

06.10.2022

Appellant alongwith his counsel present. Mr. Muhammad Nisar, Head Constable alongwith Mr. Riaz Ahmed Painsakhel, Assistant Advocate General for respondents present.

Learned counsel for the appellant sought adjournment on the ground that he is proceeding for appearance in cases fixed in the august Peshawar High Court, Mingora Bench (Dar-ul-Qaza), Swat. Adjourned. To come up for arguments on 09.11.2022 before the D.B at Camp Court Swat.



(Rozina Rehman)  
Member (J)  
Camp Court Swat



(Salah-Ud-Din)  
Member (J).  
Camp Court Swat

07.07.2022

Appellant present through counsel.

Noor Zaman Khan Khattak, learned District Attorney for respondents present.

Former made a request for adjournment in order to produce certain documents necessary for disposal of instant appeal. Adjourned. To come up for production of record and arguments on 03.08.2022 before D.B at Camp Court, Swat.



(Fareeha Paul)  
Member(E)  
Camp Court, Swat



(Rozina Rehman)  
Member (J)  
Camp Court, Swat

3.8.22

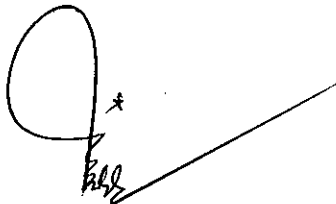
*Due to barrister's vacation the case is adjourned to 8.9.22 for the same.*



08.09.2022

Learned counsel for the appellant present. Mr. Asif Masood Ali Shah, Deputy District Attorney for the respondents present.

Learned counsel for the appellant requested for adjournment on the ground that he has not made preparation for arguments. Adjourned. To come up for arguments on 06.10.2022 before the D.B at Camp Court Swat.



(Mian Muhammad)  
Member (Executive)  
Camp Court Swat

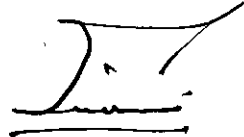


(Salah-Ud-Din)  
Member (Judicial)  
Camp Court Swat

10.05.2022

Appellant in person present. Mr. Muqadar Khan, Inspector (Legal) alongwith Mr. Kabirullah Khattak, Additional Advocate General for the respondents present.

Para-wise reply on behalf of respondents submitted, which is placed on file and copy of the same handed over to the appellant. Adjourned. To come up for rejoinder, if any, as well as arguments on 08.06.2022 before the D.B at Camp Court Swat.

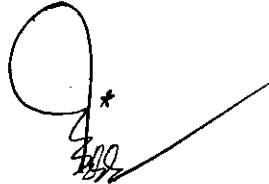


(Salah-Ud-Din)  
Member (J)  
Camp Court Swat

8<sup>th</sup> June, 2022

None for the appellant present. Mr. Kabirullah Khattak, Addl: AG for respondents present.

Counsel are on strike. To come up for arguments on 05.07.2022 before the D.B at camp court Swat.



(Mian Muhammad)  
Member(E)



(Kalim Arshad Khan)  
Chairman  
Camp Court Swat

05.07.2022

Appellant present through counsel.

Noor Zaman Khattak, learned District Attorney for respondents present.

Former made a request for a short adjournment in order to prepare the brief. Adjourned. To come up for arguments on 07.07.2022 before D.B at Camp Court, Swat.



(Fareeha Paul)  
Member (E)  
Camp Court, Swat



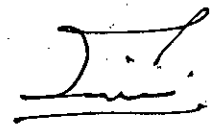
(Rozina Rehman)  
Member (J)  
Camp Court, Swat

09.02.2022      Tour is hereby canceled .Therefore, the case is adjourned to 06.04.2022 for the same as before at Camp Court Swat.

  
Reader

06.04.2022      Clerk of learned counsel for the appellant present. Mr. Riaz Ahmed Paindakhel, Assistant Advocate General present.

Previous date was changed on Reader Note, therefore, notices be issued to respondents through registered post and to come up for submission of written reply/comments on 09.05.2022 before the S.B at Camp Court Swat.

  
(Salah-Ud-Din)  
Member (J)  
Camp Court Swat


09.05.2022      Due to non-availability of the Bench, the case is adjourned to 10.05.2022 for the same as before.

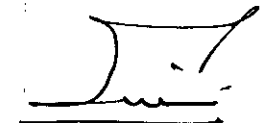
Reader



02.11.2021

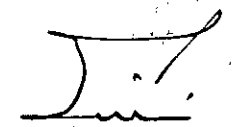
Appellant in person present. Mr. Muqadar Khan, Inspector (Legal) alongwith Mr. Riaz Ahmed Painsakhel, Assistant Advocate General for the respondents present and sought time for submission of reply/comments. Adjourned. To come up for submission of reply/comments as well as arguments before the D.B on 04.01.2022 at Camp Court Swat.

  
(Atiq-Ur-Rehman Wazir)  
Member (E)  
Camp Court Swat

  
(Salah-Ud-Din)  
Member (J)  
Camp Court Swat

04.01.2022

Clerk of learned counsel for the appellant present. Mr. Muqadar Khan, Inspector (Legal) alongwith Mr. Muhammad Adeel Butt, Additional Advocate General for the respondents present and sought further time for submission of written reply/comments. Adjourned. Last opportunity given. To come up for submission of written reply/comments before the S.B on 09.02.2022 at Camp Court Swat.

  
(Salah-Ud-Din)  
Member (J)  
Camp Court Swat

1419/21


27.08.2021

Appellant present in person.

The Memorandum of appeal and documents annexed therewith have been perused. There is a copy of finding report annexed with the appeal which gives detail about absence of the appellant with recommendation of his discharge from service. There is an endorsement of DPO on the same finding report who agreeing with the finding of enquiry passed the order of discharge of appellant from service and treating his absence period as leave without pay. The particular style of the impugned order, question of its voidness is likely to arise and it would be in the fitness of things to hear the respondents in due course. Subject to all just and legal objections, including that of limitation to be determined during the course of full hearing, this appeal is admitted. 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 at Peshawar 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 02.11.2021 before the D.B at camp court, Swat.

Appellant Deposited  
Security & Process Fee

7/9/21

  
Chairman  
Camp court, Swat.

08.04.2021

Due to COVID-19, the case is adjourned to 10.06.2021 for the same.



Reader

26.07.2021

To come up for preliminary hearing on 27.08.2021 before S.B at Camp Court, Swat. Notices be issued to appellant/counsel for the date fixed.



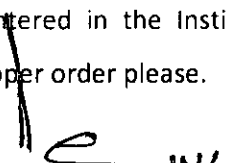

Chairman

Form- A

FORM OF ORDER SHEET

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

Case No. 1419 /2021 2

S.No.	Date of order proceedings	Order or other proceedings with signature of judge
1	2	3
1-	21/01/2021	<p>The appeal of Mr. Muhammad Yasin resubmitted today by Mr. Muhammad Javed 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 touring S. Bench at Swat for preliminary hearing to be put up there on <u>08-04-2021</u></p> <p style="text-align: right;"> CHAIRMAN</p>
2-		



The appeal of Mr. Muhammad Yasin Khan son of Hazir Muhammad r/o Tora Tega Timergara District Dir Lower received today i.e. on 08/01/2021 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- Copy of 1<sup>st</sup> departmental appeal and its rejection order mentioned in para-4 of the memo of appeal are not attached with the appeal which may be placed on it.
- 3- Copies of 2<sup>nd</sup> departmental appeal and review petition mentioned in the memo of appeal are not attached with the appeal which may be placed on it.
- 4- Page no. 35 of the appeal is illegible which may be replaced by legible/better one.

No. 33 /S.T,

Dt. 8/1 /2021



REGISTRAR  
SERVICE TRIBUNAL  
KHYBER PAKHTUNKHWA  
PESHAWAR.

Mr. Muhammad Javed Khan Adv. Swat.

Note  
14.1.2020

~~Dear Respected Sir,~~  
All the above case as directed per  
required documents has been attached. Per  
re submitted to day. Very thankful to you  
M. Javid Khan  
A.S.C  
14/1/2021

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

Service Appeal No. \_\_\_\_\_/2020

Muhammad Yasin Khan S/o Hazir Muhammad R/o Tora

Tega, Timergara, District Dir Lower ..... *Appellant*

**VERSUS**

Provincial Police Officer and others..... *Respondents*

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3	Memo of Addresses		10
5	Application for condonation of delay		11-12
6	Copy of the appointment order dated 11/01/2010	"A"	13
7	Copies of the prescription etc.	"B"	14-25
8	Copy of the order dated 06/09/2012	"C"	26
9	Copy of the order dated 07/03/2014	"D"	27-29
10	Copy of the order dated 21/04/2020	"E"	30-31
11	Copies of the documents in respect of the standing medical board	"F"	32-38
12	Wakalat Nama		39

Appellant  
Through Counsel 

**Muhammad Javaid Khan**  
**Advocate Supreme Court of**  
**Pakistan**

Office: Allah-o-Akbar Masjid,  
College Colony, Saidu Sharif, swat  
Cell: 0343-9607492

(1)

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

Khyber Pakhtunkhwa  
Service Tribunal

Service Appeal No. 1419 /2020

Diary No. 517

Dated 08/11/2021

Muhammad Yasin Khan S/o Hazir Muhammad R/o Tora

Tega, Timergara, District Dir Lower

.....Appellant

**VERSUS**

- 1) Provincial Police Officer Government of Khyber Pakhtunkhwa / Appellate Board at Central Police Office (CPO) Peshawar.
- 2) Deputy Inspector General of Police / Regional Police Officer (RPO) Malakand Region at Saidu Sharif, Swat
- 3) District Police Officer Dir Lower

.....Respondents

Filed to-day

Registrar

8/11/2021

Re-submitted to -day  
and filed.

Registrar

27/11/2021

Service Appeal Under Section 4 of Service Tribunal Act read with other relevant provisions against the impugned order dated 21/04/2020 issued by respondent No.1, whereby the Review Petition of

*Green*

the appellant was rejected illegally, unlawfully and unconstitutional, hence the orders of the discharge of the appellant issued by respondent No.3 dated 06/09/2012 and order dated 19/09/2013 of respondent No. 2 has been maintained illegally, unlawfully and unconstitutionally.

PRAYER:

On acceptance of this service appeal the impugned orders dated 21/04/2020 of respondent no.1 , order dated 06/09/2012 of respondent No. 3 and order dated 19/09/2013 of respondent no. 2 may be declared illegal, unlawful and the appellant may be reinstated in service with all back benefits including the salaries etc. of the intervening period.



Any other relief, deemed fit and necessary in the given circumstances of the case may also be awarded in favor of appellant against respondents.

Respectfully Sheweth:

The appellatant submits as under;

1. That the appellatant was appointed as constable BPS-5 on 11/01/2010. (Copy of the appointment order dated 11/01/2010 is annexed herewith as annexure "A")
  
2. That due to depression and some psychiatry problem, the appellatant was unable to attend his duties in the year 2012. (Copies of the prescription etc. is attached herewith as annexure "B")
  
3. That later on when the appellatant cured from the diseases applied for joining his duties, but he was told that he has already been discharged on 06/09/2012. (Copy of the order dated 06/09/2012 is attached herewith as annexure "C")



4. That the appellant then filed a departmental appeal to respondent no. 2, which was dismissed on 19/09/2013.
5. That the appellant then filed a second appeal before respondent No. 1, which was also filed vide order dated 07/03/2014. (Copy of the order dated 07/03/2014 is attached herewith as annexure "D")
6. That the appellant then filed a review petition before the police appellate board /review board which has now been decided on 21/04/2020. (Copy of the order dated 21/04/2020 is attached herewith as annexure "E")
7. That the impugned orders orders dated 21/04/2020 of respondent no.1 , order dated 06/09/2012 of respondent No. 3 and order dated 19/09/2013 of respondent no. 2 are illegal, unlawful, against facts available

unwarranted inter alia on the following grounds amongst others.

**GROUNDS:**

i) That the impugned orders are illegal, unlawful, void ab-initio unconstitutional, and base on mala-fide which is very much clear from the record on file.

ii) That no formal enquiry has been conducted before the imposition of major penalty of discharge from service, because this penalty has stigmatized the career of the appellant hence, the order of discharge is void ab-initio.

iii) That the order of discharge dated 06/09/2012 of the appellant under Rule 12.21 is void ab-initio for the

⑥

reason that the absence of the appellant has been treated as leave without pay vide same order.

iv) That the order of discharge of appellant is also void ab-initio for the reason that the defense plea of the appellant of psycatery disease has not been considered nor any decision has been given by all the forums in respect of the disease, while on the other hand the disease of the appellant was of such serious nature that the appellant was examined by a standing medical board. (Copies of the documents in respect of the standing medical board are attached herewith as annexure "F")

v) That other grounds not specifically raised will be argued with the



permission of this Honorable Court at the time of arguments.

8. That this appeal is being filed against the order dated: 21/04/2020 of respondent No. 1, / review board, because no limitation runs against a void order, also a condonation application is filed with this appeal.

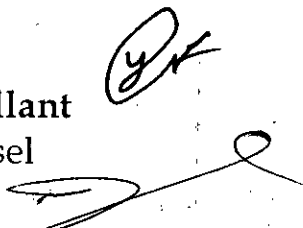


It is therefore humbly prayed;-  
that on acceptance of this service appeal the impugned orders dated 21/04/2020 of respondent no.1 , order dated 06/09/2012 of respondent No. 3 and order dated 19/09/2013 of respondent no. 2 may be declared illegal, unlawful and the appellant may be reinstated in service with all back benefits including the salaries etc. of the intervening period.

8

Any other remedy which is just,  
appropriate and efficacious may also  
be awarded in favor of the appellant  
please.

Appellant  
Through Counsel

  
Muhammad Javaid Khan  
Advocate, Supreme Court of  
Pakistan

Dated:12/12/2020

BEFORE THE SERVICE TRIBUNAL KHYBER  
PAKHTUNKHWA, PESHAWAR

Service Appeal No. \_\_\_\_\_/2020

Muhammad Yasin Khan S/o Hazir Muhammad R/o Tora  
Tega, Timergara, District Dir Lower ..... *Appellant*

**VERSUS**

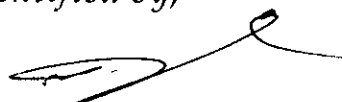
Provincial Police Officer and others..... *Respondents*

*Service Appeal*

AFFIDAVIT

I, Muhammad Yasin Khan S/o Hazir Muhammad R/o Tora Tega, Timergara, District Dir Lower, do hereby solemnly affirm and declare on oath that all the contents of this Service Appeal are true and correct to the best of my knowledge and belief, and nothing has been concealed from this Honorable Court.

Identified by,

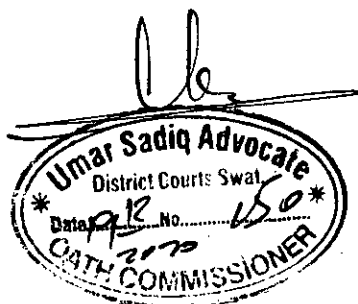


Muhammad Javaid Khan  
Advocate, Supreme Court of Pakistan

DEPONENT



Muhammad Yasin Khan



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

Service Appeal No. \_\_\_\_\_/2020

Muhammad Yasin Khan S/o Hazir Muhammad R/o Tora  
Tega, Timergara, District Dir Lower ..... *Appellant*

**VERSUS**

Provincial Police Officer and others..... *Respondents*

**ADDRESSES OF THE PARTIES**


**ADDRESSES OF THE APPELLANT**

Muhammad Yasin Khan S/o Hazir Muhammad R/o Tora  
Tega, Timergara, District Dir Lower  
CNIC: 15302-8208740-3  
Cell: 0346-5979458

**ADDRESS OF THE RESPONDENTS**

1. Provincial Police Officer Government of Khyber Pakhtunkhwa  
/ Appellate Board at Central Police Office (CPO) Peshawar.
2. Deputy Inspector General of Police / Regional Police Officer  
(RPO) Malakand Region at Saidu Sharif, Swat
3. District Police Officer Dir Lower

APPELLANT   
Through Counsel

  
Muhammad Javaid Khan  
Advocate, Supreme Court of  
Pakistan

BEFORE THE SERVICE TRIBUNAL KHYBER  
PAKHTUNKHWA, PESHAWAR

Service Appeal No. \_\_\_\_\_/2020

Muhammad Yasin Khan S/o Hazir Muhammad R/o Tora

Tega, Timergara, District Dir Lower ..... *Appellant*

**VERSUS**

Provincial Police Officer and others..... *Respondents*

*Application for condonation of delay*

*Respected Sir,*

*Applicant / appellant submits as under;*


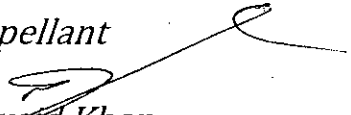


1. *That the above mentioned service appeal is being filed before this Honorable Court against the orders of the respondents dated 21/04/2020 of respondent no.1 , order dated 06/09/2012 of respondent No. 3 and order dated 19/09/2013 of respondent no. 2.*
2. *That all the impugned orders are void ab-initio, hence no limitation runs against all these orders.*
3. *That according to judgment of the superior Courts no limitation runs against a void ab-initio order.*

12

It is, therefore, humbly prayed that on acceptance of this application, an order prayed for may be passed, please.


Any other remedy which is just, appropriate and efficacious may also be awarded in favor of Appellant please.

  
Applicant / Appellant  
Through Counsel  
  
Muhammad Javaid Khan  
Advocate, Supreme Court of  
Pakistan

Affidavit: -

It is stated on oath that contents of this application are true and correct to the best of my knowledge and belief, and nothing has been concealed from this Hon'ble Court.


  
Muhammad Yasin Khan

Annex "A"


13

ORDER.

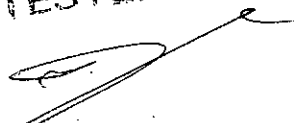
Mr. Mohd Yaseen Khan S/O. Hazir Mohd  
Village... Tora Tora ..... Police Station... Timex Gara  
District... DIR LOWER ... is hereby enlisted as Constable on Three years  
Probation in Basic Pay Scale No. 05 (3340-160-8140) with effect  
from 11-1-2010 ... and allotted Constabulary No. 1508 Height 5 .....  
Feet 11 ..... Inch, Chest 33x35.1 ..... Inch, Edu: 10th .. Date of Birth.. 8-10-96

OB No. 99 .....

Dated 11/1/10 .....

  
(MUMTAZ ZARIN)  
TSh: QPM  
District Police Officer,  
Dir Lower at Timergara.

ATTESTED

  
ADVOCATE

Name Mohal Yareen Date 30 SEP 2012 I.D. \_\_\_\_\_

- Drip D  
- SDH

① Tab Prolexa 10mg  
ایک گولی صبح  
TMC

② tab ~~atopiro~~ Evicelm 10mg  
ایک گولی رات

Tab Newexam 0.5mg

① (15) ————— ایک گولی رات

① (15) ————— ایک گولی رات

ایک ماہ بعد

دوبارہ معائنہ: 21/10/12

Attested

PRINCIPAL  
G.C.M.H.S Timergara  
Lower Dir



سائیکا لو جسٹ  
فوزیہ سرفراز

15

سائیکا لو جسٹ  
ڈاکٹر میاں مختار الحق عظیمی

ایم ایس سی (کلینکل سائیکا لوجی)، ایم فل (سائیکا لوجی)  
ماہر امراض: نفسیات، ذہنی، دماغی، منشیات، سردرد، گیس

ایم بی بی ایس، ایف سی پی ایس سی ایس سی (انجینئر)  
ماہر امراض: نفسیات، ذہنی، دماغی، اعصاب، جنسیات،  
منشیات، مرگی، سردرد، گیس۔

تقریباً

Name Munira Yasmin Date 18 NOV 2012 I.D.

74

(1) Tab. Wellbin 150

ایک لولی نم  
7 در

دو لولی نم  
حالت

(3) Tab. Enicalm 100mg

ایک لولی نم  
بار

درست حالت

(3) Tab. Nardone 40mg  
(1) + (1)

Attested

PRINCIPAL  
G.C. H.S. Timergara  
Liaison Dir

دوبارہ معائنہ: 17 نومبر

پشاور کلینک:

اباسین ہسپتال

ڈبگری گارڈن، پشاور

فون: 0345-9075836

سوات کلینک:

شفاء میڈیکل سنٹر

بالتقابل سنٹرل ہسپتال سید شریف سوات

فون: 0946-729794 موبائل: 0334-9314712

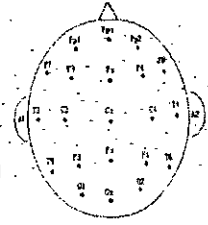
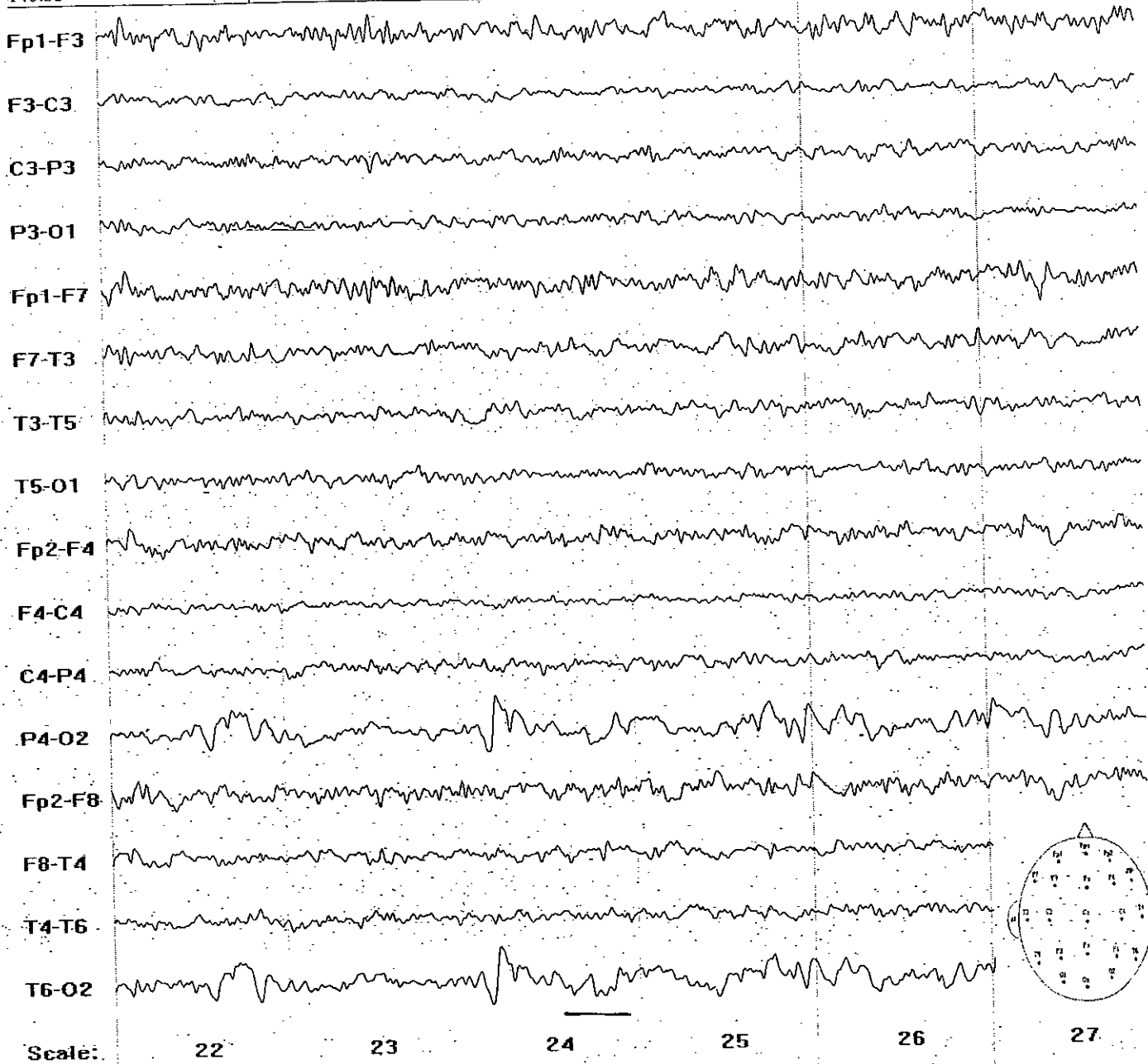
doctormian@yahoo.co.uk

Not Valid for Courts

# EEG Report

(18)

Name: Muhammad Yaseen	Sex: Male	Age: 21	Hand L/R: R	State: Awake
EG: e	Section: B	Area:	Bed No:	Doctor:
F: 0.3s	HF: 30Hz	Notch: 50Hz	Amplitude: 80 uV/cm	Speed: 3.0 cm/s



Examine Time: 2012-04-28 15:56:22

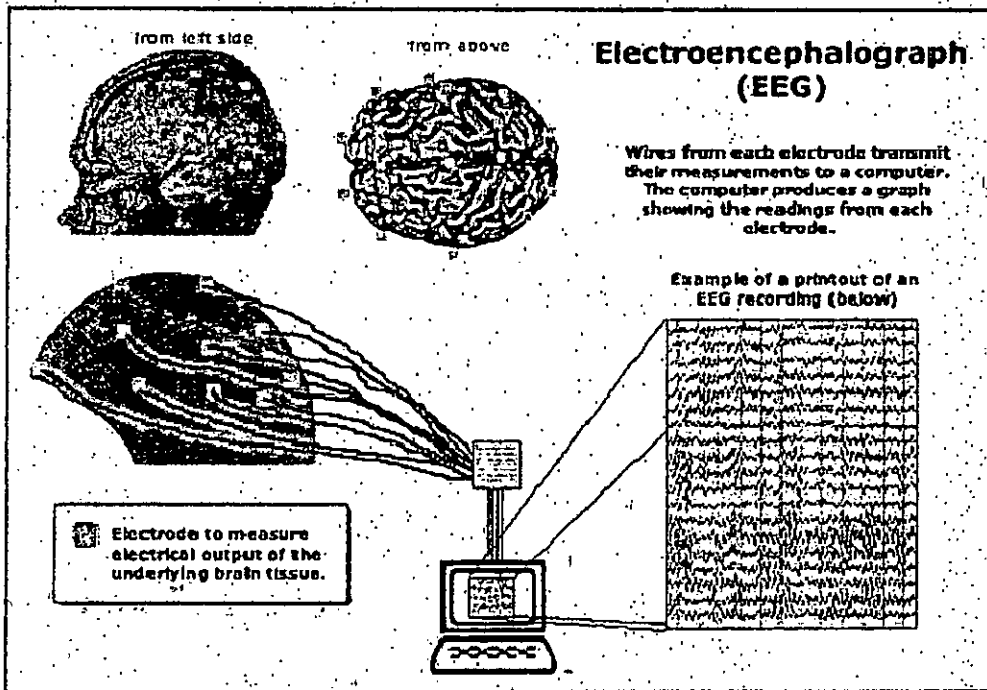


*Beta waves mild*

Date: 2012Y09M30D

Attested  
  
 PRINCIPAL  
 G.C.M.H.S Timergara  
 Lower Dir

17



# EEG Report

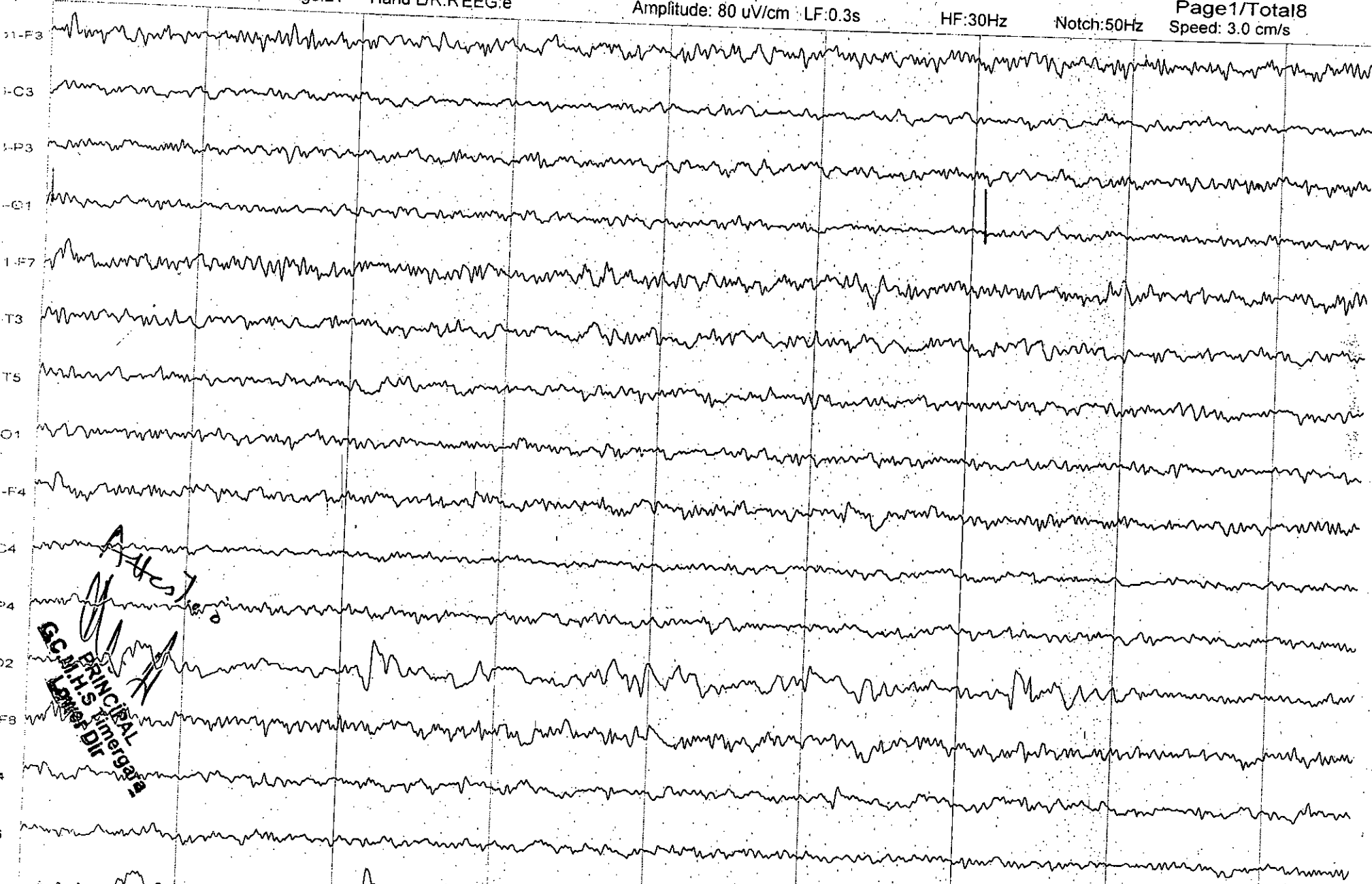
Name: Muham Sex: male Age: 21 Hand L/R: R EEG: e

Amplitude: 80  $\mu$ V/cm LF: 0.3s

HF: 30Hz

Notch: 50Hz

Page 1/Total 8  
Speed: 3.0 cm/s



*Ates*  
GC.M.H.S. Pringgar  
Lame Dii

(A)

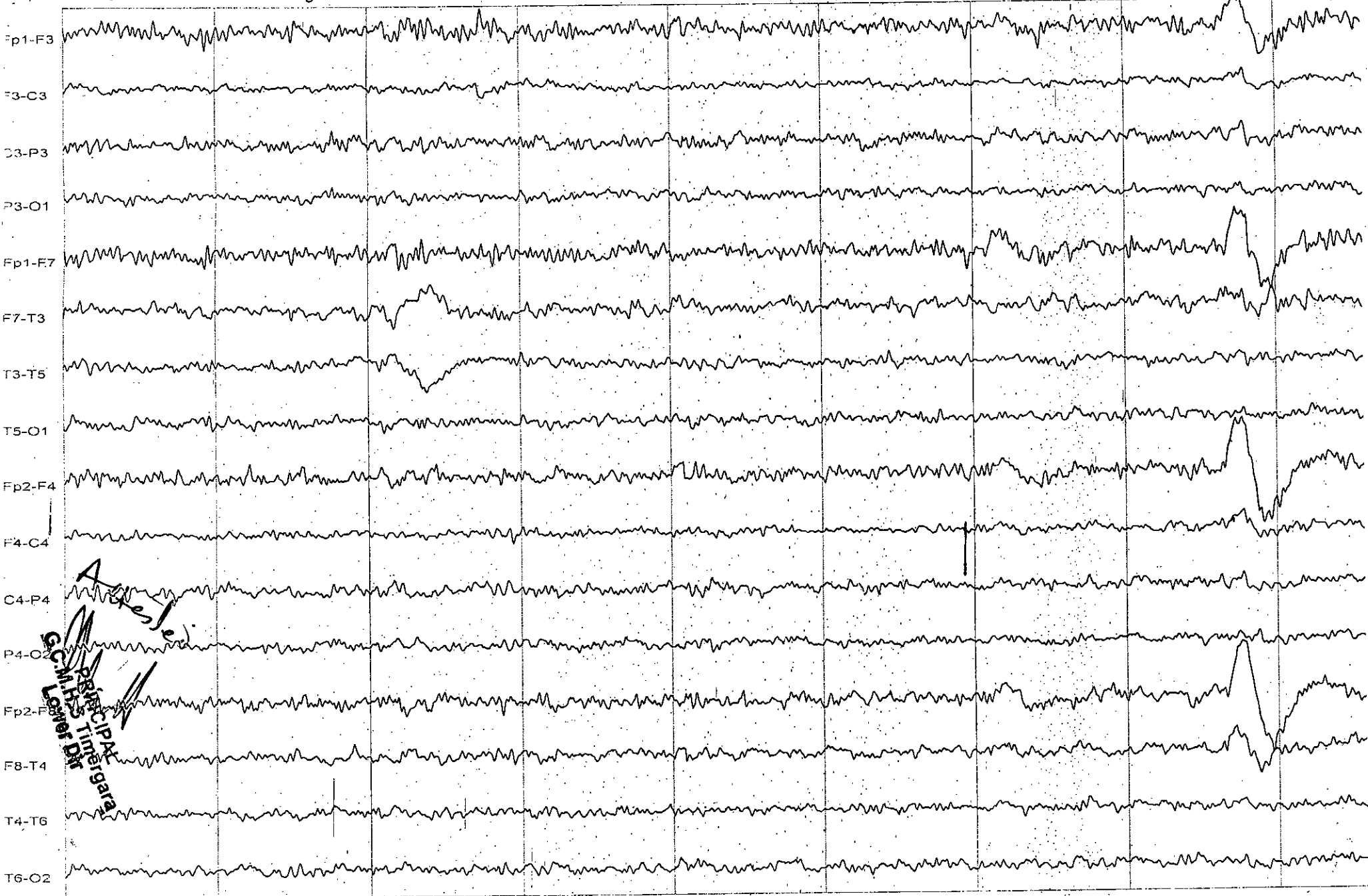
# Report

Name: Muham Sex: Green Age: 21 Hand L/R: REEG:e

Amplitude: 80  $\mu$ V/cm LF: 0.3s

HF: 30Hz Notch: 50Hz

Speed: 3.0 cm/s



*Agustine*  
G. Chandra  
S. Hidayat  
F. D. H.  
S. I. Mergara

(15)

# EEG Report

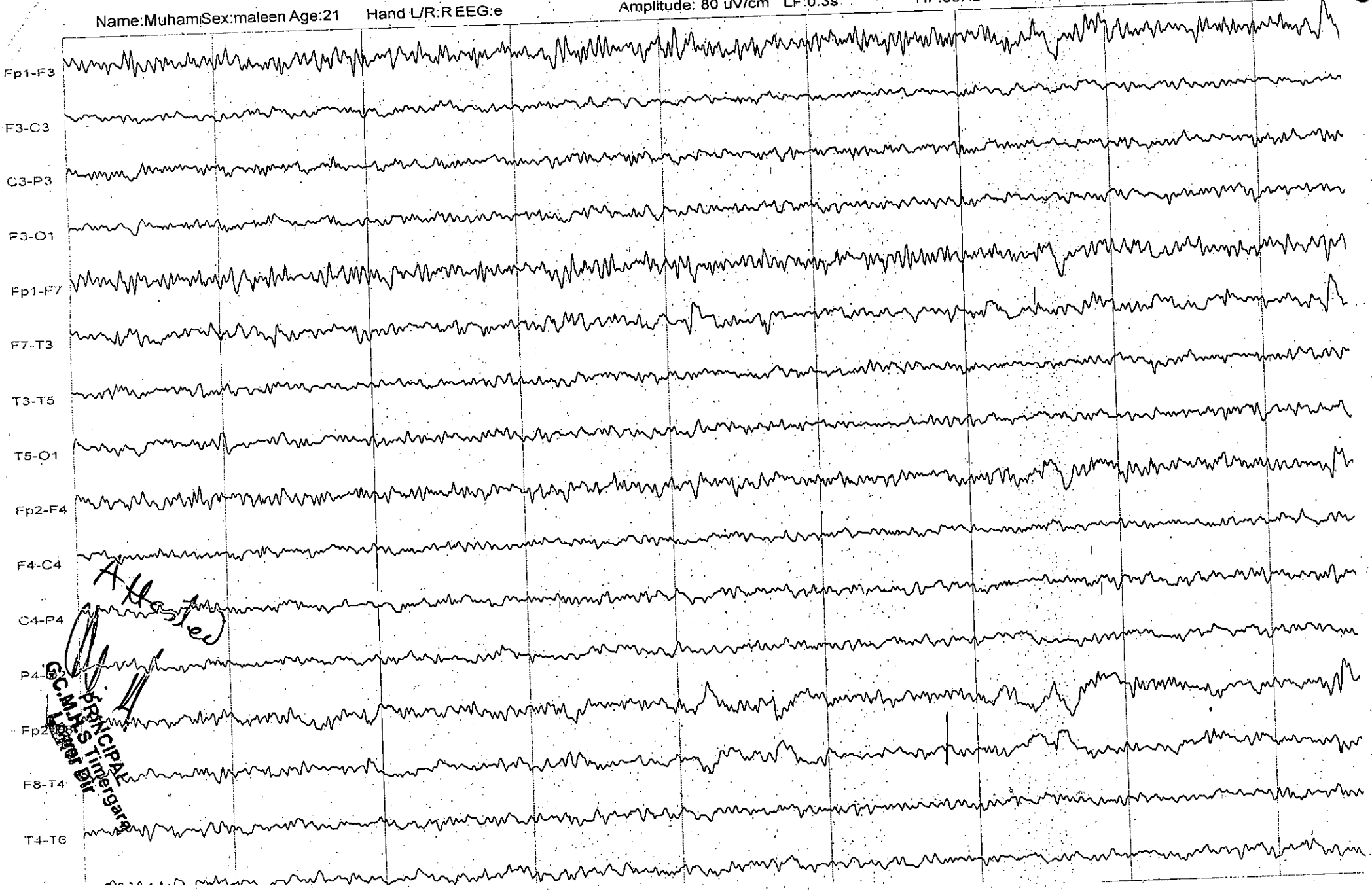
Name: Muham Sex: male Age: 21 Hand L/R: REEG:e

Amplitude: 80  $\mu$ V/cm LF: 0.3s

HF: 30Hz

Notch: 50Hz

Speed: 3.0 cm/s



♂

*Attended*  
DR. M. H. S. TINGI GARG  
PRINCIPAL  
Laxmi Bir

# EEG Report

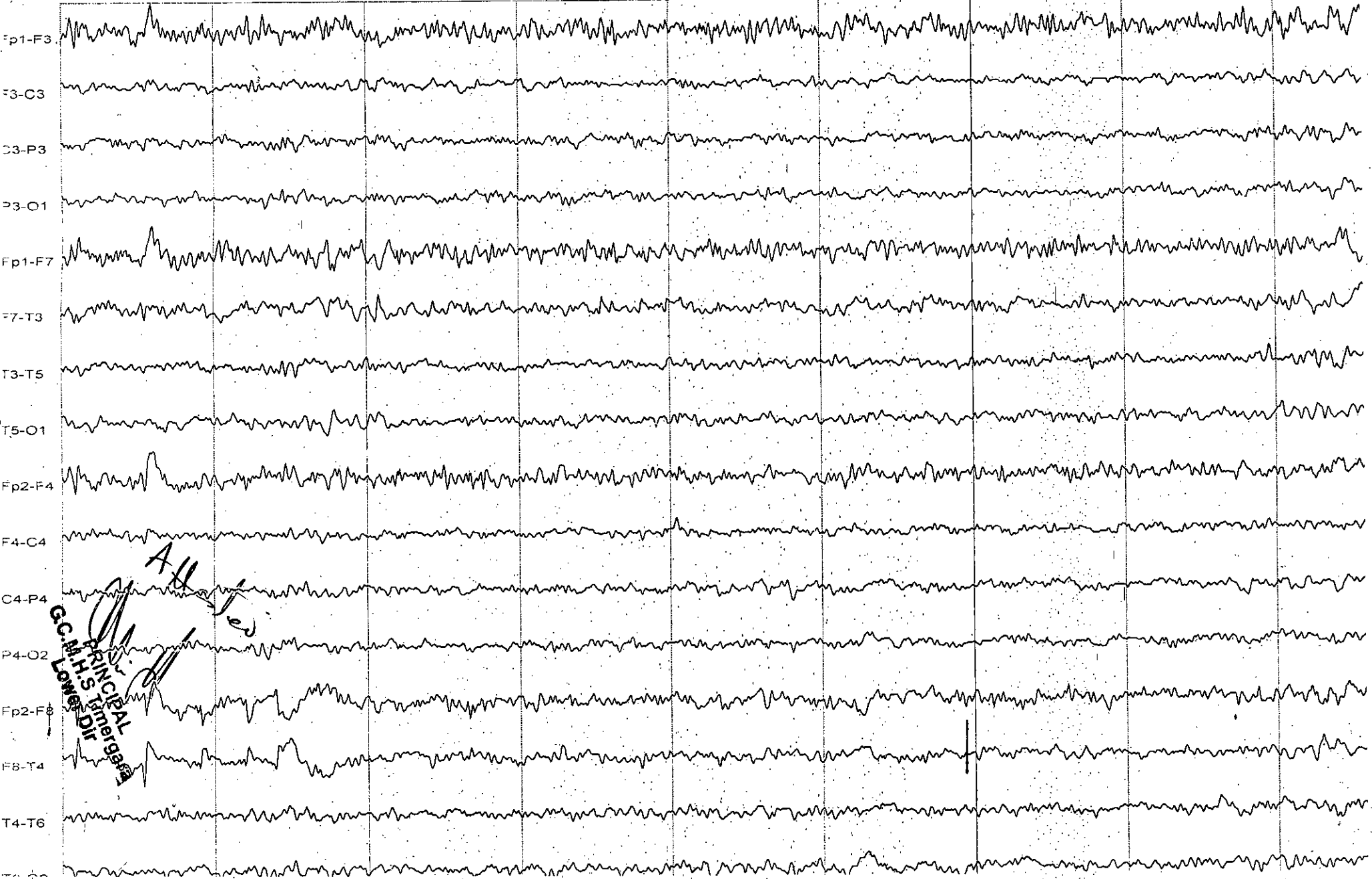
Name: Muham Sex: maleen Age: 21 Hand L/R: REEG: e

Amplitude: 80 uV/cm LF: 0.3s

HF: 30Hz

Notch: 50Hz

Page 4/Total 8  
Speed: 3.0 cm/s



*Attended*  
G.C. M.H.S. Principal  
Lower Dir  
Simpalgarh

21

# EEG Report

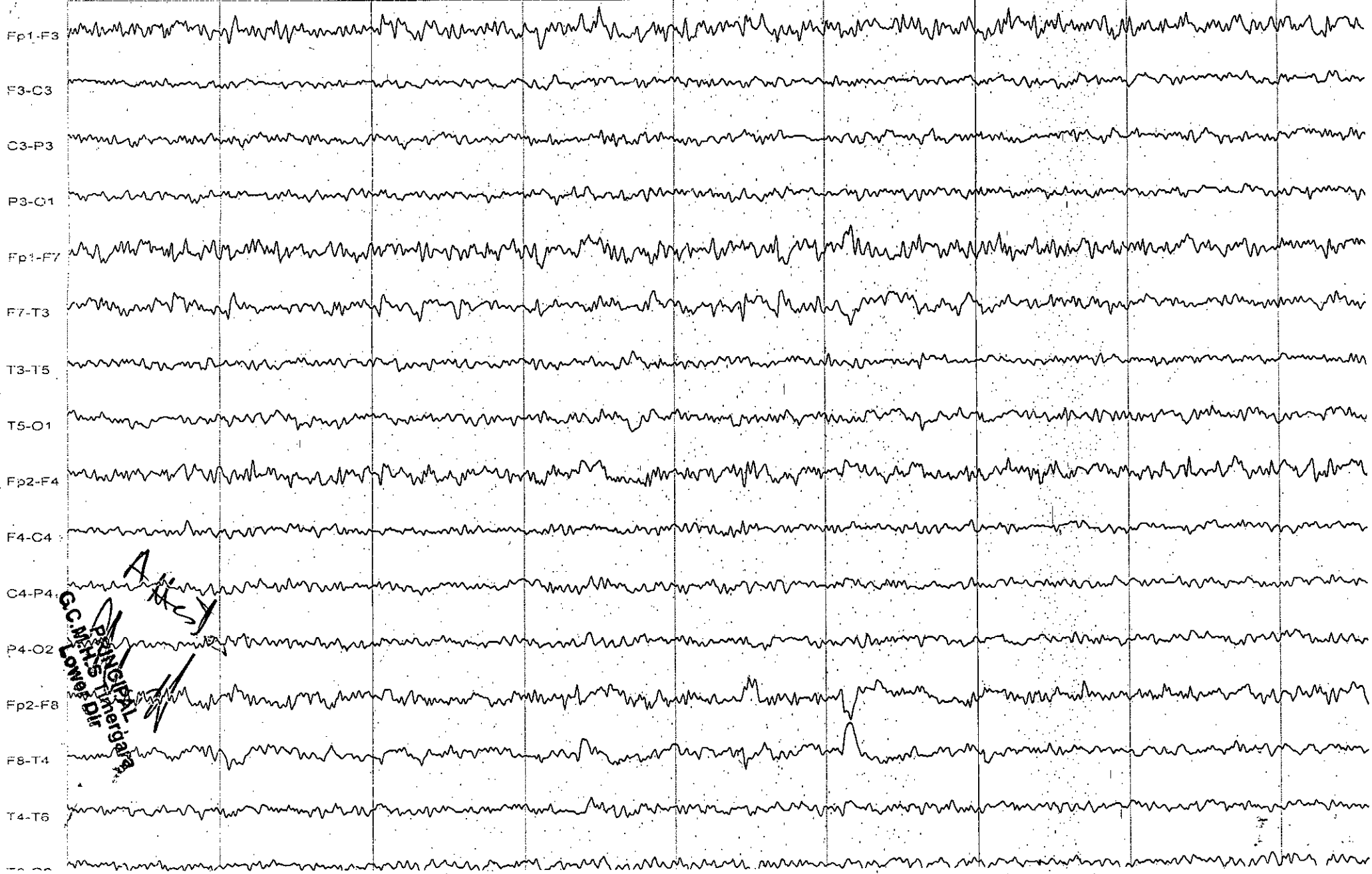
Name: Muhami Sex: male Age: 21 Hand L/R: R EEG: e

Amplitude: 80 uV/cm LF: 0.3s

HF: 30Hz

Notch: 50Hz

Page 5/Total 8  
Speed: 3.0 cm/s



*Handwritten notes:*  
A  
HCS  
G.C. M...  
L...  
D...  
T...  
P...  
F...  
M...  
T...  
P...  
F...  
M...  
T...

22



# EEG Report

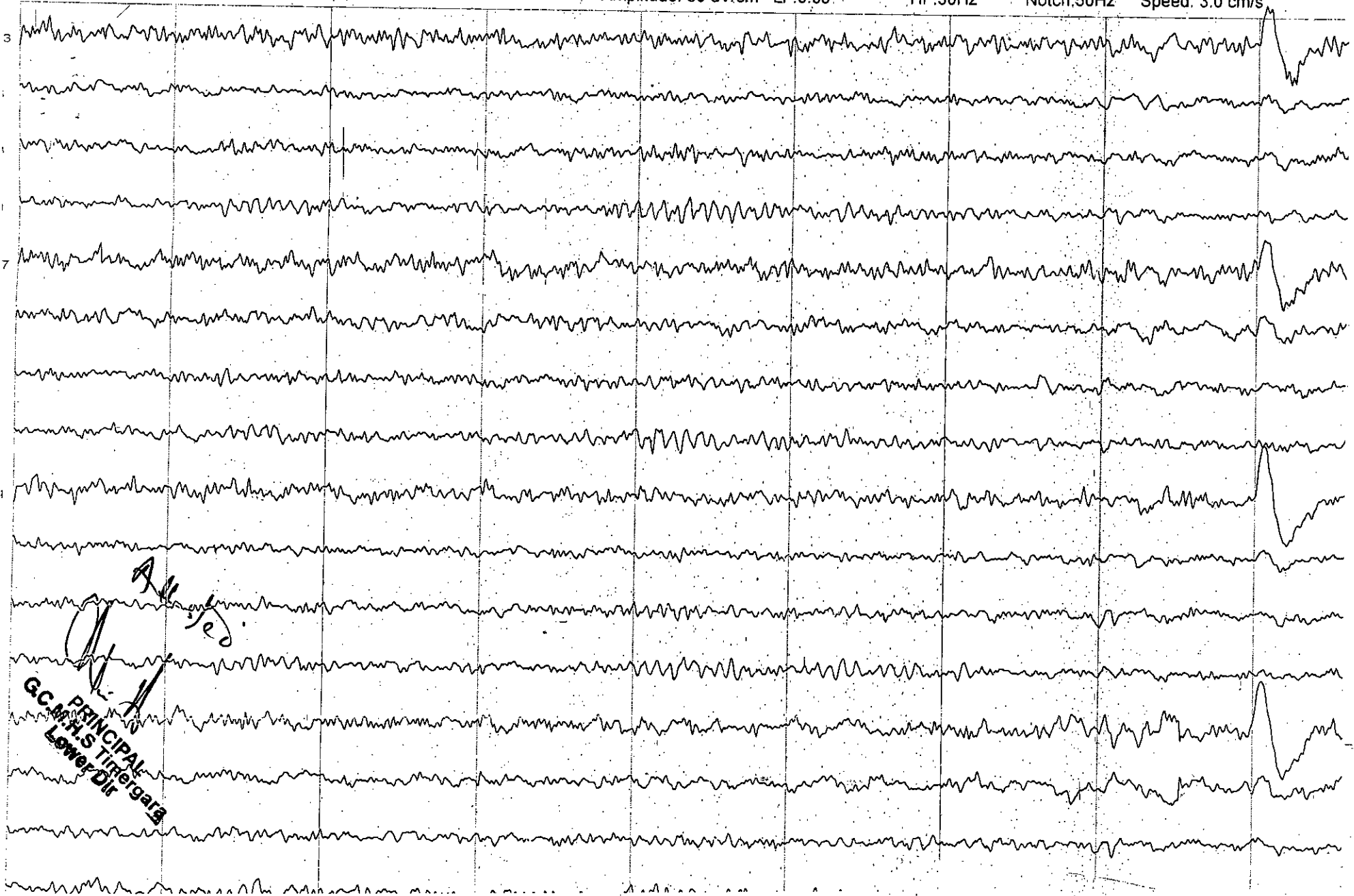
Name: Muham Sex: maleen Age: 21 Hand L/R: REEG:e

Amplitude: 80 uV/cm LF: 0.3s

HF: 30Hz

Notch: 50Hz

Page 6/Total 8  
Speed: 3.0 cm/s



3

Handwritten signature and text:  
GC PRINCIPAL  
H.S. TINGGARJA  
Lower Dir

24

~~Handwritten scribble~~

Medical Specialist & Psychiatrist  
**Dr. Umar Nawaz Khan**

M.D.MPH  
Diplomate American  
Board of Internal Medicine (USA)  
Fellow Neuropsychiatry,  
Behaviour Neurology (USA)

میدیکل سپیشلسٹ اینڈ سائیکاٹرسٹ  
**ڈاکٹر عمر نواز خان**

Pt's Name Mohd Yaseen Pt. Add: \_\_\_\_\_ Sex/Age \_\_\_\_\_ Date 12/2/12

**Clinical Record**

*Box*

- Dep

- SDH

Tab Neukem 0.5mg

اولی رات کو

Tab Prolexa 10 mg

ایک ٹیبلٹ صبح

Tab Pentoral M

ایک ٹیبلٹ صبح آدھا ٹیبلٹ دوپہر

دوبارہ معائنہ کیلئے..... ماہ ادن بعد آئیں

چھٹی بروز اتوار

کلینک اوقات: صبح 8 سے 2 بجے تک

Attested

PRINCIPAL  
B.C.M.H.S Timergara  
Lower Dir

Not Valid For Medico Legal Purpose

E-mail: unsdr04@yahoo.com / Utstdr0four@gmail.com / Ustdr04@hotmail.com

Clinic: Zeb Medical Center, Opp: D.H.Q Hospital Timergara Cell: 0304-5119596

Medical Specialist & Psychiatrist  
Dr. Umar Nawaz Khan

M.D.MPH  
Diplomate American  
Board of Internal Medicine (USA)  
Fellow Neuropsychiatry,  
Behaviour Neurology (USA)

میڈیکل سپیشلسٹ اینڈ سائیکیاٹرست  
ڈاکٹر عمر نواز خان

(25)

Pt's Name *Mohd Jasin*

Pt. Add: \_\_\_\_\_

Sex/Age \_\_\_\_\_

Date *10/16/20*

**Clinical Record**

*Box*

→ Dep

→ SDH

Tab Alprazolam 0.5 mg

10

ایک گولی رات کو

30

۲ گولی رات کو

Tab Prothiaden 75 mg

ایک گولی رات کو

Tab Rivotril 15 mg

۱

دوبارہ معائنہ کیلئے..... ماہ ادن بعد آئیں

چھٹی بروز اتوار

کلینک اوقات: صبح 8 سے 2 بج تک

Attested

*Umar Nawaz Khan*  
PRINCIPAL  
G.C.M.H.S. Timergara  
Lower Dir

Not Valid For Medico Legal Purpose

E-mail: [unsdr04@yahoo.com](mailto:unsdr04@yahoo.com) / [Utstdr0four@gmail.com](mailto:Utstdr0four@gmail.com) / [Ustdr04@hotmail.com](mailto:Ustdr04@hotmail.com)

Clinic: Zeb Medical Center, Opp: D.H.Q Hospital Timergara Cell: 0304-5119596

فائنڈنگ رپورٹ

26

خارجی

بحوالہ آمدہ انٹواری منبری No. 17164.66/EC  
01/08/12 مرحلاف کنٹریل

FMC

Please find

11/8/12

پسین 1508/FC معروض خدمت ہوں کہ کنٹریل مذکورہ 11/16 کا  
بھرتی شدہ ہے۔ مورخ 18/05/12 پر فٹنر بلاسٹ سے فٹنر لعل قلع  
متبدل ہو کر مورخ 21/05/12 تا 28/05/12 سات یوم 31/05/12 تا 07/06/12  
سات یوم 08/06/12 تا 15/06/12 دو یوم 16/06/12 تا 21/06/12 پانچ یوم  
23/06/12 تا 28/06/12 چالیس یوم یعنی کل 61 یوم غیر حاضر ہو چکا ہے۔

- 
- 
- AB
- 
- 

جبکہ بحوالہ مذکورہ مورخ 6/8/12 سے بدستور غیر حاضر ہے  
کنٹریل پسین 1508/FC کی طلبی/پسینی کیلئے پروانہ جات توسطتہ  
فٹنر لعل قلع جاری کئے گئے۔ مگر کنٹریل مذکورہ اطلاعیاں کے بارے میں  
نہ ہوسکا۔ عدویہ آڑیں مذکورہ کو بذریعہ ذمائی نمبر 0301-8049629  
پر بھی مطلع کیا گیا تھا۔ اور ان کے بھائی محمد شریف ولد حاضر محمد  
سکنہ تورہ تیکہ کو بھی مذکورہ کی اطلاعیاں کے خاطر اطلاع بخشی گئی  
تھی۔ لیکن کنٹریل مذکورہ تاحال پسین ہیں ہوا۔

Agreed with Find of the Enquiry Officer and the defaulter  
Comdt. Josin No. 1508 is hereby discharged from Service w.e.f. 08.08.2012 ie date  
of his continuous absence. The remaining part of 61 days is also  
treated as leave  
bank-out pay.

اسی طرح تعین کنندہ DFC رفیع الحق 517 کا بیان اور شہر عبدالرؤف 275  
مذکورہ کے بیان میں واضح ہے کہ کنٹریل مذکورہ استہانی  
ہے۔ غیر حاضر رہا ہے۔

بعد انٹواری من SDPO اس نتیجہ پر پہنچا کہ کنٹریل مذکورہ  
استہانی غیر حاضر رہا ہے اور حذید نوکری کا خواہشمند ہے۔

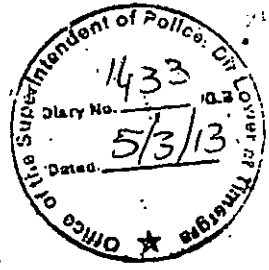
کنٹریل مذکورہ کا کل ایسٹے یوم غیر حاضر اور مورخ 6/8/12 سے  
بدستور غیر حاضر ہونے پر رقم ہذا سے کولس روکن  
12.21 کے تحت درخواست کنٹریل سفارش لگائی ہے۔

District Police Office  
Dir Lower at Timerga  
6/9/12

ATTESTED

ADVOCATE

1361



درخواست بہرہ برداری دوبارہ مالی

خانیالی! مگر اس وقت سائیل قلم و لیس صلحہ مہا س میں کسٹ  
 کہ سال 2010ء کا حق سرہ قلم سائیل بہرہ برداری  
 بہرہ برداری صلحہ مہا س کے تحت جاری ہے۔ اس کے  
 سائیل قلم و لیس صلحہ مہا س کے تحت جاری ہے۔ اس کے  
 صلحہ مہا س کے تحت جاری ہے۔ اس کے  
 صلحہ مہا س کے تحت جاری ہے۔ اس کے  
 صلحہ مہا س کے تحت جاری ہے۔ اس کے

ATTESTED

ADVOCATE

103 / 2013 مورخ

الحاصل

بہرہ برداری صلحہ مہا س کے تحت جاری ہے۔ اس کے  
 صلحہ مہا س کے تحت جاری ہے۔ اس کے  
 صلحہ مہا س کے تحت جاری ہے۔ اس کے  
 صلحہ مہا س کے تحت جاری ہے۔ اس کے

No 1072 / E

Date 28/2/13

D.P.O. Dir Lower Swat

For comments

EC

for comments

District Police Officer,  
 Dir Lower of Swat.

Regional Police Officer,  
 Malakand, at Saidu Sharif Swat.

Annex "D"

(28)

2721  
15-4-14

From: - The Provincial Police Officer,  
Khyber Pakhtunkhwa, Peshawar.

To: - The District Police Officer,  
Dir-Lower at Timergara.

No. 1795 / Legal, Dated Peshawar the: 07-03 /2014.

Subject:- APPLICATION FOR RE-INSTATEMENT IN SERVICE

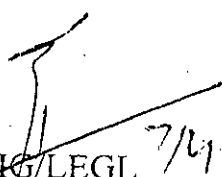
Memo:-

Please refer to your memo No: 7497/E.B dated 03.04.2014.

The applicant was discharged from service under Police Rules 12.21 (under three year service) as well as he has made 95 days absence in 2012 and also his petition time-barred.

He may please be informed accordingly.

Be

  
AIG/LEGL 7/14  
For Provincial Police Officer,  
Khyber Pakhtunkhwa, Peshawar.

Commence

DDO Dir Lower

14/4/2014

No 8575 / E,

dt 15-4-2014

copy to SDPC Timergara

to inform Ex-Capt. Mohammad Toora  
90 Haziv Mohammad Toora

PS Timergara accordingly.

ATTESTED

  
ADVOCATE

PP0

PP0

29

خدمت جناب PPO کے لیے صورت میں چھوٹا مقابر سید

اپریل برائے دوبارہ ۰۵ بجلی بحیثیت کنسٹیبل

ص - عالی

موردہ گزٹڈ عسب ذیل ہے کہ فدوی محمد یاسین خان ولد حاجی محمد علی عمر ۱۵  
 نومبر ۲۰۱۰ء/۱۱/۱۱ میں بحیثیت کنسٹیبل بطریق موافقہ - فدوی نے باقاعدگی سے  
 سیکورٹی سے ٹرنڈنگ پاس کیا ہے۔ فدوی اپنی ڈیوٹی میں ایست  
 جس قدر تا کہ گریو منظر اور بیماری کو دور سے غیر حاوی رہا  
 جس کا وجہ سے مورخہ ۰۶/۱۹/۲۰۱۲ کو فدوی نے درخواست کی ہے  
 فدوی کے تعلق سے یہ خاندان سے ہے اور پورے گھر کے افراد کھیل سے  
 فدوی کو اپنا غیر حاوی میں سمجھتے ہیں اور دوبارہ ڈیوٹی کے  
 استہدائی خواست مند ہے۔

لہذا آپ سے حاصل کیے جانے والے دست اقدس میں عرض کی گئی ہے کہ فدوی  
 کے دوبارہ بحالی کے احکامات صادر و جاری ہو سکے۔

۷-۳-۲۰۱۴  
 صفا ذیادہ آداب مورخ

محمد یاسین خان

۱۵۰۸  
 محمد یاسین خان کنسٹیبل و سیر (نوٹس) پولیس عمر

ATTESTED

ADVOCATE

درخواست  
 کارروائی کی  
 کی گئی ہے  
 اور درخواست  
 احکامات صادر فرمائیں  
 تاہم منظور  
 MPA

AIR/L

pl process his case  
 a copy accordingly



30

Amal E

OFFICE OF THE  
INSPECTOR GENERAL OF POLICE  
KHYBER PAKHTUNKHWA  
PESHAWAR.



No. S/ 1608 /20, dated Peshawar the 21 / 4 /2020.

**ORDER**

This order is hereby passed to dispose of Revision Petition under Rule 11-A of Khyber Pakhtunkhwa Police Rule-1975 (amended 2014) submitted by Ex-FC Muhammad Yaseen No. 1508. The petitioner was discharged from service by District Police Officer, Dir Lower vide OB No. 1361, date 07.09.2012 on the allegations of absence, from duty w.e. from 21.05.2012 to 28.05.2012, 31.05.2012 to 07.06.2012, 08.06.2012 to 10.06.2012, 16.06.2012 to 21.06.2012 and w.e. from 23.06.2012 till date discharge from service i.e. 07.09.2012 for total period of 03 months & 06 days. His appeal was filed Regional Police Officer, Malakand vide letter No. 8498/E, dated 19.09.2013. His appeal was also filed v CPO letter No. 1795/Legal, dated 07.03.2014.

Meeting of Appellate Board was held on 05.03.2020 wherein petitioner was heard in pers. During hearing petitioner contended that he was ill.

His petition for reinstatement is badly time barred for more than five (05) years. Therefore Board decided that his petition is hereby rejected.

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

Sd/-

**DR. ISHTIAQ AHMED, PSP/PPM**  
Additional Inspector General of Police,  
HQrs: Khyber Pakhtunkhwa, Peshawar.

No. S/ 1609-15 /20,

Copy of the above is forwarded to the:

1. Regional Police Officer, Malakand at Swat. One Service Roll and one Fauji Missal, copy Departmental enquiry file of the above named Ex-FC received vide your office Memo: No. 52/GB/WPC, dated 28.01.2020 is returned herewith for your office record.
2. District Police Officer, Dir Lower.
3. PSO to IGP/Khyber Pakhtunkhwa, CPO Peshawar.
4. PA to Addl: IGP/HQrs: Khyber Pakhtunkhwa, Peshawar.
5. PA to DIG/HQrs: Khyber Pakhtunkhwa, Peshawar.
6. PA to AIG/Legal, Khyber Pakhtunkhwa, Peshawar.
7. Office Supdt: E-IV CPO Peshawar.

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

**ATTESTED**

ADVOCATE



31

BA

BA

From: - The Provincial Police Officer,  
Khyber Pakhtunkhwa, Peshawar.

To: - The District Police Officer,  
Dir Lower at Temargara.

420  
22-01-2014

No. 148 /Legal Dated Peshawar the, 13-1- /2014.

Subject:- DEPARTMENTAL APPEAL.

Memo:-

Enclose find herewith departmental appeal submitted by Muhammad Yaseen Ex-Constable No. 1508 against dismissal from the service order. Comments in response to the appeal may be submitted at earliest for the disposal of the appeal.



AIG/Legal,  
For Provincial Police Officer,  
Khyber Pakhtunkhwa, Peshawar.

EC

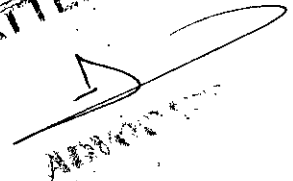
In refm.

*Qum...*

DDO Dir. Lower

21/1/2014

ATTESTED



ADVO...

"F"

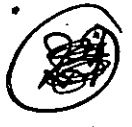
Annex F

(32)

"Medical Report"



Private Secretary  
to Senior Minister for Finance  
Government of Khyber Pakhtunkhwa  
Phone: 091-9212614, Fax: 091-9210505



No. PSO/Min/FD/1-16/2013

Dated Peshawar (the) January 01, 2014

To

The provincial Police Officer (Police  
Khyber Pakhtunkhwa Peshawar

Subject: -  
Dear Sir,

REQUEST FOR RE INSTATEMENT IN SERVICE AS CONSTA

I am directed to refer to the subject cited above and to state that Mr. Muhammad Yaseen has applied for reinstatement in service which is under process in your office.

The Hon'ble Senior Minister for Finance Government of Khyber Pakhtunkhwa has desired that in view of his medical report he may be reinstated on compassionate ground please

Yours faithfully,

(Yasir Inam)  
PSO to Sr. Minister for Finance  
Email: yasarinam36@gmail.com

346-5588389

**ATTESTED**

**ADVOCATE**

33




OFFICE OF THE CHAIRMAN STANDING MEDICAL BOARD/ MEDICAL SUPERINTENDENT POLICE/SERVICES HOSPITAL, PESHAWAR

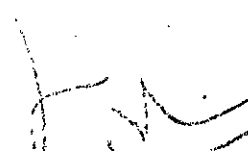
The Standing Medical Board comprising the following members assembled in the office of the Medical Superintendent Police/Services, Hospital, Peshawar to examine, Mr. Yaseen Khan Constable No. 1508.

The Standing Medical Board is of the opinion that the constable Muhammad Yaseen Khan who was referred to Govt; Lady Reading Hospital, Peshawar Psychiatry Department for further assessment. According to the opinion submitted by department of Psychiatrist Govt; LRH, Peshawar the concerned constable was suffering from depressive disorder with behavioral problems precipitated by THC. Since December 2012, he remained off medication. Current mental state revealed that he is having normal mood variation and don't exhibit any abnormal behaviours.

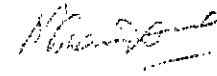
The Standing Medical Board agrees with the opinion of Psychiatry Department of Govt; Lady Reading Hospital, Peshawar that at the moment he has no Psychiatric illness.

Station Peshawar:-  
Dated: -13/06/2013.

  
(Dr. Hidayat-ur-Rehman)  
Chairman  
Standing Medical Board  
Medical Superintendent  
Police/Services, Hospital,  
Peshawar.

  
Medical Superintendent  
Govt; Sarhad Hospital for Psychiatric  
Disease, Hospital,  
Peshawar...Member

(Dr. Muhammad Idris)  
Psychiatrist  
Khyber Teaching Hospital  
Peshawar...Member.....

  
(Dr. Muhammad Tariq)  
Psychiatrist Govt; Sarhad Hospital  
Peshawar...Member

(Dr. Intekhab Alam)  
Prof: of Medicine  
Govt; Lady Reading, Hospital  
Peshawar...Member...

ATTESTED

  
ADVOCATE



No. 2467-48 /MS/SMB/2012-13

Dated

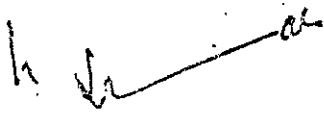
07/07/2013.

The Regional Police Officer  
Malakand at Saidu Sharif Swat.

Subject: - STANDING MEDICAL BOARD.

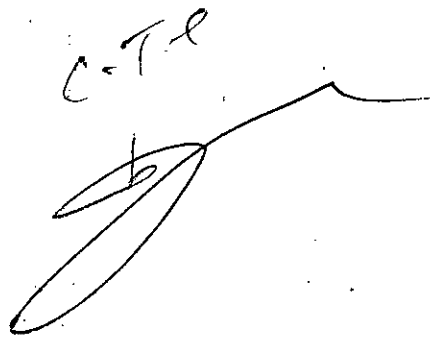
Memo:

Ex- Constable Muhammad Yaseen Khan No. 1508 was examined the Standing Medical Board held in this office. 13/06/2013. The proceedings of the Standing Medical Board are sent herewith for further necessary action.

  
Chairman,  
Standing Medical Board.  
Medical Superintendent  
Police/Services, Hospital,  
Peshawar.

CC:-

- Director General Health Service Khyber Pakhtunkhwa shawar for information.

  
C.T.R



OFFICE OF THE MEDICAL SUPERINTENDANT  
POLICE AND SERVICES HOSPITAL, PESHAWAR  
GOVT. OF KHYBER PAKHTUNKHWA.  
Phone: 091 9210509 Exchange; 091 9223472 Fax: 091 9210543

35

No. 1254/IMB/MB/2012-13


Dated 03/05/2013.

The Regional Police Officer  
Malakand at Saidu Sharif Swat.

Subject: - STANDING MEDICAL BOARD.

Memo:-


Muhammad Yaseen Khan Ex- Constable No. 1508 was examined by the Standing Medical Board held in this office on 30/05/2013. The Standing Medical Board of the opinion that he had received treatment from Psychiatrist Govt. Lady Reading Hospital, Peshawar. He is referred to Assistant Prof. Dr. Mukhtar Azimi to give his expert opinion regarding nature of the illness gravity and severity of the illness at the time of examination and treatment and further prognosis.

  
Chairman  
Standing Medical Board  
Medical Superintendent  
Police/Service Hospital  
Peshawar

Cc,

1. Director General Health Services, Khyber Pakhtunkhwa Peshawar for information.
2. Medical Superintendent Govt. LRH, Peshawar for information and necessary action.
3. Dr. Mukhtar Azimi Assistant Prof. of Psychiatry Govt. LRH, Peshawar for information

ATTESTED

  
ADVOCATE

3B

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28500 P 001

The Regional Police Officer,  
Malakand, at Saidu Sharif, Swat.

The Director General Health Services,  
Khyber Pakhtoonkhwa Peshawar.

1812  
3/10/13

1768

/E, dated Saidu Sharif, the 2/11/2013.

Subject:

MEDICAL BOARD

Memorandum

Ex-Constable Muhammad Yuseen Khan No. 1503 of Dir Lower District, who was discharged from service on account of his prolonged absence from duty vide OB No. 1361 dated 07/09/2012, has appeared before the undersigned in Orderly Room and disclosed that he had reminded absence from duty due to his illness.

It is therefore, requested that a standing Medical Board may kindly be constituted to examine the above named Ex-Constable and offer opinion regarding his physical, Medical and mental fitness for further necessary action.

Regional Police Officer,  
Malakand, at Saidu Sharif, Swat.

No. 1769 /E,

Copy to the District Police Officer, Dir Lower for information with reference to his office Memo: No. 4862/EB, dated 15/03/2012.

May arrange with  
Asst. Dir.

ACAS  
08/04/2013

Regional Police Officer,  
Malakand, at Saidu Sharif Swat.  
\*\*Bacha\*\*

ATTESTED

ADVOCATE

DEPARTMENT OF PSYCHIATRY, PGMI/LRH, PESHAWAR

No. 27 /Psych.

Dated, 11 / 10 / 2011

37

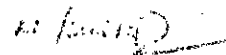


The Chairman  
Standing Medical Board  
Medical Superintendent  
Police/Service Hospital  
Peshawar

Subject: STANDING MEDICAL BOARD

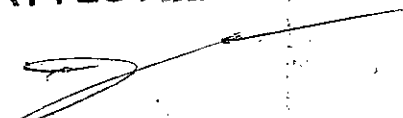
Reference to your letter No. 2854-57/MS/5MB/2012-11 Dated, 03-06-013. Mr. Muhammad Yaseen, ex-constable No. 1508 remained under my treatment in September 2012. At that time he was suffering from Depressive Disorder with behavioral problems precipitated by THC. Since Dec 2012 he remained off the treatment till date.

On current assessment he is having normal mood variation and don't have any behavioral problems.



Dr. Muhammad Ul Haq Azemi  
Assistant Professor Psychiatry Deptt.  
PGMI/LRH, Peshawar

ATTESTED

  
ADVOCATE

B

38

From: The District Police Officer,  
Dir Lower at Timergara

To: The Provincial Police Officer,  
Khyber Pakhtunkhwa, Peshawar.

No. 1160 /EB dated Timergara the 28-01-2014

Subject: DEPARTMENTAL APPEAL

Memorandum: Kindly refer to CPO Peshawar Memo: No. 148/Legal dated 13/01/2014.

Comments on the appeal of Ex Constable Muhammad Yaseen No 1508 of this district Police is submitted herewith as under please:-

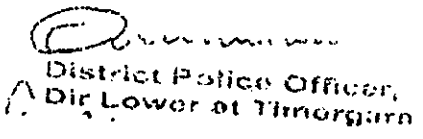
Ex-Constable, Muhammad Yaseen No. 1508 while posted to Police Station Balambhat at consideration in different periods to 21/06/2012 to 24/06/2012 (04 days), from 07/07/2012 to 07/08/2012 (07-days), from 08/08/2012 to 10/09/2012 (03 days), from 10/09/2012 to 21/06/2012 (08-days), from 21/06/2012 to 07/09/2012 (3 days) total 61 days and from 08/08/2012 to 07/09/2012 (3 days) without the leave or prior permission. was issued charge sheet coupled with statement of allegations and SPO Madani was appointed as Enquiry Officer to probe into the allegations and submit his findings. The Enquiry Officer conducted proper departmental enquiry, recorded the statements of the appellant and submitted his finding. The Enquiry Officer in his finding discharged the charge leveled against the appellant without any shadow of doubt and recommended the appellant Ex-Constable for dismissal from service under Police Rules 12-21 and the period he remained out of service for counting as leave without pay, therefore the then District Police Officer, Dir Lower agreed with the finding of the Enquiry Officer and dismissed the Ex-Constable / appellant from service from the date of discharge i.e. 07/09/2012 date of his discharge. with counting the absence period of 61 days as leave without pay vide this office OI No. 1304, dated 07/09/2012.

The appellant is no more interested in his service and his application for re-instatement in service has already been filed by the Regional Police Officer, Malakand at Saidu Bhatti Lower with Regional Office Swat Memo: No. 8498/E, dated 19/09/2013 please

ATTESTED



ADVOCATE



District Police Officer,  
Dir Lower at Timergara



Being copy of page No: 38

**From:** The District Police Officer,  
Dir Lower at Timergara.

**To:** The Provincial Police Officer,  
Khyber Pakhtunkhwa, Peshawar.

No. 1160/EB dated Timergara the 23-01-2014

**Subject:** Departmental Appeal

**Memorandum:**

Kindly refer to CPO Peshawar Memo No. 148/Legal. Dated 13/01/2014.

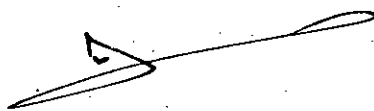
Comments on the appeal of Ex Constable Muhammad Yaseen No. 1508 of this District Police is Submitted herewith as under please:-

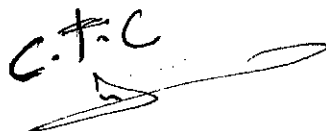
Ex-Constable Muhammad Yaseen No. 1508 while posted to police station Balambat at Consideration from division duration to 21/06/2012 to 28/06/2012 frp, 05/2012 to 07/06/2012 (07 days), from 08/06/2012 to 10/06/2012 (2 days) from 16/06/2012 to 21/06/2012 (6 days) from 23/06/2012 to 03/08/2012 (40 days) total 61 days and from 06/08/2012 to 07/09/2012 (31 days) without any leave or prior permission he was issued charge sheet coupled with statement of allegations and SDPO Mardan was appointed as Enquiry officer to probe into the allegations and submit his findings. The enquiry officer conducted proper departmental enquiry recorded the statements of and submitted his finding. The enquiry officer and his finding published the charge leveled against the appellant without any shadow of and recommended the defaulter Ex-Constable for dismissal from service under police Rules 12-21 and the period to remained out of service for counting as leave without pay, therefore the then district police officer Dir Lower agreed with the finding of the enquiry officer and dismissed the Ex-Constable/appellant from service from the date of absence 06/08/2013 dated of his continues absence with the absence period of 61 days as leave without pay vide this office OB No. 1361, dated 07/09/2012.

The appellant Is no mere interested in his service and his application for re-instatement of service has already been filed by the Regional Police Officer, Malakand at Saidu Sharif Swat vide Region Office swat Memo: No. 8498/E, dated 19/09/2013 please.

  
DISTRICT POLICE OFFICER,  
DIR LOWER AT TIMERGARA

ATTESTED



C.T.C  


بعدالت جناب سروس ٹریبونل KPK بتمام ایسٹاؤڈ برائے لکھنے کے کورٹ سواڈ

مورخہ 12 دسمبر 2020 منجانب سائل  
مقدمہ محمد حسین بنام حکمہ لولیس وغیرہ  
دعویٰ Service Appeal  
جرم

## باعث تحریر آنکہ

مقدمہ مندرجہ عنوان بالا میں اپنے طرف سے واسطے پیروی و جواب دہی وکل کاروائی متعلقہ آن مقام لکھنے کے کورٹ سواڈ کے لئے محمد جاوید رضا ایڈووکیٹ سید عیاض کورٹ کو مقرر کر کے اقرار کیا جاتا ہے کہ صاحب موصوف کو مقدمہ کی کل کاروائی کا کامل اختیار ہوگا۔ نیز وکیل صاحب کوراضی نامہ و تقرر ثالث و فیصلہ برحلف دینے جواب دہیا و اقبال دعویٰ اور درخواست ہر قسم کی تصدیق زر اور اس پر دستخط کرنے کا اختیار ہوگا۔ نیز بصورت عدم پیروی یا ڈگری ایک طرف اپیل کی برآمدگی اور منسوخ مذکور کے مکمل یا جزوی کاروائی کے واسطے اور وکیل یا مختار قانونی کو اپنی ہمراہ یا اپنی بجائے تقرر کا اختیار ہوگا۔ اور صاحب مقرر شدہ کو بھی جملہ مذکورہ بالا اختیارات حاصل ہونگے اور اسکا ساختہ برواختہ منظور و قبول ہوگا۔ اور دوران مقدمہ میں جو خرچہ و ہرجانہ التوائے مقدمہ کے سبب سے ہوگا اسکے مستحق وکیل صاحب ہونگے۔ نیز بقایا خرچہ کی وصولی کرتے وقت کا بھی اختیار ہوگا۔ اگر کوئی تاریخ پیشی مقام دورہ پر ہو یا حد سے باہر ہوتو وکیل صاحب پابند نہ ہونگے کی پیروی مقدمہ مذکور لہذا وکالت نامہ لکھ دیا کہ سند رہے

2020

ماہ دسمبر

المرقوم 12

العبد  
محمد حسین  
ACCEPTED

گواہ شد

العبد  
محمد حسین - ایڈووکیٹ

العبد

گواہ شد

العبد

کلیے منظور ہے۔  
M. Javed Khan  
A.S.C  
0343-9607492.

بمقام ایسٹاؤڈ (برائے لکھنے کے کورٹ سواڈ)

"A"

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

No.

APPEAL No..... of 20

1419

20

FB

*Mohammad Jasin*

Appellant/Petitioner

Versus

*P.P.O. Pesh.*

RESPONDENT(S)

Notice to Appellant/Petitioner

*Mohammad Jawaid Khan*

*Advocate Supreme Court  
of Pakistan at Swat.*

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

on *27-8-2021* 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 Camp Court Swat*

Registrar,  
Khyber Pakhtunkhwa Service Tribunal,  
Peshawar.

**"B"**

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

No.

TB

Appeal No.....1419..... of 20 20

.....Muhammad Yasin.....Appellant/Petitioner

Versus

.....RPO, 16 Pk Pesh.....Respondent

Respondent No.....2.....

Notice to: —

Deputy Inspector General of Police  
RPO, Multan Region at Saidi Sharif  
Swat

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.....2/11/2021.....at 8.00 A.M. If you wish to urge anything against the appellent/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.....3/11.....

Day of.....5th.....2021.

at Camp Court Swat

Registrar,  
Khyber Pakhtunkhwa Service Tribunal,  
Peshawar.

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

**"B"**

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

No.

TB

Appeal No.....111/19..... of 20 20

.....Mubashir Ahmad Jaisin..... Appellant/Petitioner  
Versus

.....P.P.O, 14/11/2021 Pesh...... Respondent

Respondent No.....3.....

Notice to: — District Police Officer, Dir Lower

*1202/11/2021*

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.....2/11/2021.....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.

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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.....13/11.....  
Day of.....Sep.....2021.

*at Comp Court Swat*

*[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.

**"B"**

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

No.

115

Appeal No. 1419 of 20 20

Muhammad Yasin Khan Appellant/Petitioner

Versus

P.P.O. KPK Pesh. Respondent

Respondent No. 1

Notice to: —

Provincial Police Officer Govt of KPK  
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 2/11/2021 at 8.00 A.M. If you wish to urge anything against the appellent/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.....

13/11

Given under my hand and the seal of this Court, at Peshawar this.....  
Day of.....Sep 21 20

at Camp Court Dind



22/9/

*[Handwritten 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.

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

Service Appeal No.1419/2020

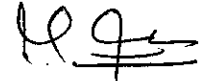
Ex Constable Muhammad Yaseen Khan s/o Hazir Muhammad r/o Tora Tega,  
Timergara Lower Dir ..... Appellant.

**VERSUS.**

- 1) Provincial Police Officer, Khyber Pakhtunkhwa Peshawar.
- 2) Regional Police Officer Malakand at Saidu Sharif, Swat.
- 3) District Police Officer Dir Lower.....Respondents.

**INDEX**

S.#	Description of documents	Annexure.	Pages
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2.	Affidavit	-	4
3.	Power of Attorney	-	5
4.	Copy of discharge report	"A" 12	6



(MUQADAR KHAN)

Inspector Legal  
mDir Lower

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

Service Appeal No.1419/2020

Ex Constable Muhammad Yaseen Khan s/o Hazir Muhammad r/o Tora Tega,  
Timergara Lower Dir ..... Appellant.

**VERSUS.**

- 1) Provincial Police Officer, Khyber Pakhtunkhawa Peshawar.
- 2) Regional Police Officer Malakand at Saidu Sharif, Swat.
- 3) District Police Officer Dir Lower.....Respondents.

**PARA WISE REPLY BY RESPONDENTS.**

Respectfully Sheweth:

**PRELIMINARY OBJECTIONS.**

- 1) That the service appeal is not maintainable in its present form.
- 2) That the appellant has not come to this august Tribunal with clean hands.
- 3) That the present appeal is badly barred by law & limitation.
- 4) That this Honorable Service Tribunal has no jurisdiction to entertain the present service Appeal.
- 5) That the appellant has got no cause of action.
- 6) That the appellant has suppressed the material facts from this Honorable Tribunal.

**ON FACTS:**

1. Pertains to appointment record of appellant, hence needs no comments.
2. Incorrect. Appellant plea is misconceived. He deliberately absented from duties without permission/leave.
3. The appellant willfully absented from duty without any leave or prior permission from his seniors during probation period and did not appear before the enquiry officer in proceeding of enquiry, despite the fact that he was personally informed as well as through his brother. The appellant is required to bring the matter, as he explained in grounds of appeal before the competent authority and to Join the enquiry process, but he deliberately failed to appear before the enquiry officer. He was found to be habitual absentee during probation period (under 03 years) and the enquiry officer in his findings report recommended the appellant for discharge under PR 12-21. The competent authority agreed with the findings report of enquiry officer and discharged the appellant from service under PR 12-21 vide OB No. 1361 dated 07.09.2012.  
(Copy enclosed as annexure "A").



4. Correct and needs no comments, as the appellant was discharged from service under PR. 12-21.
5. Departmental appeal of appellant was found groundless, as the appellant was discharged from service under Police Rules 12-21 (under 03 years service) as well he has made 95 days absence. Appeal of the appellant is badly time barred.
6. The Review petition filed by the appellant is badly time barred for more than 05 years and thus the competent authority rejected the petition on cogent grounds.
7. Incorrect, the orders of respondents are legal, lawful, based on facts and no illegality has been committed by the respondents.

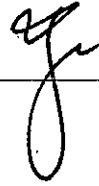
#### **ON GROUNDS**

- i) Incorrect, the orders are legal, lawful, constitutional and no mala fide exist on the part of respondents.
  - ii) Incorrect, charge sheet with statement of allegations was issued, proper enquiry was conducted against the appellant and the appellant was informed time and again to Join the proceeding but he deliberately not appear to defend his case. Furthermore, the appellant was habitual absentee and absented himself in his short service period for about 95 days. All these state of affairs shows his inefficiency and no interest in police service. After completing due process, the order of dismissal was passed, which is based on facts and in accordance with law/rules.
  - iii) Incorrect, the order passed by the competent authority is legal/lawful as per PR 12-21, as he is not entitled for any remedy under the rules.
  - iv) Correct to the extent that the appellant was referred to the standing Medical board for his medical examination and the psychiatrist opined that at the moment he has no psychiatry illness. The appellant is required to Join the enquiry process and to appear before the enquiry officer to defend himself, but he failed to do so. The enquiry officer in his finding report mentioned that the appellant was informed personally as well as through his brother namely Muhammad Sharif to attend the enquiry proceeding but he intentionally did not appear. The respondents have passed the orders under the existing law/rules.
  - v) The respondents also seek leave of this honorable Tribunal to rely on additional grounds at the time of arguments/ hearing.
- (8) Incorrect, the appellant was discharged from service under PR 12-21 in the year 2012, therefore his appeal is badly time –barred.

**PRAYER:**

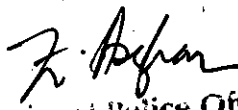
It is therefore humbly prayed that on acceptance of this Para-wise reply the service appeal may graciously be dismissed with costs please.

**Provincial Police Officer,**  
Khyber Pakhtunkhwa Peshawar.

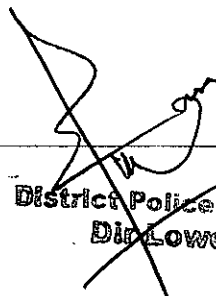


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**Regional Police Officer,**  
Malakand at Saidu Sharif, Swat.

  
**Regional Police Officer,**  
Malakand Region,  
Saidu Sharif, Swat.

**District Police Officer,**  
Dir Lower.



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**District Police Officer,**  
Dir Lower.

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

Service Appeal No.1419/2020

Ex Constable Muhammad Yaseen Khan s/o Hazir Muhammad r/o Tora Tega,  
Timergara Lower Dir ..... Appellant.

**VERSUS.**

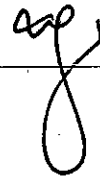
- 1) Provincial Police Officer, Khyber Pakhtunkhwa Peshawar.
- 2) Regional Police Officer Malakand at Saidu Sharif, Swat.
- 3) District Police Officer Dir Lower:.....Respondents.

**POWER OF ATTORNEY**


Mr. Muqadar Khan Inspector Legal Dir Lower is hereby authorized to appear on our behalf before the Honorable Service Tribunal in the above Service appeal and pursue the case on each and every date.

He is also authorized to submit all the relevant documents in connection with the above Service Appeal.

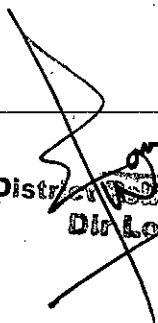
**Provincial Police Officer,**  
Khyber Pakhtunkhwa Peshawar.



**Regional Police Officer,**  
Malakand at Saidu Sharif, Swat.

  
**Regional Police Officer,**  
Malakand Region,  
Saidu Sharif, Swat.

**District Police Officer,**  
Dir Lower.

  
**District Police Officer**  
Dir Lower

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

Service Appeal No.1419/2020

Ex Constable Muhammad Yaseen Khan s/o Hazir Muhammad r/o Tora Tega,  
Timergara Lower Dir ..... Appellant.

**VERSUS.**

1. Provincial Police Officer, Khyber Pakhtunkhwa Peshawar.
2. Regional Police Officer Malakand at Saidu Sharif, Swat.
3. District Police Officer Dir Lower.....Respondents.

**AFFIDAVIT.**

I Muqadar Khan Inspector Legal Dir Lower do hereby solemnly affirm and declare on oath, that the contents of the Para wise reply is true and correct to the best of my knowledge and belief and that nothing has been concealed from this Honorable Court.

  
**(MUQADAR KHAN)**  
Inspector Legal  
Dir Lower

جناب عالی!

بحوالہ آمدہ انڈوسٹری منبری No. 17164.66/EC مرحلہ کنٹریل

1508/FC معروضی خدمت ہوں کہ کنٹریل مذکورہ 11/10 کا

بھرتی شدہ ہے۔ مورخ 18/05/12 پر تھانہ بلاسٹ سے تھانہ لعل قلع

تبدیل ہو کر مورخ 21/05/12 تا 28/05/12 سات یوم 31/05/12 تا 07/06/12

سات یوم 08/06/12 تا 15/06/12 دو یوم 16/06/12 تا 21/06/12 پانچ یوم

23/06/12 تا 02/08/12 چالیس یوم یعنی کل 61 یوم غیر حاضری ہو چکا ہے۔

جبکہ بحوالہ آمدہ ایڈ مورخ 18/05/12 سے بدستور غیر حاضری ہے

کنٹریل 1508/FC کی دلالی/بستی کیلئے پروانہ حیات لوساطت SHO

تھانہ لعل قلع جاری کئے گئے۔ مگر کنٹریل مذکورہ اطلاعاتی کے باوجود

نہ ہو سکا۔ عدویہ آڑس مذکورہ کو بذریعہ حوائیل نمبر 0301.8049629

پر بھی مطلع کیا گیا تھا۔ اور ان کے قبضاتی محمد شریف ولد حاضری

کنہ تورہ سیک کو بھی مذکورہ کی اطلاعاتی کے خاطر اطلاع بخشی

تھی۔ لیکن کنٹریل مذکورہ نا حال پیش میں ہوا۔

اسی طرح بغیر کنڈرہ DFC ریج الحق 517 کا بیان اور ضرر عبدالرزاق

275/SHC کے بیان کی ہے۔ بحوالہ مذکورہ

سات واپس ہوتی ہے کہ مذکورہ مزید نوٹری کا خواہاں میں ہے اگرچہ

ما خواہشمند ہوتا تو تھانہ میں اپنے حاضری کی رپورٹ کرتا اور ایسی

دفتر چھوڑتا ہوتا۔

البد انڈوسٹری من SDPO اس نتیجہ پر پہنچا کہ کنٹریل مذکورہ

استثنائی غیر حاضری اور حذید نوٹری کا خواہشمند میں ہے

کنٹریل مذکورہ کا کل 61 یوم غیر حاضری اور مورخ 18/06 سے

بدستور غیر حاضری ہونے پر کہ ہذا سے گولس رولز

12-21 کے تحت درخواست کرینی سفارش گولس رولز DFC

FMC  
Please file

11/8/12

AB

پسند

Agreed with findings of the Enquiry Committee and the defaulters Const. Josin No. 1508

is hereby discharged from service w.e.f 08.08.2012 i.e date of his continuous absence.

The remaining period of 61 days is also treated as leave.

District Police Officer,  
Dir Lower at Timergara.  
6/9/12

1361  
07-09-2012

08  
an. 17/12

OS NO

**“B”**

**KHYBER PAKHTUNKHWA SERVICE TRIBUNAL, PESHAWAR.**

JUDICIAL COMPLEX (OLD), KHYBER ROAD,  
PESHAWAR.

*Rozaj*  
No. \_\_\_\_\_

*TB Swat*

Appeal No. 1419 ..... of 20 20

*Muhammad Yasin (Cheer)* ..... Appellant/Petitioner

Versus

*DPO Peshawar* ..... Respondent

Respondent No. 3 .....

Notice to: *DIST Police officer Dir Lower*

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 9-5-22 ..... 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 .....

Day of 4 20 22 .....

*at camp court Swat*

*[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.

“B”

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

No. *Rosa*

*TB Swat*

Appeal No. *1419* of 20 *20*

*Mohammad Yasir Khan* Appellant/Petitioner  
Versus

*DPO Peshawar* Respondent

Respondent No. *3*

Notice to: - *DST Police officer Dir Lower*

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 *9/5/22* 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.....*25*

Day of.....*20*.....*22*

*at camp court Swat*

Registrar  
Khyber Pakhtunkhwa Service Tribunal,  
Peshawar.

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**"B"**

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

*Rosey*  
No: \_\_\_\_\_

*TR Swat*

Appeal No. 1419 of 20 20

Mahammad Yasin Khan Appellant/Petitioner

P.P.O Peshawar <sup>Versus</sup> Respondent.

Respondent No. 2

Notice to: Deputy Inspector General of Police / Regional Police officer RTO Malakand Swat

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 9-5-22 at 8.00 A.M. If you wish to urge anything against the appellent/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

Day of..... 4 20 22

*at camp Court Swat*

*[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.  
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**"B"**

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

*No. 1001*

*TB Swat*

Appeal No. *1419* of 20 *20*  
*Mohammad Yasin Khan* Appellant/Petitioner

*PPO Peshawar* <sup>Versus</sup> Respondent

Respondent No. *2*

Notice to: *Deputy Inspector General of Police / Regional Police Officer RPO Malakand Swat*

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 *9-5-22* 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 *25*.....

Day of *at camp court Swat* *4* 20 *22*

*Swat*

*S*

*[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.