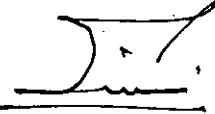


13.10.2021

Appellant in person present. Mr. Muhammad Adeel Butt, Additional Advocate General alongwith Mr. Mujahid Shah, Head Constable the respondents present and seek further time for submission of written reply/comments. Last opportunity is granted to the respondents to furnish reply/comments within 10 days in office. In case they fail to submit reply/comments within stipulated time from today, they shall have to seek extension of time through written application citing sufficient reasons. Otherwise, their right for submission of reply/comments shall be deemed as struck off. To come up for arguments before the D.B on 14.02.2022 at Camp Court Abbottabad.



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



Chairman  
Camp Court A/Abad

14.02.2022

Due to retirement of Chairman,  
Case is adjourned to 13.06.2022  
for the same as before

Reader.

13.06.2022

Nemo for appellant.

Muhammad Riaz Khan Paindakheil, learned Assistant Advocate General present.

Reply on behalf of respondents was not submitted. Notice be issued to appellant/counsel as well as all the respondents for submission of reply/comments. To come up for reply/comments on 16 / 8 /2022 before S.B at Camp Court, Abbottabad.



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



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

20.08.2021

Counsel for the appellant present. Preliminary arguments heard.

The appellant was proceeded against on the charge of misconduct under the law namely Khyber Pakhtunkhwa Removal from Service (Special Power) Ordinance, 2000 and was punished with major penalty of dismissal from service. No doubt the appeal is time-barred and an application for condonation of delay has also been filed, which is kept pending for disposal during full hearing. Learned counsel contends that the penalty of dismissal was too harsh and disproportionate to the charge of misconduct; which if remains intact, makes the appellant ineligible for the government job. He further contends that the appellant has not been dealt with in accordance with law. Let the appeal be fully heard after admission of the appeal obviously subject to all legal objections including that of limitation to be determined during full hearing. The appellant is directed to deposit security and process fee within 10 days. Thereafter, notices be issued to the respondents for submission of written reply/comments in office within 10 days after receipt of notices, positively. If the written reply/comments are not submitted within the stipulated time, or extension of time is not sought through written application with sufficient cause, the office shall submit the file with a report of non-compliance. File to come up for arguments on 13.10.2021 before the D.B, at camp court, Abbottabad.

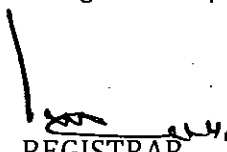
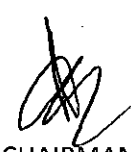
Deposited  
Process Fee

  
Chairman

Form- A  
FORM OF ORDER SHEET

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

Case No. \_\_\_\_\_ /2021

S.No.	Date of order proceedings	Order or other proceedings with signature of judge or Magistrate
1	2	3
1	29/06/2021	<p>The appeal of Mr.imshad khan resubmitted today by Mr.hafiz kala khan 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> <p>This case is entrusted to S. Bench Peshawar. notices be issued to appellat/counsel for preliminary hearing to be put up there on -</p> <p style="text-align: center;"><u>20/8/21</u></p> <p style="text-align: right;"> CHAIRMAN</p>

2-

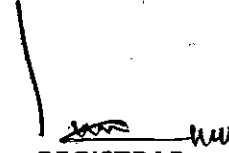
J.P.

The appeal of Mr. Imshad Khan Ex-constable no. 585 District Police Haripur received today i.e. on 21.06.2021 is incomplete on the following score which is returned to the counsel for the appellant for completion and resubmission within 15 days.

- 1- Memorandum of appeal may be got signed by the appellant.
- 2- Affidavit may be got attested by the Oath Commissioner.
- 3- Appeal has not been flagged/marked with annexures' marks.
- 4- Annexures of the appeal may be attested.
- 5- Copies of charge sheet, statement of allegations, show cause notice, enquiry report and replies thereto are not attached with the appeal which may be placed on it.
- 6- Copy of first departmental appeal mentioned in para-4 of the memo of appeal is not attached with the appeal which may be placed on it.
- 7- Five more copies/sets of the appeal along with annexures i.e. complete in all respect may also be submitted with the appeal.

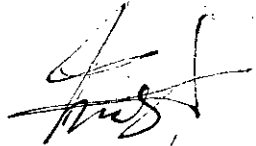
No. 1049 /S.T,

Dt. 24/06 /2021

  
REGISTRAR  
SERVICE TRIBUNAL  
KHYBER PAKHTUNKHWA  
PESHAWAR.

Hafiz Kala Khan Adv. Haripur.

صنادیق عالی در  
گذشتہ ہفتہ میں دی او ڈی دفتر گنار اپیل کی کاپی مجھے نہیں ملی اپیلوں  
نے کیا کہ عمارتے پاس رہا ڈر موجود نہ ہے اور ہیلے صبرے پاس  
جو کاپی تھی وہ کم ہو گئی ہے۔

  
29/6  
2021

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

Service Appeal No. \_\_\_\_\_/2021

Imshad Khan S/o Mohammad Irshad Khan resident, Village Bakhi (Kokotri)  
Tehsil and District Haripur, Ex-Constable No. 585 District Police Haripur.

...APPELLANT

**VERSUS**

Inspector General of Police Khyber Pakhtunkhwa, Peshawar and others.

...RESPONDENT

**SERVICE APPEAL**

**INDEX**

<b>S.#</b>	<b>Description</b>	<b>Page No.</b>	<b>Annexure</b>
1.	Memo of Appeal with affidavit	1 to 80	
2.	Copy of office order dated 29/09/2010	11	"A"
3.	Copy of mercy appeal	12-15	"B"
4.	Copy of office order dated 07/06/2018	16-	"C"
5.	Wakalatnama		

...APPELLANT

Dated: 21/6 /2021

Through



**(HAFIZ KALA KHAN)**  
Advocate High Court, at Haripur

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

Khyber Pakhtunkhwa  
Service Tribunal

Diary No. 6626

Dated 21-6-2021

Service Appeal No. 6623 /2021

Imshad Khan S/o Mohammad Irshad Khan resident, Village Bakhi (Kokotri)  
Tehsil and District Haripur, Ex-Constable No. 585 District Police Haripur.

...APPELLANT

VERSUS

1. Inspector General of Police Khyber Pakhtunkhwa, Peshawar.
2. Regional Police Officer/ DIG Hazara Region at Abbottabad.
3. District Police Officer ~~Haripur~~

...RESPONDENTS

**APPEAL** AGAINST THE IMPUGNED ORDER  
DATED 07/06/2018 PASSED BY RESPONDENT NO.  
1 AND ORDER DATED 29/09/2010 PASSED BY  
RESPONDENT NO. 3, WHEREBY THE APPELLANT  
HAS BEEN REMOVED FROM THE SERVICE BY  
IMPOSING MAJOR PENALTY WITH EFFECT FROM  
28/07/2010, BEING AGAINST THE AGAINST THE

**Filed to-day**

**Registrar**

21/6/2021

LAW, FACTS CIRCUMSTANCES AND NATURAL JUSTICE AND LIABLE TO BE SET-ASIDE.

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**PRAYER:-** ON ACCEPTANCE OF INSTANT APPEAL, ORDER DATED 07/06/2018 AND ORDER DATED 29/09/2010 PASSED BY RESPONDENT NO. 1 & 3 RESPECTIVELY MAY GRACIOUSLY BE SET ASIDE, AND BE DECLARED AS NULL AND VOID-AB-INITIO AND APPELLANT BE RE-INSTATED IN SERVICE WITH ALL BACK BENEFITS.

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Respectfully Sheweth;-

This appeal mainly proceeds on bellow stated factual and legal grounds.

1. That the appellant was appointed as constable in the Police department. He had rendered 04 (four) years service. Throughout his entire service of 04 years the appellant always performed his assigned duties with devotion, dedication and honesty. He never provided a chance to reprimand. Appellant has excellent rather meritorious service record at

his credit and always earned very good annual evolution reports.

2. That in the year 2010, mother of appellant fell seriously ill and being alone in the house, the appellant has to take her care. This fact was also brought in the notice of respondents through application by annexing relevant medical treatment record of his mother.
3. That despite genuine compulsion of the appellant which was duly brought into the notice of the respondent, the respondent No. 3 proceeded to initiate inquiry, rather one sided inquiry and at the end of same, the appellant was dismissed from service by imposing major penalty vide office order dated 29/09/2010. Copy of office order dated 29/09/2010 is attached as Annexure "A".
4. That aggrieved of the order the appellant filed departmental appeal before respondent No. 2 which was shelved without any proceedings there upon.



5. That consequently, the appellant moved mercy appeal before respondent No. 1 who without affording proper opportunity of hearing to the appellant, dismissed the said appeal vide order dated 07/06/2018. Copy of mercy appeal and the impugned order dated 07/06/2018 are attached as Annexure "B" & "C".
6. That feeling aggrieved from the above said impugned orders appellant filed this appeal on the following grounds;-

**GROUND:-**

- a. That both the impugned orders are against the law fact, have liable to be set-aside.
- b. That all proceedings were conducted with malafide intention, against the principle of natural justice.
- c. That absence of appellant was not willful or deliberate rather due to compulsion on account looking after of his ailing mother during her serious illness towards his old

age and as there was no one at home except appellant to look after his ailing mother. Appellant being only supporter and caretaker of his ailing mother had no alternative but to request his officers for help with grant of long leave due to circumstances beyond his control. But appellant's legitimate and genuine requested was not granted.

- d. That sufficient leave balance was available at the credit of appellant and he could be granted covering sanction of 159 days leave on humanitarian grounds and by not doing so the respondents have caused grave injustice to the appellant. Hence, the impugned orders are liable to be set aside.
- e. That another important aspect of the case is that in the impugned order the absence period of the appellant was treated as "Leave without pay" but still he was awarded the penalty of dismissal from service. According to law when the appellant was granted leave of any kind

**“whether with or without pay”** then award of any penalty was illegal. Even the appellant was awarded penalty with retrospective effect which was another illegality and the order was void as well.

- f. That appellant is a literate of 34/35 years age and well build police official having qualified departmental trainings and courses with sufficient experience, thus on humanitarian grounds as well, the appellant is entitle to be reinstated in service.
  
- g. That it is established on record that appellant has not absented himself without any permission/ leave. Appellant left his place of duty, with the permission of his immediate Boss and also submitted applications with expectation of sanction of leave. It is also incorrect that Mr. Ghulam Asfia DSP Haripur ever conducted any inquiry. Appellant was never served with a charge sheet or show cause notice, even the appellant was not provided with the

opportunity of personal hearing to clear his position and prove his innocence.

- h. That respondents adopted their own procedure and passed impugned order against the E&D Rules.
- i. That the other points would be urged at the time of Arguments with the kind permission of this Honourable Court Tribunal.

It is, therefore, humbly prayed that on acceptance of instant appeal, order dated 07/06/2018 and order dated 29/09/2010 passed by respondent No. 1 & 3 respectively may graciously be set aside, and be declared as null and void-ab-initio and appellant be re-instated in service with all back benefits.

  
...APPELLANT

Dated: 26/6 /2021

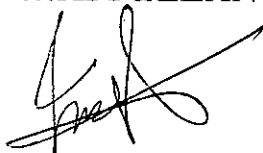
Through

  
(HAFIZ KALA KHAN)  
Advocate High Court, at Haripur

**VERIFICATION:-**

*Verified on oath that the contents of forgoing appeal are true and correct to the best of my knowledge and belief and nothing has been concealed therein from this Honourable Court.*

...APPELLANT



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

Service Appeal No. \_\_\_\_\_/2021

Imshad Khan S/o Mohammad Irshad Khan resident, Village Bakhi (Kokotri)  
Tehsil and District Haripur, Ex-Constable No. 585 District Police Haripur.

...APPELLANT

**VERSUS**

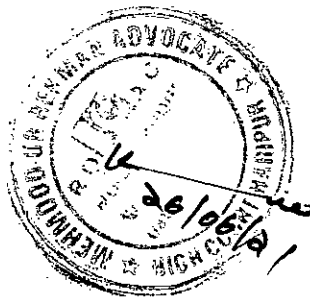
Inspector General of Police Khyber Pakhtunkhwa, Peshawar and others.

...RESPONDENT

**SERVICE APPEAL**

**AFFIDAVIT**

I, Imshad Khan S/o Mohammad Irshad Khan resident, Village Bakhi (Kokotri) Tehsil and District Haripur, Ex-Constable No. 585 District Police Haripur, do hereby declare on oath that the content of accompanying appeal are true and correct to the best of my knowledge and belief and nothing has been suppressed from this Honourable Tribunal.



**DEPONENT**

*[Handwritten Signature]*

**ATTESTED**

9

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

C.M No. \_\_\_\_\_-A/2021.

IN

Service Appeal No. \_\_\_\_\_/2021

Imshad Khan S/o Mohammad Irshad Khan resident, Village Bakhi (Kokotri)  
Tehsil and District Haripur, Ex-Constable No. 585 District Police Haripur.

...APPELLANT

VERSUS

Inspector General of Police Khyber Pakhtunkhwa, Peshawar and others.

...RESPONDENTS

**SERVICE APPEAL**

**APPLICATION FOR CONDONATION OF  
DELAY IF ANY, IN FILING OF TITLED  
APPEAL.**

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Respectfully Sheweth; -

1. That the titled appeal is being filed before this Honourable Tribunal.
2. That the appellant has brought a good prima facie arguable case and balance of convenience also tilts in their favour.
3. That the delay, if any, occurred in filing the appeal is due to the fact that respondents kept the petitioner in dark by stating that his case for reinstatement shall be considered in near future

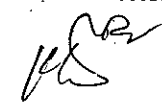
10  
and despite laps of sufficient time, grievance of petitioner has not been redressed which is the main cause of delay in filing of appeal.

4. That the valuable rights of the appellant are involved.

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

  
...APPELLANT

Dated: 21/6 /2021

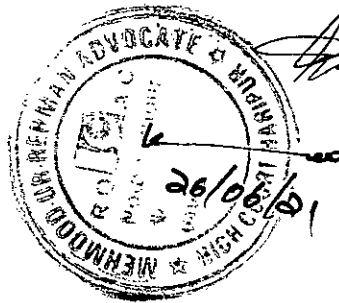
Through 

(HAFIZ KALA KHAN)  
Advocate High Court, at Haripur

**AFFIDAVIT**

I, *Imshad Khan S/o Mohammad Irshad Khan resident, Village Bakhi (Kokotri) Tehsil and District Haripur, Ex-Constable No. 585 District Police Haripur*, do hereby solemnly affirm and declare that the contents of foregoing application are true and correct to the best of my knowledge and belief and nothing has been concealed therein from this Honourable Court.

DEPONENT



ATTESTED

Allest 2  
MS

(A)

'A'

ORDER

Constable Imshad No. 585 was proceeded against under the NWFP Removal from Service (Special Powers) Ordinance 2000 for the charges mentioned in the charge sheet and statement of allegations served upon him by the Enquiry Officer on 06.05.2010.

Mr. Ghulam Asfia DSP/ Haripur was appointed as enquiry officer to probe into the allegations leveled against him.

The Enquiry Officer in his report/ findings dated 05.07.2010 held him guilty of charges leveled against him. He was summoned to appear before the undersigned for personal hearing time and again but did not appeared. Therefore Final Show Cause Notice alongwith copy of finding was served upon him for imposition of major penalty of dismissal from service to which replied. He was again given a chance of personal hearings. He appeared before the undersigned in Orderly Room on 22.09.2010 but he could not produced satisfactory account of the charges leveled against him.

The detail of his absence period of different occasions is as under:-

I.	17.02.2010 to 29.04.2010	=	71 days
II.	29.04.2010 to 23.06.2010	=	55 days
III.	24.06.2010 to 27.07.2010	=	33 days
	<u>Total</u>	=	<u>159 days</u>

He is again absent from 28.07.2010 till now.

I am fully satisfied with the findings of the Enquiry Officer. Therefore he is hereby awarded Major punishment of dismissal from service w.e.f 28.07.2010 and period of absence 159 days treated as leave without pay.

Order announced.

Dated 22.09.2010.

OB/Offc/Src

  
District Police Officer  
Haripur

OB NO 521  
29.09.2010

Entry made  
in the  
Roll  
A8001-  
NSR  
30.9.2010



AHesle 2  
100

DISCIPLINARY ACTION

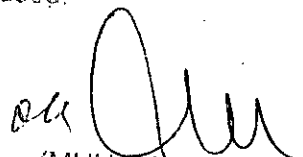
I, Muhammad Hussain, District Police Officer, Haripur competent authority, here in charge you, Constable Himshad No. 585 for in-efficiency under the following act/omissions with in the meaning of section 03 of the NWFP Removal Services (Special Power) ordinance 2000.

STATEMENT OF ALLEGATION

That you while posted in Police Lines Haripur vide Daily Diary No. 18 dated 16.02.2010 detailed by the Lines Officer, Police Lines Haripur for duty China Guard Hattar absented yourself from duty w.e.f 16.02.2010 to 29.04.2010 for 71 days without any leave or permission of the competent authority. You are habitual absentee which is gross misconduct on your part.

For the purpose of scrutinizing the behavior/conduct of the said accused with reference to the above allegations an enquiry is necessary to be conducted under section 5 of the ordinance and Qazi Ghulam Asfia DSP/ Haripur is appointed as enquiry officer.

The enquiry officer shall in accordance with the provisions of the ordinance will provide reasonable opportunity of hearing to the accused, record its finding and make within 15 days of the receipt of this order, recommendations as to punishment or other appropriate action against the accused.

  
(MUHAMMAD HUSSAIN)  
District Police Officer  
Haripur

No: 2433-34/R, dated Haripur the, 4/5 /2010.

Copy to the Enquiry Officer for initiation proceeding against the accused under the provision of NWFP Removal from Service (Special Powers) Ord. 2000.

Attested  
MS

CHARGE SHEET

I, Muhammad Hussain, District Police Officer, Haripur as a competent authority, here in charge you Constable Himshad No. 585 for in-efficient work for the following reasons: -

That you while posted in Police Lines Haripur vide transfer order dated 16.02.2010 detailed by the Lines Officer, Police Lines Haripur as a Guard Hattar, absented yourself from duty w.e.f 17.02.2010 to 29.04.2010 for 71 days without any leave or permission of the competent authority. You are habitual absentee which is gross misconduct on your part.

1. By reason of the above you appear to be guilty of misconduct under section 3 of the NWFP (Removal from Service) Special Power Ord: 2000 and have rendered yourself liable to all or any of the penalties specified in section 3 of the ordinance ibid.
2. You are therefore, required to submit your written defence to the enquiry officer within seven days of the receipt of this charge sheet as the case may be.
3. Your written defence if any should reach to the enquiry officer/committee within specified period failing which it shall be presumed that you have no defence to put in and in that case enquiry will be conducted accordingly.
4. Intimate whether you desire to be heard or not.
5. A statement of allegation is enclosed.



(MUHAMMAD HUSSAIN)  
District Police Officer,  
Haripur

AH  
PS

-12- (B)

**BEFORE HONOURABLE INSPECTOR GENERAL OF POLICE,  
KHYBER PAKHUNKHUA PESHAWAR.**

**MERCY APEAL AGAINST ORDER NO. 521 DATED 29-09-2010  
PASSED BY THE DISTRICT POLICE OFFICER WHEREBY THE  
APPELLANT HAS BEEN AWARDED WITH MAJOR PENALTY OF  
DISMISAL FROM SERVICE WITH EFFECT FROM 28-07-2010.**

**PAYER: ONN THE ACCEPTANCE OF THE INSTANT MERCY  
APEAL THE IMPUGED ORDER DATED 29-09-2010 MAY  
GRACIOUSLY BE SET ASIDE AND APPELLANT BE RE  
INSTATED IN SERVICE BACK BENEFITS.**

Respected Sir,

1. That the appellant was appointed as constable in the police department. He had rendered 04 (four) service. Throughout his entire service of 04 Years the appellant always performed his assigned duties with devotion, dedication and honesty. He never provided a chance of reprimand. Appellant has excellent rather meritorious service record at his credit and always earned very good annual evaluation reports.
2. That the District Police officer vide order OB No.521 dated 29-09-2010 awarded the appellant with major penalty of dismissal from service with effect from 28-07-2010.  
( Copy of the order is attached as "A")
3. The impugned order of the District Police Officer Haripur was appealed against before the then regional Police Office, Hazara Region, Abbottabad but the same was never responded hence this mercy appeal before your Highness.

AHesh  
S  
W

4. That in fact the mother of appellant was a patient of High Blood and Cardiac problems. She was confined to bed. During the course of his service in the month of February 2010, the illness of his mother took a serious turn and ultimately the appellant had to shift her to Hospital at Rawalpindi where she was admitted as indoor patient. As there was no one other than appellant to look after his ailing mother.
  
5. That appellant is eldest amongst all his brothers and sisters. Appellant appeared before the then Incharge and apprised him of the situation and requested for leave. With due permission of his Immediate Boss the appellant left his place of duty and took his mother to Hospital at Rawalpindi. She remained under medical treatment as in-door patient for a considerable time. The appellant had to remain with her as an attendant in the Hospital. Even after his discharge it was advised by her Doctors that she needed incessant care.
  
6. That besides submission of applications for grant of leave the appellant personally appeared before the then worthy District Police Officer Haripur and requested for grant of leave and the appellant was assured that his leave would be sanctioned.
  
7. That as there was no one at home to look-after appellant's ailing and aged mother who was confined to bed and the appellant was only caretaker of his mother in her critical ailing health. In the prevailing circumstances the appellant was in a dilemma that on one hand his ailing mother and on the other his employment. The appellant finding no

Attended  
[Signature]

alternate once again approached the then District Police Officer Haripur with the same request and besieged for grant of leave but his compulsion was never paid any heed.

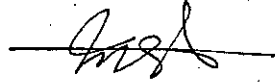
- 8. That absence of appellant was not willful or deliberate rather due to compulsion on account of looking-after of his ailing mother during her serious illness toward his old age and as there was no one at home except appellant to look after his ailing mother. Appellant being only supporter and caretaker of his ailing mother had no alternative but to request his officers for help with grant of long leave due to circumstances beyond his control. But appellant's legitimate and genuine request was not granted.
- 9. That it is incorrect that appellant absented himself without any permission/leave. Appellant left his place of duty, with the permission of his immediate Boss and also submitted applications with expectation of sanction of leave. It is also incorrect that Mr. Ghulam Asfia DSP Haripur ever conducted any inquiry. Appellant was never served with a charge sheet or show cause notice, even the appellant was not provided with the opportunity of personal hearing to clear his position and prove his innocence.
- 10. That sufficient leave balance was available at the credit of appellant and he could be granted covering sanction of 159 days leave on humanitarian grounds keeping in view serious illness of his mother.

Attest  
PW

11. That the appellant is a literate, of **32 years age** and well build police official having qualified departmental trainings and courses with sufficient experience. Appellant is the only bread earner of his family consisting upon his old ailing parents and younger sisters and brothers.
12. That in the impugned the absence period of the appellant was treated as "leave without pay" but still he was awarded the penalty of dismissal from service. According to law when the appellant was granted leave of any kind "**whether with or without pay**" then award of any penalty was illegal. Even the appellant was awarded penalty **with retrospective effect** which was another illegality and the order was void as well.
13. That appellant shall be grateful, if provided with opportunity of personal hearing enabling him to bring the real picture of the matter into the knowledge of your Highness to clear his position.

Sir, in view of the facts and circumstances narrated here above, it is earnestly requested that on acceptance of instant mercy appeal impugned order dated 29-09-2010 may kindly be set aside and appellant be re-instated in service with all consequential service back benefits. Thanking you sir in anticipation.

You're obedient Servant



**(Imshad Khan)**

**S/O Mohammad Irshad Khan**

Ex-Constable No. 585

District Police Haripur

**HOME:** Village Baiki (Kakotri)

Tehsil & District Haripur.

Mobile No: 0314-5080440

Dated: **-05-2018**

Attested

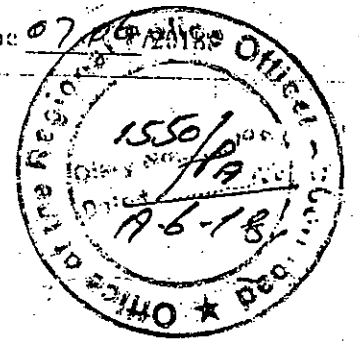
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C



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

No. S/ 2305 /18, dated Peshawar the 07/06/18



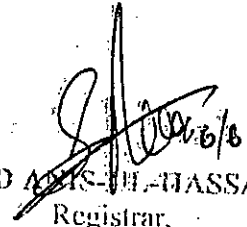
To : The Regional Police Officer,  
Hazara Region, Abbottabad.

Subject: APPEAL (EX-FC IMSHAD KHAN NO. 585)

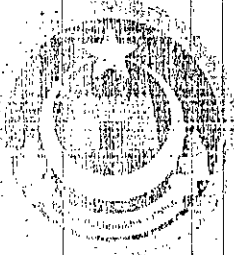
Name :

Ex-Constable Imshad Khan No. 585 of District Police Haripur had submitted appeal to the Worthy Inspector General of Police, Khyber Pakhtunkhwa, Peshawar for reinstatement into service. His appeal was processed / examined at Central Police Office, Peshawar and filed by the competent authority being badly time barred for about 08 years.

The applicant may please be informed accordingly.

  
(SYED AZIZ-UH-HASSAN),  
Registrar.

For Inspector General of Police,  
Khyber Pakhtunkhwa, Peshawar.



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

No. S/ 2305 /18, dated Peshawar the 07/06/2018.

To : The Regional Police Officer,  
Hazara Region, Abbottabad.

Subject: APPEAL (EX-FC IMSHAD KHAN NO. 585)

Memorandum :

Ex-Constable Imshad Khan No. 585 of District Police Haripur had submitted appeal to the Worthy Inspector General of Police, Khyber Pakhtunkhwa, Peshawar for reinstatement into service. His appeal was processed / examined at Central Police Office, Peshawar and filed by the competent authority being badly time barred for about 08 years.

The applicant may please be informed accordingly.

(SYED ANIS-UL-HASSAN),  
Registrar.

96  
For Inspector General of Police,  
Khyber Pakhtunkhwa, Peshawar.



DBA No: 183  
 BC No: 

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 Name of Advocate: حافظ مال خان

# وکالت نامہ



S.No: 10291



بعدالت: جناب خبر مجنو خواہ سر کے ٹرنسپونل رٹ اور  
 عنوان: امداد خان نام: آئی۔ جی۔ سی۔ ونہو  
 منجانب: ایبلانٹ نوعیت مقدمہ: سرور کا ریلے  
 باعث تحریر آنکھ: \_\_\_\_\_

مقدمہ مندرجہ بالا عنوان میں اپنی طرف سے واسطے پیروی و جوابدہی برائے پیشی یا تصدیفہ مقدمہ بمقام سنادر کے لیے  
حافظ مال خان ایبلانٹ

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

لہذا وکالت نامہ لکھ دیا ہے کہ سندر ہے۔

مضمون وکالت نامہ سن لیا ہے اور اچھی طرح سمجھ لیا ہے اور منظور ہے۔ مورخہ: 21 / 6 / 2021  
 دن / ماہ / سال

امداد خان ایبلانٹ

**"A"**

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

No.

APPEAL No.....6623..... of 20 21

M. Shad Khan

Appellant/Petitioner

Versus

167 of Public L.R.C Pesh.

RESPONDENT(S)

Kha.

✓  
Notice to Appellant/Petitioner

M. Shad Khan S/o M. Shad  
R/o Village Bakhi (Kakotri)  
Tehsil & Distt. Haripur

Take notice that your appeal has been fixed for Preliminary hearing, replication, affidavit/counter affidavit/record/arguments/order before this Tribunal on 20/8/2021 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 Peshawar

[Signature]

Registrar,  
Khyber Pakhtunkhwa Service Tribunal,  
Peshawar.

**"A"**

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

No.

APPEAL No..... 6623 ..... of 20 21

Mishal Khan

Appellant/Petitioner

Versus

14, of Police Station P. Sh.

RESPONDENT(S)

Notice to Appellant/Petitioner Counsel

Hafiz Kala Khan  
Advocate High Court  
at Haripur

Take notice that your appeal has been fixed for Preliminary hearing, replication, affidavit/counter affidavit/record/arguments/order before this Tribunal on 20/8/2021 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 Peshawar

[Signature]  
Registrar,  
Khyber Pakhtunkhwa Service Tribunal,  
Peshawar.

**"B"**

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

No.

TB

Appeal No. 6623 of 20 21

Mushad Khan Appellant/Petitioner

Versus

19 P. 12 P. 11 P. 8 P. Respondent

Respondent No. 2

Notice to: —

Regional Police Officer (D16)  
Region at Abbottabad

WHEREAS an appeal/petition under the provision of the Khyber Pakhtunkhwa Province Service Tribunal Act, 1974, has been presented/registered for consideration, in the above case by the petitioner in this Court and notice has been ordered to issue. You are hereby informed that the said appeal/petition is fixed for hearing before the Tribunal \*on 13/10/2021 at 8.00 A.M. If you wish to urge anything against the appellant/petitioner you are at liberty to do so on the date fixed, or any other day to which the case may be postponed either in person or by authorised representative or by any Advocate, duly supported by your power of Attorney. You are, therefore, required to file in this Court at least seven days before the date of hearing 4 copies of written statement alongwith any other documents upon which you rely. Please also take notice that in default of your appearance on the date fixed and in the manner aforementioned, the appeal/petition will be heard and decided in your absence.

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

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

Given under my hand and the seal of this Court, at Peshawar this 25/10

Day of August 20 21

at Camp Court A. Akbar

Registrar,  
Khyber Pakhtunkhwa Service Tribunal,  
Peshawar.

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

**"B"**

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

TB

No.

Appeal No. 6623 of 2021

Mushad Khan Appellant/Petitioner

Versus

19P. 14011 Pesh Respondent

Respondent No. 3

Notice to:

Distt. Police Officer Haripur

WHEREAS an appeal/petition under the provision of the Khyber Pakhtunkhwa Province Service Tribunal Act, 1974, has been presented/registered for consideration, in the above case by the petitioner in this Court and notice has been ordered to issue. You are hereby informed that the said appeal/petition is fixed for hearing before the Tribunal \*on 13/10/2021 at 8.00 A.M. If you wish to urge anything against the appellan/petitioner you are at liberty to do so on the date fixed, or any other day to which the case may be postponed either in person or by authorised representative or by any Advocate, duly supported by your power of Attorney. You are, therefore, required to file in this Court at least seven days before the date of hearing 4 copies of written statement alongwith any other documents upon which you rely. Please also take notice that in default of your appearance on the date fixed and in the manner aforementioned, the appeal/petition will be heard and decided in your absence.

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

Given under my hand and the seal of this Court, at Peshawar this 25/10/2021

Day of August 2021

at Camp Court A Road

Registrar,  
Khyber Pakhtunkhwa Service Tribunal,  
Peshawar.

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

**"B"**

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

IB

No.

Appeal No. 6623 of 2021

Muhammad Khan Appellant/Petitioner

Versus

IGP, IGP, Pesh Respondent

Respondent No. I

Notice to: —

Inspector General of Police  
Genl. of IGP Peshawar

WHEREAS an appeal/petition under the provision of the Khyber Pakhtunkhwa Province Service Tribunal Act, 1974, has been presented/registered for consideration, in the above case by the petitioner in this Court and notice has been ordered to issue. You are hereby informed that the said appeal/petition is fixed for hearing before the Tribunal \*on.....13/12/21 at 8.00 A.M. If you wish to urge anything against the appellant/petitioner you are at liberty to do so on the date fixed, or any other day to which the case may be postponed either in person or by authorised representative or by any Advocate, duly supported by your power of Attorney. You are, therefore, required to file in this Court at least seven days before the date of hearing 4 copies of written statement alongwith any other documents upon which you rely. Please also take notice that in default of your appearance on the date fixed and in the manner aforementioned, the appeal/petition will be heard and decided in your absence.

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

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

Day of.....August.....2021

25/11

at Camp Court Peshawar  
[Signature]

Registrar,  
Khyber Pakhtunkhwa Service Tribunal,  
Peshawar.

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