) Rules-2011.

STATEMENT OF ALLEGATIONS

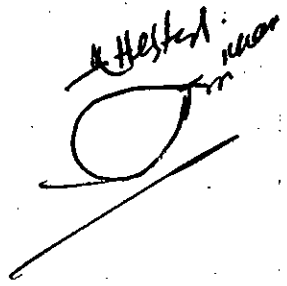
- 1. In-spite of orders of the undersigned, you were involved in getting illegal gratification from general public in connection with scanning of images for their driving license. It was clearly directed not to scan the documents and the people should come in person.
- 2. All this speaks highly adverse on your part warranting stern disciplinary action against you.


2. For the purpose of enquiry against the said accused with the reference to the above allegation Addi SP Dera Ismail Khan is appointed as Enquiry Officer to conduct proper departmental enquiry under the rule 10 (1) (a) of the ibid rules.

3. The Enquiry Officer shall, in accordance with the provision of the said Rules, provide reasonable opportunity of hearing to the accused, record & submit its findings and make, within 30-days of the receipt of this order, recommendations as to punishment or other appropriate action against the accused officer.

4. The defaulter official and a well conversant representation of the departmental shall in the proceedings on the date, time and place fixed by the Enquiry Officer/Enquiry Committee.

NO: 10-11/EC/DPoDIR  
dt: 02/01/2020.

*Attested*  
*near*  


  
(Capt: @ Wahid Mehmood) PSP  
District Police Officer,  
Dera Ismail Khan

CHARGE SHEET

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I, Capt ® Wahid Mehmood, PSP, DISTRICT POLICE OFFICER, Dera Ismail Khan as competent authority, under Notification No. 8511/E-V, dated: 28.12.2015, issued from the office of Worthy IGP/KPK, Peshawar under Rule 5(b) of Khyber Pakhtunkhwa, Peshawar, Efficiency & Disciplinary Rules, 2011, hereby charge you Senior Clerk Muhammad Arif of this office as follows:-

1. That you while posted as I/C Traffic Branch, inspite of orders of the undersigned, you were involved in getting illegal gratification from general public in connection with scanning of images for their driving license. It was clearly directed not to scan the documents and the people should come in person.
2. All this speaks highly adverse on your part warranting stern disciplinary action against you.

2. By reasons of the above, you appear to be guilty of misconduct under Rule-4 of Khyber Pakhtunkhwa, Govt. Servants Efficiency and Discipline Rules-2011 and have rendered yourself liable to all or any of the penalties specified in the Rules ibid.

3. You are, therefore, required to submit your written defence within seven days of the receipt of this charge sheet to the Enquiry Committee/Enquiry Officer as the case may be.

4. Your written defence, if any should reach the Enquiry Officer/Enquiry committee within the specified period, failing which it shall be presumed that you have no defence to put in and in that case ex-parte action shall follow against you.

5. Intimate whether you desire to be heard in person.
6. A statement of allegations is enclosed.

(Capt: ® Wahid Mehmood) PSP  
District Police Officer,  
Dera Ismail Khan

Attested.  
J. M. Khan



جواب چارج تہمت

ضمانت عالی، بحوالہ چارج تہمت معاریہ رجسٹریشن پالیسی آف 2010ء کے تحت

نمبر 31/ES/2020 حوزہ 20/2010 حوزہ 20/2010 کے تحت من سائل حکم بقا RPO بحوالہ

آرڈر نمبر 1517/2010 حوزہ 20/2010 کو بطور ٹریفیک حکم کی ضمانت ہوا۔ دوران ضمانتی

بندہ نے عوام الناس کو ڈراما ٹیوٹل لائسنس بمطابق مردہ قوانین کے مطابق تیار

کرنے حوالہ کرتا رہا اور کسی قسم کی کوئی شکایت کرنے کا موقع ہی نہیں دیا

بندہ تک بندہ پر الزام ہے کہ بندہ نے فراڈ سیکشن کے تحت تو اس سلسلہ میں

حصہ ہے کہ من سائل نے ذیل اشخاص ① حشر شان مبارک - دلہ مبارک علی

② بابہ شہزاد ولد محمد بوٹا ③ شہزاد سلیم ولد محمد سلیم ④ محمد عثمان ولد امان اللہ

کو حسب برایت ایڈیشنل ایس پی صاحب ڈیرہ اسٹائل خان نے بلا کر حکم دیا کہ مذکورہ

اشخاص سیکورٹی ایجنسز کے اہلکار ہیں اس لیے جلد از جلد لائسنس

تیار کر حوالہ کر دیں۔ جس پر بندہ نے قانونی تقاضا پورا کرتے ہوئے ان سے

بنک والوں جمع کرائے لہذا ٹریفیک ہیج تیار کر کے برائڈنگ ایس پی صاحب

نے خود منظور کئے لہذا حوزہ 20/19 کو منظور ہو کر جاری کئے جو کہ بعد جلد

کا روائی کمپیوٹر / CDL پراجیکٹ کے تحت جہاں انہیں ٹرانسفر ہوا

کئے گئے

بندہ نے اپنے اندر ان بالا کے حکم کی تعمیل کرتے ہوئے مذکورہ کام کیا جس

میں سائل کی کوئی ذاتی پریشانی یا بدنامی نہیں شامل ہے۔

بندہ تک رجسٹریشن کے تحت اس سلسلہ میں من سائل کی ضمانت ہو چکی ہے

من سائل نے جلد امور اضمر ان بالا کے احکامات کی رو سے اس سلسلہ میں سرکاری کام

دہر میں سائل نے مقصود کے ساتھ لے لیا اور تہمت کے چارج ٹیوٹ کو رجسٹر

ڈنہ فرمایا تاکہ ملازمت پر بحال کئے جانے کا حکم صادر فرمایا جارہے تاکہ سائل

ذاتی طور پر حاضر ہو کر جواب دہی کرنے کی اجازت دی جائے عین نواز سہ ہوتی

attested  
Jinnah

محمد عثمان مبارک RPO آفس ڈیرہ اسٹائل خان



**SUPERINTENDENT OF POLICE  
INVESTIGATION DIKHAN**

NO. 1512 /Inv:  
Dated 31-01-2020  
Fax No. 0966-9280081  
Email Add: spinydik@gmail.com

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ANNEXURE #  
33

To:- The Regional Police Officer,  
Dera Ismail Khan.

Subject:- DEPARTMENTAL ENQUIRY.

Memo:-

Kindly refer to your good office Memo: No. 331/ES, dated 20.01.2020.

It is submitted that the enquiry against 03 Nos Clerks namely 1) Mohammad Arif Senior Clerk, 2) Mohammad Sohail Junior Clerk, and 3) Saif Ur Rahman Junior Clerk received vide your above quoted reference alongwith charge sheet against each of them.

SUMMARY OF ALLEGATIONS:-

All the three above mentioned clerks were served with charge sheet for their involvement in illegal gratification from general public in connection with scanning of images for their driving license, although direction in this regard was already given for not doing so by the DPO DIKhan.

PROCEEDINGS OF ENQUIRY:-

All the delinquent clerks were summoned in person there statements were recorded, later examined and cross examined by the undersigned. They were given opportunity to defend themselves for the allegation against them.

Statement of Senior clerk Malik Arif:-

I while posted as Traffic Clerk in DPO Office DIKhan by the orders of worthy RPO/DIKhan, always followed due course of rules & regulations and never indulged in any activity causing irk. So far as the allegation of scanning of images is concerned, 04 persons namely Mohammad Shan Mubarak s/o Mubarik Ali, Babar Shahzad s/o Mohammad Bota, Shahzad Saleem s/o Mohammad Saleem & Mohammad Usman s/o Aman Ullah were sent to me by the Additional SP DIKhan with the directions to help them out as they were persons of Law & Enforcement Agencies. After following all the due procedure I took prints of their learning page

Attested

*[Signature]*

33

al sent them to CDL branch where they were given tokens, I only complied by the orders of  
highups (Additional SP DIKhan) in this case.

Statement of Junior clerk Mohammad Sohail:-

I while posted as computer operator in Traffic Branch DPO Office DIKhan,  
where I make entries into the computer, after the complete file being sent to me by the traffic  
clerk and subsequently issue driving licenses, the allegation against me could be result of  
misunderstanding and I request to file the instant enquiry.

Statement of Junior Clerk Saif Ur Rahman:-

I while posted as computer operator in Traffic Branch DPO Office DIKhan,  
where I make entries into the computer, after the complete file being sent to me by the traffic  
clerk and subsequently issue driving licenses, the allegation against me could be result of  
misunderstanding and I request to file the instant enquiry.

OBSERVATIONS:-

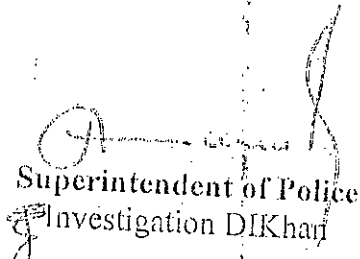
From the perusal of available record and statements of the delinquent clerks it is  
evident that the allegations leveled against them are bear grounds i.e- they confessed for  
scanning of pictures to make driving license of general public for which they have been  
prohibited.

RECOMMENDATION:-

Since criminal proceedings have already been initiated against the delinquent  
clerks and complete challan has been submitted in the court concerned. Which shows act of  
delinquency and misappropriation on their part. They are therefore recommended for suitable  
punishment.

CONCLUSION:-

Found guilty

  
Superintendent of Police  
Investigation DIKhan



OFFICE OF THE  
REGIONAL POLICE OFFICER  
DERA ISMAIL KHAN  
REGION

No. 823 /ES, Dated DI Khan the H

~~AVR 10~~ H  
4/34  
24/02/2020  
4/36

ORDER

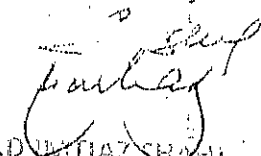
This order shall dispose of the departmental proceeding conducted against Senior Clerk Muhammad Ari. of DPO Office DI Khan under the Khyber Pakhtunkhwa Civil Servant Efficiency & Discipline Rules 2011.

Facts of the case are that he while posted as Traffic Clerk, DPO Office DI Khan was involved in taking illegal gratifications from general public in connection with scanning of images for their driving licenses and involvement in case vide FIR No. 1267 dated 31.12.2019 U/S 167/162/118/161 Police Act of 2017 of Police Station Cantt DI Khan. He was issued Charge Sheet and enquiry into the matter was conducted through Mr. Aman Ullah, SP Investigation DI Khan. The Enquiry Officer submitted his findings report in which he found him guilty of the charges leveled against him. He was provided opportunity of personal hearing in Orderly Room on 11.02.2020 but he failed to give any cogent explanation in this regard.

Therefore, in exercise of powers conferred upon me under the abid rules, I MUHAMMAD IMTIAZ SHAH, PSP/QPM, Regional Police Officer, DI Khan, being competent authority, award him major punishment of "reduction to a lower post of Junior Clerk".

He is hereby reinstated in service from the date of suspension.

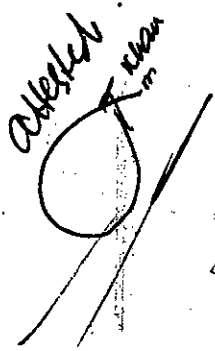
ORDER ANNOUNCED

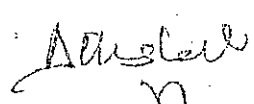
  
(MUHAMMAD IMTIAZ SHAH)  
PSP/QPM  
REGIONAL POLICE OFFICER  
DERA ISMAIL KHAN

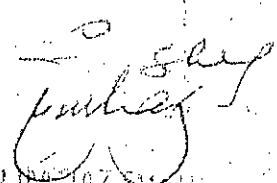
No. 884-25 /ES

Copy of above is submitted for information & necessary action to the:-

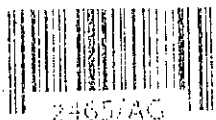
1. Inspector General of Police, Khyber Pakhtunkhwa Peshawar
2. DPO DI Khan with reference to his office memo: No. 5710/EC dated 31.12.2020.



  
Office Superintendent  
R.P.O. D. I. Khan Region  
4-3-030

  
(MUHAMMAD IMTIAZ SHAH)  
PSP/QPM  
REGIONAL POLICE OFFICER  
DERA ISMAIL KHAN





7143/ES

OFFICE OF THE  
REGIONAL POLICE OFFICER  
DERA ISMAIL KHAN  
REGION

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No. 1126 /ES, Dated DI Khan the 20/03/2020

To The Inspector General of Police,  
Khyber Pakhtunkhwa, Peshawar

Subject APPEAL

Memo:

An appeal preferred by Junior Clerk Muhammad Arif of this Region against the punishment order passed vide this office No. 823/ES dated 24.02.2020 is submitted herewith for further proceedings, please.

6-01(25)

*[Signature]*

REGIONAL POLICE OFFICER  
DERA ISMAIL KHAN

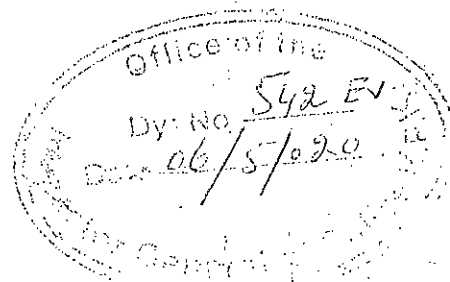
No. 1127 /ES

Copy of above is sent to the District Police Officer, Tank for information.

BE-6  
*[Signature]*  
AIG/E  
21/4/2020  
*[Signature]*

*[Signature]*

REGIONAL POLICE OFFICER  
DERA ISMAIL KHAN



(H)

To  
The Worthy Inspector General of Police,  
Khyber Pakthunkhwa Peshawar.

J  
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Through = Proper channel

Subject: DEPARTMENTAL APPEAL/REPRESENTATION  
AGAINST THE IMPUGNED ORDER NO. 823,824-25  
DATED 24/02/2020 VIDE WHICH THE APPELLANT  
WAS AWARDED MAJOR PUNISHMENT OF  
REDUCTION TO LOWER POST OF JUNIOR CLERK.

Respected Sir,

The appellant humbly submits as under;

1. The appellant was appointed as Junior Clerk in Police Department Dera Ismail Khan 11/04/1988 and since then the appellant is performing his duties with great zeal and zest and with the entire satisfaction of his superiors.
2. That later on the appellant was promoted as Senior Clerk in the year 2013.
3. That on 28/03/2019 the appellant was posted as Traffic Clerk Dera Ismail Khan against the clear vacant post purely on merit being senior most among the senior clerks of the District.
4. That since appointment the appellant served the department with whole heartedly, devotion and with the entire satisfaction of high-ups. In this respect service record of the appellant is very much evident. Copy of service card is annexed as "A".
5. That on 31/12/2019, the worthy District Police Officer Dera Ismail Khan paid surprise visit to the computer section of Driving License Branch and asked about the issuing of scanning of photos which were been banned by him. The appellant replied that it is not job of appellant but the same is responsibility of In-Charge Computer section of Driving License branch.
6. That the worthy DPO D.I.Khan, on this issue initiated the departmental proceedings against appellant and lodged a

*Abdullah  
Fazlani*

baseless criminal case vide FIR#1267 dated 31/12/2019 u/s 118, 161, 162, 167 PPC registered at P.S Cantt: against the whole staff of Driving License branch including appellant. Copy of FIR is annexed as "B".

7. That, thereafter an inquiry was conducted by the worthy Superintendent of Police (Investigation) Dera Ismail Khan in which the worthy SP Investigation wrongly and illegally declared the whole staff found guilty. Copy of inquiry report dated 31/01/2020 is annexed for ready reference as "C".
8. That the appellant submitted the written reply of the above said baseless allegations. Copy of the reply is annexed herewith as "D".
9. Copies of driving license as well as bank Challans on the basis of with the above said inquiry was conducted are annexed herewith as ready reference.
10. That the worthy Regional Police Officer Dera Ismail Khan region, upon the so-called, illegal and bases inquiry awarded major punishment to the appellant vide order dated 24/02/2020 by reduction to the lower post to the junior clerk. Copy of the impugned order dated 24/02/2020 is annexed as "E".
11. That the impugned order dated 24/02/2020 passed by the worthy Regional Police Officer Dera Ismail Khan is against law, fact and police rules, hence, the same is being impugned hereby, inter alia, the following grounds.

**GROUND:**

1. That the impugned order dated 24/02/2020 is illegal, void ab initio, without jurisdiction, without lawful authority, hence, the same is liable to be set aside.
2. That the duty of the appellant was to obtain the original Challan, Medical report and then send the file to the CDL branch. Taking Photograph or scanning Photograph is not the job of petitioner, so appellant is neither involved in taking illegal gratification nor there is any complaint against him in this respect.



3. That there is not any complaint or allegation of the corruption against the appellant from general public.
4. That there is no single witness and oral as well as documentary evidence against the appellant for taking illegal gratification or corruption or scanning the photographs.
5. That that FIR#126 dated 31/12/2019 is false, fabricate, baseless and manipulated one. It is mere allegation and having no solid evidence in support of these allegations. Appellant is falsely charged in so called allegation, hence the appellant is innocent having no concern whatsoever with these allegations. There is not oral or documentary evidence and witness to prove the allegations against the appellant.
6. That the so-called inquiry dated 31/01/2020 is totally void, illegal, and against the law and Govt. Servant Efficiency & Disciplinary Rules 1973. No proper procedure of inquiry is adopted by the inquiry officer according to the Rule VI of Govt. Servant Efficiency & Disciplinary Rules 1973. Moreover, neither show-case notice was issued to the appellant nor any opportunity of hearing was given to the appellant.
7. No any witness and oral or documentary proof is available against the appellant. Inquiry office neither recorded the statement of any witness nor collected any proof or evidence against the appellant. The inquiry officer neither framed any charge against the appellant nor recorded any evidence against the appellant, thus so called inquiry is totally fake, illegal and void ab initio.
8. That the taking photographs or scanning photographs is the job of CDL Branch and appellant has no concern with that. The allegations against the appellant are irrelevant and not concerned with the appellant. The four persons on the basis of which the so-called inquiry was conducted, were issued driving licenses by the Additional S.P Najam ul Hassan which is evident from his signature on the driving license of the said persons and their photographs were scanned by the CDL branch.


(4) 39

9. That appellant belongs to poor and respectable family of Dera Ismail Khan having large family members, such punishment is very harsh and unbearable loss not only for the appellant but for many dependants, therefore, such harsh punishment may kindly be set aside.

**It is, therefore, humbly prayed that the impugned order no. 823,824-25 dated 24/02/2020 issued by the worthy RPO Dera Ismail Khan may kindly be set aside and appellant may kindly be resumed the post of Senior Clerk BPS-14 w.e.f 24/02/2020 with all back benefits.**

Dated 04/03/2020

Humble Appellant

  
**Muhammad Arif**  
Senior Clerk,  
DPO Office, Dera Ismail Khan  
Cell: 0344-9640465

To, Inspector General of Police  
Khyber Pakhtunkhwa, Peshawar.  
Through Proper Channel

No. 536/PPD  
Dt. 22/04/2021

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SUBJECT:- RE: DEPARTMENTAL APPEAL AGAINST IMPUGNED ORDER VIDE ENDST NO. 823.824-25, DATED. 24.02.2020, PASSED BY REGIONAL POLICE OFFICER DERA ISMAIL KHAN, VIDE WHICH THE APPELLANT WAS AWARDED MAJOR PUNISHMENT OF REDUCTION TO LOWER POST FROM SENIOR CLERK BPS 14 TO THE POST OF JUNIOR CLERK BPS-11.

Preliminary Notes:- Contents and Grounds of appeal in hand, be considered as part and parcel to the appeal dated. 20.03.2020, already pending before this Worthy Office.

Appellant amongst other grounds respectfully submits as under,

That appellant while serving as Senior Clerk at Driving License branch, Traffic branch in the office of the DPO Dera ismail khan, was hooked in case fir no. 1267, dated 3.12.2019 under sections 118 of Police Act, 2017, alongwith 161, 162, 167 of Pakistan Penal Code for receiving alleged illegal gratification and for preparing alleged illegal license cards without the approval of licensing authority, by PS: cantt Dera Ismail Khan. Copy of FIR is annexed as annexure I.

That after lodging FIR through the direction of the DPO Dera Ismail Khan, Local police conducted investigation of the allegations, while S.P Investigation Dera Ismail Khan has been deputed to conduct Departmental Inquiry into the matter, who after conducting tentative inquiry into the guilt of the appellant, concluded his inquiry that he has found the appellant guilty. Copy of the inquiry report is annexed as annexure II.

That on the basis of the cited inquiry report, the Competent Authority RPO Dera Ismail Khan, awarded the appellant with Major Punishment of Demotion/Reduction from higher rank/post to the lower rank/post, with no order regarding period of punishment or regarding the seniority of the appellant. Copy of the adverse/impugned order is annexed as annexure III.

That being aggrieved, appellant filed appeal against impugned order of the RPO Dera Ismail Khan, which was formally forwarded to this office vide Memo no. 1126/ES, dated. 20.03.2020, upon which during hearing, this Worthy office was pleased enough

Attested  
Khan  
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to keep the appeal of the appellant pending till decision of the Trial  
in cited FIR. Copy of appeal along with forwarding memo are  
annexed as annexure IV.

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That appellant generously faced the trial of the cited FIR in  
the Competent Court of Judicial Magistrate-I, Dera Ismail Khan, who  
after recording evidence of the prosecution, Acquitted the appellant  
from the charges leveled against him. Attested copies of the  
Judgments/Orders of the Trial Court are annexed as annexure V.

Further, from the bare perusal of the inquiry report of the  
appellant annexed as annexure II, it is crystal clear, that the report  
was drafted on whims and wishes of the complainant and nothing  
incriminating was found against the appellant. Inquiry report  
further shows that the observations and conclusions Para's drafted  
in light of the statement of the appellant also contradicts the version  
recorded in statement of the appellant, which clearly shows that  
procedure regarding inquiry was totally violated and one-sided  
proceedings were conducted which are against the natural justice  
and in contravention to the prevailing laws/rules.

Moreover, as the appellant has been found innocent by the  
Learned Trial Court and has been acquitted from the alleged  
Guilt/FIR which was the basis of the Departmental Proceedings,  
therefore, the punishment awarded cannot further sustain against  
the appellant, and is required to be set at naught.

*In view of the submissions made above, it humbly prayed  
that, through acceptance appeal of the appellant dated  
20.03.2020, appellant being innocent, be graciously exonerated  
from the charges leveled against him, and appellant be  
reinstated on his previous post of Senior Clerk BPs-14, right from  
the date of his demotion/reduction to Lower Post of Junior Clerk,  
i.e 24.02.2020, with all back benefits and seniority.*

Yours Humble: Appellant



Muhammad Arif.  
Presently, Junior Clerk  
Office of the DPO, Tank

0341-9102699

22/04/21

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22/4/21



OFFICE OF THE  
INSPECTOR GENERAL OF POLICE,  
CENTRAL POLICE OFFICE,  
KHYBER PAKHTUNKHWA PESHAWAR

No. 1655-58 /E-V, dated Peshawar the 10/06/2021

K  
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ORDER

This order is hereby passed to dispose off the departmental appeal dated 20.03.2020 preferred by Junior Clerk Muhammad Arif of DPO Office Tank regarding major punishment of reduction to lower post of Junior Clerk awarded by Regional Police Officer, D.I Khan vide order No. 824-25/ES dated 24.02.2020, on the following grounds:-

"He while posted as Traffic Clerk, DPO office D.I.Khan was involved in taking illegal gratifications from general public in connection with scanning of images for their driving licenses and involvement in case FIR No. 1267 dated 13.12.2019 u/s 167/162/118/161-Police Act of 2017 of PS Cantt D.I Khan "

He was heard in person on 09.06.2021 but he failed to advance any plausible explanation in rebuttal of the charges, therefore, his appeal is rejected/filed by the Competent Authority.

Sd/-  
**(RAI BABAR SEED) PSP**  
Deputy Inspector General of Police, HQrs,  
For Inspector General of Police,  
Khyber Pakhtunkhwa,  
Peshawar

Ends: No. & date even.

Copy forwarded to the: -

- Regional Police Officer, D.I Khan with reference to his office letter No. 1126/ES dated 20.03.2020.
- District Police Officer, Tank.
- Registrar CPO Peshawar.
- Office Superintendent Secret Branch CPO Peshawar.

**(IRFAN ULLAH) PSP**  
AIG/Establishment  
For Inspector General of Police,  
Khyber Pakhtunkhwa,  
Peshawar

Arshed Khan





FOR PUBLICATION IN THE KHYBER PAKHTUNKHWA  
POLICE GAZETTE PART-II ORDERS BY THE  
INSPECTOR GENERAL OF POLICE  
KHYBER PAKHTUNKHWA PESHAWAR

ADDENDUM

Dated: 29/3/2017.

No. 4740-4850/E-V, DISCIPLINARY ACTION, Powers of disciplinary action against Ministerial Staff were delegated to RPOs / DPOs within the meaning of Article 31 of Police Order 2002 (Now incorporated in Section 44(4) of Khyber Pakhtunkhwa Police Act, 2017) vide this office Notification No. 8511/E-V, dated 28-12-2015. Police Policy Board approved delegation of the powers of disciplinary action against the Ministerial Staff to Addl: IGsP / DIsG, head of unit of Police and SSsP / Dy: Commandants of the unit of Police in line with the notification ibid. Therefore an addendum is issued in continuation of notification ibid and powers of disciplinary actions against the Ministerial Staff are also delegated to the authorities of units of Police as per detailed below:-

DESIGNATION	ACTION IS TO BE TAKEN AGAINST THE MINISTERIAL STAFF
Addl: IGsP / DIsG, head of unit of Police	Office Supdt: (BPS-17), Stenographers (BPS-16) Assistant Grade Clerks (BPS-16), Steno Typist (BPS-14) and Senior Clerks (BPS-14)
SSsP/DY: Commandants	Junior Clerks (BPS-11) and Naib Qasid/Class-IV (BPS-1 to 4)

*Muhammad Ashraf Noor*  
(Muhammad Ashraf Noor) PSP  
Addl: IGP/HQs:  
For Inspector General of Police,  
Khyber Pakhtunkhwa,  
Peshawar.

Ends: No. & date even.

Copy forwarded to the:-

- All Addl: Inspectors General of Police of Khyber Pakhtunkhwa,
- All RPOs of Khyber Pakhtunkhwa.
- Capital City Police Officer, Peshawar.
- All DIsG of Khyber Pakhtunkhwa.
- Commandants, ERP and PTC, Hangu.
- All DPOs of Khyber Pakhtunkhwa.
- All AIsG of Khyber Pakhtunkhwa.
- Director IT, Khyber Pakhtunkhwa Peshawar.
- Director FSL, Khyber Pakhtunkhwa Peshawar.
- Commandant CPC University Campus, Peshawar.
- Deputy Director Audit, CPO Peshawar.
- Registrar CPO Peshawar.
- Budget Officer, CPO Peshawar.
- All Office Supdts: of CPO Peshawar.

*Attested*  
*in*  
*class*

OFFICE OF THE  
REGIONAL POLICE OFFICER  
DERA ISMAIL KHAN  
REGION

44

No. 826 /ES, Dated DI Khan the 24/02/2020

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ORDER

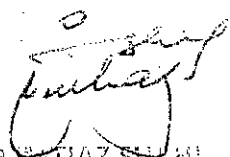
This order shall dispose of the departmental proceeding conducted against Junior Clerk Muhan mad Schail of DPO Office DIKhan under the Khyber Pakhtunkhwa Civil Servant Efficiency & Discipline Rules 2011.

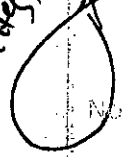
Facts of the case are that he while posted as Computer Operator in Traffic Branch, DPO Office DIKhan was involved in taking illegal gratifications from general public in connection with scanning of images for their driving licenses and involvement in case vide FIR No. 1267 dated 31.12.2019 U/S 167/162/118/161 Police Act of 2017 of Police Station Cantt DIKhan. He was issued Charge Sheet and enquiry into the matter was conducted through Mr. Aman Ullah, SP Investigation DIKhan. The Enquiry Officer submitted his findings report in which he found him guilty of the charges leveled against him. He was provided opportunity of personal hearing in Orderly Room on 11.02.2020 but he failed to give any cogent explanation in this regard.

Therefore, in exercise of powers conferred upon me under the ibid rules, I, MUHAMMAD IMTIAZ SHAH, PSP/QPM, Regional Police Officer, DIKhan, being competent authority, award him minor punishment of "Censure".

He is hereby reinstated in service from the date of suspension.

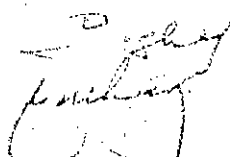
ORDER ANNOUNCED

  
(MUHAMMAD IMTIAZ SHAH)  
PSP/QPM  
REGIONAL POLICE OFFICER  
DERA ISMAIL KHAN

*Asst. Secy. in Charge*  
  
No. 827-98 /ES

Copy of above is submitted for information & necessary action to the:-

1. Inspector General of Police, Khyber Pakhtunkhwa Peshawar.
2. DPO DIKhan with reference to his office memo: No. 5710/EC dated 31.12.2020.

  
(MUHAMMAD IMTIAZ SHAH)  
PSP/QPM  
REGIONAL POLICE OFFICER  
DERA ISMAIL KHAN



OFFICE OF THE  
REGIONAL POLICE OFFICER  
DERA ISMAIL KHAN  
REGION

45  
47

No. 829 /ES, Dated DI Khan the 24/02/2020

ORDER

This order shall dispose of the departmental proceeding conducted against Junior Clerk Saif ur Rehman of DPO Office DIKhan under the Khyber Pakhtunkhwa Civil Servant Efficiency & Discipline Rules 2011.

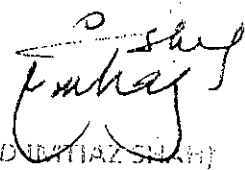
Facts of the case are that he while posted as Computer Operator in Traffic Branch, DPO Office DIKhan was involved in taking illegal gratifications from general public in connection with scanning of images for their driving licenses and involvement in case vide FIR No. 1267 dated 31.12.2019 U/S 167/162/118/161 Police Act of 2017 of Police Station Cantt DIKhan. He was issued Charge Sheet and enquiry into the matter was conducted through Mr. Aman Ullah, SP Investigation DIKhan. The Enquiry Officer submitted his findings report in which he found him guilty of the charges leveled against him. He was provided opportunity of personal hearing in Orderly Room on 11.02.2020 but he failed to give any cogent explanation in this regard.

Therefore, in exercise of powers conferred upon me under the ibid rules, I, MUHAMMAD IMTIAZ SHAH, PSP/QPM, Regional Police Officer, DIKhan, being competent authority, award him minor punishment of "Censure".

He is hereby reinstated in service from the date of suspension.

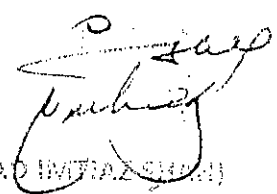
ORDER ANNOUNCED

*Amended memo*  
*830-31* /ES

  
(MUHAMMAD IMTIAZ SHAH)  
PSP/QPM  
REGIONAL POLICE OFFICER  
DERA ISMAIL KHAN

Copy: 4 above is submitted for information & necessary action to the:-

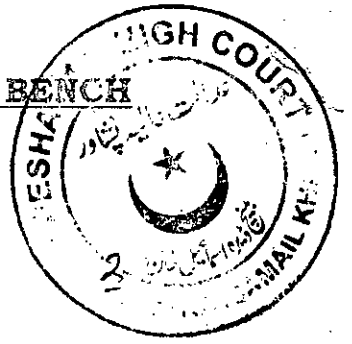
1. Inspector General of Police, Khyber Pakhtunkhwa Peshawar.
2. DPO DIKhan with reference to his office memo: No. 5710/EC dated 31.12.2020.

  
(MUHAMMAD IMTIAZ SHAH)  
PSP/QPM  
REGIONAL POLICE OFFICER  
DERA ISMAIL KHAN

BEFORE THE HONOURABLE PESHAWAR HIGH COURT, BENCH

DERA ISMAIL KHAN

Writ Petition No. \_\_\_\_\_ / 2021



Malik Muhammad Arif S/o Ghulam Rasool, Presently Junior Clerk, DPO Office Tank. Tank

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.....( Petitioner)

VERSUS

1. Government of Khyber Pakhtunkhwa, through Chief Secretary Government of Khyber Pakhtunkhwa, Peshawar.
2. Secretary Home & Tribal Affairs Department, Khyber Pakhtunkhwa, Peshawar.
3. Provincial Police Officer / Inspector General of Police, Khyber Pakhtunkhwa, Central Police Office Peshawar.
4. Additional Inspector General of Police Khyber Pakhtunkhwa Peshawar.
5. Regional Police Officer/DIG, Dera Ismail Khan Division, Police Range, Dera Ismail Khan.
6. District Police Officer, Dera Ismail Khan.

.....(Respondents)

Filed 16/2/21  
2021  
Adtl. Registrar

WRIT PETITION UNDER ARTICLE 199 OF THE CONSTITUTION OF ISLAMIC REPUBLIC OF PAKISTAN 1973.

PRAYER:-

- Through writ petition in hand, the petitioner is beseeching to declare impugned Departmental proceedings by respondent no. 5 as well as respondent no.6 vide which impugned order no. 823/ES, dated. 24.02.2020 was passed by respondent no. 5, and petitioner was reduced to lower grade prior to conclusion of trial in FIR no. 1267, dated. 13.12.2019, and later on the same was maintained and confirmed by respondent no. 3 vide order no. 1655-58/E-V, dated. 10.06.2021, after acquittal of the petitioner, as null, illegal, void abinitio,

WP NO.583-D of 2021 (Grounds)

ATTESTED  
EXAMINOR  
Peshawar High Court Bench,  
Dera Ismail Khan  
02-11-2021

and without lawfull authority and with out lawfull jurisdiction and ineffective upon the rights of petitioner.

- The respondents authorities may graciously be directed to deal the petitioner as in accordance with law and by setting aside impugned proceeding and impugned orders mentioned above, respondent authorities be directed to reinstate the petitioner at his original position with all benefits and seniority as in accordance with law and staute.

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Filed today 2021  
M.D. Registrar

Any other relief may graciously be granted with this Court deems fit and proper for the natural justice.

Respectfully Sheweth:-

- 1- That addresses of parties given above are correct and sufficient for the purpose of service.
- 2- That the petitioner is permanent and bonafide resident of District Dera Ismail Khan having 33 years of Government service at his credit, CNIC and service card of the petitioner are enclosed as **Annexure "A"**.
- 3- That the petitioners while serving as senior clerk at the office of Respondent no. 06, was booked in FIR no. 1267, dated. 13.12.2019, alongwith two other co-officials namely Muhammad Sohail and saif ur rahman, and in consequence thereof was suspended from his duties by respondent no. 05, vide order dated. 06.01.2020, upon proposed recommendation of respondent no. 06. Copies of FIR and orders of suspension are enclosed as **Annexure "B & C"**.
- 4- That trial for the FIR cited above was submitted before the Court of Learned Judicial Magistrate on 25.06. 2020, while respondent no. 05 and 06 have seperately proceeded against the petitioner vide Statement of allegation and charge sheets dated. 06.01.2020, and 02.01.2020 respectively. Copy of Challans in FIR no. 1267, dated. 13.12.2019, alongwith copies of judgments on cited challan/FIR are enclosed as **Annexure "D & E"**, while copies of proceedings by the respondents no. 05 and 06 are annexed as **annexures F & G** to the petiiton.
- 5- That petitioner submitted his written reply to the above stated proceedings, alongwith certain legal and factual answers, which were not given any

WP NO.398-D of 2021 (Grounds)

ATTESTED  
EXAMINOR  
Fesnawar High Court Bench  
Dera Ismail Khan  
02/11/2021

F. Khan

heed and impugned order dated. 24.02.2020 was passed by respondent no. 05, against which petitioner filed representation. Copies of impugned order and representation are annexed as **annexures H & I** to the petition.

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6- That trial against the petitioner was concluded on 15.04.2021, and vide orders dated. 15.04.2021, Learned JMI, dera Ismail Khan acquitted the petitioner from the charges levelled against him by the respondent no. 05 and 06. Copies of the orders and challans under section 173 Crpc are already annexed to the petition as **annexures D & E**.

7- That after acquittal from the competent court of law, petitioner once again moved requisition/representation through proper channel to the respondent no. 3, dated. 22.04.2021, who without touching the merits of the case, has maintained the impugned order passed by the respondent no. 05, vide impugned order no. 1655-58/E-V, dated. 10.06.2021. copies of the requisition alongwith impugned order dated. 10.06.2021 are annexed as **annexures J & K** to the petition.

Filed 10/07/21  
2021  
Addl. Registrar

8- That having being aggrieved from the impugned proceedings, and orders of the respondent authorities, and having no appropriate remedy the petitioner invoked constitutional jurisdiction of this Honorable Court for redressal of his grievances, inter alia on the following grounds:-

**GROUND:-**

a) That impugned proceedings vide which the petitioner has been proceeded **Denovo**, by the respondent no. 05 as well as respondent no. 06 are without lawful authority, and without jurisdiction, being void abinitio, are liable to be set at naught.

b) That respondent no. 06 namely **Capt. Rtd, Wahid Mehmood** has proceeded against the petitioner on his personal grudge, and prior to conclusion of trial of the offence cited in FIR, has proceeded against the petitioner without jurisdiction and lawful authority and without any lawful proof of guilt, which was done as **Denovo** by the respondent no. 05, without keeping in view the right of Fair Trial Guaranteed to the the petitioner by the Worthy Constitution of the State. In this respect reference can be made not only to the Judgments of the Worthy APEX courts, but respondent no. 06 has also acted in violation to his own departmental

10/07/21

WP NO.398-D of 2021 (Grounds)

ATTESTED  
EXAMINOR  
Ferozpur High Court Bench,  
Dera Ismail Khan  
02/11/21

notification no. 4740-4850, dated. 29.08.2017, vide which he was not competent to proceed against the petitioner and which is accountable in nature.

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c) That the respondents authorities were under obligation to deal the petitioner as in accordance with law, and keep him under suspension as in accordance with the rules till the disposal of Trial, to give him an opportunity to prove his innocence ,but respondents authorities through impugned proceeding has acted malafidely and in ultravires to satisfy their self temptations and personal grudge, and has suffered the petitioner by **Pre-Emptive Punishment** which is not warranted under the law.

d) That respondent authorities were under obligation to act as in accordance with law and implement the statute in its letter and spirit in case of the petitioner, but impugned malafide acts of the respondent authorities has unleashed their malafide and unsane temptative attitude towards the petitioner, which has opened the gates of Extra Ordinary Constitutional Jurisdiction of this Honorable Court for the petitioner.

e) That Respondent Authorities has led the case of the petitioner to the Dictim of Pre-emptive Punishment and afterwards to Dual Punishment by malafidely proceeding against him without lawfull authority and jurisdiction, and again by proceeding against him prior to Conclusion of Trial of allegations against him, while on the other side, when the respondent authorities had came to know that the petitioner has been acquitted from the charges levelled against him, they kept their eyes closed and maintained the impugned orders and proceedings, which are equivalent to nullity after the acquital of the petitioner from the allegations and charges levelled against the petitioner.

Filed today  
22/8/21  
A.M. Registrar  
22/8/21

f) That petitioner has also been tried to be technically knocked out from his lawfull rights of departmental as well as Service appeal through impugned proceedings and orders through double edge weapon of limitation, and as final order of dated. 10.06.2021, which doesn't falls under the ambit of section 4 of the Services Tribunal act 1973. Hence, this Honorable Court has ample Jurisdiction to interfere into the impugned proceedings and orders of the Respondent Authorities.

22/8/21

ATTESTED  
EXAMINOR  
Peshawar High Court Bench,  
Dera Ismail Khan  
02-11-21

That the counsel for the Petitioner may kindly be allowed to raise the additional grounds at the time of arguments.

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- It is, therefore, humbly prayed that Through writ petition in hand, the petitioner is beseeching to declare impugned Departmental proceedings by respondent no. 5 as well as respondent no.6 vide which impugned order no. 823/ES, dated. 24.02.2020 was passed by respondent no. 5, and petitioner was reduced to lower grade prior to conclusion of trial in FIR no. 1267, dated. 13.12.2019, and later on the same was maintained and confirmed by respondent no. 3 vide order no. 1655-58/E-V, dated. 10.06.2021, after acquittal of the petitioner, , as null, illegal, void abinitio and without lawfull authority and with out lawfull jurisidiction and ineffective upon the rights of petitioner.

The respondents authorities may graciously be directed to deal the petitioner as in accordance with law and by setting aside impugned proceeding and impugned orders mentioned above, respondent authorities be directed to reinstate the petitioner at his original position with all benefits and seniority as in accordance with law and staute.

Any other relief may graciously be granted with this Court deems fit and proper for the natural justice.

Filed in Day 2987  
Mdt. Registrar  
2021

Your Humble Petitioner

Dated: 16/06/2021

Malik Muhammad Arif  
Through Counsel

MUHAMMAD IDREES  
Advocate High Court,  
Dera Ismail Khan.

**BOOKS REFERED:**

1. Constitution of Islamic Republic of Pakistan case law.
2. E&D Rules, 2011
3. Services Tribunal Act, 1973
4. Services Tribunal Rules, 1974
5. Civil Servants Appeal rules 1977

WP NO.398-D of 2021 (Grounds)

ATTESTED  
EXAMINOR  
Dera Ismail Khan  
02-11-2021



(Member Copy)

**BEFORE THE HONOURABLE KPK SERVICE TRIBUNAL**  
**BENCH DERA ISMAIL KHAN**

CM in Service Appeal No. 7737/2021

**MALIK MUHAMMAD ARIF**

**VS**

**GOVT OF KPK**

**CIVIL MISCELLANEOUS APPLICATION FOR**  
**CONDONATION OF DELAY IN FILLING MAIN SERVICE**  
**APPEAL TITLED ABOVE.**

**Prayer;**

Through acceptance of instant CM delay occurred in filling main appeal cited above may graciously condoned being time spent upon wrong forum, with due diligence and good faith.

**Respectfully Sheweth;**

1. That appeal cited above in pending adjudication before this learned court, and contents of the instant CM be considered as part and parcel of main appeal.
2. That appellant has filled main appeal against impugned final order dated: 10<sup>06</sup>/<sub>21</sub>, on 08<sup>11</sup>/<sub>21</sub>, beyond the statutory period of limitation of period as provided under the law, which was spent in agitating his rights before the Honourable Peshawar High Court D.I.Khan, and was not deliberate.
3. That the time spent before honourable Peshawar High Court in Writ Petition 398-D/21 titled Malik Muhammad Arif Vs Govt of Kpk, which was returned to the appellant / petitioner with observation to approach the proper forum, who's copies are already placed on file of main appeal.

4. That being an order after the statutory period of limitation by the respondent no: 04, appellant has challenged the same before honourable Peshawar high court being null and void abinitio, in good faith and with due diligence with the consent and advice of learned counsel of the appellant, and hence delay cause was neither deliberate nor can be fatal against the appellant under article 14 of the limitation act 1908.

**Dated: 27/09/2022**

Your humble Petitioner

**MALIK MUHAMMAD ARIF**

Through counsel:-

  
**MUHAMMAD IDREES KHAN**  
Advocate High Court  
Dera Ismail Khan

**BEFORE THE HONOURABLE KPK SERVICE TRIBUNAL**  
**BENCH DERA ISMAIL KHAN**

**CM in Service Appeal No. 7737/2021**

**MALIK MUHAMMAD ARIF**

**VS**

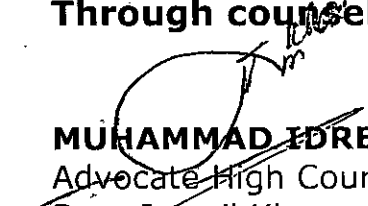
**GOVT OF KPK**

**AFFIDAVIT**

I, **Muhammad Idrees Khan Advocate** counsel for the Petitioner, do hereby solemnly affirm and declare on Oath that contents of the accompanying Contempt petition are true and correct and nothing has been deliberately concealed from this Hon'ble Court.

**DEPONENT**

**Through counsel**

  
**MUHAMMAD IDREES KHAN**  
Advocate High Court  
Dera Ismail Khan

**BEFORE THE HONOURABLE KPK SERVICE TRIBUNAL**  
**BENCH DERA ISMAIL KHAN**

CM in Service Appeal No. 7737/2021

MALIK MUHAMMAD ARIF

VS

GOVT OF KPK

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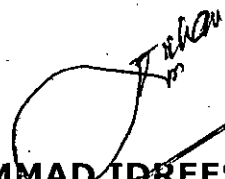
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**Dated: 27/09/2022**

Your humble Petitioner

**MALIK MUHAMMAD ARIF**

Through counsel:-

  
**MUHAMMAD IDREES KHAN**  
Advocate High Court  
Dera Ismail Khan

**BEFORE THE HONOURABLE KPK SERVICE TRIBUNAL**  
**BENCH DERA ISMAIL KHAN**

CM in Service Appeal No. 7737/2021

**MALIK MUHAMMAD ARIF**

**VS**

**GOVT OF KPK**

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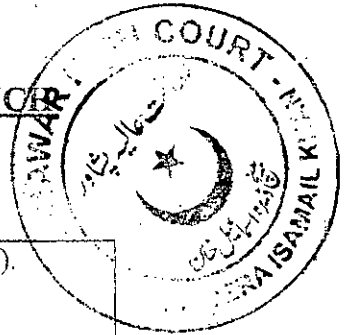
**DEPONENT**

**Through counsel**


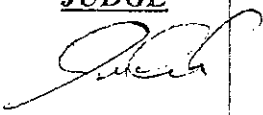
  
**MUHAMMAD IDREES KHAN**  
Advocate High Court  
Dera Ismail Khan

**PESHAWAR HIGH COURT, D.I.KHAN BENCH**

**FORM OF ORDER SHEET**

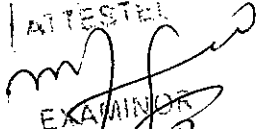


51

Date of Order or proceedings	Order or other proceedings with signature of Judge(s).
(1)	(2)
26.10.2021	<p><u>W.P No. 398-D/2021 with C.M No. 964-D/2021.</u></p> <p><b>Present:</b> Muhammad Idress Khan, Advocate for the petitioner.</p> <p align="center">***</p> <p><u>Abdul Shakoore, J.-</u> After arguing the case at some length, learned counsel for the petitioner requested for withdrawal of the present petition and wants to approach the competent forum for the redressal of the grievances of the petitioner. Moreso, learned counsel for the petitioner does not want to press this petition and stated that he would agitate and argue all these points before appropriate forum.</p> <p>2. In view of above, the instant petition is disposed of accordingly, however, the petitioner is at liberty to approach proper forum, if he is so advised.</p> <p>Announced Dt:26.10.2021</p> <p align="right">   <b>JUDGE</b>    <b>JUDGE</b> </p> <p>(D.B)  <u>Hon'ble Mr. Justice Abdul Shakoore</u>  <u>Hon'ble Mr. Justice Sahibzada Asadullah</u></p>

Office  
9/10  
27/X

Hasnain/\*

ATTESTED  
  
 EXAMINOR  
 Peshawar High Court Bench  
 Dera Ismail Khan  
 02/11/2021

C.P. No. 4828  
Appointed/Received on 02-11-2011  
Court fee deposited Rs           
No. of Pages           
Court fee 6/-  
Urgent Fee           
Total Fee 6/-  
Copy ready for delivery 02-11-2011  
Copy delivered on 02-11-2011  
Signature of Examiner         

*M. J. Khan*  
02-11-2011

Certified to be true Copy  
EXAMINER  
Peshawar High Court Bench D I Khan  
Authorized Under Section 17  
Qanoon-a-Shahadat Act  
*M. J. Khan*  
02-11-2011





**"A"**

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

No.

TR D/K  
of 20 21

APPEAL No.....7737..... of 20

*Malik Mohd Arif*

Appellant/Petitioner

Versus

*Through Chief Secy. Pesh*

RESPONDENT(S)

Notice to Appellant/Petitioner

*Muhammad Iqbal*

*(Advocate)*

*High Court D/Khan*

Take notice that your appeal has been fixed for Preliminary hearing, replication, affidavit/counter affidavit/record/arguments/order before this Tribunal on..... at.....

*27-1-22 8:00 AM*

You may, therefore, appear before the Tribunal on the said date and at the said place either personally or through an advocate for presentation of your case, failing which your appeal shall be liable to be dismissed in default.

*at Camp Court*

*D/Khan*

Registrar,  
Khyber Pakhtunkhwa Service Tribunal,  
Peshawar.

**"A"**

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

No.

T.B 0110

APPEAL No. .... 7737 ..... of 20 21

Malik Muhammad Arif

Appellant/Petitioner

Versus

Through Chief Secy. Pesh

RESPONDENT(S)

Notice to Appellant/Petitioner

Malik Mohd Arif S/O  
Chulapp Ruseof - Presently Junior Clerk  
DPO office Tank

Take notice that your appeal has been fixed for Preliminary hearing, replication, affidavit/counter affidavit/record/arguments/order before this Tribunal on 27-1-22 at 8:00 AM

You may, therefore, appear before the Tribunal on the said date and at the said place either personally or through an advocate for presentation of your case, failing which your appeal shall be liable to be dismissed in default.

at camp court  
A 11/11/22

Registrar,  
Khyber Pakhtunkhwa Service Tribunal,  
Peshawar.



**BEFORE PESHAWAR HIGH COURT BENCH D.I.KHAN**

CM No. \_\_\_\_\_ 2022

In S.A No.7737/2021

**MALIK MUHAMMAD ARIF**

**VERSUS**

**GOVT OF KPK etc**

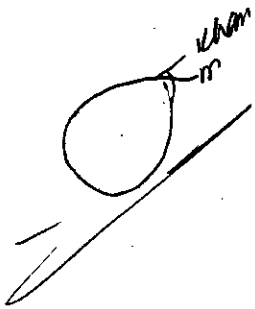
**SERVICE APPEAL**

**CIVIL MISC: APPLICATION FOR CONDONATION OF DELAY OCCURRED IN FILING APPEAL SITED ABOVE**

Respected Sir,

That appeal titled above was filled before learned forum on 01.11.2021, i.e. after a delay of 4 months and 22 days after the issuance of the impugned order, for which condonation is sought on following grounds,

1. That departmental appeal against impugned order dated: 24.02.2020, was preferred well in time i.e. on 04.03.2020, which was kept intact due to the reason that trial of the case of the petitioner was in process, and after the commencement of trial, when the appellate authority was informed on 22.04.2021, impugned was issued on 10.06.2021.
2. That impugned order being issued after statutory period, as well as considered against the norms of justice, hence impugned before the Honourable Peshawar High Court D.I.Khan, with bonafide intention, which was returned with the permission to file appeal before this Competent Forum on 26.10.2021, after which appellant file this appeal well within 30 days as prescribed.
3. That it is further submitted that Condonation Of Delay Application was not preferred at the time filing of this Appeal, because the time spent in litigation is condonable under section 14 of the Limitation Act 1908, regarding which **Khushi Muhammad Case, PLD 2016 Page 872** has



graciously held that the same is considerable in cases of appeal also, and when the statute has designated this Honourable Court as Civil Court under the Code of Civil Procedure 1908, and the delay occurred in filling this application is also bonafide and is not deliberate, while at the same time the **appellant is regretful for delay in filling this appeal.**

4. It is further submitted that being sufficient ground provided, the appeal cited above being beyond the statutory limit, is liable to be admitted under rule 8 of service tribunal rules 1974.

**It is therefore humbly submitted that, through acceptance of application in hand, time period spent beyond the time of limitation may graciously be condoned.**

Dated: 28.06.2022

  
Appellant / applicant  
Muhammad Arif

Through Counsel

**MUHAMMAD IDREES KHAN**  
Advocate High Court

### **AFFIDAVIT**

I, **Muhammad Idrees Khan (AHC)** Counsel for the petitioner, do hereby solemnly affirm and declare on OATH that the contents of CM Petition are true and correct and nothing has been concealed from this Honourable Court.

**Dated: 28.06.2022**

  
**Deponent**

**BEFORE PESHAWAR HIGH COURT BENCH D.I.KHAN**

CM No. \_\_\_\_\_ 2022

In S.A No.7737/2021

**MALIK MUHAMMAD ARIF**

**VERSUS**

**GOVT OF KPK etc**

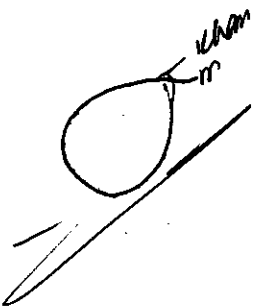
**SERVICE APPEAL**

**CIVIL MISC. APPLICATION FOR CONDONATION OF DELAY OCCURRED IN  
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Dated: 28.06.2022

  
Appellant / applicant  
Muhammad Arif

Through Counsel

**MUHAMMAD IDREES KHAN**  
Advocate High Court

### **AFFIDAVIT**

I, **Muhammad Idrees Khan (AHC)** Counsel for the petitioner, do hereby solemnly affirm and declare on OATH that the contents of CM Petition are true and correct and nothing has been concealed from this Honourable Court.

**Dated: 28.06.2022**

  
**Deponent**



**BEFORE PESHAWAR HIGH COURT BENCH D.I.KHAN**

CM.No. \_\_\_\_\_ 2022

In S.A No.7737/2021

**MALIK MUHAMMAD ARIF**

**VERSUS**

**GOVT OF KPK etc**

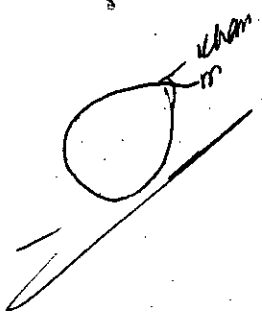
**SERVICE APPEAL**

**CIVIL MISC: APPLICATION FOR CONDONATION OF DELAY OCCURRED IN  
FILING APPEAL SITED ABOVE**

Respected Sir,

That appeal titled above was filled before learned forum on 01.11.2021, i.e. after a delay of 4 months and 22 days after the issuance of the impugned order, for which condonation is sought on following grounds,

1. That departmental appeal against impugned order dated: 24.02.2020, was preferred well in time i.e. on 04.03.2020, which was kept intact due to the reason that trial of the case of the petitioner was in process, and after the commencement of trial, when the appellate authority was informed on 22.04.2021, impugned was issued on 10.06.2021.
2. That impugned order being issued after statutory period, as well as considered against the norms of justice, hence impugned before the Honourable Peshawar High Court D.I.Khan, with bonafide intention, which was returned with the permission to file appeal before this Competent Forum on 26.10.2021, after which appellant file this appeal well within 30 days as prescribed.
3. That it is further submitted that Condonation Of Delay Application was not preferred at the time filing of this Appeal, because the time spent in litigation is condonable under section 14 of the Limitation Act 1908, regarding which **Khushi Muhammad Case, PLD 2016 Page 872** has



graciously held that the same is considerable in cases of appeal also, and when the statute has designated this Honourable Court as Civil Court under the Code of Civil Procedure 1908, and the delay occurred in filing this application is also bonafide and is not deliberate, while at the same time the **appellant is regretful for delay in filing this appeal.**

4. It is further submitted that being sufficient ground provided, the appeal cited above being beyond the statutory limit, is liable to be admitted under rule 8 of service tribunal rules 1974.

**It is therefore humbly submitted that, through acceptance of application in hand, time period spent beyond the time of limitation may graciously be condoned.**

Dated: 28.06.2022

  
Appellant / applicant  
Muhammad Arif

Through Counsel

**MUHAMMAD IDREES KHAN**  
Advocate High Court

### **AFFIDAVIT**

I, **Muhammad Idrees Khan (AHC)** Counsel for the petitioner, do hereby solemnly affirm and declare on OATH that the contents of CM Petition are true and correct and nothing has been concealed from this Honourable Court.

**Dated:** 28.06.2022

  
**Deponent**

"A"

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

TR DIK

No.

7737

APPEAL No..... of 20 21

Malik Mohammad Arif

Appellant/Petitioner

Versus

Through Chief Sayy

RESPONDENT(S)

Resp No 6

Notice to Appellant/Petitioner

District Police  
officer

D/Ku

Take notice that your appeal has been fixed for Preliminary hearing, replication, affidavit/counter affidavit/record/arguments/order before this Tribunal on 27-10-22 at 9:00 AM.

You may, therefore, appear before the Tribunal on the said date and at the said place either personally or through an advocate for presentation of your case, failing which your appeal shall be liable to be dismissed in default.

at camp 1000

D/Ku

Registrar,  
Khyber Pakhtunkhwa Service Tribunal,  
Peshawar.

"A"

**KHYBER PAKHTUNKHWA SERVICE TRIBUNAL, PESHAWAR.**

JUDICIAL COMPLEX (OLD), KHYBER ROAD,  
PESHAWAR.

*Regd*  
No.

*TB DIK*

APPEAL No. *7737* of 20 *21*

*Malik Mohamud Arif*

Appellant/Petitioner

Versus

*Imroz Chief Sery*

RESPONDENT(S)

*Rosp no 5*

Notice to Appellant/Petitioner

*Regional Police Officer*

*DI Khan*

Take notice that your appeal has been fixed for Preliminary hearing, replication, affidavit/counter affidavit/record/arguments/order before this Tribunal on *27-10-22* at *9:00 AM*

You may, therefore, appear before the Tribunal on the said date and at the said place either personally or through an advocate for presentation of your case, failing which your appeal shall be liable to be dismissed in default.

*at Camp Law*

*DI Khan*



Registrar,

Khyber Pakhtunkhwa Service Tribunal,  
Peshawar.

**"A"**

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

No.

APPEAL No. 7737 of 20

Malik Mohammad Arif

Appellant/Petitioner

Versus

Muzah Chief Say:

RESPONDENT(S)

Resp No 4 Additional Inspector  
General of Police  
Peshawar

Notice to Appellant/Petitioner

Take notice that your appeal has been fixed for Preliminary hearing, replication, affidavit/counter affidavit/record/arguments/order before this Tribunal on 27-10-22 at C-0 AH

You may, therefore, appear before the Tribunal on the said date and at the said place either personally or through an advocate for presentation of your case, failing which your appeal shall be liable to be dismissed in default.

at camp court

DHC

Registrar,  
Khyber Pakhtunkhwa Service Tribunal,  
Peshawar.

14/10/22