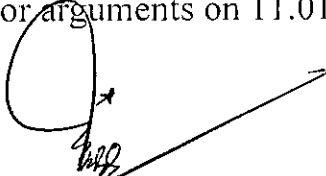



23.112022

Mr. Taimur Ali Khan, Advocate for the appellant present. ~~Mr.~~
Naseer-ud-Din Shah, Assistant Advocate General for the respondents
present.

Learned counsel for the appellant stated that as the appellant
has been acquitted in the concerned criminal case, therefore, he wants
to submit an application for placing on file the concerned judgement,
however attested copy of the same has not yet been received by the
appellant, therefore, an adjournment may be granted. Adjourned. To
come up for arguments on 11.01.2023 before D.B.


(Mian Muhammad)
Member (E)


(Salah-Ud-Din)
Member (J)

14th Oct., 2022

Because of strike of the Bar, this matter is adjourned to 28.10.2022. Office is directed to notify the next date on the notice board as well as the website of the Tribunal.



(Fareeha Paul)
Member (E)

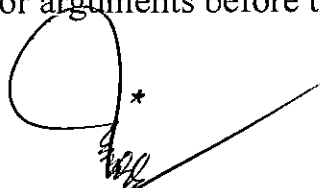


(Kalim Arshad Khan)
Chairman

28.10.2022

Nemo for the appellant. Main Niaz Muhammad, DSP alongwith Mr. Naseer-ud-Din Shah, Assistant Advocate General for the respondents present.

Notice for prosecution of the appeal be issued to the appellant as well as his counsel through registered post and to come up for arguments before the D.B on 23.11.2022.



(Mian Muhammad)
Member (E)



(Salah-ud-Din)
Member (J)

Noted for

Co-acc

M. 100

4.11.22

SCANNED
PESNA.PPT

02.11.2021

Counsel for the appellant present. Mr. Javidullah,
Asstt. AG for the respondents present.

The learned Member (Judicial) is on leave,
therefore, case is adjourned. To come up for arguments
on 03.02.2022 before the D.B.


Chairman

7-2-2022


Due to retirement of the
Honorable Chairman the case is adjourned
to come up for the same as before
on 30-05-2022


Reader.

30th May, 2022

Learned counsel for the appellant present. Mr.
Naseerud Din Shah, Asstt. AG alongwith Mian Niaz
Muhammad, Inspector (Legal) for the respondents present.


Learned counsel for the appellant seeks adjournment
in order to properly assist the Court. Adjourned. To come
up for arguments on 03.08.2022 before the D.B.


(Mian Muhammad)
Member(E)


(Kalim Arshad Khan)
Chairman

3-8-2022

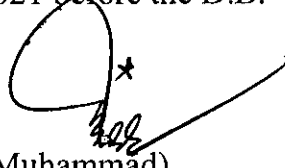
Proper DB not available the case
is adjourned to 14-10-2022.


Reader

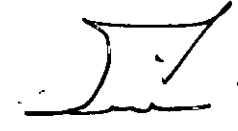
27.05.2021

Appellant in person present. Mr. Kabirullah Khattak, Additional Advocate General alongwith Mian Niaz Muhammad, DSP (Legal) for the respondents present.

Former requests for adjournment as his learned counsel is engaged before the Honourable Peshawar High Court today. Adjourned. To come up for arguments on 15.09.2021 before the D.B.



(Mian Muhammad)
Member (E)



(Salah Ud Din)
Member(J)

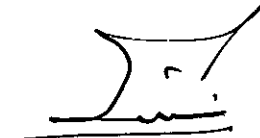
15.09.2021

Appellant alongwith his counsel Mr. Taimur Ali Khan, Advocate present. Mian Niaz Muhammad DSP alongwith Mr. Kabirullah Khattak, Additional Advocate General for the respondents present.

Learned Additional Advocate General requested for adjournment on the ground that he has not gone through the record. Adjourned. To come up for arguments before the D.B on 02.11.2021.



(ATIQ UR REHMAN WAZIR)
MEMBER (EXECUTIVE)



(SALAH UD DIN)
MEMBER (JUDICIAL)

24.11.2020

Counsel for the appellant and Addl. AG alongwith Mian Niaz Muhammad, DSP for the respondents present.

The representative of respondents has brought ~~the~~ record pertaining to denovo enquiry, which is placed on file. The copy of departmental appeal and the revision petition submitted by the appellant have not been made available today. The appeal is adjourned to 16.02.2021 for arguments before the D.B. The respondents shall ensure the production of copies of appeal and the revision petition on or before next date of hearing.


(Mian Muhammad)
Member


Chairman


16.02.2021

Counsel for the appellant and Addl. AG alongwith Niaz Muhammad, DSP (Legal) for the respondents present.

Representative of respondents has submitted copies of departmental appeal/review petition, order dated 07.05.2019 whereby the revision petition under rule-11-A of the Khyber Pakhtunkhwa Police Rules, 1975 was rejected, departmental appeal against the order dated 16.01.2019, whereby, appellant was dismissed from service, order dated 26.02.2019 and denovo enquiry report dated 07.01.2019. Placed on record.

Learned AAG states that the departmental representative, appearing before the Tribunal today, is not in possession of the complete record on one hand and, on the other, is unable to assist the learned AAG in proper manner. Learned AAG intends to seek instructions from higher officer(s) before addressing his arguments.

The request seems to be proper and is, therefore, allowed. Adjourned to 27.05.2021 for hearing before the D.B.


(Mian Muhammad)
Member(E)


Chairman

18.06.2020


Nemo for the appellant. Mr. Muhammad Jan learned Deputy District Attorney alongwith Sheraz H.C for the respondents present.

On the last date, instant matter was adjourned through reader's note. The appellant/counsel shall therefore, be put on notice.

Adjourned to 07.09.2020 before D.B



Member

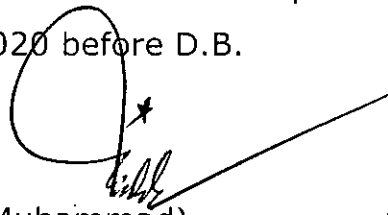


Chairman

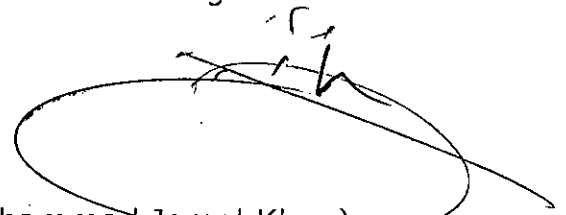
07.09.2020

Appellant is present alongwith Mr. Taimur Ali Khan, Advocate. Mr. Kabirullah Khattak, Additional Advocate General for the respondents is also present.

At the very outset, learned Additional Advocate General submitted before the bench that the copies of departmental appeal as well as revision moved by the appellant to the higher authority have not been placed on record, therefore, he requested that unless and until the record ^{is} completed he could not address his arguments at this stage. The learned counsel for the appellant submitted that the record with respect to de-novo inquiry is also not complete and it may also be requisitioned from the concerned department. Request so made is appropriate, therefore, appellant and respondents are directed to place on record copies of departmental appeal as well as revision and complete record with respect to de-novo inquiry up to the next date of hearing. File to come up for record and arguments on 24.11.2020 before D.B.



(Mian Muhammad)
Member (Executive)



(Muhammad Jamal Khan)
Member (Judicial)

27.11.2019

Counsel for the appellant and Addl. AG alongwith Niaz Muhammad, Inspector for the respondents present.

Respondents have not furnished reply/comments despite last opportunity. The appeal is, therefore, posted for hearing before D.B on 29.01.2020.

Chairman



~~29.01.2020~~

~~Appellant in person and Addl. AG alongwith Muhammad Rafique, Junior Clerk for the respondents present.~~

~~Representative of the respondents filed written reply which is placed on file. Copy whereof handed over to appellant. To come up for rejoinder and arguments on 30.03.2020 before the D.B.~~

~~Member~~

~~Member~~

~~Member~~

~~Member~~

30.03.2020

Due to public holidays on account of Covid-19, the case is adjourned. To come up for the same on 18.06.2020 before D.B.

Reader



713/19

02.09.2019

Appellant in person and Addl. AG alongwith Akbar Hussain, ASI (Legal) for the respondents present.

Representative of the respondents requests for time to furnish written reply/comments. To come up for requisite reply/comments on 27.09.2019 before S.B.

Chairman



27.09.2019

Counsel for the appellant and Addl. AG alongwith Akbar Hussain, SI for the respondents present.

Representative of the respondents requests for further time for submission of written reply/comments. Adjourned to 23.10.2019 on which date the requisite reply shall positively be submitted.

Chairman



23.10.2019

Learned counsel for the appellant present. Mr. Kabirullah Khattak learned Additional Advocate General alongwith Sheraz H.C for the respondents present.

Representative of the respondents requests for time to furnish written reply/comments. Granted by way of last chance. To come up for written reply/comments on 27.11.2019 before S.B.

Chairman



03.07.2019

Counsel for the appellant Sher Zada present. Preliminary arguments heard. It was contended by learned counsel for the appellant that the appellant was serving in Police Department as Head Constable. He was imposed major penalty of removal from service on the allegation that he was involved in case FIR No. 354 dated 17.09.2016 under section 381/411/436/427/201/34 PPC, Police Station Kohsar, Islamabad. It was further contended that the appellant filed service appeal which was partially accepted, the impugned order was set-aside and the respondent-department was directed to conduct de-novo inquiry vide detailed judgment dated 19.08.2018. It was further contended that the respondent-department again imposed major penalty of removal from service vide order dated 16.01.2019. It was further contended that the appellant filed departmental appeal but the same was regretted. It was further contended that the appellant also filed revision petition but the same was also rejected hence, the present service appeal. It was further contended that neither de-novo inquiry was conducted in accordance with the Police Rules, 1975 nor the same was conducted as per direction contained in the judgment therefore, the impugned order is illegal and liable to be set-aside.

The contentions raised by the learned counsel for the appellant need consideration. The appeal is admitted for regular hearing subject to all legal objections. The appellant is directed to deposit security and process fee within 10 days, thereafter, notice be issued to the respondents for written reply/comments for 02.09.2019 before S.B.

Appellant's Admitted
Security & Process Fee

2/9/19


(Muhammad Amin Khan Kundi)
Member

Form- A

FORM OF ORDER SHEET

Court of _____

Case No.- _____ 713/2019 _____

S.No.	Date of order proceedings	Order or other proceedings with signature of judge
1	2	3
1-	30/05/2019	<p>The appeal of Mr. Sher Zada presented today by Mr. Taimur Ali 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;"><i>[Signature]</i> REGISTRAR 30/07/19</p>
2-	31/05/19	<p>This case is entrusted to S. Bench for preliminary hearing to be put up there on <u>03/07/19</u></p> <p style="text-align: right;"><i>[Signature]</i> CHAIRMAN</p>